

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

Application of  
Greystar GP II, LLC

BZA Application No:  
ANC: 6D07

**STATEMENT OF THE APPLICANT**

**I.**

**Nature of the Application**

This is an application of Greystar GP II, LLC (the “**Applicant**”<sup>1</sup>) for approval of the development of a hotel with ground floor retail uses (the “**Project**”) on property that is currently owned by CSX Transportation, Inc. The Project will be located along New Jersey Avenue, SE, north of I Street, SE, and south of the elevated freeway (on Lot 823 and a portion of Lot 820, Square 695 (the “**Property**”). The Applicant seeks special exception relief from the Front Build-To Line requirements of Subtitle I, §203.1.

**II.**

**Jurisdiction of the Board**

The Board has jurisdiction to grant the relief requested pursuant to Subtitle I, §203.3 (11- I DCMR §203.3) and Subtitle X, §901.1 of the Zoning Regulations (11-X DCMR §901.1).

**III.**

**Information Regarding the Property and Project**

The Property is located in Ward 6 and is comprised of approximately 472,209 square feet of land area (approximately 10.85 acres). The Property has frontage along S. Capitol Street, SE to the west, a pipe-stem that extends to I Street, SE to the south, frontage along New Jersey Avenue, SE to the east, and extends under the elevated I-395 freeway to the north. Interestingly, the Property’s eastern boundary extends all the way to the existing curb along New Jersey

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<sup>1</sup> The Applicant is currently under contract to purchase the Property. An agent authorization letter signed by the owner of the Property is included as Exhibit D of the application package.

Avenue, SE. The existing sidewalk along New Jersey Avenue, SE is actually located on the Property and is not part of the New Jersey Avenue, SE right-of-way. The property located immediately to the south (82 I Street, SE), which includes the ORE 82 mixed-use building, also has this same condition. In addition, a large sewer line cuts across the Property, immediately to the north of the proposed Project. The Property is located in the D-5 Zone as shown in Exhibit B of the application package. Pictures of the Property and site plans depicting the Property's boundaries and the sewer easement are provided in Exhibit H of the application package.

CSX Transportation, Inc. ("CSX") has owned and used the Property for railroad and associated railroad storage activities for decades. There are no permanent buildings located on the Property. However, there are currently some temporary trailers located on the Property which are associated with CSX's construction activities related to the adjacent and nearby Virginia Avenue tunnel construction project. Therefore, there are no certificates of occupancy that are relevant to this application.

The Applicant is proposing to develop three buildings on the eastern side of the Property at this time<sup>2</sup>. The development is expected to include two residential buildings (with the potential for ground-floor retail and service uses), which will satisfy all matter-of-right requirements of the D-5 Zone. Vehicular access to the Property will occur from both Eye Street, SE and New Jersey Avenue, SE (in alignment with H Street, SE to the east). These buildings and the vehicular access to the Property do not require the BZA's review and approval.

The Project will include hotel and retail uses which will satisfy the height, FAR, lot occupancy, parking, loading, court, and yard requirements of the D-5 Zone. In order to provide for a consistent sidewalk and streetscape treatment along New Jersey Avenue, SE from I Street,

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<sup>2</sup> At this time the Applicant is not proposing any development on the western side of the Property, which includes the Property's frontage along S. Capitol Street, SE.

SE to the Capitol Hill neighborhood to the north, it is necessary to locate the Project approximately 12 feet from the property line along New Jersey Avenue, SE for the majority of the Project's frontage along New Jersey Avenue, SE. It is also necessary to pivot the northern portion of the Project away from New Jersey Avenue, SE in order to avoid the existing sewer line that cuts across the Property. The proposed location and siting of the building will allow the Project to be located the same distance from the New Jersey Avenue, SE right-of-way as the ORE 82 project to the south and to avoid conflicts with the existing sewer line. The only relief that the Applicant is requesting is relief from the Front Build-To Line requirements of the D Zone.

**IV.**  
**Description of Approval Requested**

In the D-5 Zone, on a property that faces an avenue named after a state, Subtitle C, Section 203.1 of the Zoning Regulations requires:

at least seventy-five (75%) of each newly constructed building wall fronting a street shall be constructed to or within four feet (4 ft.) of the property line between the subject lot and the abutting street right-of-way, to a height of at least fifteen feet (15 ft.) above the higher of the building's measuring point or the level of the curb from which the building is drawing its height,

As discussed above, the Applicant is proposing to locate the building approximately 12 feet from the property line along New Jersey Avenue, SE in order to allow for a continuous sidewalk and streetscape along New Jersey Avenue, SE and an additional setback for a portion of the Project from the New Jersey Avenue, SE property line in order to avoid conflicts with an existing sewer line on the Property. Accordingly, the Applicant seeks such special exception approval from the requirements of Subtitle C, §203.1.

**V.**  
**Satisfaction of Standards for Approval**

Pursuant to Subtitle C, §203.3, the Board may grant special exception approval from the Front-Build-to requirements of §203.1 provided:

- (a) The integrity of the blockface's build-to-line shall not be eroded when the property is viewed from either end of the blockface; and
- (b) The area in excess of twenty-five percent (25%) that is removed from the lot line shall be open to the public during daylight hours.

In addition, pursuant to Subtitle X, §901, the Applicant must demonstrate that the use is in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not tend to affect adversely the use of the neighboring property. The Applicant satisfies this criteria, as explained below.

The proposed location of the Project will allow for the development of a consistent and coordinated streetscape along New Jersey Avenue, SE with the development immediately to the south. If the front-build-to requirements were satisfied on the Property, the Project would have to be constructed on the current sidewalk and would have a blockface that is right on top of the New Jersey Avenue, SE travelway. The Project's blockface is in fact enhanced, and not eroded, by maintaining the same setback from the curb along New Jersey Avenue, SE that was established with the development of the building to the south. Therefore, the Applicant has satisfied the first element of the special exception standards enumerated in §203.3(a).

The Applicant also fully satisfies the requirements of §203.3(b), as all of the area that is removed from the lot line along New Jersey Avenue, SE will be open to the public during daylight hours. As noted above, this entire area will be used as a public sidewalk and streetscape area that will be open to the public at all times.

Granting this special exception relief will also be in harmony with the general intent and integrity of the Zoning Regulations and will not adversely impact neighboring properties. The unique nature of the Property's eastern boundary, extending all the way to the curb along New Jersey Avenue, SE, creates a situation in which granting the special exception relief is in more harmony with the intent and integrity of the Zoning Regulations than if the matter-of-right standards were followed. By setting back the building from the property line along New Jersey Avenue, SE the Project creates the opportunity for a coordinated sidewalk and streetscape along this block of New Jersey Avenue, SE that will foster pedestrian activity and a lively atmosphere along New Jersey Avenue, SE. In regards to avoiding adverse impacts on neighboring properties, approval of the special exception application once again creates a better outcome than if the matter-of-right standards were satisfied. The adjacent property to the south is benefited by having a consistent building line, sidewalk and streetscape along New Jersey Avenue, SE. In addition, the units in the ORE 82 building that have frontage on New Jersey Avenue, SE include balconies that provide views up New Jersey Avenue, SE to the Capitol Dome. If the Project were designed to be built right on the property line along New Jersey Avenue, SE, those views from the ORE 82 building would be blocked. Therefore, granting the special exception approval is consistent with the general intent and integrity of the Zoning Regulations and Zoning Maps and will not adversely impact adjacent neighboring properties.

Attached to this document is the resume of Sacha Rosen, the architect for the Project and the Applicant's proposed expert witness in architecture. An outline of Mr. Rosen's testimony is also attached.

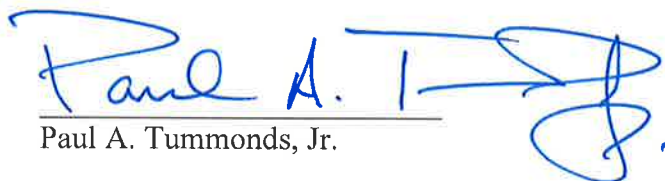
**VI.**  
**Initial Dialogue with Community and District Agencies**

The Applicant will immediately contact the ANC 6D07 Commissioner regarding this application. The Applicant expects to make a presentation to ANC 6D at their December public meeting. The Applicant and its design team expects to meet with representatives of the Office of Planning in November to discuss the Project. The Applicant and its design team met with representatives of the Department of Transportation in October.

**VII.**  
**Conclusion**

For all of the above reasons, the Applicant is entitled to the special exception relief requested in this case.

Respectfully,

  
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Paul A. Tummonds, Jr.

**OUTLINE OF TESTIMONY OF PROJECT ARCHITECT,  
SACHA M. ROSEN, AIA, OF R2L ARCHITECTS**

- I. Introduction
- II. Description of Project
  - A. Site plan
  - B. Design Considerations
  - C. Review of Special Exception Relief Standards
- III. Conclusion

## SACHA M. ROSEN, AIA

### EXPERIENCE

- Founding Principal, R2L:Architects, PLLC (Washington, DC)
- Senior Project Manager, Esocoff & Associates | architects (Washington, DC)

### PROFESSIONAL REGISTRATION & AFFILIATIONS

- Registered Architect, District of Columbia, Maryland, New York, South Carolina, Florida
- American Institute of Architects, Washington, DC Chapter
- National Council of Architectural Registration Boards

### EDUCATION

- M.Arch., University of Oklahoma
- Regents Fellowship, University of Michigan – Ann Arbor
- B.A. Summa Cum Laude, University of Oklahoma
- US/ICOMOS (International Council on Monuments and Sites) Internship in Historic Preservation
- Alpha Rho Chi Medal, University of Oklahoma
- Outstanding Junior Award, University of Oklahoma
- Savoie Lottinville Prize, University of Oklahoma
- Phi Beta Kappa, University of Oklahoma
- National Merit Scholar, University of Oklahoma

### SELECTED PROJECTS

#### Exo

Reston, VA Principal in Charge. New construction of a 16 story 530,000 GSF residential development. Includes 457 apartments in two towers atop a landscaped parking plinth with 646 parking spaces. A single-story link building houses reception, management and other centralized functions. The façade features smart glass technology, which has the ability of adjust opacity for occupant privacy and solar transmittance for optimum energy performance. Targets LEED Gold Design.

#### Market Plaza

Charlottesville, VA Principal in Charge. New construction of a transformational mixed-use development in Charlottesville, within walking street of the Downtown Mall. Includes 10 stories atop of 250-space below grade parking garage, a 85 unit residential condominium, 50,000 GSF of office space, 16,000 GSF ground floor retail and event space, and a new public plaza designed to provide a permanent home for the local farmer's market.

#### 161 Peachtree Center Ave

Atlanta, GA. Co-principal in Charge. New construction of a 16 story, 400,000 GSF apartment tower atop an existing 9 story parking garage adjacent to Atlanta's Peachtree Center. Includes 345 apartments and construction of 2 additional levels of parking. The project introduces work-force



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housing units to a downtown neighborhood with limited housing options close to multimodal transit, employment centers, and urban amenities. Targets LEED Certified Design.

### **Key & Nash**

Arlington, VA. Co-Principal in Charge. New construction of a 7 story 128,000 GSF residential condominium near the Rosslyn Metro Station. Includes 63 dwelling units in both townhouse and flat format, 63 parking spaces, and residential amenity spaces on a steeply sloping urban infill site. The project included 5.1 Site Plan Approval and LEED Silver Design.

### **Ascent Midtown**

Atlanta, GA. Co-principal Charge. New construction of a 22 story 453,000 GSF mixed use high-rise located in Midtown Atlanta. Includes 328 residential units and 176 hotel rooms in two separate towers floors atop a new parking structure; a landscaped podium with expansive landscaping and amenities; a modified exit/maintenance structure for an existing subway line beneath the site. LEED Silver design.

### **Ascent Uptown, 224 W. 3<sup>rd</sup> Street**

Charlotte, NC. Co-principal in Charge. Mixed use commercial and residential project, with 345,000 GSF of residential dwelling units on 22 stories over 5,000 GSF of ground floor retail space and ten level garage.

### **Element 28, 7535 Old Georgetown Road**

Bethesda, MD. Co-principal in Charge. Mixed use commercial and residential project, with 145,000 GSF of residential dwelling units on 14 stories over 5,000 GSF of ground floor retail space and three levels underground garage.

### **300 Morse St. NE**

Washington, DC. Co-Principal in Charge. Master planning and entitlement for large scale GSF development including over 900 residential units, 300,000 GSF office, 69,000 SF retail, 699 parking spaces. Phase 1 development included one high-rise and two mid-rise buildings and extensive public space design and coordination. LEED Gold Target.

### **Rockville Town Center**

Rockville, MD. Co-principal in Charge. Mixed-use development in downtown core near Metro station with 272 dwelling units, 6,000 sf of ground floor retail, and 325 underground parking spaces.

### **82 Eye Street, SE**

Washington, DC. Principal-in-Charge. New construction of a 13-story high-rise with 220 dwelling units, 90 underground parking spaces, and ground floor retail.

### **Adaire Spring Hill Station**

Tyson's Corner, VA. Principal-in-Charge. New construction of a 34-story high-rise with 400 dwelling units on a 450-space parking podium with ground floor retail.

### **1411 Key Blvd.**

Arlington, Virginia. Principal-in-Charge. New construction of 59-unit residential condominium with underground parking garage and six adjoining townhouses. Entitlement via the Arlington County 4.1 Site Plan process.

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### **2000 14<sup>th</sup> Street Mixed-Use Development**

Washington, DC. Co-principal in Charge. Master plan for mixed-use development at the heart of the 14<sup>th</sup> Street corridor, at U Street. Over 650,000 GSF of development area plus 180,000 SF of underground parking. Includes over 450 dwelling units; 50,000 SF of retail space; 75,000 SF of flex office space; and a 150-key hotel.

### **The Edmonds School Lofts, 901 D Street NE**

Washington, DC. Principal-in-Charge. Conversion of an historic school building to market-rate luxury condominiums, with the addition of three adjoining and one independent townhouse units.

### **2221 14<sup>th</sup> Street NW**

Washington, DC. Principal-in-Charge. A 30-unit market-rate apartment house in the Greater U Street Historic District on the prominent corner of 14<sup>th</sup> Street and Florida Avenue.

### **Pike & Rose Development, Block 4**

Rockville, MD. Principal in Charge. 32,000 GSF of retail/commercial space in a two story building.

### **Pike & Rose Development, Block 1a**

Rockville, MD. Principal in Charge. 64,000 GSF of retail/commercial space in a two story building. Second floor and portion of ground floor custom designed for principal tenant; the remainder of the building core and shell.

### **Pike & Rose Development, Block 7 (Condominiums)**

Rockville, MD. Principal in Charge. Mixed use commercial and residential project, with 150 hotel rooms and 105 residential condominiums. R2L: Architects served as designer of the residential dwelling units and common spaces, and provided alternate concept designs for full development.

### **Pike & Rose Development, Block 6**

Rockville, MD. Co-principal in Charge. Mixed use commercial and residential project, with 200,000 GSF of residential dwelling units on 10 stories above 60,000 GSF of retail space on two floors, with two levels of underground parking.

### **801 7<sup>th</sup> Street, NW**

Washington, DC. Principal in Charge. Mixed-use commercial and office project of 60,000 SF on five floors, incorporating the restoration and reuse of six historic structures at the prominent corner of 7<sup>th</sup> and H Streets in downtown Washington.

### **641 S Street, NW**

Washington, DC. Principal in Charge. Renovation of a landmarked bakery in the U Street Arts and Historic Districts of Washington. The project included extensive rehabilitation of the existing three-story structure, and the addition of new space for a total of 100,000 GSF.

### **450 K Street, NW**

Washington, D.C. Principal in Charge. Mixed-use development of 220,000 GSF on thirteen floors plus three levels of underground parking. Includes 233 residential units; 9,000 GSF of amenity space;

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7,000 GSF of ground floor retail; and +/- 15,000 SF of occupied exterior courtyards and rooftop terraces. The project is located in the Mount Vernon Triangle Historic District. LEED Silver design.

### **Oriental Banking Association Bldg, 600 F Street NW**

Washington, DC. Co-Principal. Renovation and adaptive reuse of a five story historic landmark building, the Oriental Banking Association, located in downtown Washington. The project includes the design of 24 "micro-loft" extended stay residences on four upper floors, over ground floor and basement restaurants.

### **The Canterbury Hotel, 704 3<sup>rd</sup> Street NW**

Washington, DC. Co-Principal. Master plan and entitlement for a twelve-story addition to the existing five-story historic landmark structure. The project includes a 200-key hotel with underground parking.

### **400 Massachusetts Avenue, NW**

Washington, D.C. Project Architect/Project Manager. Sited at the intersection of Massachusetts Avenue, Fourth Street, and H Street in Northwest Washington, this thirteen-story condominium consists of 256 residential units, ground-floor commercial space, and below-grade parking. The building wraps around an historic firehouse, and curved bay projections offer views from the residential units down broad streets and avenues.\*

### **The Whitman, 910 M Street NW**

Washington, D.C. Project Architect/Project Manager. The Whitman residential condominium, completed in 2007, includes 185 market-rate units with a 200+ car underground garage.\*

### **The Onyx on First, 1100 1<sup>st</sup> Street, SE**

Washington, D.C. Project Architect/Project Manager. Located near the new Washington Nationals baseball stadium and the US Department of Transportation Headquarters, the building has 266 market-rate apartments, roof deck with swimming pool, and three level underground garage.\*

### **Embassy Residences, Embassy of the People's Republic of China in the USA**

Washington, DC. Project Manager. Located in the Sheridan/Kalorama Historic District, the project was developed under the regulations of the Foreign Missions Act. The design features 130 embassy staff apartments arranged around a central courtyard with underground parking.\*

### **The Canterbury Office Building, 704 3<sup>rd</sup> Street NW**

Washington, DC. Project Manager/Project Architect. An eleven-story addition to an existing five-story historic landmark structure. The project was approved by the Historic Preservation Review Board, and was designed to LEED Gold criteria.\*

### **The Canterbury Office Building, Alternate Development Concept**

Washington, DC. Project Architect/Project Manager. An alternative five-story addition to an existing five-story historic landmark structure. The project was designed to LEED Silver criteria.\*

### **100 M Street SE Mixed-Use Development Master Plan**