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D.C. ZONING COMMISSION
2003 SEP 25 AM 10:01

September 24, 2003

VIA HAND DELIVERY

D.C. Zoning Commission
Suite 210
441 4th Street, N.W.
Washington D.C. 20001

Re: Zoning Commission Case No. 03-16
Modification to the Approved Planned Unit Development
at 2650 Virginia Avenue, N.W.
Pre-Hearing Statement of the Applicant

Dear Members of the Commission:

Enclosed, please find the original and twenty copies of the Pre-Hearing Submission of the Applicant in the above-referenced case. Also enclosed, please find mailing labels for the addresses of owners of property within 200 feet of the subject property and for all persons having a lease with BRE/Watergate, L.L.C., the owner.

As certified in the statement, all of the required information has been submitted and the case is ready for public hearing.

ZONING COMMISSION
District of Columbia
Case 03-16
Exhibit 20

Sincerely,

Steven E. Sher
Director of Zoning and Land Use Services

Enclosures

cc: Joel Lawson, D.C. Office of Planning
Advisory Neighborhood Commission 2A

ZONING COMMISSION
District of Columbia
CASE NO.03-16
EXHIBIT NO.20

BEFORE THE

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA

2650 Virginia Avenue, N.W.
The Watergate Hotel

PREHEARING STATEMENT

OF THE APPLICANT
IN SUPPORT OF
AN APPLICATION FOR
MODIFICATION OF AN APPROVED
PLANNED UNIT DEVELOPMENT

Zoning Commission Case No. 03-16

September 24, 2003

PREFACE

This Prehearing Statement and attached documents (the "Prehearing Submission") are submitted by Monument Residential, L.L.C., the contract purchaser of the property, on behalf of BRE/Watergate LLC, the owner of the subject property (collectively, the "Applicant"), to the Zoning Commission for the District of Columbia for a modification to an approved Planned Unit Development ("PUD"). The subject property is located on the southwest side of Virginia Avenue between New Hampshire Avenue and Rock Creek Parkway, N.W., and consists of Lot 807 in Square 8 (the "Site"). The Site is zoned SP-2 and is currently developed with the building used as the Swissôtel Washington at the Watergate. The Applicant is seeking approval of the modification to have the option to convert the hotel to an apartment house of no more than 155 units. In all other respects, the PUD will not be changed and the existing development will remain as is.

The Applicant originally filed a PUD Statement and supporting documents, including architectural plans and drawings, on May 7, 2003 (the "PUD Submission.") The PUD Submission set forth in detail the proposed development, project design, public benefits and project amenities, and consistency with the Comprehensive Plan and Ward 2 Plan. This Prehearing Submission supplements the PUD Submission and responds to those issues raised by the Zoning Commission and the Office of Planning.

As set forth below, this Prehearing Submission, along with the original PUD Submission, meets the filing requirements for an application to modify an approved PUD under Chapter 24 of the District of Columbia Zoning Regulations.

DEVELOPMENT TEAM

Developer:	Monument Residential 7th Floor 1155 Connecticut Avenue, N.W. Washington, DC 20036
Owner:	BRE/Watergate L.L.C. 345 Park Avenue New York, NY 10154
Architects:	Hickok Warner Cole 1023 31st Street, N.W. Washington, DC 20007
Traffic Consultant:	Wells & Associates, LLC Suite 600 1420 Spring Hill Road McLean VA 22102
Economic Consultant:	Basile Baumann Prost & Associates Suite 10 Nichols Center 177 Defense Highway Annapolis, MD 21401
Land Use Counsel:	Holland & Knight LLP Suite 100 2099 Pennsylvania Avenue, N.W. Washington, DC 20006

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CERTIFICATION OF COMPLIANCE WITH SECTION 3013 OF THE ZONING REGULATIONS

The Applicant hereby certifies that this application, twenty copies of which were filed with the Zoning Commission on April 25, 2003, complies with the provisions of Section 3013 of the Zoning Regulations as set forth below, that the application is complete.

Subsection	Description	Page
3013.1(a)	Information requested by the Commission	Prehearing Statement
3013.1(b)	List of witnesses	Exhibit E
3013.1(c)	Summary of testimony of Applicant's witnesses and reports for the record:	
	Michael Darby Monument Realty	Exhibit F
	Francis X. Durkin Hickok Warner Cole	Exhibit F
	Martin Wells Wells and Associates	Exhibit F
	James L. Prost Basile Baumann Prost	Exhibit F
	Steven E. Sher, Land Planner	Exhibit F
3013.1(d)	Additional information	Submitted herewith or with PUD Submission
3013.1(e)	Reduced Plans	Exhibit A
3013.1(f)	List of maps, plans or other documents readily available which will be offered into evidence	Exhibit G

3013.1(g)	Estimated time required for presentation of Applicant's case	Exhibit E
3013.6(a)	List of names and addresses of all property owners within 200 feet of the subject property	Exhibit H
3013.6(b)	List of names and addresses of each person having a lease with the owner for all or part of any building located on the property involved in the application	Exhibit I

The undersigned HEREBY CERTIFIES that all of the requirements of Section 3013 of the Zoning Regulations have been complied with. In accordance with Section 3013.8, this application will not be modified less than twenty days prior to the public hearing.

Respectfully Submitted,

HOLLAND & KNIGHT LLP

By: _____

LIST OF EXHIBITS

Description	Exhibit
Plans for the conversion of the building	A
Excerpt from the Zoning Regulations effective May 12, 1958	B
Excerpt from the Zoning Regulations, with amendments through April 28, 1965	C
Decision of the Commission of Fine Arts, dated June 19, 2003, for concept approval of the proposed changes to the building	D
List of witnesses and estimated time required for presentation of Applicant's case	E
Outlines of testimony for witnesses	F
List of maps, plans or other documents readily available which will be offered into evidence	G
List of names and addresses of all property owners within 200 feet of the subject property	H
List of names and addresses of all persons having a lease with the owner of the subject property	I

I.
INTRODUCTION

This Prehearing Submission supplements the PUD Submission and responds to those issues raised by the Zoning Commission and the Office of Planning.

II.
RELATIONSHIP OF PROPOSED USE AMENDMENT TO THE ORIGINAL PUD

The Watergate complex was one of the first planned unit developments approved after the adoption of the 1958 Zoning Regulations. The original 1958 Regulations were very general (see Exhibit B), in term of the information required for a large scale planned development, which applied to developments of ten acres or more, and the process for review and approval of those developments. The Zoning Commission amended the Regulations in 1961 (see Exhibit C), reducing the minimum land area to five acres (1.5 acres in SP, C-3-C and C-4 Districts), including more standards, specifying in more detail the information required and providing for further processing by the Board of Zoning Adjustment to implement the Commission's general approval of the development plan.

The original plan as presented to the Zoning Commission in 1962 contained a mix of uses and an overall site plan featuring the curvilinear design which is emblematic of the Watergate. The project was divided into four Stages:

- Stage I was the apartment house now known as Watergate East at 2500 Virginia Avenue, containing 301 apartment units and also including approximately 50,000 square feet of retail and service commercial uses above and below ground;

- Stage II was the office building and the subject hotel, at 2600 and 2650 Virginia Avenue, respectively, to also include approximately 25,000 square feet of additional retail and service commercial uses;
- Stage III was the apartment house now known as Watergate West at 2700 Virginia Avenue, containing 143 apartment units; and
- Stage IV was to be an apartment house located along the New Hampshire Avenue and F Street side of the property and was to contain approximately 850 apartments.

The total development was to contain approximately 1,600 dwelling units including 1,300 apartments and 300 hotel rooms, 185,000 square feet of office space, 80,000 square feet of retail and service uses and 1,250 parking spaces. The total FAR for the entire site was limited to 4.5, or approximately 1,887,000 square feet of gross floor area. The BZA approved the construction of the project in a series of cases for further processing.

The PUD was amended by the Commission itself:

- In 1968 to change the site plan and uses proposed for Building No. 1 (Stage IV), to allow up to 260,600 square feet of SP office uses with 325 dwelling units and 24,000 square feet of retail and service commercial uses (Case No. 68-58, order dated December 19, 1968);
- In 1974 to allow general office use in Building 1 (Stage IV) at 600 New Hampshire Avenue (Order No. 100, Case No. 72-23, November 15, 1974);
- In 1976 to allow general office use in the Stage II office building at 2600 Virginia Avenue (Order No. 125, Case No. 75-3, February 12, 1976); and

- In 1989 to allow for a 2,000 square foot expansion of the health club in the Watergate Hotel on the B-3 level (Order No. 631, Case No. 89-6M, September 11, 1989).

In Order No. 631 in 1989, the Commission summarized the totality of the project as then consisting of "over 500,000 square feet of office space, a 237-room hotel, 644 apartment units, underground parking, the health club, and a significant amount of retail space. There are 1,240 parking spaces located in a 3-level common garage which serves the entire complex."

The proposed modification to the existing approved PUD will allow the option to convert the existing hotel to an apartment house of no more than 155 units. This would increase the total number of apartment units to approximately 800, which is still below the number envisioned in the original PUD and slightly above the 769 units which resulted from the modification approved in 1968. The building would continue to contain a restaurant and a health club. There are no other changes in use proposed for any other part of the Watergate.

The proposed modification would not change the physical components of the project in any significant way. The changes to the building necessary to affect the conversion will be mostly internal to the building, resulting in the removal of certain hotel related uses on lower levels and the conversion of the guest rooms on the upper levels to apartments. Exterior changes will include the replacement of existing windows, the construction of carports on the surface adjacent to the pool at the rear and the construction of additional stairways for access from the top floor units to the roof deck.

III.
CONFORMANCE WITH THE ZONING REGULATIONS

The subject property was rezoned to SP-2 at the time that the PUD was approved. The PUD regulations at that time also afforded substantial flexibility to the Zoning Commission with regard to use. Accordingly, the Zoning Commission approved a wide range of retail and service uses in the PUD, even though those uses were not normally permitted in the SP-2 District. The Applicant seeks to keep in the building two of the uses which were previously part of the hotel, a health club and a restaurant. Pursuant to §2410.2, the Commission may consider this case under the regulations in effect at the time of filing of the PUD, and the two uses may therefore continue in the building.

As noted above, the changes to the exterior of the building are extremely minor, limited to the addition of carports adjacent to the pool and the certain minor additions to the roof to provide for additional roof access. The area where the parking is to be added is already paved and used for parking. The carports are located below the level of the main floor (which for the subject building is one story above the surface at the rear) and the carports are thus not included in lot occupancy. The carports total approximately 1,026 square feet in gross floor area, which increases the overall FAR of the entire project by 0.0003 and which increases the FAR in Stage II by 0.02.

There are already multiple enclosures on the roof for mechanical equipment and building service functions. The Applicant proposes to add stairs to the roof to provide access to private roof decks from six units on the top floor of the building.

Those stairs will be integrated into and alongside of the existing roof structures; there will be no increase in the total number of roof structures. There will also be stucco screen walls attached to the existing roof structures to provide some privacy for the individual roof terraces. All the stair enclosures and screen walls meet the setback requirements of the Regulations.

The height of the existing roof structures varies, with a maximum for the main elevator penthouse at eighteen feet, four inches above the roof. The height of the new stair enclosures is a maximum of eight feet and the maximum height of the screen walls is six feet, four inches. This would create roof structures having walls of unequal height. The new construction on the roof has been held to the lowest possible height, so as to minimize the mass and visual appearance of the new construction. Raising the height of the new penthouses and screen walls to the same height as the existing penthouses would increase the visibility of those structures.

In all other respects, the proposed modification to the PUD would not change the zoning computations or cause any noncompliance with the Regulations. An apartment house in an SP-2 District requires a minimum of one parking space for each four units; the proposed 146 spaces for up to 155 units far exceeds that requirement.

IV.
PARKING

There are currently ninety-five parking spaces available to the existing hotel. The existing eighty-five below-grade spaces would continue to be available to the

apartment house. In addition, the Applicant proposes to increase the number of parking spaces for the apartment house to 146. Eleven spaces would be added on the B-3 level in space which is now part of the health club. Thirty-seven spaces would be added on the B-2 level in space now part of the hotel support area. Seven spaces would be added on the B-1 level in space now part of the hotel bar and storage. Six spaces would be added on the surface in carports.

No additional parking would be provided for the health club or the restaurant. The new restaurant would contain a maximum of 3,000 square feet, for approximately 120 seats. The restaurant would be located on the B-1 level of the building and would have no street frontage. The nature and type of service of the restaurant use will be determined in consultation with the residents of the Watergate. The restaurant is intended to serve the residents of the project and not be an attraction for patrons from outside the building. To the extent that there would be persons who drive to the site, there is parking available in the evening in the public garage of the complex.

V.
COMMUNITY CONCERNS

The Applicant has continued to have discussions with representatives of the three cooperative associations which own the three apartment buildings in the Watergate. At the public hearing the Applicant will address the resolution of the issue raised by the existing residents with respect to the form of ownership of the new residential building. With respect to the other issues raised by the residents:

- The impact of new roof top structures will be minimal, in that all new stair enclosures will abut and be lower than the existing roof structures and the stair enclosures and the screen walls will meet all the setback requirements; as can be seen on the photo montages on Sheet A-9 of the plans (Exhibit A).
- The area where the six carports will be located is on grade adjacent to the entrance to the parking garage for the hotel and the 2600 office building. This area is currently paved and used by the hotel valet service for parking. Part of the area will be transformed into private terraces for new residential units being created inside the building on the B-1 level (see Sheets A-4 and A-10 of the plans in Exhibit A). Adding the carports will help to screen the six parking spaces from view and will improve the overall aesthetic of this part of the site.
- As set forth above, the Applicant proposes to increase the number of parking spaces available to the building from ninety-five to 146, without taking away any parking spaces now devoted to any other use in the project.

VI.
PUD COVENANT AND OBLIGATIONS TO OTHER WATERGATE OWNERS

Review of title for the property indicates that there is no PUD covenant on record for the subject property. Subsection 7501.9 of the Zoning Regulations adopted in 1958 (see Exhibit B) made the conditions imposed by the Zoning Commission run with the land. The conditions were made a part of any certificate of occupancy issued for any use or structure, but no covenant in the land records was required.

The PUD Regulations were amended in 1961 (see Exhibit C) to include a provision allowing the Commissioners of the District to declare an owner in default if the project was not completed within the time frames specified by the Commission or the BZA. In that case, the Commissioners were authorized to assign the job of completing the PUD to another builder or developer and the owner was required to sell the land at its fair market value at the time of the notice of default. The owner of the land included in the PUD was required by Subsection 7501.9 to enter into an agreement to run with the land incorporating these requirements. Subsection 7051.100 continued to make conditions a part of any certificate of occupancy but not part of a covenant.

The requirement of the current Zoning Regulations for the recordation of a covenant in the land records (§2409.3) binding the owner to construct on and use the property in accordance with the orders of the Zoning Commission was added to the Regulations in 1979 (Order No. 251, Case No. 78-1, February 8, 1979), after the Watergate project was completed.

As noted earlier, the Watergate complex consists of different buildings integrated into a single project constructed over a common base. In particular, the Stage II office building (2600 Virginia Avenue), the hotel and the Stage I commercial buildings are contiguous, adjoining and interlocking and share certain utility systems and lines as well as common and interconnecting driveways. The owners of those portions of the property have entered into easements for access, maintenance and repair and cost sharing agreements with respect to utility services provided by Washington Gas. Those easements run with the land.

VII.
COMMISSION OF FINE ARTS REVIEW

Due to its location adjacent to Rock Creek Park and the Potomac River, the design of the project is subject to review by the Commission of Fine Arts under the Shipstead-Luce Act. At its meeting held on June 19, 2003, the Commission adopted as part of its appendix "No objection to the concept for proposed condominium conversion, including new stair enclosures and ventilators on roof, new terraces at B1 level, and new canopies for existing surface parking, as shown in drawings received and dated 6 June 2003. The applicant is requested to work with staff during the further development of the project, prior to submission for permit review." A copy of the record of the CFA approval is attached as Exhibit D.

VIII.
AREAS OF FLEXIBILITY

The Applicant requests flexibility in the following areas:

1. To vary the location and design of all interior components, including partitions, structural slabs, doors, hallways, columns, stairways, and mechanical rooms, provided that the variations do not change the exterior configuration of the building;
2. To make changes in the exterior design to conform to the final plans ultimately approved by the Commission of Fine Arts; and
3. To rearrange the number and size of units, as long as there are no more than 155 units in the building.

IX.
CONCLUSION

For the foregoing reasons, the Applicant submits that the PUD plan meets the standards of Chapter 24 of the Zoning Regulations; is consistent with the purposes and intent of the Zoning Regulations and Zoning Map; is consistent with the land use objectives of the District of Columbia; will enhance the health, welfare, safety and convenience of the citizens of the District of Columbia; satisfies the requirements for approval of a consolidated PUD; provides significant public benefits and project amenities; advances important goals and policies of the District of Columbia and, therefore, should be adopted by the Zoning Commission. Accordingly, the Applicant requests that the Zoning Commission approve the application to modify the existing PUD.

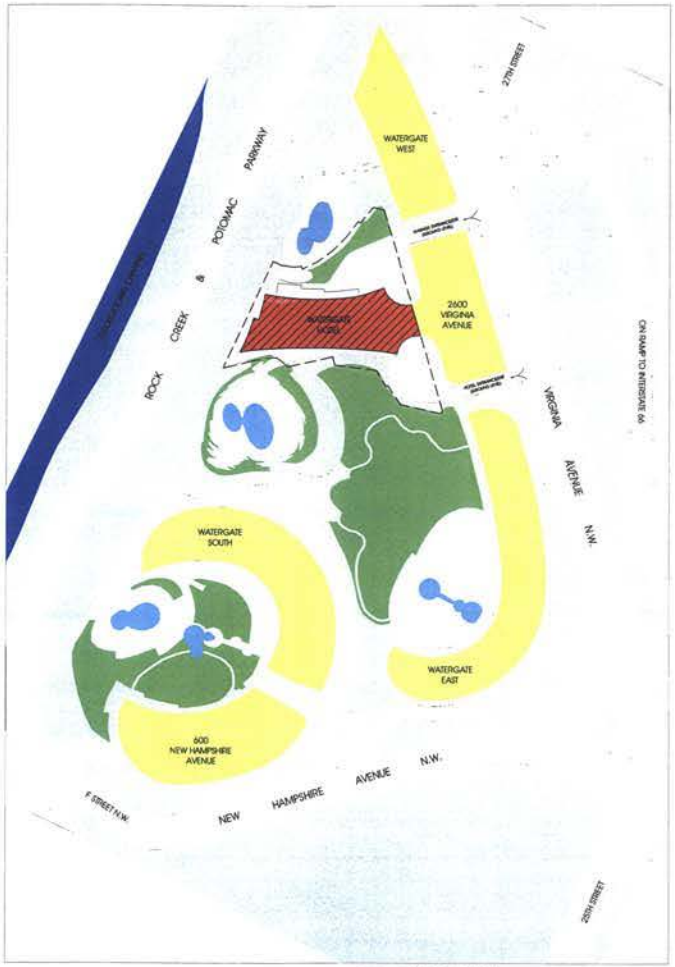
Respectfully submitted,

HOLLAND & KNIGHT LLP

By: _____
Norman M. Glasgow, Jr.

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1 SITE PLAN
SCALE: 1:60

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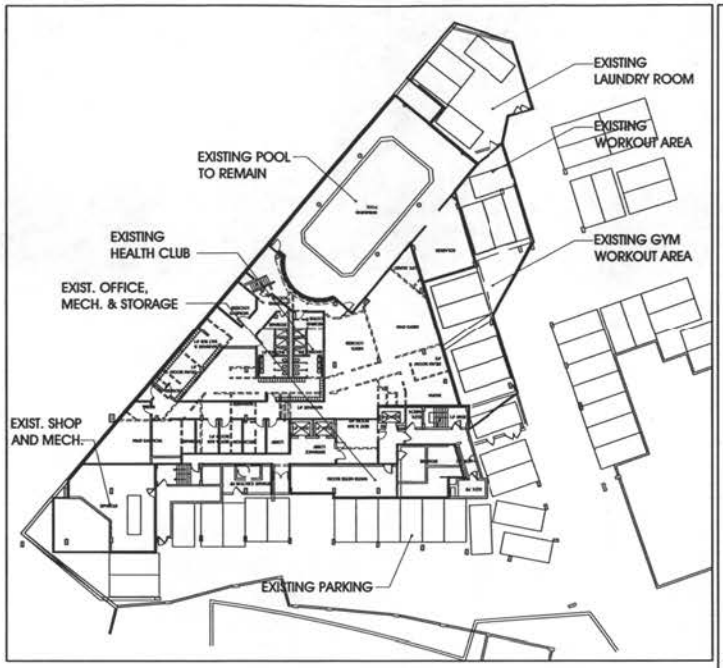


AERIAL VIEW

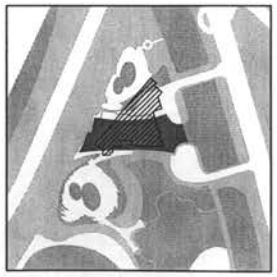


SOUTHWEST VIEW

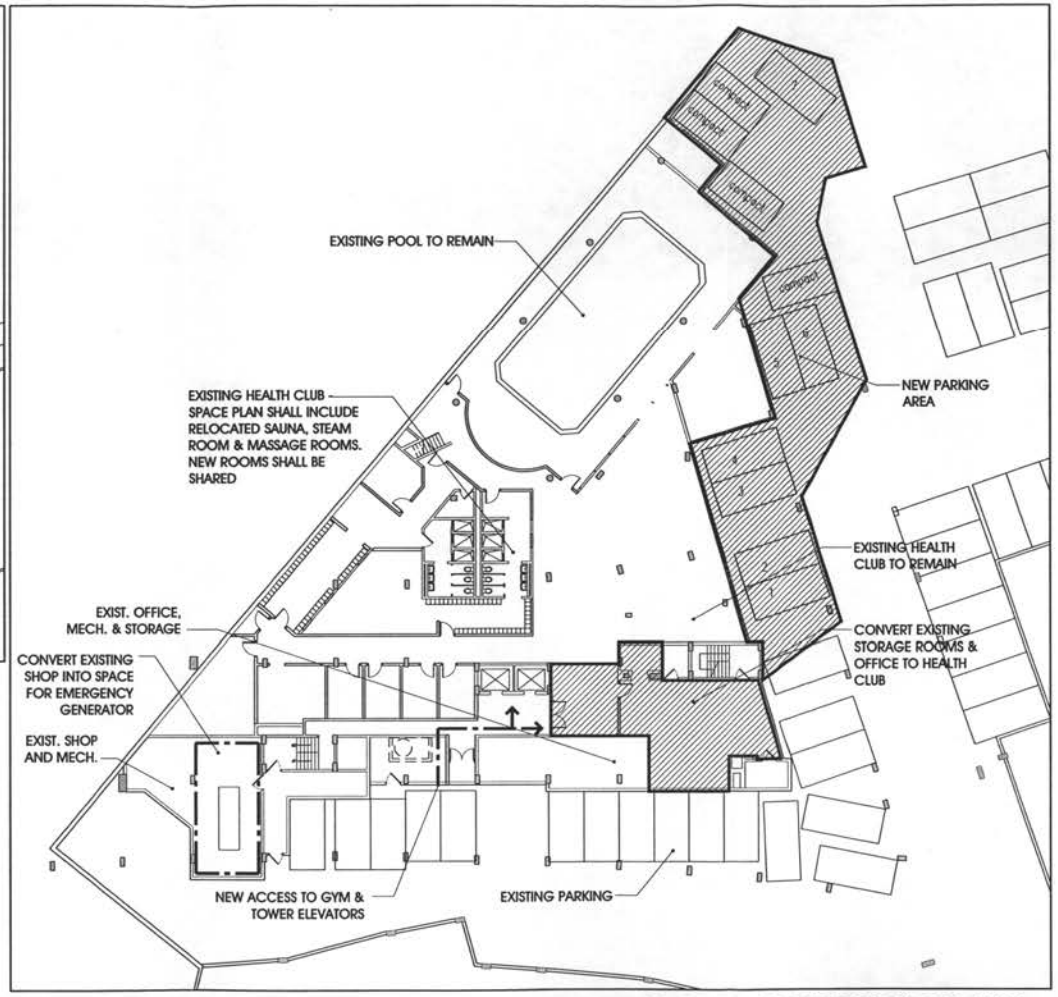
THE RESIDENCES AT WATERGATE - 2650 VIRGINIA AVENUE, NW	PRE-HEARING SUBMISSION 9-24-03	A1	SITE PLAN	HICKOK WARNER COLE Architects



1 LEVEL B-3 EXISTING FLOOR PLAN
SCALE: 1/16" = 1'-0"

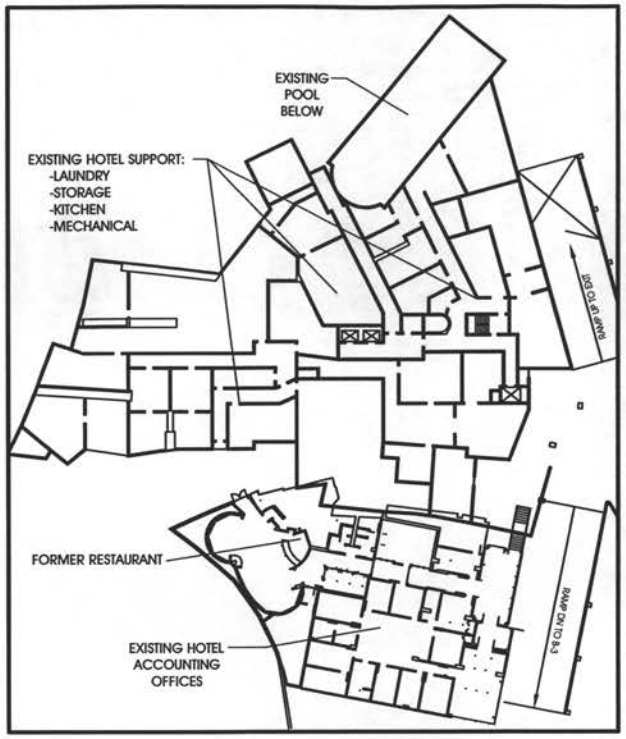


KEY PLAN

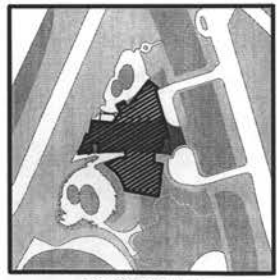


2 LEVEL B-3 PROPOSED FLOOR PLAN
SCALE: 1" = 10'-0"

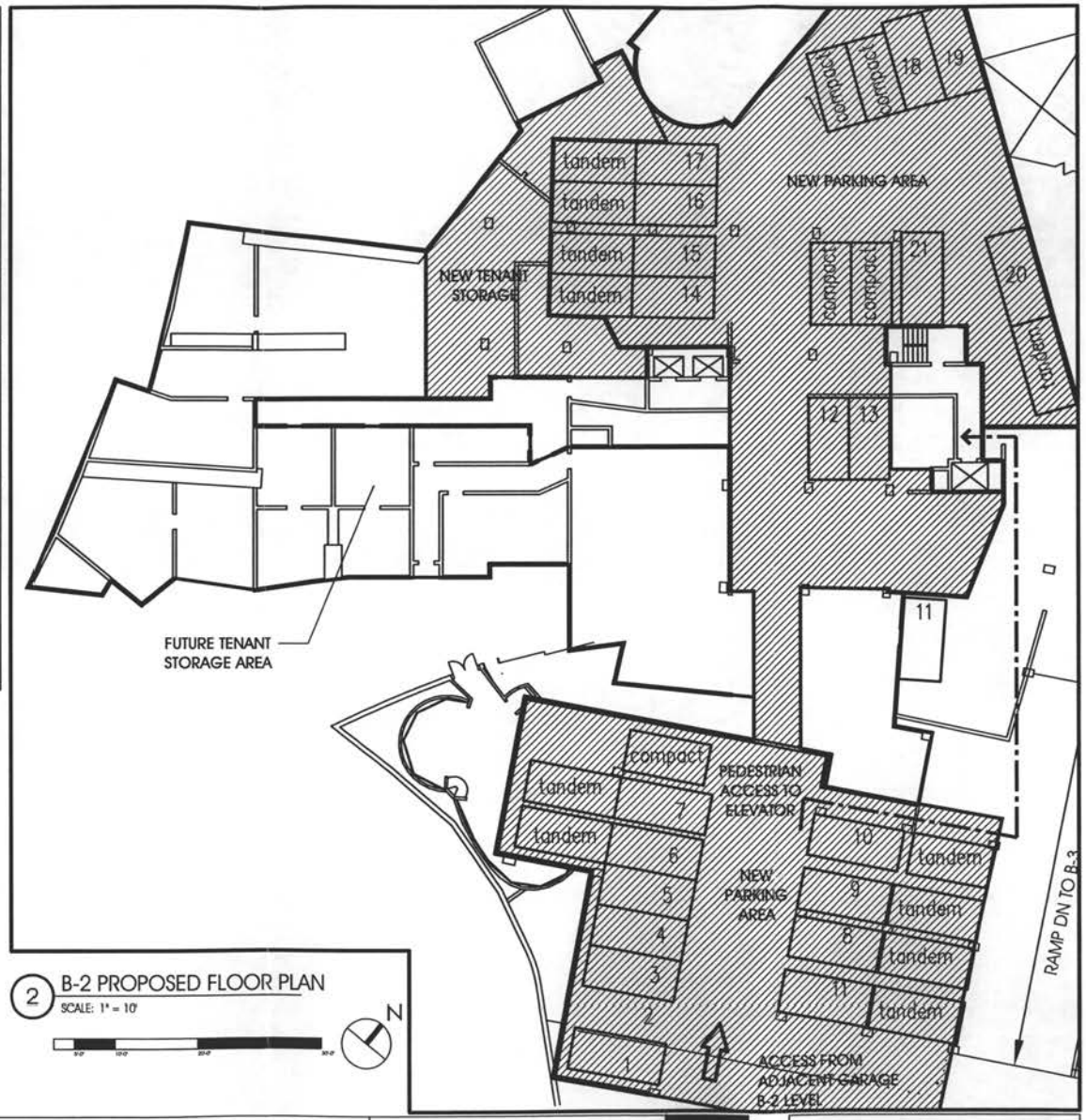
THE RESIDENCES AT WATERGATE - 2650 VIRGINIA AVENUE, NW	PRE-HEARING SUBMISSION 9-24-03	A2	LEVEL B-3	HICKOK WARNER COLE Architects



1 B-2 EXISTING FLOOR PLAN
SCALE: 1/16" = 1'-0"



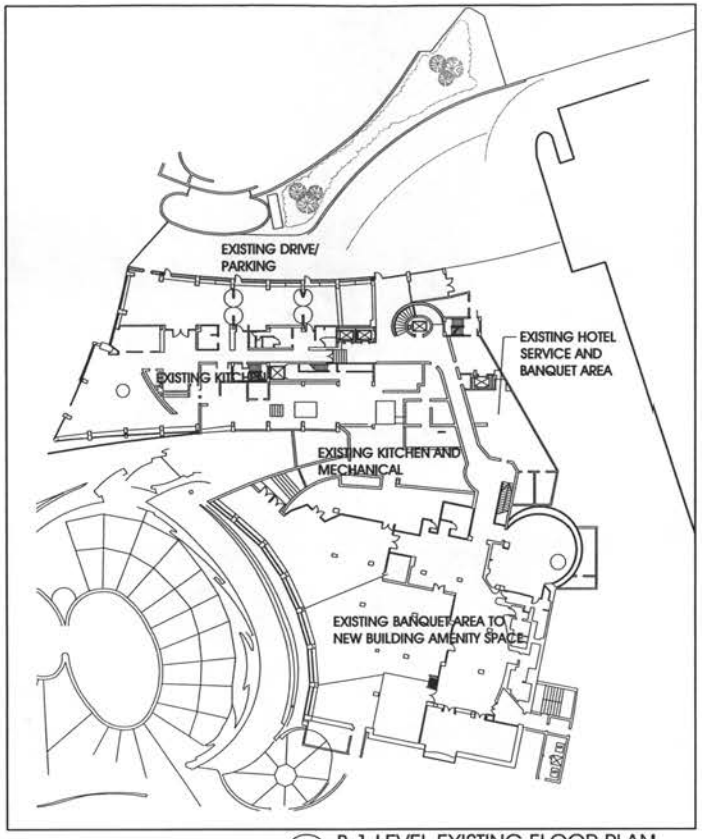
KEY PLAN



2 B-2 PROPOSED FLOOR PLAN
SCALE: 1" = 10'

THE RESIDENCES AT WATERGATE - 2650 VIRGINIA AVENUE, NW	PRE-HEARING SUBMISSION 9-24-03	A3	LEVEL B-2

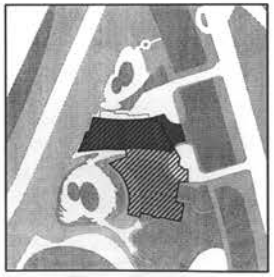
HICKOK WARNER COLE Architects



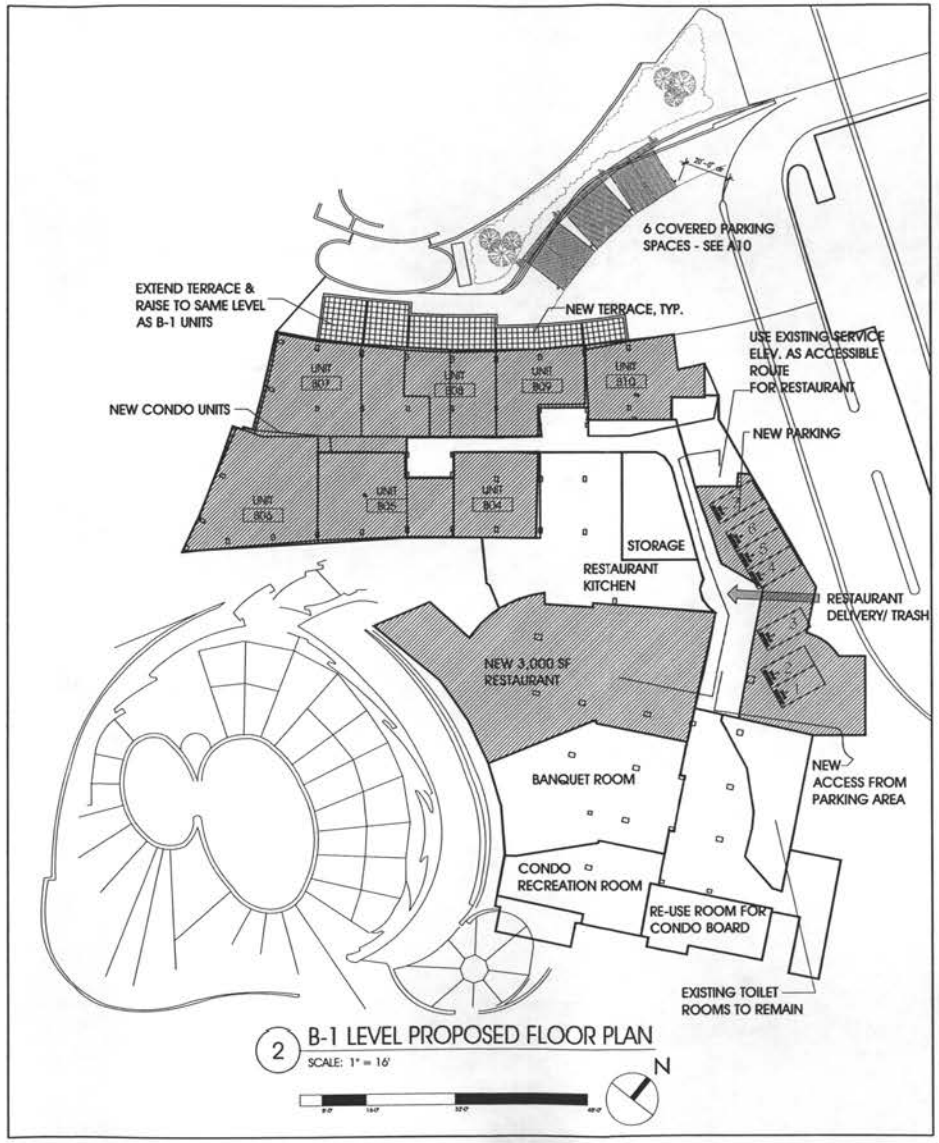
1 B-1 LEVEL EXISTING FLOOR PLAN

SCALE: 1/20" = 1'-0"

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KEY PLAN

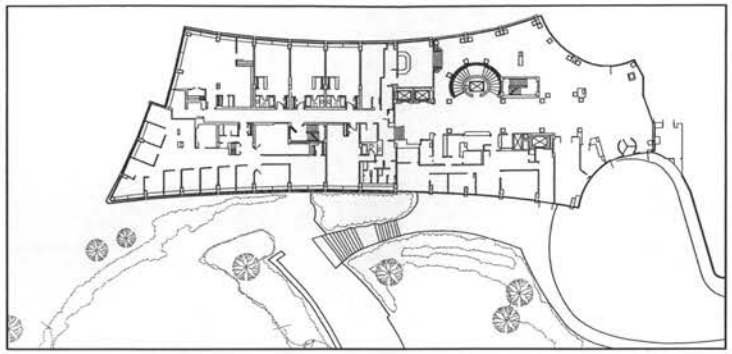


2 B-1 LEVEL PROPOSED FLOOR PLAN

SCALE: 1" = 16'

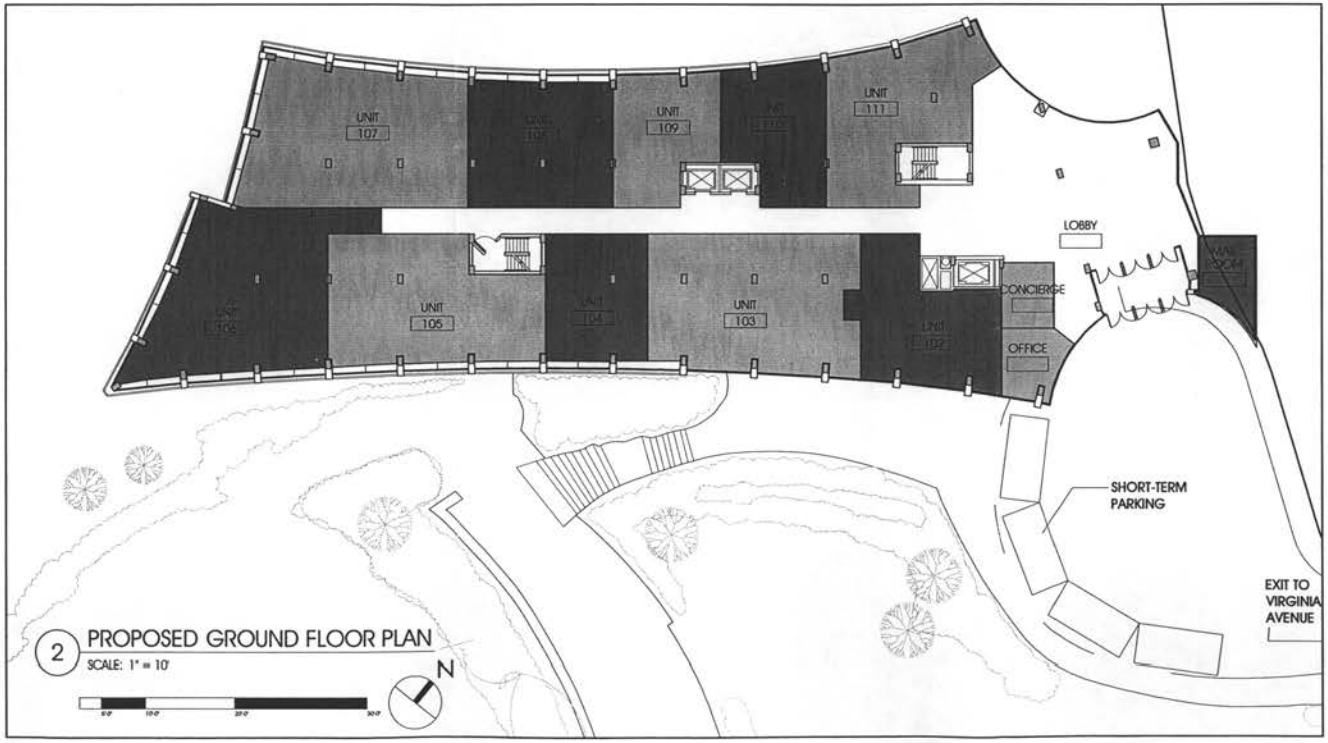
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THE RESIDENCES AT WATERGATE - 2650 VIRGINIA AVENUE, NW	PRE-HEARING SUBMISSION 9-24-03	A4 LEVEL B-1	HICKOK WARNER COLE Architects



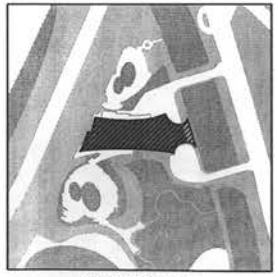
1 EXISTING GROUND FLOOR PLAN
SCALE: 1/20" = 1'-0"

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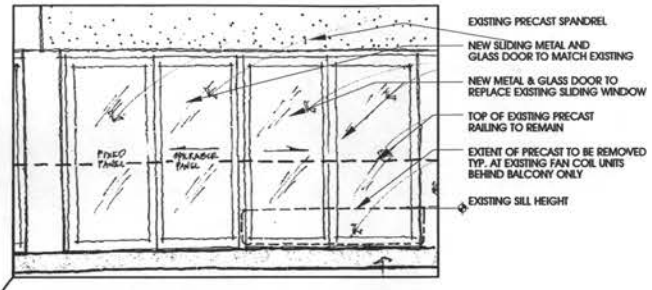
2 PROPOSED GROUND FLOOR PLAN
SCALE: 1" = 10'

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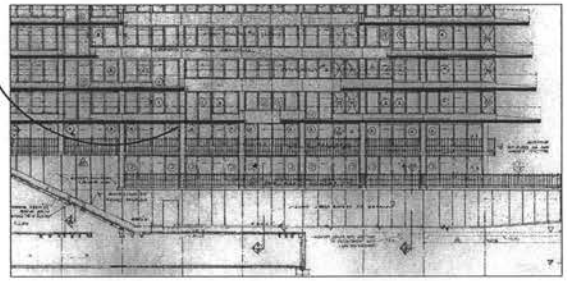


KEY PLAN

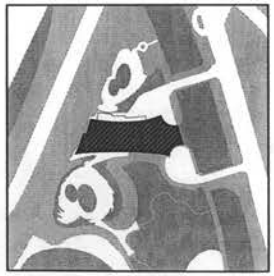
THE RESIDENCES AT WATERGATE - 2650 VIRGINIA AVENUE, NW	PRE-HEARING SUBMISSION 9-24-03	A5 GROUND FLOOR	HICKOK WARNER COLE Architects



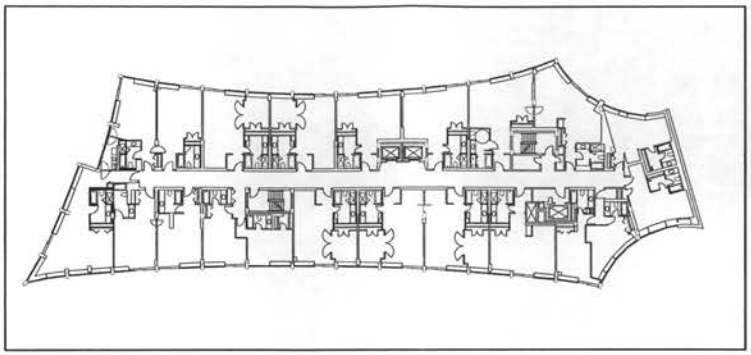
3 PROPOSED TYPICAL BALCONY WINDOW MODIFICATION
SCALE: 1/16" = 1'-0"



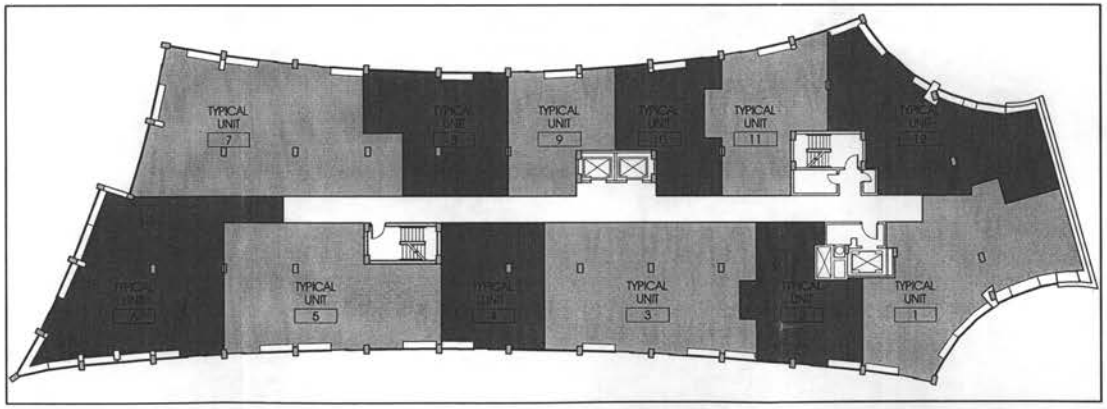
4 TYPICAL EXISTING PARTIAL ELEVATION
SCALE: 1/16" = 1'-0"



KEY PLAN

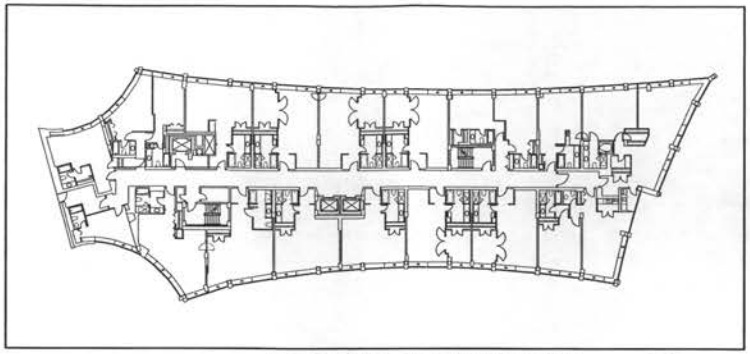


1 TYPICAL FLOOR EXISTING PLAN
SCALE: 1/16" = 1'-0"

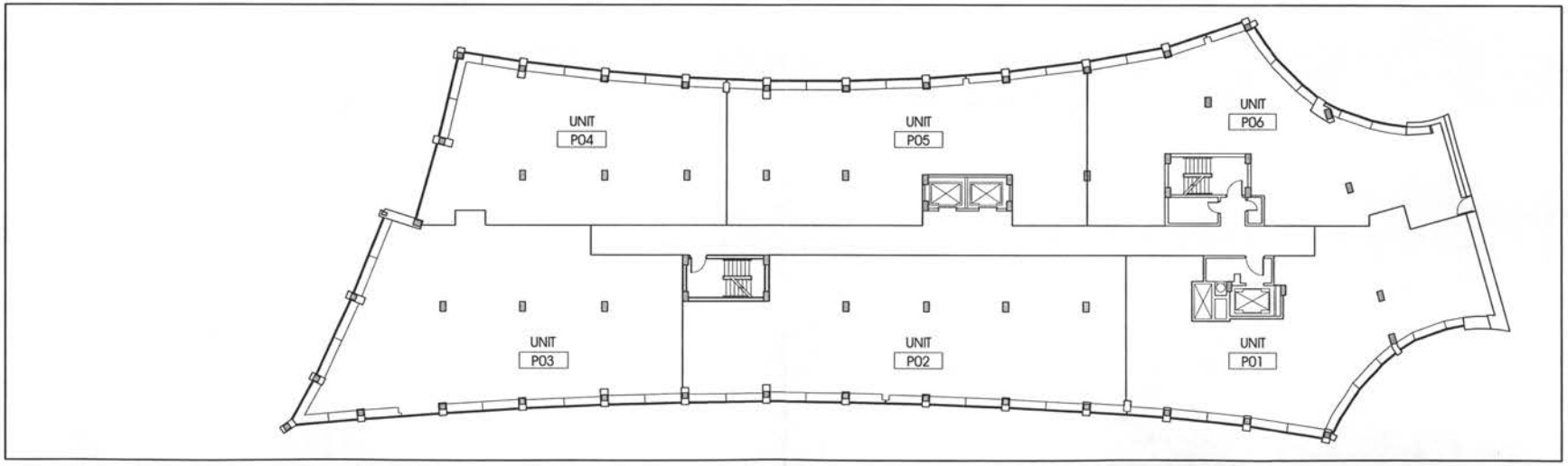


2 TYPICAL FLOOR PROPOSED PLAN
SCALE: 1" = 10'

THE RESIDENCES AT WATERGATE - 2650 VIRGINIA AVENUE, NW	PRE-HEARING SUBMISSION 9-24-03	A6 TYPICAL FLOORS	HICKOK WARNER COLE Architects

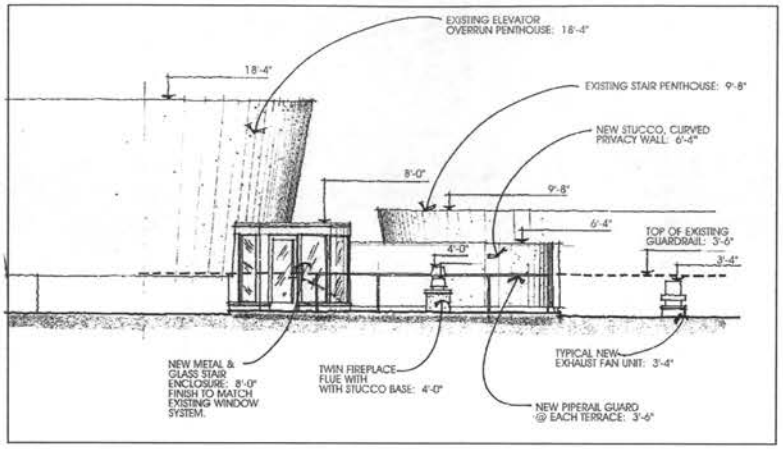


1 PENTHOUSE EXISTING PLAN
SCALE: N.T.S.

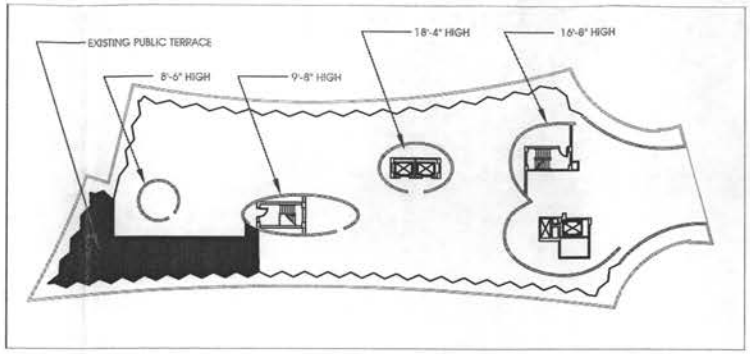


2 PENTHOUSE PROPOSED PLAN
SCALE: 1/16"=1'-0"

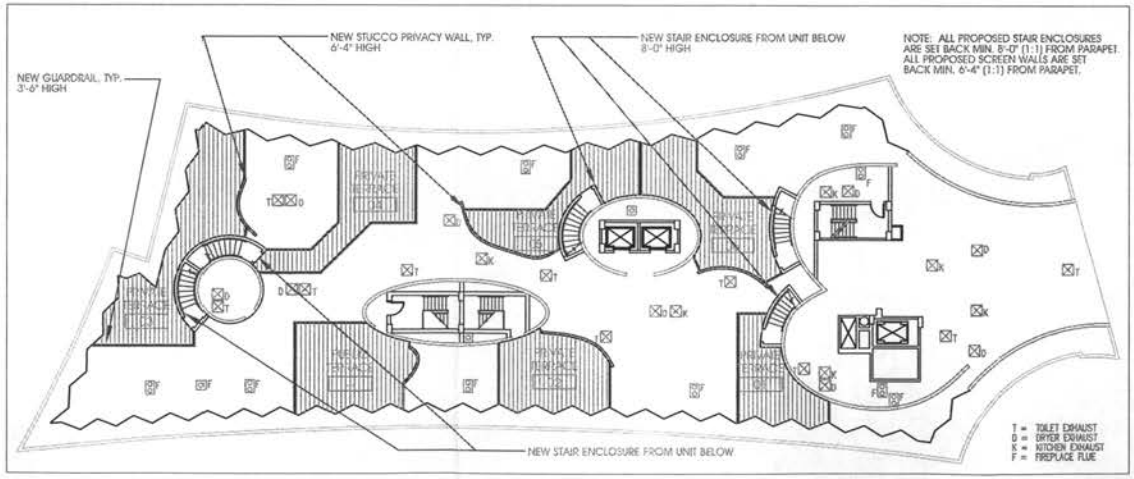
THE RESIDENCES AT WATERGATE - 2650 VIRGINIA AVENUE, NW	PRE-HEARING SUBMISSION 9-24-03	A7	PENTHOUSE	HICKOK WARNER COLE Architects



3 RELATIVE HEIGHTS OF EXISTING & PROPOSED ROOFTOP STRUCTURES
SCALE: 1/16" = 1'-0"



2 EXISTING ROOF PLAN
SCALE: 1/16" = 1'-0"



1 PROPOSED ROOF PLAN
SCALE: 1" = 10'

THE RESIDENCES AT WATERGATE - 2650 VIRGINIA AVENUE, NW	PRE-HEARING SUBMISSION 9-24-03	A8	ROOF PLAN	HICKOK WARNER COLE Architects



4 VIEW FROM WATERGATE WEST
SCALE:



3 VIEW FROM WATERGATE SOUTH
SCALE:

PROPOSED METAL & GLASS STAIR ENCLOSURE, TYP.

PROPOSED CURVED STUCCO PRIVACY WALL, TYP.

PROPOSED GUARDRAIL TO MATCH EXISTING

PROPOSED DOUBLE CHIMNEY FLUE

PROPOSED EXHAUST STACK, TYP.

WOOD DECKING TO BE REMOVED



2 ROOFSCAPE FROM NORTHWEST CORNER
SCALE:

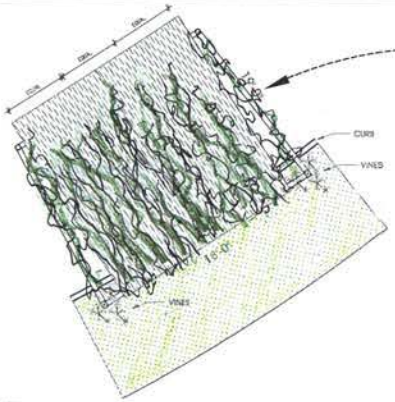


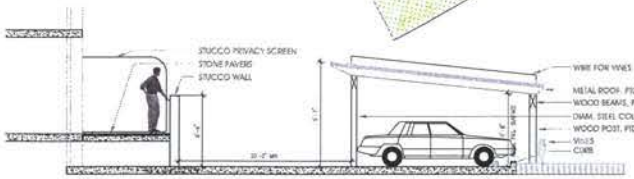
1 ROOFSCAPE FROM SOUTHWEST CORNER
SCALE:

THE RESIDENCES AT WATERGATE - 2650 VIRGINIA AVENUE, NW	PRE-HEARING SUBMISSION 9-24-03	A9	ROOF 3D RENDERINGS	HICKOK WARNER COLE Architects

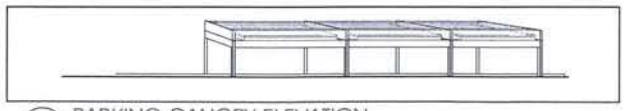


1 EXISTING B1 LEVEL PLAN
SCALE: 1/16"=1'-0"

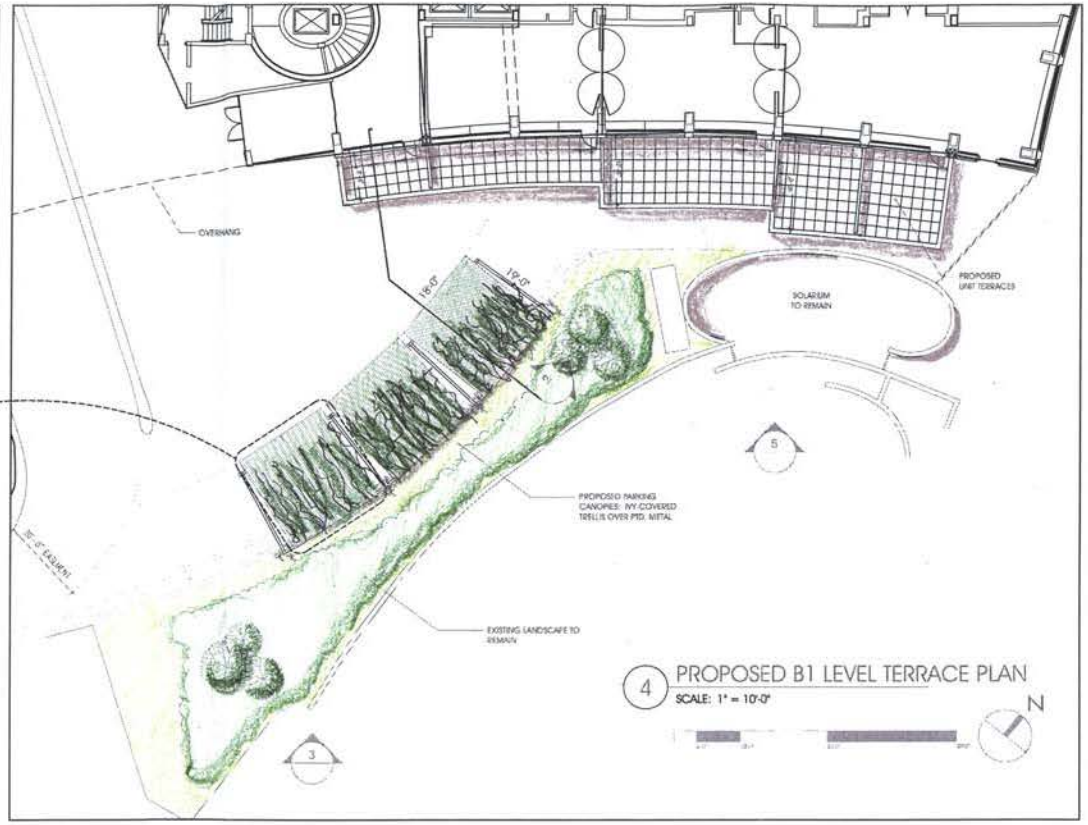




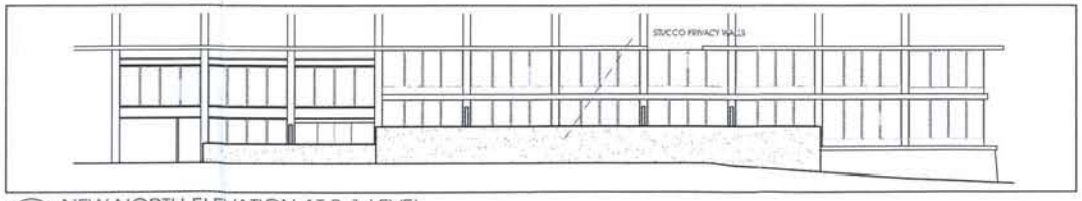
2 TERRACE & CANOPY SECTION & CANOPY PLAN DETAIL
SCALE: 1/4"=1'-0"



3 PARKING CANOPY ELEVATION
SCALE: 1/8"=1'-0"



4 PROPOSED B1 LEVEL TERRACE PLAN
SCALE: 1" = 10'-0"



5 NEW NORTH ELEVATION AT B-1 LEVEL
SCALE: 1/8" = 1'-0"

THE RESIDENCES AT WATERGATE - 2650 VIRGINIA AVENUE, NW	PRE-HEARING SUBMISSION 9-24-03	A10 CANOPIES, LEVEL B-1 TERRACE	HICKOK WARNER COLE Architects

ARTICLE 75

MISCELLANEOUS PROVISIONS

Section 7501—Site Plans for Large-Scale Planned Developments

7501.1 The purpose of this Section is to encourage the design of well planned large-scale residential, institutional, or commercial developments, or a combination thereof which might offer a variety of building types or more attractive and efficient over-all planning and design without sacrificing creative and imaginative planning. Under this Section designed shopping centers, large-scale residential developments, and other types of uses might be developed with greater flexibility than otherwise would be possible under these regulations in areas which are located in one or more Residence, Special Purpose, or Commercial Districts. The procedure and standards established herein are intended to permit, with Zoning Commission approval, diversification in the use, size, type, and location of *structures*, and to improve circulation and other site facilities while at the same time ensuring adequate standards relating to public health, safety, welfare, and convenience in the use and occupancy of *buildings* and other facilities in planned building groups.

7501.2 When an application is filed with the Zoning Commission for approval of a large-scale planned development such application shall certify that:

7501.21 The area to be included within the development contains ten or more acres;

7501.22 The applicant is the legal or equitable contract owner of all rights in the entire designated area to be included within the development; and,

7501.23 The *gross floor area* of all *buildings* does not exceed the sum of the total permitted within that portion of each Residence, Special Purpose, or Commercial District under the *floor area ratio* limitations established by these regulations for each *district*, provided:

(a) The maximum permitted *gross floor area* for R–1, R–2, or R–3 Districts shall be determined by multiplying the area of those portions of the designated area located in an R–1 or R–2 District by a *floor area ratio* of 0.4 and those portions of the designated area located in an R–3 District by a *floor area ratio* of 0.6;

(b) No *building* in the designated area exceeds the maximum *height* of *buildings* permitted in the least restrictive *district* in which any of the designated area is located;

(c) No *building* located in a Residence District exceeds on any one *lot* the bulk limitations established by the *floor area ratio* and *percentage of lot occupancy* requirements of the R–5–C District; and,

(d) No *building* located in a Special Purpose or Commercial District exceeds on any one *lot* the bulk limitations established by the *floor area ratio* requirements of the C–3–B District.

7501.3 The applicant shall submit with each application for a large-scale planned development five copies of a site plan drawn to scale for such development, showing:

7501.31 The proposed use, location, dimensions, and architectural elevations of all *buildings* and other *structures;*

7501.32 The open areas of the proposed development;

7501.33 Existing zoning classifications of the designated area and all property within 200 feet of the proposed development;

7501.34 The topography of the designated area; and,

7501.35 The location of public and private right-of-ways, encumbrances, and easements bounding and intersecting the designated area, and indications as to which of the right-of-ways, encumbrances, or easements are to be continued, relocated, or abandoned.

7501.4 Within ten days after receipt of an application for a large-scale planned development the Zoning Commission shall submit the application and accompanying documents to the National Capital Planning Commission for review and report. In reviewing each application the National Capital Planning Commission should give consideration to whether:

7501.41 The provision for light and air is in all respects adequate for the proposed development;

7501.42 Properly planned and adequate *parking spaces* and *loading berths* are provided within the designated area;

7501.43 Any deviation from the use, height, area, density, or bulk provisions of these regulations will have any adverse affect on the use of neighboring property in accordance with the zoning plan; and,

7501.44 The plans for the development are consistent with the comprehensive plan for the city as a whole.

7501.5 After report to the Zoning Commission by the National Capital Planning Commission, the plans for such development shall not be approved unless a public hearing is first held by the Zoning Commission.

7501.51 Notice of such public hearing shall be given in the same manner as is required for consideration of proposed amendments to these regulations and maps.

7501.6 No modification of the plan as approved by the Zoning Commission shall be permitted unless processed as a new application in accordance with the procedure set forth in paragraphs 7501.2 through 7501.5.

7501.7 If work on the proposed development is not begun within time limits specified by the Zoning Commission or if such work is not completed within the period of time specified by said Commission, approval of the application shall become null and void and all rights thereunder shall lapse unless the Zoning Commission for good cause authorizes an extension of either period. Such extension may be authorized without public hearing.

7501.8 Any certificate of occupancy issued for one or more uses of land or *structures* within the designated area of the development prior to completion of the entire development shall be revoked upon the applicant's failure to complete within the time limit specified the entire development in accordance with the approved plan.

7501.9 All conditions imposed by the Zoning Commission, including those the performance of which are conditions precedent to the issuance of any permit necessary for the development of any part of the entire site, shall run with the land and shall not lapse or be waived as a result of any subsequent change in the tenancy or ownership of any or all of said area. Such conditions shall be a part of any certificate of occupancy issued for any use or *structure* in such development.

Section 7502—Accessory Uses and Accessory Buildings

7502.1 Any *accessory use* or *accessory building* shall be located on the same *lot* with the use or *building* to which it is accessory, except that required accessory *parking space* may be permitted on another *lot* where specifically permitted under other provisions of these regulations.

7502.2 An *accessory building* shall be located only in a *rear yard*, except that an accessory *private garage* may be located in a *side yard* under the special regulations of Section 7401. Not over 30 per cent of the area of a required *rear yard* on any *lot* shall be occupied by an *accessory building* or *buildings*.

7502.3 An *accessory building* in any *district* shall not exceed one *story* or 15 feet in height except in an R-1-A or R-1-B District an accessory *private garage* may have a second *story* used for sleeping or living quarters of domestic employees of the *family* occupying the main *building*. Any such two-*story accessory building* shall not exceed 20 feet in height and shall not be located within the required *rear yard*. Any such two-*story accessory building* shall also be set back from all side *lot lines* for a distance equal to the minimum width of a required *side yard* in the *district* in which located.

7502.31 The height of an *accessory building* permitted in paragraph 7502.3 shall be measured from the finished grade at the middle of the side of the *accessory building* which faces the main *building* to the highest point of the roof of the *building*.

7502.4 An *accessory building* or *structure* shall not be erected on any *lot* prior to the time of construction of the main *building* to which it is accessory.

7502.5 An *accessory building* shall not obstruct light and ventilation required by other regulations.

Section 7503—Projections Into Required Open Spaces

7503.1 Except for the following specified projections and encroachments, every part of a required *yard* or *court* or other required open space shall be open and unobstructed to the sky:

7503.11 Cornices and eaves may project over any required *yard* or *court* for a distance not to exceed two feet;

7503.12 Sills, leaders, belt courses, and similar ornamental or structural features may project over any required *yard* or *court* a distance not to exceed six inches;

7503.13 The ordinary projection of skylights above the bottom of a *yard* or *court* shall be permitted if placed so as not to obstruct light and ventilation;

7503.14 Awnings serving a window, porch, or door may project into a required *yard* or an *open court* for a distance not to exceed 40 inches;

7404.32 Topographic and traffic conditions; and,

7404.33 Any adverse effect the requested waiver or modification of standards may have on adjacent residential property.

7404.4 The Board may require such special treatment of the premises as it shall deem necessary to protect the value of adjacent property.

ARTICLE 75

MISCELLANEOUS PROVISIONS

Section 7501—Site Plans for Large-Scale Planned Development of Five Acres or More

7501.1 The purpose of this Section is to encourage, in one or more Districts irrespective of use restrictions required by general zoning regulations, the design of well-planned, large-scale residential, institutional, or commercial developments, or a combination thereof which will offer a variety of building types or more attractive and efficient overall planning and design without sacrificing creative and imaginative planning. Under this Section well planned shopping centers, large-scale residential developments, and other types of uses or combination thereof might be developed with greater flexibility than otherwise would be possible under these regulations in area zoned as Residence, Special Purpose or Commercial or combinations thereof. The procedure and standards established herein are intended to permit, with Zoning Commission approval, diversification in the use, size, type and location of *structures*, and to improve circulation and site facilities while at the same time insuring adequate standards relating to public health, safety, welfare and convenience in the use and occupancy of *buildings* and other facilities in planned building groups. (Case No. 61-3 of 5-23-61)

7501.2 Each application (in duplicate) for a large-scale planned development shall be filed with the staff of the Zoning Commission. When filed such application shall certify that: (Case No. 61-3 of 5-23-61)

7501.21 The area to be included within the development contains five or more acres, PROVIDED:
(a) That, in any case where the area to be included is entirely within an SP, C-3-B, or C-4 *District*, or within any combination of such *districts*, such area may, at the option of the applicant, be reduced to not less than one and one-half acres; and
(b) That, in any case where the area to be included is less than one and one-half acres but involves one or more *lots* within an area as described in 7501.24, such *lot* or *lots* may be developed on an individual basis, if the improvements conform to the provisions of a *sectional development plan* within such area.

7501.22 The names and known addresses of each property owner included within the area to be developed are designated and listed in the application filed; and (Case No. 61-3 of 5-23-61)

7501.23 The *gross floor area* of all *buildings* does not exceed the sum of the total permitted within that portion of each Residence, Special Purpose, or Commercial District under the *floor area ratio* limitations established by these regulations for each *district*, provided:

(a) The maximum permitted *gross floor area* for all uses in R-5-D, Special Purpose and C-3-B Districts shall be 8.0; and the maximum permitted *gross floor area* for R-1, R-2, or R-3 Districts shall be determined by multiplying the area of those portions of the designated area located in an R-1 or R-2 District by a *floor area ratio* of 0.4 and those portions of the designated area located in an R-3 District by a *floor area ratio* of 0.6;

(b) No *building* exceeds the maximum *height of buildings* permitted in the least restrictive *district* in which any of the designated area is located; provided that in the Special Purpose and C-3-B Districts a maximum height of 130 feet may be permitted;

(c) No *building* located in a Residence District exceeds on any one *lot* the bulk limitations established by the *floor area ratio* and *percentage of lot* occupancy requirements of the R-5-D District;

(d) No *buildings* located in a Special Purpose or Commercial District exceeds on any one *lot* the bulk informations established by the *floor area ratio* requirements of the Special Purpose District under (a) above;

(e) *Yards* and *courts* for each residential or institutional *building* shall be of an area and dimension not less than the requirements for each such *building* in the R-5-D District; and *yards* and *courts* for each commercial *building* shall be of an area and dimension not less than the requirements for each such *building* in the Special Purpose District; and,

(f) Off Street *parking spaces* and loading *berths* for each residential or institutional *building* shall be provided in an amount not less than that required for each such *building* in an R-5-D District; and off street *parking spaces* and loading *berths* for each commercial *building* shall be provided in an amount not less than that required for each such *building* in the C-3-B District. (Case No. 61-3 of 5-23-61)

7501.24 Whenever the application filed with the staff of the Zoning Commission as provided for in Section 7501.2 shall show that all of the *buildings* or *structures* in the planned development are entirely within a C-4 *District* which abuts a *street* 160 feet in width, that pursuant to the Act of June 1, 1910 (36 Stat. 452) the *height* of the *buildings* does not exceed160 feet, that the *floor area ratio* does not exceed 12.0 on any one lot, that the *floor area ratio* for the over-all bulk of the total planned development project does not exceed 10.0, and that all of the *buildings* and *structures* in said planned development project comply with the *yard, court,* of-street loading and off-street *parking* requirements applicable in a C-4 *District*, then the extension of the area and bulk limitations in Section 5301.22 may be permitted or required, and where such *buildings* or *structures* face or abut a *street*, the *buildings* or *structures* may in the discretion of the Zoning Commission, be extended above 110 feet without set-backs as required by Section 5201.22(b). (64-68, 4-27-65)

7051.25 Notwithstanding the *floor area ratio* limitation for any one *lot* as contained in Paragraph 7501.24, development pursuant to the provisions of subsection 7501.21 (b) shall not exceed a *floor area ratio* of 10.0 in any one *lot*. (65-93) 11-10-65

7501.3 An applicant for a large-scale planned development may submit his application in preliminary form, and in sufficient detail to permit a clear understanding of the problems involved. In addition to the certification required by 7501.2 he shall submit: (Case No. 61-3 of 5-23-61)

7501.31 Give copies of a site plan or plans drawn to scale showing:

(a) The proposed use, location, dimensions, number of *stories* and approximate height of each *building*:

(b) The approximate area and dimensions of each *lot* proposed for each building and the exact area of the total site;

(c) The approximate lot occupancy of the *building* on each *lot* to be used for residential purposes and the approximate *floor area ratio* of each *building;*

(d) The location and approximate number of all off-street *parking spaces* and *loading berths;*

(e) The topography of the development area and the elevations of *streets* and *alleys* bounding and within the site area;

(f) The location of existing or proposed public and private right-of-ways and easements bounding and intersecting the designated area, and indications as to which of the right-of-ways or easements are to be continued, relocated or abandoned; and,

(g) The approximate number, size and type of stores; the approximate amount of area for offices; the approximate number of families or persons to be accommodated in each type of *structure;* and the approximate number and scope of commerical adjuncts for *hotel* or *apartment* use. (Case No. 6-3 of 5-23-61)

7501.32 Five copies of a map showing the existing zoning of the designated area and the zoning of all property within 200 feet of the proposed development area. Case No. 61-3 of 5-23-61)

7501.4 Within 5 business days after receipt of an application for a large-scale planned development the Planning Officer of the Zoning Commission shall submit the application and accompanying documents to the National Capital Planning Commission for review and report. In reviewing each application the National Capital Planning Commission sshould give consideration to: (Case No. 61-3 of 5-23-61)

7501.41 The intent of Paragraph 7501.23, the provisions of which are to be construed as maximum permissive digressions to be applied as minimum standards only when clearly in furtherance of objectives outlined in the preamble. Standards may be graduated or varied if they reflect the intent and purpose of criteria under general zoning requirements of the *districts* in which the planned development is proposed; but no application should be recommended the purpose of which is the circumvention of such requirements. (Case No. 61-3 of 5-23-61)

7501.42 The National Capital Planning Commission should also give consideration to whether:

(a) The provision for light and air is in all respects adequate for the proposed development;

(b) Properly planned open spaces, *parking spaces* and *loading berths* are provided within the planned area;

(c) Any deviation from the use, height, area, density, or bulk provisions of general zoning regulations will have any adverse affect on the use of neighboring property in accordance with the zone plan; and

(d) The plans for the development are consistent with the comprehensive plan for the City as a whole. (Case No. 61-3 of 5-23-61)

7501.5 Prior to the submission of its report to the Zoning Commission, the National Capital Planning Commission may require the applicant to provide additional plans or other information deemed necessary for a comprehensive report. These may be submitted direct to the reporting Commission provided a copy of each is also filed with the office of Zoning Commission; but if a model is required or submitted, duplicates need not be provided.

After report to the Zoning Commission by the National Capital Planning Commission, the plans for such development shall not be approved unless a public hearing thereon is first held by the Zoning Commission. (Case No. 61-3 of 5-23-61)

7501.51 Notice of such public hearing shall be given in the same manner as is required for consideration of proposed amendments to these regulations and maps. (Case No. 61-3 of 5-23-61)

7501.6 If found to be in harmony with the intent and purpose of the zoning map and regulations, a large-scale planned development approved by the Zoning Commission will be in general approval of a designated plan only; but such guides, standards, conditions and limitations as the Commission may determine, will be made a part of the approving order. This order shall not become final unless submitted to the Board of Zoning Adjustment as provided by Paragraphs 7501.61 and 7501.7. (Case No. 61-3 of 5-23-61.

7501.61 The plan approved in general by the Commission shall be valid for a period of one year only, unless within such period application for further processing is made to the Board of Zoning Adjustment as provided in Paragraph 7501.7 (Case No. 61-3 of 5-23-61)

7501.7 Any applicant whose large-scale development plan has been approved by the Zoning Commission may file application for further processing before the Board of Zoning Adjustment; but unless modified or exempted elsewhere in this Section, all other rules governing Board procedure, including public hearing and notice shall apply. (Case No. 61-3 of 5-23-61)

7501.71 In addition to citation of the formal record of proceedings before the Zoning Commission the applicant shall at the time of filing submit:

(a) Complete floor plans and architectural elevations of each *building;*

(b) Roof plans and architectural elevations of all roof structures for each *building;*

(c) The grading and drainage plan for the development area;

(d) The planning and landscape plan for the development area;

(e) The finished site plan with *lot* areas and dimensions showing thereon all *buildings* and noting precisely any difference in their approved location or size, the location and details of all other *structures* not classed as *buildings* and the location, details and grades of all driveways requiring curb cuts; and

(f) As a part of the site plan or on a separate drawing, the detail open parking plans, including circulation, screening and lighting, and the circulation relation between separate compounds, garage facilities and *street* access. (Case No. 61-3 of 5-23-61)

7501.72 It shall be the duty and responsibility of the Board of Zoning Adjustment to implement the general approval of the development plan given by the Zoning Commission, and to that end, subject to all conditions which the Commission may impose by formal order and to the limitations contained in Paragraph 7501.23, the Board shall have all of the powers hereinbefore vested in the Zoning Commission by the provisions of this Section, except that, the Board shall not have the power to amend the approved development plan by changing the use of any *building* or by increasing or reducing:

(a) The approved number of *buildings* or approved number of *stories* of any *building;*

(b) By more than 5% the approved estimated *height,* bulk, *lot occupancy* or *gross floor area* of any *building;*

(c) By more than 5% in any *building* the estimated number of *apartment* units, *hotel* rooms, institutional rooms, or *gross floor area* to be used for commercial or adjunctive purposes.

(d) By more than 5% the estimated number of off-street *parking spaces* approved for the development as a whole. Case No. 61-3 of 5-23-61)

7501.73 If in harmony with the objectives of this Section and in accord with the intent of the Zoning Commission's approving order, the Board may permit or require:

(a) The shifting of any approved *building* within its *lot lines* as originally submitted to the Zoning Commission in order to retain the flexibility of design desirable hereunder, or by reason of unforseen sub-soil conditions or adverse topography;

(b) The construction, including type and design, of retaining, screening or decorative walls, or other *structures* not classed as *buildings,* and not shown or detailed on the approved plan; and,

(c) Controlled use of signs, but shall determine and fix their number, size, color, scope, type and location; (Case No. 61-3 of 5-23-61)

7501.74 The Board shall also consider and:

(a) Fix the location and size of *hotel* and *apartment house* adjunct authorized by the Zoning Commission;

(b) Where not specified determine the type of stores and service outlets, and within the maximum limits of the Zoning Commission's approved plan, adjust their size to fit the needs of the proposed tenants;

(c) Determine the adequacy of landscaping, planting, screening and drainage plans; and

(d) Take all other actions necessary to effect the plan approved by the Zoning Commission. (Case No. 61-3 of 5-23-61)

7501.75 The Board shall retain its jurisdiction over roof *structures* and in addition shall have jurisdiction over roof *structures* normally approvable by administrative process. (Case No. 61-3 of 5-23-61)

7501.76 When application is made by a public agency for a development plan under the provisions of this Section and the rules and requirements of that agency require or impose greater restrictions than those permissible or approved by the Zoning Commission, the more restrictive requirements of the public agency shall apply. In order to aid in the final processing of the development plan such restrictions shall be filed in the record before the Board. (Case No. 61-3 of 5-23-61)

7501.77 Before approval of the final development plan the Board shall make findings as set forth under Paragraphs 7501.41 and 7501.42. (Case No. 61-3 of 5-23-61)

7501.78 No order of the Board authorizing construction of the planned development shall be valid for a period of more than one year unless within such period the plans therefor are filed for the purpose of securing a building permit. After filing, general Board rules shall apply. (Case No. 61-3 of 5-23-61)

7501.79 The Board shall retain jurisdiction to interpret and apply the terms and conditions of its orders and to make plan corrections and minor modifications of such plans; but no modification of the plan as finally approved by the Board shall be permitted unless processed as a new application in accordance with the procedure set forth in Paragraphs 7501.2 through 7501.5; or unless, after construction of the development plan is completed, in accordance with the provisions of 7501.110. (Case No. 61-3 of 5-23-61)

7501.8 Work on the entire development may be started simultaneously, or the development may be constructed by stages in which case the Board of Zoning Adjustment shall fix the order of construction and shall specify the time limit and conditions for completion of the entire project; but at least partial work on the development shall be started within the time limits specified by this Section and all work so begun shall proceed to completion in accordance with the terms of the permit. Failure to begin any of the approved development within the time limit specified by this Section shall void all rights thereunder unless for good cause shown the Zoning Commission authorizes an extension thereof. Such extension may be authorized without public hearing. (Case No. 61-3 of 5-23-61)

7501.9 Failure to complete the approved development plan in its entirety shall not operate to prevent the use of a completed *building* for the purpose designated in said plan; but before a permit for any portion of the approved plan is issued the owner shall agree that unless the entire development plan is completed within the time specified by this Section, or within the time specified by the Board

of Zoning Adjustment, or within any extended period of time approved by the Zoning Commission, the Commissioners of the District of Columbia may after written notice of not less than 30 days to such owner declare him in default and may assign the job of completing the development plan to such other builder or developer as they may deem qualified to carry out the terms of the approved order. This agreement which shall run with the land shall also recite that such owner agrees to sell all land within the approved development plan on which construction has not been started in accordance with such plan at its fair market value existing at the time of notice of default by the said Commissioner that fair market value shall be determined by the average of appraisals from three disinterested real estate experts selected by the said Commissioners; and that all costs caused by default shall be assessed against the property defaulted. (Case No. 61-3 of 5-23-61)

7501.100 All conditions imposed by the Zoning Commission and the Board of Zoning Adjustment, including those the performance of which are conditions precedent to the issuance of any permit necessary for the development of any part of the entire site, shall run with the land and shall not lapse or be waived as a result of any subsequent change in the tenancy or ownership of any or all of said area. Such conditions shall be a part of any certificate of occupancy issued for any use of *structure* in such development. (Case No. 61-3 of 5-23-61)

7501.110 After completion of the development in toto, and after occupancy in whole or in part for a reasonable period, and from time to time thereafter, adjustment of the facilities approved under the plan may be made if approved by the Board of Zoning Adjustment upon application filed and processed in accordance with general Board procedure. (CaseNo. 61-3 of 5-23-61)

7501.111 The Board shall not have the power to authorize additions to existing *buildings*, nor to authorize construction of any new *buildings*. (Case No. 61-3 of 5-23-61)

7501.112 The Board may, due to change of neighborhood conditions or for other good cause shown in harmony with objectives of this Section and the approved plan, permit:

(a) Extension or reduction of commercial facilities, *apartment* and *hotel* adjuncts, or a change in the type of such uses;

(b) Reduction or increase of *apartment* units, *hotel* rooms or institutional facilities in a specific *building;*

(c) Increase or reduction of required off street *parking spaces* consistent with any action approved under subparagraphs (a) and (b); and

(d) Adjustment of controlled sign requirements. (Case No. 61-3 of 5-23-61)

7501.113 Before approval the Board shall submit the application to the National Capital Planning Commission for review and report. If the report of the said Commission is unfavorable the application shall not be approved unless carried by at least four votes. (Case No. 61-3 of 5-23-61)

Section 7502—Accessory Uses and Accessory Buildings

7502.1 Any *accessory use* or *accessory building* shall be located on the same *lot* with the use or *building* to which it is accessory, except that required accessory *parking space* may be permitted on another *lot* where specifically permitted under other provisions of these regulations.

7502.2 An *accessory building* shall be located only in a *rear yard*, except that an accessory *private garage* may be located in a *side yard* under the special regulations of Section 7401. Not over 30 per cent of the area of a required *rear yard* on any *lot* shall be occupied by an *accessory building* or *buildings*.

7502.3 An *accessory building* in any *district* shall not exceed one *story* or 15 feet in height except in an R-1-A or R-1-B District an accessory *private garage* may have a second *story* used for sleeping or living quarters of domestic employees of the *family* occupying the main *building*. Any such two-*story accessory building* shall not exceed 20 feet in height and shall not be located within the required *rear yard*. Any such two-*story accessory building* shall also be set back from all side *lot lines* for a distance equal to the minimum width of a required *side yard* in the *district* in which located.

7502.31 The height of an *accessory building* permitted in paragraph 7502.3 shall be measured from the finished grade at the middle of the side of the *accessory building* which faces the main *building* to the highest point of the roof of the *building*.

7502.4 An *accessory building* or *structure* shall not be erected on any *lot* prior to the time of construction of the main *building* to which it is accessory.

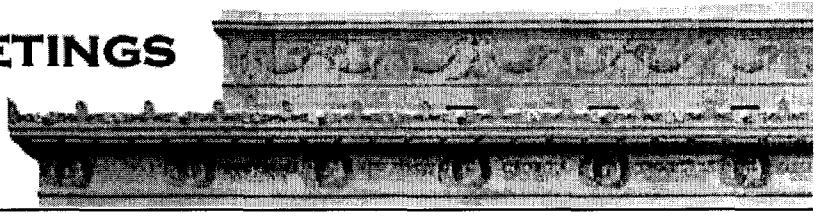
7502.5 An *accessory building* shall not obstruct light and ventilation required by other regulations.

Section 7503—Projections Into Required Open Spaces

7503.1 Except for the following specified projections and encroachments, every part of a required *yard* or *court* or other required open space shall be open and unobstructed to the sky:

7503.11 Cornices and eaves may project over any required *yard* or *court* for a distance not to exceed two feet; (2-28-61)

PUBLIC MEETINGS



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Shipstead-Luce Appendix - Approved
19 June 2003

Number	Address and Owner	Project
S.L. 03-078	1275 Pennsylvania Avenue, NW Cingular Wireless	Rooftop Antenna Installation - Permit

RECOMMENDATION: No objection to the issuance of permit for proposed installation of rooftop antenna as shown in supplemental drawings received and dated 6 June 2003. Note is made tha permit application is pending final zoning review. Any modifications to the approved design as result of further reviews in the permit process must be submitted to the Commission for consideration.

Number	Address and Owner	Project
S.L. 03-080	415 New Jersey Avenue, NW Holiday Inn	Replacement Sign -Permit

RECOMMENDATION: No objection to the issuance of permit for proposed replacement sign as shown in supplemental information received and dated 9 June 2003.

Number	Address and Owner	Project
S.L. 03-087	2800 Chesterfield Place, NW Private Residence	Renovation and addition - Permit

RECOMMENDATION: No objection to the issuance of permit for proposed renovation and addition as shown in drawings received and dated 6 June 2003. Any modifications to the approved design as a result of further reviews in the permit process must be submitted to the Commission for consideration. (See previous case S.L.03-055)

Number	Address and Owner	Project
S.L. 03-088 HPA 03-369	625 Indiana Avenue, NW Omnipoint Cellular	Antenna installation - Permit

RECOMMENDATION: No objection to the issuance of permit for proposed renovation and addition as shown in supplemental drawings received and dated 18 June 2003.

Number	Address and Owner	Project
S.L. 03-089	2070 Belmont Road, NW Park Crest Apartments	Roof deck replacement - Permit

RECOMMENDATION: No objection to the issuance of permit for proposed roof deck replacemen as shown in supplemental drawings received and dated 18 June 2003, provided railing is painted to match existing building.

Number	Address and Owner	Project

S.L. 03-090 HPA 03-395	1515 14th Street, NW Commercial Building	Facade restoration - Permit

RECOMMENDATION: Returned without Action. Property is outside the jurisdiction of the Shipstead-Luce Act and therefore does not come under the Commission's review. Refer to Historic Preservation Review Board.

Number	Address and Owner	Project
S.L. 03-091	444 N. Capitol Street, NW Wachovia Bank	Replacement sign - Permit

RECOMMENDATION: No objection to the issuance of permit for proposed replacement sign as shown in drawings received and dated 6 June 2003.

Number	Address and Owner	Project
S.L. 03-092 HPA 03-398	740 15th Street, NW Wachovia Bank	Replacement sign - Permit

RECOMMENDATION: No objection to the issuance of permit for proposed replacement sign as shown in drawings received and dated 6 June 2003.

Number	Address and Owner	Project
S.L. 03-093	1700 Pennsylvania Avenue, NW Wachovia Bank	Replacement sign - Permit

RECOMMENDATION: No objection to the issuance of permit for proposed replacement sign as shown in supplemental drawings received and dated 18 June 2003, provided background color matches existing sign.

Number	Address and Owner	Project
S.L. 03-094 HPA 03-399	436 11th Street, NW Hotel Harrington	Accessibility ramp - Permit

RECOMMENDATION: Returned without Action. Property is outside the jurisdiction of the Shipstead-Luce Act and therefore does not come under the Commission's review. Refer to Historic Preservation Review Board and National Capitol Planning Commission.

Number	Address and Owner	Project
S.L. 03-095 HPA 03-404	144 Constitution Avenue, NE National Women's Party Sewell Belmont House	Repair of mansard roof - Permit

RECOMMENDATION: No objection to the issuance of permit for the repair of mansard roof, including replacement of slate and flashing, as shown in drawings received and dated 6 June 2003.

Number	Address and Owner	Project
S.L. 03-096	2650 Virginia Avenue, NW Watergate Hotel	Condominium conversion - Concept

RECOMMENDATION: No objection to the concept for proposed condominium conversion,

including new stair enclosures and ventilators on roof, new terraces at B1 level, and new canopies for existing surface parking, as shown in drawings received and dated 6 June 2003. The applicant is requested to work with staff during the further development of the project, prior to submission for permit review.

Number	Address and Owner	Project
S.L. 03-097 HPA 03-405	330 3rd Street, SE Robert Brent Elementary School	Sign installation - Permit

RECOMMENDATION: Returned without action. Property is outside the jurisdiction of the Shipstead-Luce Act and should be reviewed as a direct submission to the Commission as Distri of Columbia property with a request for review in writing from the Government of the District c Columbia. However, application currently lacks sufficient information. File new submission of working drawings for sign installation, including details, and photographs of existing conditions with permit application for review by the Commission when ready.

Number	Address and Owner	Project
S.L. 03-098	1536 Roxanna Road, NW Surena Residence	New garage - Permit

RECOMMENDATION: Returned without Action. Property is outside the jurisdiction of the Shipstead-Luce Act and therefore does not come under the Commission's review.

Number	Address and Owner	Project
S.L. 03-099	770 5th Street, NW Quiznos Sub	New storefront sign andbanner installation - Permit

RECOMMENDATION: No objection to the issuance of permit for proposed storefront sign as shown in supplemental drawings received and dated 18 June 2003, provided revised design includes Chinese characters per the requirements of the Chinese Historic District. Recommend **AGAINST** issuance of permit for proposed banner signs as shown in drawings received and dated 6 June 2003. Any further modifications to the approved design as a result of further reviews in the permit process must be submitted to the Commission for consideration.

Number	Address and Owner	Project
S.L. 03-100	810 5th Street, NW Gospel Rescue Mission	Facade restoration - Permit

RECOMMENDATION: Returned without Action. Property is outside the jurisdiction of the Shipstead-Luce Act and therefore does not come under the Commission's review.

Number	Address and Owner	Project
S.L. 03-101 HPA 03-408	2660 Woodley Road, NW Wardman Park Marriott	Sign installation - Permit

RECOMMENDATION: No objection to the issuance of permit for proposed sign installation as shown in drawings received and dated 6 June 2003.

Number	Address and Owner	Project
S.L. 03-102	301 7th Street, NW Riggs Bank	Installation of four (4) awnings - Permit

RECOMMENDATION: No objection to the issuance of permit for proposed awnings as shown in drawings received and dated 6 June 2003, provided awning is connected to window frame leaving stone intact. In addition, there should be no logo or lettering on awnings nor lighting o the building with the exception of internal, under-canopy lights affixed directly to awning fram

Number	Address and Owner	Project
S.L. 03-103	100 F Street, NE Station Place	Pedestrian connector - Permit

RECOMMENDATION: No objection to the issuance of permit for proposed revised pedestrian connector as shown in drawings received and dated 6 June 2003. (See previous case S.L.02-078)

Number	Address and Owner	Project
S.L. 03-105 HPA 03-411	301 7th Street, NW Riggs Bank	ATM installation - Permit

RECOMMENDATION: No objection to the issuance of permit for the proposed ATM installation a shown in supplemental drawings received and dated 13 June 2003, provided the sill stone is retained for future replacement. Recommend **AGAINST** any additional lighting on the building with the exception of internal, under-canopy lights affixed directly to awning frame.

Number	Address and Owner	Project
S.L. 03-108	1536 Roxanna Road, NW Surena Residence	Addition and renovation - Permit

RECOMMENDATION: Returned without Action. Property is outside the jurisdiction of the Shipstead-Luce Act and therefore does not come under the Commission's review.

Number	Address and Owner	Project
S.L. 03-109	3217 Aberfoyle Place, NW Arnholz-Slavin Residence	3-story addition - Permit

RECOMMENDATION: No objection to the concept for proposed 3-story addition as shown in drawings received and dated 6 June 2003. Note is made that permit application is pending fina zoning review. Any modifications to the approved design as a result of further reviews in the permit process must be submitted to the Commission for consideration.

List of Witnesses

Michael Darby, Monument Realty

Francis X. Durkin, Hickok Warner Cole Architects

Martin Wells, Wells & Associates

James L. Prost, Basile Bauman Prost and Associates, Inc.

Steven E. Sher, Director of Zoning and Land Use Services, Holland & Knight LLP

Estimated time required for presentation of Applicant's case: 45 minutes

OUTLINE OF TESTIMONY
MICHAEL DARBY
MONUMENT REALTY

I. Introduction and experience of Monument Realty

II. General history of proposed development of site

III. Proposed development and use

IV. Work with community and District agencies

V. Public benefits and project amenities

VI. Conclusions

OUTLINE OF TESTIMONY
FRANCIS X. DURKIN
HICKOK WARNER FOX ARCHITECTS

I. Introduction

   A. Description of Hickok Warner Fox

   B. History and experience in Washington, D.C.

II. Site location and description

   A. Overview of site, surrounding area and land use

   B. Design considerations

III. Project design

   A. Overview and introduction

   B. Interior alterations

   C. Exterior alterations

   E. Access, parking and loading

IV. Commission of Fine Arts approval

V. Conclusions

OUTLINE OF TESTIMONY
MARTIN WELLS
WELLS AND ASSOCIATES

I. Introduction

II. Experience and expertise

III. Background and study purpose

IV. Existing roadway and traffic conditions

V. Background traffic situation

VI. Traffic impact analysis

- A. Trip generation
- B. Capacity analysis

VII. Parking analysis

VIII. Summary of findings and conclusions

OUTLINE OF TESTIMONY
JAMES L. PROST
BASILE BAUMAN PROST AND ASSOCIATES, INC.

I. Introduction

II. Experience and expertise

III. Description of site and project

IV. Economic Benefits

- A. Direct annual District tax revenue
- B. Construction related Benefits
- C. Additional project benefits
- D. Employment benefits

V. Comparison to hotel use

VI. Economic impact summary

VII. Conclusions

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

I. Introduction

II. Experience and expertise

III. Site location and description

IV. Description of surrounding area

V. Zoning

VI. Proposed development

VII. Comparison to approved PUD

VIII. Compliance with PUD requirements (Chapter 24)

IX. Consistency with the Comprehensive Plan

X. Conclusions

LIST OF MAPS, PLANS, OR OTHER DOCUMENTS READILY AVAILABLE WHICH MAY BE OFFERED INTO EVIDENCE

1. Exhibits Herein
2. Zoning Regulations and Map of the District of Columbia
3. Generalized Land Use Map of the District of Columbia
4. District of Columbia Comprehensive Plan ("Comprehensive Plan")
5. Ward 2 Element of the Comprehensive Plan
6. Metrobus and Metrorail Route Maps and related WMATA Materials
7. Orders of the D.C. Zoning Commission and Board of Zoning Adjustment
8. Orders and Reports of District and Federal Agencies
9. Publicly Available Information from District of Columbia

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Roster of Persons Owning Real Property
within 200 feet of the Outermost Portions of Square 8, Lot 807
(2650 Virginia Avenue, N.W.)

Square and lot	Premises Address	Owner Name and Address
0002 0803	2708 Virginia Avenue, NW	Humble Oil and Refining c/o J.L. Windlinger P.O. Box 53 Houston TX 77001-0053
0008 0806	2500 Virginia Avenue, NW	Watergate East, Inc. 2500 Virginia Avenue, NW Washington DC 20037-1901 cc: David H. Cox Jackson & Campbell 1120 20th Street, NW Washington DC 20036-3437
0008 0808	2600 Virginia Avenue, NW	Trizec-Hahn LLC Watergate Property Tax Dept. 113 P.O. Box 4900 Scottsdale AZ 85261-4900
0008 0809	2700 Virginia Avenue, NW	Watergate West, Inc., et al. 2700 Virginia Avenue, NW Washington DC 20037-1908
0008 0812	700 New Hampshire Ave, NW	Watergate South, Inc., et al. 700 New Hampshire Avenue, NW Washington DC 20037-2406
Unknown, yet facing	Unspecified	National Park Service c/o John G. Parsons Room 220 1100 Ohio Drive, SW Washington DC 20242
00008 0811	600 New Hampshire Ave, NW	Income and Growth Watergate c/o Lasalle Investment Management #600 200 East Randolph Street Chicago IL 60601-6436

Roster of Persons having a Lease with the Owner of Square 8, Lot 807 (2650 Virginia Avenue, N.W.)

Zahira Hair Salon
Zahira Aziz
2650 Virginia Avenue, NW
Washington DC 20037

Washington Sport and Health
Attn: Wes Pontius
1953 Gallows Road
Vienna, VA 22182

and
Washington Sport and Health
Attn: Club Manager
2650 Virginia Avenue
Washington DC 20037

Definitely Different
c/o Ms. Ginney Walter
9104 Copenhaver Drive
Potomac, MD 20854