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December 20, 2004

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VIA HAND DELIVERY

District of Columbia Zoning Commission
441 4th Street, N W
Suite 210S
Washington, D C 20001

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Re Rocky Gorge at Fort Totten, LLC
Zoning Commission Case No 04-11
Post-Hearing Submissions

Dear Members of the Commission·

On behalf of Rocky Gorge at Fort Totten, LLC, we submit the following materials as requested by the Zoning Commission at its November 22, 2004, public hearing and pursuant to Section 3024 1 of the Zoning Regulations

1 Construction Management Plan
2 Enhanced Community Benefits Package
3 Updated Traffic Analysis
4 Analysis of Project Site and Development Costs
5 Economic Benefits/Costs Analysis
6 Architectural Drawings, including
    (a) diagram identifying non-compliant front yard setbacks
    (b) depiction of retaining wall solutions,
    (c) alternative proposal drawings (in event access easement not granted by OPM)
    (d) revised entrance drawings/ supplemental illustration of pedestrian access from 7th Street

In addition, the Applicant will respond herein to certain other comments and questions raised as part of the District agency reports submitted to the Commission

ZONING COMMISSION
District of Columbia
CASE NO. 04-11
EXHIBIT NO. 48

ZONING COMMISSION
District of Columbia
CASE NO.04-11
EXHIBIT NO.48

1. Construction Management Plan

As discussed at the public hearing, the Applicant has prepared a construction management plan to establish certain rules and protocols during the period of construction of the PUD Project and in response to questions raised by Advisory Neighborhood Commission (ANC) 5A. To that end, the Applicant has included proposals pertaining to management of the Project Site (including lighting and trash removal), permitted work hours, traffic routing, parking and loading, periodic cleaning of those streets impacted by the construction, and communication with a specified ombudsmen/community liaison A copy of the Applicant's Construction Management Plan may be found at **Exhibit 1**

2. Enhanced Community Benefits Package

Consistent with the comments raised at the public hearing, the Applicant has had further discussions with ANC 5A as well as representatives from the Concerned Citizens of North Michigan Park (CCNMP) and the Friends of North Michigan Park Civic Association (FNMPCA) A meeting was held on December 6, 2004, attended by the Applicant, Norma Broadnax of ANC Single Member District representative (SMD) 5A03, Joe Bowser of ANC SMD 5A04, Levin Lee, who is ANC SMD 5A03 commissioner elect, Gwen Jackson of FNMPCA, Juanita Cook representing CCNMP, Kessela Brown, representative for CCNMP, and Sharlene Reed, Department of Transportation (DOT) Ward 5 Planner As a result of the agreement reached in these discussions, the Applicant proposes to revise and further enhance its Community Benefits Package as described herein

Unchanged from its original proposal, the Applicant will make financial contributions in the following amounts $15,000 to the Lamond-Riggs Branch Library, $15,000 to the North Michigan Park Civic Association (NMPCA) for enhancements to the North Michigan Park Recreation Center, and $12,000, also to the NMPCA for fabrication and installation of new community signage Please see updated Project Benefits and Amenities Summary attached as **Exhibit 2**

However, in lieu of the $25,000 contribution that the Applicant had sought to donate to the DOT for certain public space improvements within the boundaries of ANC single member districts 5A03 and 5A04, the Applicant has learned from its meeting with the ANC, CCNMP, FNMPCA, and a representative from DOT that the community prefers to utilize whatever funds might be forthcoming from the Applicant for community priorities other than public space improvements by DOT

At the meeting with these community representatives, the Applicant offered to increase the amount of its contribution from $25,000 to a total of $120,000, payable to the FNMPCA, a registered not-for-profit organization. In turn, the FNMPCA agrees to utilize these funds exclusively for community enhancement programs and events, including certain public space beautification efforts in coordination with DOT, all within the North Michigan Park neighborhood These programs may include

(a) improvements to the playground, basketball court and tennis courts at Bertie Backus Middle School,
(b) public space landscaping and maintenance (through FNMPCA Garden Club);
(c) elderly neighbors assistance program (minor house repairs, snow removal, mowing),
(d) sponsor summer job internship program for neighborhood youths,
(e) sponsor college scholarship program,
(f) sponsor back to school program for neighborhood children (including gifts of backpacks and school supplies),
(g) sponsor annual North Michigan Park Family Day at North Michigan Park Recreation Center, free to community;
(h) sponsor North Michigan Park Civic Association annual awards dinner (for approximately 1,000 people)
(i) sponsor community Mothers Day/Fathers Day luncheons

The Applicant has agreed to provide the funding to the FNMPCA as follows. $25,000 within 90 days of publication in the DC Register of a final order from the Zoning Commission approving the PUD application, an additional $75,000 within 15 days of obtaining construction permits for the townhouses, and an additional $5,000 on or before the tenth day of January 2007, 2008, 2009, and 2010 The Applicant has been provided a draft of the letter of agreement and support from the FNMPCA, and is awaiting an executed original for signature

3. Updated Traffic Analysis

The Applicant also received requests at the public hearing to further study certain important traffic situations in the immediate neighborhood surrounding the Project Site and to determine the impact, if any, of the Project on said situations The Applicant, through its expert in traffic engineering, has conducted the requested follow-up analysis, attached as **Exhibit 3**, to address the following

(a) effect on traffic of accessing Project Site along 6th Street and Gallatin,
(b) questions re: the sufficiency of access to the Project Site,
(c) sight distance at the intersection of 7th Place and Delafield Street, NE,
(d) comments from DOT re traffic issues

In sum, through its supplemental traffic analysis, the Applicant has studied the impact, if any, of a greater amount of project traffic utilizing 6th Street and Gallatin rather than Emerson Street to get to South Dakota Avenue, NE The Applicant has determined that there will be no additional impact as a result of the revised approach. In fact, the level of service at the 6th Place/Emerson Street intersection will remain at LOS "A" during both AM and PM peak hours. The supplemental analysis further supports the sufficiency of a single major access point, given the relatively little amount of traffic generated by the Project.

The Applicant also undertook field study of the intersection at 7th Place and Delafield Street While the Applicant determined the primary causes for complaint by residents (blind spot exacerbated by on-street parking), the Applicant further determined that the distance of this

intersection from the entrance to the Project Site indicates that the Project will have no impact on this troublesome intersection

4. Analysis of Project Site and Development Costs

At the public hearing, the Applicant generally indicated that the Project is expected to cost the Applicant approximately $21 Million to construct, including land acquisition costs and hard construction costs. This estimate did not include soft costs. In response to the Commission's request for the Applicant to breakdown the projected costs to the extent possible, the Applicant submits its summary of estimated project costs and revenue at **Exhibit 4**. Factoring in standard soft costs, the total estimated costs to construct the Project tally approximately $26.7 million The Applicant notes that the estimates provided are preliminary and representative only Revenues and costs remain subject to market fluctuation. No guarantee of performance is intended from the estimates provided.

5. Economic Benefits/Costs Analysis

The Commission also requested that the Applicant conduct an economic analysis for the Project, identifying more clearly and quantitatively the benefits generated by the Project, as well as any costs The Applicant has enlisted the services of Bolan Smart Associates, Inc , previously qualified by the Commission as experts in real estate economics, to explore the economic implications of the proposed project, both in terms of its benefits (tax revenue, employment opportunities) and potential costs (schools, etc) The findings of Bolan Smart Associates may be found at **Exhibit 5**

In sum, Bolan Smart Associates has determined that the District of Columbia will derive more than $870,000 in annual tax revenue from the Project. With projected annual public costs of less than $600,000, the Project will provide a positive annual net cash flow to the District of approximately $300,000 Further, the Project will generate one-time construction related benefits exceeding $1 Million.

6. Architectural Drawings

(a) Requested by Commission re: Setbacks, Retaining Walls, Alternative Site Plan

The Commission requested that the Applicant supplement its set of project and site drawings to. (1) clarify the areas of the Project where flexibility as to front yard setback has been requested, and to what extent; (2) to identify the location of proposed retaining walls and slope stabilization and to provide a general illustration of these elements, and (3) identify the plans to be requested for approval in the event the Office of Property Management does not grant the Applicant's request for an access easement. To the extent not provided in the set of drawings included with the original application or the prehearing statement, the Applicant submits drawings responsive to the Commission's requests at **Exhibit 6**

With respect to the front yard setback flexibility requested, the Applicant notes that in all but one of the seven situations in which the front setback is noncompliant with the minimum dimensions as established in the Zoning Regulations, immediately opposite the noncompliant front yard is a side yard to another of the buildings comprising the Project Each such side yard provides a significant amount of open space and setback between buildings, even if technically noncompliant with the Regulations Furthermore, as a result of easements that will be placed across said sideyards to provide for sidewalks/pedestrian access between units and "public spaces" owned in common by the Project's homeowners association, there is no future threat that those sideyards might in the future be improved

As for the one situation in the Project (Building No 14, Lots 71-75) where the noncompliant front yard faces onto an adjacent property rather than onto the sideyard of another building in the Project, there is little likelihood that any future construction on the adjacent property would ever be undertaken in such close proximity to Building No. 14 so as to provide less distance between the buildings than is required under the Regulations The Applicant finds support in this assertion by virtue of the changing topography between this portion of the Property and the adjacent property The unusual configuration of the lot boundary adjacent to Building No 14 would also make any construction so close to the lot line virtually impossible, regardless of the changing topography Finally, the Applicant notes that the adjacent property remains zoned industrial. As such, §843 of the Zoning Regulations establishes required setbacks from neighboring residential properties, to be no less than eight feet

(b) Responsive to Comments re: Perception of Gated Community

In addition to those drawings requested by the Zoning Commission, the Applicant also submits as **Exhibit 6(d)** certain substitute and supplemental drawings demonstrating its response to questions raised at the hearing regarding the perception that the Project is a gated community. In response, the Applicant has determined to remove the monumental entry markers at the Emerson Street entrance to the Property, and to replace them with less prominent signage, or none at all, in efforts to present a smoother connection to the neighboring residences Also, the Applicant has included a supplemental drawing highlighting the pedestrian access to and across the Property from/to 7th Street. This path has always been part of the Project, however, it has not been adequately illustrated in previous submissions

7. Responses to Questions Raised at Hearing Re: Industrial Uses and Comprehensive Plan

At the public hearing, the Commission raised questions about the appropriateness of introducing residential uses in close proximity to industrial uses and whether doing so would be not inconsistent with the Comprehensive Plan The existing zoning of the Project Site is a mix of residential (R-2) and industrial (C-M-1 and M with the Fort Totten Overlay). The existing zoning of properties to the north and south is essentially the same, meaning that future use and development could follow that same mix Existing uses are in accordance with the underlying zoning, with the predominant industrial uses being a large warehouse for the Thos. Somerville Company and a salt dome owned and operated by the District Government

Two factors contribute to the appropriateness of allowing residential use of the Project Site (a) the nature of access to the site for industrial or commercial uses, and (b) the policies of the Fort Totten Special Treatment Area, discussed as follows.

(a) The only street frontage for the Site is on Emerson Street, on the north side of the Site The only access to Emerson Street is through an adjoining low density residential area The nearest arterial street for truck access to serve nonresidential uses is South Dakota Avenue Notwithstanding the history of industrial zoning on the Project Site, its original designation stemmed from its proximity to the railroad line, which no longer serves the Site Reinstating active industrial use of the Site would require traffic to come through the residential neighborhood and would cause a significantly greater impact on the community than the proposed residential use

(b) The Comprehensive Plan includes policies specifically relevant to the Project Site In addition to the designation of the area as a Metrorail Development Opportunity Area and a Housing Opportunity Area, the Comprehensive Plan includes policies for the Fort Totten Special Treatment Area. Those policies specifically provide that unused industrial land be developed for medium density residential and commercial mixed uses The Comprehensive Plan contemplates that this area will transition from industrial uses to mixed residential and commercial uses. The Project would be the first new residential development in the area and would be the pioneer in that transition The Project is lower than what medium density residential development might include, but the proposal was calibrated to be responsive to the concerns of the surrounding neighbors and to be compatible with the nearby existing residential development, which will remain over the long term. The Fort Totten special treatment area specifically includes a policy to "protect and preserve existing low scale residences in the vicinity " (10 DCMR §1122 2(d))

Taking into account these two factors, the Project Site is appropriate for the use and level of development proposed

8. Applicant's Response to Certain Additional Comments and Questions Raised by the the District Agency Reports Submitted to the Commission.

(a) Department of Transportation Report

The DOT submitted a report and recommendation to the Record after the public hearing on November 22 The DOT report recommends support for the PUD application with certain requested conditions/clarifications from the Applicant, namely

(1) determination from District of Columbia Surveyor's Office re 6th Street Highway Plan issue,

(2) resolution with District's Office of Property Management re access easement for traffic from Project Site across OPM-controlled property to the north

By way of background, according to the 1968 Map of the District of Columbia, prepared by the Office of the Surveyor (the "Highway Plan"), a "proposed highway" designated "6th Street, NE", is shown crossing the Project Site in a north-south direction. With respect to this issue, applicable law is clear that owners of land upon which any such highway is projected "shall have the free right to the use and enjoyment of the same for building or any other lawful purpose, and the free right to transfer the title thereof, until proceedings looking to the condemnation of such land shall have been authorized and actually begun."(D.C. Official Code §9-101.05). Until such condemnation proceedings are begun, if ever, the right of said property owner, as well as the general public, shall not be affected Given this arrangement, the practice of the Office of the Surveyor has been not to issue record lot numbers for such properties, but rather to allow them to be referenced by assessment and taxation lot designations

At the same time, §3202 3 of the Zoning Regulations requires that, with two exceptions, no construction permits shall issue for buildings not on a separate and identifiable record lot However, one of the two exceptions to this rule applies in the case of the Highway Plan, allowing for issuance of building permits in absence of the designation of individual record lots The Applicant will endeavor to obtain a formal response from the Office of the Surveyor for DOT and, as applicable, the Department of Consumer and Regulatory Affairs

(b) Department of Housing and Community Development (DHCD) Report

Two reports were issued by DHCD, the latter being provided to the Commission at the public hearing In both reports, DHCD offered its support for the Application upon condition that certain amounts of dedicated affordable housing be provided as part of the Project The Applicant reminds that the entire range of townhouse units in the Project is directed as workforce housing, with projected costs for the market rate units targeted very near or even below the metropolitan AMI

The DHCD report suggests that the community contributions of the PUD were perceived as inadequate by DHCD. As discussed above, the Applicant has since significantly enhanced its package of community benefits, including its contribution to the FNMPCA for a host of

community enhancements and programs Importantly, the two dedicated affordable housing units proposed by the Applicant are still an important part of the proposed amenities and benefits package However, given the stated priorities of the impacted community, the Applicant has determined to enhance its package of community benefits through an increased contribution for community programs rather than to increase its amount of dedicated affordable housing units

(c) Office of Property Management (OPM)

Unlike DOT and DHCD, who became involved in the Application as reviewing agencies under the PUD regulations, OPM submitted a letter on the day of the hearing as an adjacent property owner opposing to the Application As explained in the letter as **Exhibit 7** , the Applicant only became aware of OPM's position at that time In the days since, the Applicant has met with representatives of OPM and continues to attempt to reach a resolution with that office that may ultimately result in the Applicant being granted an access easement across a small portion of the OPM-controlled land to the north of the Project Site, a grading easement to alleviate the need for retaining walls along the north portion of the Site, and perhaps an easement for construction traffic The Applicant plans to meet again with OPM representatives in the coming days and accordingly will report any developments to the Commission

Finally, on behalf of the Applicant, we wish to thank the Commission for its consideration of these supplemental materials The Applicant continues to be very excited to pursue this meaningful residential project, its first in the District of Columbia To that end, the Applicant is delighted to have the support of ANC 5A, the Office of Planning, the Department of Transportation, and the Fire and Emergency Medical Services Department Likewise, the Applicant appreciates the opportunity offered by the Commission to clarify issues raised both by the Commission and interested citizens As demonstrated herein, the Applicant returns to the Commission with an even further enhanced project and requests that the Commission approve its application Please do not hesitate to contact the undersigned with any questions

Sincerely,
HOLLAND & KNIGHT LLP

Whayne S. Quin

Dennis R Hughes

Enclosures

cc: Norma Broadnax, Advisory Neighborhood Commission 5A,
Chair and SMD 5A-03
Joseph Bowser, SMD 5A-04
Levin Lee, incoming ANC SMD 5A-03
DC Office of Planning
Kessela Brown, representative of Concerned Citizens for North Michigan Park

Construction Management Plan
Emerson Park – Rocky Gorge at Fort Totten
December 2004

Rocky Gorget at Fort Totten, LLC ("Developer") proposes the following Construction Management Plan to minimize any impacts on adjacent residential properties from construction of the 75-townhouse Emerson Park development (the "Project") at 611 Emerson Street, NE (the "Project Site") While Developer will not be undertaking the construction of the Project, it will be enlisting the services of one or more contractors (the "Contractors") to construct the Project Developer will ensure that the terms of this Construction Management Plan are included as conditions of its employment/services contracts with the Contractors References herein to Developer shall include reference to the Contractors, as applicable

This Construction Management Plan consists of the following elements·

1. Construction.

It is anticipated that construction activities will start at the Project Site on or about the first quarter of 2006

a. Permits.

Developer will secure all permits that are required to complete the Project Except in emergency situations, Developer will provide the Community Contact Person (identified in Section 3 below) with notification of any permits that require partial or total closures of streets or sidewalks

b. Site Management.

Construction offices will be located in trailers on the Project Site or on adjacent public spaces with public space permits Such trailers will be kept in a clean and orderly condition

A minimum amount of lighting will be provided at the Project Site at night. Said lighting will be sufficient to provide necessary security and to comply with federal and municipal safety standards The lights will be directed at the areas to be lighted within the Project Site and, to the greatest extent possible, away from neighboring residences

c. Cleanliness.

Developer will remove rubbish and construction debris regularly from the Project Site

Trucks carrying excavation material and debris from the Project Site will be covered with tarps. Trucks shall enter/exit the Project Site at Emerson Street. Developer encourages neighboring residents to report to the Community Contact Person and/or the Developer Contact Person (identified in Section 3 below) any trucks servicing the Project Site which do not comply with this Construction Management Plan

Developer will clean Emerson Street and any other impacted streets along the designated trucking route (referenced herein at Section 2) of any fallen excavation material and debris from trucks entering/exiting the Project Site, including sweeping up any soil spread by said vehicles, as needed and appropriate

d. Work Hours.

The normal construction work week will be Monday through Friday from 7:00 a.m. until 7:00 p m , and Saturday from 8 00 a.m. until 5.00 p.m, or as otherwise provided under the District of Columbia Building Code All trucks for delivery of all materials, construction or otherwise, will arrive, depart and operate on the Project Site only during the foregoing hours During certain phases of the construction, overtime hours may be necessary. Whenever overtime hours will be necessary, Developer will provide notification to the Community Contact Person at least 24 hours prior to implementation of the overtime hours (unless an emergency situation occurs or an unforeseen and urgent construction situation occurs, in which instance Developer will provide notice to the Community Contact Person as soon as possible). Such notification shall include the proposed overtime hours, a description of the type of work to be done in those hours, and the potential impact of the work on noise, dirt and traffic in the area In order to perform work during overtime hours, Developer will be required to obtain an after hours construction permit from the District of Columbia. There will be no Sunday construction work permitted.

e. Subcontractors.

The Contractors for the Project will have full responsibility for all subcontractors employed by them to work on the Project They will ensure that the subcontractors follow the terms of the Contractors' agreements with Developer and comply with the policies set forth in this Construction Management Plan.

Developer will not permit or tolerate off-site picnicking by workers employed by either the Contractors or subcontractors (the "Workers") on residential streets In addition, Workers shall not drink alcoholic beverages either openly or from paper bags in the foregoing residential areas before, during or after work hours.

2. Traffic, Parking and Loading.

All construction-related vehicular access to the Project site shall be via Emerson Street Developer will ensure that queuing of trucks for the Project will occur on the Project Site to the greatest extent possible. Trucks will not park on neighboring streets in front of residences When queuing on the streets is required, it will be for the minimum amount of time possible Trucks in the queue will turn their engines off, until ready to move. To the extent possible, trucks on the Project Site will turn their engines off, except when powering equipment actively in use

All Contractors, subcontractors and/or material suppliers will be provided with written instructions that establish the approved truck routing to and from the Project Site, such route(s) to be determined by Developer after consultation with the Department of Transportation and to be provided to the Community Contact Person for dissemination to interested neighbors Developer encourages neighboring residents to report to the Community Contact Person and/or the Developer Contact Person (identified in Section 3

below) any trucks servicing the Project Site which do not comply with the established construction traffic route(s).

Parking for Workers and visitors to the construction trailers will be provided for on the Project Site The Contractors will be responsible for notifying Workers on a regular basis of the parking restrictions set forth herein

3. **Communication.**

The purpose of the Community Contact Person is to serve as a liaison between Developer and neighboring residents, receiving and disseminating information regarding the construction of the Project The Community Contact Person shall be selected by the ANC 5A Commissioners for Single Member Districts 5A03 and 5A04 Developer and the Contractors shall designate a representative ("Developer Contact Person") to be the key contact for interaction with the Community Contact Person throughout the construction period.

At any time construction activity is occurring on the Project Site, the Developer Contact Person shall be available to receive complaints or other communications from the Community Contact Person. The name and work telephone number of the Developer Contact Person also shall be conspicuously posted at the Project Site and shall be readily available to members of the community. In addition, a name and telephone number of a person designated by Developer to be contacted in case of emergency during hours in which no construction activity is occurring shall be made available to the Community Contact Person and posted at the Project Site.

The Developer Contact Person shall (i) receive notice of any violations of this Construction Management Plan, (ii) respond as soon as possible to the person who has reported the violation; and (iii) act to remedy the violation as soon as possible The Developer Contact Person will be able to answer questions and receive comments about the site activities, address any concerns the Community Contact Person and members of the community might have throughout the construction process, and have authority to remedy violations of the Construction Management Plan and enforce its provisions The Community Contact Person and the Developer Contact Person shall meet regularly to discuss any concerns regarding the Project of which the Community Contact Person has been notified.

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UPDATED 12/2004

ZONING COMMISSION CASE NO. 04-11
ROCKY GORGE AT FORT TOTTEN LLC

PROJECT AMENITIES AND COMMUNITY BENEFITS OFFERED[1]

I. Project Amenities:

A. Housing and Affordable Housing·

1. Converting abandoned, under-utilized concrete plant into Residential Use
2 Project will contain 75 fee simple townhouse units
3. Target market = workforce housing (Metro AMI)
4. Two deed restricted affordable housing units provided (@ 85% AMI)

B. Site Planning/Efficient Land Utilization·

1. Site plan designed consistent with Neo-Traditional Design (pedestrian focus, alley system, public greens, architecture)
2 Project Exemplifies Transit-Oriented Development (TOD) Model
3 Site Planning and utilization consistent with LEED principles

C. Vehicular/Pedestrian Access:

1 Close proximity to Metrorail and Metrobus
2. Project will have inconsequential impact on traffic
3. Project will remove truck traffic issues.
4. Pedestrian access provided to/from 7th and Emerson Streets

D Environmental Benefits·

1. Residential Use vs Matter of Right Industrial/Commercial Uses
2 Site Clean-Up – extensive costs to remove concrete and other debris
3. Efforts consistent with LEED principles, especially re site development

[1] Areas noted in ***bold italics*** indicate revisions from original amenities/benefits summary submitted at 11/22/04 public hearing and included in the Record at Exhibit 35

UPDATED 12/2004

II. Community Benefits.

BENEFIT PROPOSED	NATURE	ESTIMATED VALUE	STATUS
Affordable Housing	2 Deed Restricted Units (18' x 36' units)	$100,000 ($50K x 2)	Supported by OP Need to verify certification of eligibility either through DHCD or OP
Library Enhancements	Contribution to Lamond-Riggs Library for computers, books, other materials	$15,000	Agreement in principle, awaiting letter of confirmation from L-R Library
North Michigan Park Recreation Center Enhancements	Contribution to NMP Civic Association -computers, furniture, PA system, marquee, enhancements to Pavilion in park area	$15,000	Confirmation Letter received from NMPCA Contribution to NMPCA approved by DC Dept of Parks and Recreation
North Michican Park Community signage	Contribution to NMP Civic Association for fabrication, installation of 5 "Welcome to North Michigan Park" signs	$12,000	Confirmation Letter received from NMPCA
North Michigan Park/ Ward 5 Community Enhancement Programs/Events	***Contribution to Friends of NMP Civic Association for various community programs/events, to include such items as: (1) playground/playing field improvements at Backus Elementary School; (2) Public space beautification; (3) Elderly neighbors assistance program; (4) sponsor Summer Jobs program; (5) sponsor College Scholarship program; (6) sponsor back to school program (supplies); (7) sponsor annual NMP Family Day, annual awards dinner, Mothers day and Father Day luncheons.***	***$120,000***	***Discussions held with representatives of ANC 5A, FNMPCA, Concerned Citizens of NMP and DOT.*** ***Applicant awaiting memorandum of agreement from FNMPCA***

WELLS & ASSOCIATES, LLC
TRAFFIC, TRANSPORTATION, and PARKING CONSULTANTS

MEMORANDUM

TO: District of Columbia Zoning Commission

CC: Jack Anderson, Rocky Gorge Homes, LLC
Dennis Hughes, Holland & Knight, LLP

FROM: Jami Milanovich, P.E.

DATE: December 17, 2004

RE: Post Hearing Traffic Analyses

We have completed additional traffic analyses in response to requests made by the Zoning Commission at the November 22nd hearing and comments made by the District Department of Transportation (DDOT) dated November 23, 2004 The additional analyses are summarized herein.

As requested by the Zoning Commission, an analysis was conducted to determine the effect of 6th Place and Gallatin Street being more heavily used by traffic oriented to/from the north as a means of ingress and egress to/from the site. In the original traffic impact study, it was assumed that 20 percent of the traffic oriented to/from the north (ten percent of the total site generated traffic) would utilize Gallatin Street and 6th Place. The remaining 80 percent of traffic oriented to/from the north (40 percent of the total site generated traffic) would utilize South Dakota Avenue In the revised analysis, 20 percent of the traffic oriented to/from the north (ten percent of the total site generated traffic) was assumed to utilize South Dakota Avenue, while 80 percent of traffic oriented to/from the north (40 percent of the total site generated traffic) was assumed to use Gallatin Street and 6th Place. Based on the revised site trip distribution, the site generated traffic will have no impact on the study area Each critical movement at the 6th Place/Emerson Street intersection would operate at a level of service "A" during both the AM and PM peak hours.

Comments were also made with regard to the single point of access to the subject development. Given that the proposed PUD is expected to generate only 20 vehicular trips during the AM peak hour (three ingress, 17 egress) and only 30 vehicular trips during the PM peak hour (20 ingress, 10 egress), coupled with the minimal peak hour traffic volumes on Emerson Street (45 vehicles per hour during the AM peak hour and 27 vehicles per hour during the PM peak hour) a single access would adequately and efficiently accommodate the projected traffic volumes. Although only one main point of access exists, residents of the development would also be able to utilize the alley system (namely the alley south of and parallel to Emerson Street) for ingress and egress to and from the system.

In response to comments regarding sight distance at the 7th Place/Delafield Street intersection, Wells & Associates, LLC conducted a field reconnaissance of the intersection to evaluate available sight distance Currently, a northbound motorist on 7th Place at its intersection with Delafield Street has approximately 140 feet of available sight distance looking to the west. Based on an assumed design speed of 30 miles per hour (Delafield Street currently has a posted speed limit of 25 miles per hour), the American Association of State Highway and Transportation Officials (AASHTO) recommends a sight distance of 309 feet. The limited sight distance is the result of the horizontal curvature of Delafield Street west of 7th Place and is compounded by the presence of on-street parking on the south side of Delafield Street Given the location of the proposed PUD and the site access located on Emerson Street, site generated traffic is not expected to add any traffic to the 7th Place/Delafield Street intersection. Therefore, the proposed PUD is not expected to negatively impact this intersection.

Additionally, DDOT commented that site generated traffic should be encouraged to use the signalized intersection of South Dakota Avenue and Delafield Street in lieu of the unsignalized intersection of South Dakota Avenue and 8th Street. Based on my phone conversation with Mr. Louis Booker, DDOT is not requesting that any specific measures, such as signage, be provided to encourage site generated traffic to use a particular path. Mr Booker agreed that motorists will naturally seek the path that will incur the least amount of delay Accordingly, traffic leaving the proposed development will favor the South Dakota Avenue/Delafield Street intersection over the South Dakota Avenue/8th Street intersection since they will incur less delay at that intersection.

Please do not hesitate to contact me at 724 933.9010 or jlmilanovich@mjwells.com should you have any comments or require additional information

SUMMARY OF ESTIMATED PROJECT SITE DEVELOPMENT COSTS AND REVENUE

	Units	Preliminary Price		Percent of Sales Revenue		Total
REVENUE						
18' Townhouse	2	$ 327,800	$ 655,600			
18' Townhouse	31	$ 380,000	$ 11,780,000			
20' Townhouse	42	$ 410,000	$ 17,220,000			
Net Sales Revenue					$	29,655,600
	Gross Area					
EXPENSES						
Land & Development			$ 11,225,000	37 9%		
House Direct Costs	176,424 s f		$ 11,025,000	37.2%		
Soft Costs			$ 5,175,000	17 5%		
Cost of Sales					$	27,425,000
Margin (Pretax)				7.5%	$	2,230,600

Land & Development
Land acquisition, site demolition, site grading, provisions for unsuitable soils, site development (water, sewer, paving, landscaping, etc.), zoning, proffers connection to public utilities
Note - Final engineering is not complete

House Direct Costs
All construction costs related to the residential structure and on-lot development
Note - Final house designs and specifications are not complete

Soft Costs
Acquisition and development fees and interest, design costs, testing, permits, sales and marketing, project management, general conditions, commissions, warranty, financing, real estate taxes, corporate overhead

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

December 2004

RE: Emerson Park, Washington, DC
District of Columbia Economic Impact Overview

Bolan Smart Associates has been asked to provide a brief overview of the magnitude of economic importance to the District of Columbia of constructing a $29 7 million 75-unit townhome development in the 600 block of Emerson Street, NE. Based on evaluating a 100% completed project, our findings are summarized below.

1. **Direct Annual District Tax Revenue**: The principal ***direct*** tax revenues to the District of Columbia resulting from the completion of this project – calculated in $2004 – total over $870,000 per year in terms of gross tax revenue generated. The primary components of the project generated taxes, as summarized in Table 1, are estimated to be comprised of

    1) $257,300 per year in real estate taxes (valued @ an average market value of $397,000 per market rate unit) This compares with slightly less than $40,000 in real estate taxes as currently assessed,

    2) $458,400 per year in DC resident income taxes, (based on an average household gross income of $109,250 to qualify to purchase a market rate unit @ 27 5% income to value ratio, including a minimum required income of $84,000 to $91,000 feasible with a 5 5% 30-yr mortgage with 5 0% down) Given these are minimum required incomes, there is a high likelihood that some homebuyer incomes will exceed the minimum, meaning that actual income taxes and other income related taxes should be expected to exceed the minimum proceeds calculated herein,

    3) $74,750 per year in DC resident retail sales tax revenues, attributable to $1,987,000 in DC based taxable sales (@ 50% to 60% DC capture of DC resident retail sales),

    4) $34,000 in DC resident related use taxes and fees (residential building operation's, resident DMV fees, utility and telecommunications fees, etc), and

    5) $45,700 in annually recurring property sale transfer and recordation fees (@ 7 0% annual unit turnover)

2. **Additional Project Related DC Residents**: Per a broad-based District goal, the construction of 75 residences will result in additional District residents. By creating an additional supply of new units at this location, new residents currently living outside of the District are attracted to relocate, and those existing DC residents that choose to relocate will free up needed inventory for other prospective DC residents Particular to Emerson Park, new mid-priced townhouse units proximate to a Metro station, a relative rarity in the District, will compete with suburban Metro proximate locations, as well as provide an alternative for existing District residents whom might otherwise consider relocating to a neighboring jurisdiction. We estimate that the Emerson Park resident population will approximate 207 persons, (2.75 persons per market household assuming 100% occupancy and tax paying status).

3. **One-time Construction Related Benefits**· The combination of transfer taxes (1 1%) and recordation fees (1 1%) associated with the proposed development ($29.7 million in sales = approximately $650,000), coupled with development processing fees, permits, connection fees and inspections (75 units @ $5,000 per unit = $375,000), is likely to generate in excess of $1.0 million of direct District of Columbia revenues. In addition, associated with close to 80 direct annual construction jobs estimated to be created covering a 1.5 year construction period there, will be the purchase of as much as $9.0 million of construction materials, a portion of which will be acquired through District of Columbia tax paying sources. The economic multipliers benefiting the District associated with this construction expenditure – while not quantified as part of this report – will obviously be important

4. **Neighborhood Enhancement** The infilling of a dormant industrial site with a new residential community comprised of generally more expensive homes than the homes on adjoining streets will tend to stabilize and enhance nearby property values New residential construction should also provide street oriented and security related enhancements resulting from the higher use of the currently largely vacant site as well as augment attendance at under utilized neighborhood public schools

5. **Adding Moderately Priced Units**. The applicant has proposed offering two moderately priced units for purchase by households earning 85% of median income. Replacing market priced housing units with moderately priced homes reduces the indicated direct annual District Tax Revenues for the proposed building by approximately $4,000, or on the order of 0.5%. (Note that the applicant is not seeking any tax or other public sector related financial subsidies in conjunction with providing moderately priced housing units.)

6 **Possible Public School Impact:** Emerson Park is located within the District of Columbia Public Schools Area E Eastern Planning Area, which is identified as having underused school capacity, and verified based on current year (2004-05) enrollment at project recipient Brookland Elementary School and Berdie Backus Middle Schools. High school age students can select from a number of District high schools (but directed toward Roosevelt), all which also register excess capacity. The number of school age children at Emerson Park are estimated to total 36, representing an average of 0 53 students per household (130% District of Columbia average). Based on District-wide averages, of these K-12 students, 25 would be assumed to attend local public schools, four would attend District charter schools, and 7 would attend private schools (see Table BSA4)

7. **Possible Public Costs:** Table BSA4 quantifies possible District of Columbia municipal costs related to serving the Emerson Park development assuming 100% new resident status [1] Table BSA4 uses a differentiated cost factor associated with residential related users (75% of overall general fund plus 100% of public and charter school costs) and non-residential users (25% of overall general fund) to allocate representative municipal costs, per the FY04 District of Columbia Local Funded Adjusted Budget These District-wide average residential household costs are then adjusted for the estimated proportional additional demand for services resulting from the Emerson Park project type (35% incremental cost of residential related overall costs, lower than the District average cost per

[1] Adjusting for an alternative existing resident status would require that both cost and revenue computations be adjusted to reflect the same assumptions, meaning that the relative economic impact in proportion to the resident status would be the same at whatever level of new resident status is assumed

residential unit due primarily to assumed minimal human service costs, Emerson Park internalized HOA supported street / infrastructure maintenance and trash collection, and an overall marginal impact on general government administrative costs). The differential between the direct tax revenue generated by Emerson Park exceeding $870,000 (Table BSA1), and the estimated allocated costs of $577,000 (Table BSA4), represents a positive annual cash flow to the District Government of close to $300,000 per annum Finally, while not explicitly quantified in this direct tax revenue analysis, extrapolating the economic multipliers resulting from the addition of the economic activity created by the homeowners at Emerson Park would increase the positive economic returns to the District of Columbia multiple times over

Bolan Smart Associates *Bolan Smart Associates is a Washington, DC based economic consulting and real estate advisory firm founded in 1985 Bolan Smart's work includes economic and fiscal impact analyses, assisting government in economic development initiatives and providing a full range of development feasibility support for the private sector The firm is certified by the Government of the District of Columbia's as a LSDBE*

Table BSA1 - Combined Land Uses - Emerson Park - Washington, DC
ECONOMIC IMPACT SUMMARY - $2004

Direct Annual District Tax Revenues (assuming no abatements etc.) — **District Tax Revenue**

			taxable value	*tax value per unit*	*RE tax*	
1) Real Estate Tax		market townhomes	$26,226,000	$359,260	$251,770	
see Tables 2-3		moderate priced units	$579,584	$289,792	$5,564	
		total	$26,805,584		$257,334	$257,334
			Required HH Income		*total potential DC income tax*	
2) DC Resident Income Tax		market townhomes	$109,247		$451,325	
see Tables 2-3		moderate priced units	$72,590		$7,093	
		total			$458,418	$458,418
			total potential taxable sales	*DC capture*	*DC sales tax*	
3) DC Resident Retail Expenditures		market townhomes	$1,953,875	50 0%	$73,270	
see Tables 2-3		moderate priced units	$33,028	60 0%	$1,486	
		total	$1,986,903		$74,757	$74,757
4) Other DC Resident Related Fees		market townhomes			$33,495	
see Tables 2-3		moderate priced units			$566	
		total			$34,061	$34,061
5) Recurring Resale Transfer Fees				7 0% annual unit turnover		$45,670
see Tables 2-3						
					gross DC taxes	
6) Total Direct Annual DC Tax Revenue		market townhomes			$854,520	
		moderate priced units			$15,719	
		Total Direct Annual DC Tax Revenue			$870,239	**$870,239**

One-time District Revenue

Property Transfer Tax, Deed Recordation Taxes and Development Fees	$1,000,000+
First-time Homebuyer DC Income Tax Credit	not considered
Construction Related Sales Tax	not considered

		total residents	
Additional Project Related Residents	market townhomes	201	
see Tables 2-3	moderate priced units	6	
	total	207	

Direct Project Full Time Employment (FTE jobs)

	DC jobs	
Temporary Construction FTE Jobs (a)	78	
Total FTE Jobs	78	

Employment, Economic and Tax Multipliers — not considered

Notes

(a) Construction employment: $14,000,000 construction cost x 40% direct labor divided by $48,000 average annual income, equaling 116 person years divided by 1 5 years for project completion, realizing 78 construction full time equivalent jobs.

Prepared by Bolan Smart Associates, Inc (12/15/04)

Table BSA2 - Market Townhomes - Emerson Park - Washington, DC
ANNUAL DIRECT DC TAX REVENUE NET OF MULTIPLIERS - $2004

Project Description

1)	Townhomes	75 units
2)		
3)	Market Priced Units	73 units
4)	Average Size (including garage)	2,209 gsf
5)	Total Saleable SF	161,250 gsf

Project Related New DC Residents

2 75	persons / unit
73	occupied units
201	total residents
100 0%	net new residents
201	new DC residents

			Building / Parking	
			one unit	total units
Real Estate Tax				
6)	Townhome Real Estate Value (including parking)		$397,260	$29,000,000
7)	DC Homestead Exemption	$38,000 per unit	$38,000	($2,774,000)
8)	Seniors Exemption	considered unlikely		$0
9)	Taxable Residential Real Estate Value		$359,260	$26,226,000
10)	Parking (included above)			NA
11)	Total Taxable Real Estate Value		$359,260	$26,226,000
12)	Residential Real Estate Tax (net of possible DC abatements)	0 96% residential tax rate	$3,449	$251,770
13)	***Total Real Estate Taxes***		$3,449	***$251,770***
Residential Direct Tax Revenues			one unit	total units
14)	Average Unit Value (31 units @ $380K, 42 units @ $410K)	$179 84 per sf	$397,260	$29,000,000
15)	Probable Average Gross HH Income (incl <$90K minimum)	27 5% multiple of unit value	$109,247	$7,975,000
16)	Taxable Income	70 0% of gross	$76,473	$5,582,500
17)	Initial DC Income Tax	$30,000 of initial taxable income	$2,000	$146,000
18)	Additional DC Income Tax	9 0% DC tax rate over initial	$4,183	$305,325
19)	Total Potential DC Income Taxes		$6,183	$451,325
20)	Income Taxes Adjusted for Average Occupancy	100 0% occupancy	$6,183	$451,325
21)	Potential New DC Residents	100 0% new residents	$6,183	$451,325
22)	***Income Tax Revenue Adjusted for Resident Status***	100 0% of new residents pay taxes	$6,183	***$451,325***
23)	New Resident Retail Expenditures Subject to Sales Tax	35 0% of taxable income	$26,765	$1,953,875
24)	District of Columbia Resident Sales Capture	50 0% of expenditures	$13,383	$976,938
25)	***DC Average Applicable Sales Tax*** (a)	7 5% blend of categories	$1,004	***$73,270***
26)	***Other Resident Related Use Taxes and Fees*** (b)	0 6% of taxable income	$459	***$33,495***
27)	Personal Property Tax (c)			not considered
28)	***Total Residential Direct Tax Revenues***		$7,645	***$558,090***
Recurring Property Resale Transfer Fees				
29)	Annual Re-sales Related Taxes (2.2% combined fees)	7 0% annual unit turnover		***$44,660***
30)	Annual Refinance Deed Recordation Taxes			not calculated
Parking (included with unit purchase)				
Total Direct Annual Tax Revenue				***$854,520***

Notes

(a) Based on blend of sales tax on general goods and services and DC retained sales tax on restaurant related sales

(b) Building operations purchases, resident DMV fees, utility and telecommunications fees, other licensing fees and charges

(c) Fixtures, etc included in real property value, residents assumed not to exceed $50,000 personal property exemption.

Prepared by Bolan Smart Associates, Inc (12/15/04)

Table BSA3 - Moderate Priced Townhomes - Emerson Park - Washington, DC
ANNUAL DIRECT DC TAX REVENUE NET OF MULTIPLIERS - $2004

Project Description

1)	Townhomes	75 units
2)		
3)	Moderate Priced Units	2 units
4)	Average Size (including garage)	1,950 gsf
5)	Total Saleable SF	3,900 gsf

Project Related New DC Residents

2.75	persons / unit
2	occupied units
6	total residents
100 0%	net new residents
6	new DC residents

			Building / Parking	
			one sf	total sf
Real Estate Tax				
6)	Townhome Real Estate Value (including parking)		$327,792	$655,584
7)	DC Homestead Exemption	$38,000 per unit	($38,000)	($76,000)
8)	Seniors Exemption	considered unlikely		$0
9)	Taxable Residential Real Estate Value		$289,792	$579,584
10)	Parking (included above)			NA
11)	Total Taxable Real Estate Value		$289,792	$579,584
12)	Residential Real Estate Tax (net of possible DC abatements)	0 96% residential tax rate	$2,782	$5,564
13)	***Total Real Estate Taxes***		$2,782	***$5,564***
Residential Direct Tax Revenues			one unit	total units
14)	Average Unit Value (per developer affordability estimate)	$168 10 per sf	$327,792	$655,584
15)	Required Gross HH Income (developer 5.5% mortgage)	22 1% multiple of unit value	$72,590	$145,180
16)	Taxable Income	65 0% of gross	$47,184	$94,367
17)	Initial DC Income Tax	$30,000 of initial taxable income	$2,000	$4,000
18)	Additional DC Income Tax	9 0% DC tax rate over initial	$1,547	$3,093
19)	Total Potential DC Income Taxes		$3,547	$7,093
20)	Income Taxes Adjusted for Average Occupancy	100 0% occupancy	$3,547	$7,093
21)	Potential New DC Residents	100 0% new residents	$3,547	$7,093
22)	***Income Tax Revenue Adjusted for Resident Status***	100 0% of new residents pay taxes	$3,547	***$7,093***
23)	New Resident Retail Expenditures Subject to Sales Tax	35 0% of taxable income	$16,514	$33,028
24)	District of Columbia Resident Sales Capture	60 0% of expenditures	$9,909	$19,817
25)	***DC Average Applicable Sales Tax*** (a)	7 5% blend of categories	$743	***$1,486***
26)	***Other Resident Related Use Taxes and Fees*** (b)	0 6% of taxable income	$283	***$566***
27)	Personal Property Tax (c)			not considered
28)	***Total Residential Direct Tax Revenues***		$4,573	***$9,146***
Recurring Property Resale Transfer Fees				
29)	Annual Re-sales Related Taxes (2 2% combined fees)	7 0% annual unit turnover		***$1,010***
30)	Annual Refinance Deed Recordation Taxes			not calculated
Parking (included with unit purchase)				
Total Direct Annual Tax Revenue				***$15,719***

Notes

(a) Based on blend of sales tax on general goods and services and DC retained sales tax on restaurant related sales

(b) Building operations purchases, resident DMV fees, utility and telecommunications fees, other licensing fees and charges

(c) Fixtures, etc included in real property value, residents assumed not to exceed $50,000 personal property exemption

Prepared by Bolan Smart Associates, Inc (12/15/04)

Table BSA4 - Emerson Park - Washington, DC
DISTRICT OF COLUMBIA EXPENDITURE IMPACT

Government Service Cost Computation

		District of Columbia		Emerson Park	
		2004 Est.	General Fund Service Cost (a)	Estimate	General Fund Service Cost (a)
1)	Occupied Households	250,000		75	
2)	Household Size	2 24		2 75	
3)	Population	560,000	75%	207	35%
4)	At-Place Jobs	670,000	25%	0	0%
5)			100%		35%
			Students Per Household		Students Per Household (b)
6)	K-12 Students				
7)	District Public Schools	65,000	0 26	25	0 34
8)	District Charter Schools	11,000	0 04	4	0 06
9)	Private Schools (18% of total)	17,000	0 07	7	0 09
10)		93,000	0 37	36	0 48

Expenditures and Uses of Funds

		District of Columbia				Emerson Park		
		2004 Local Funds Budget	Service Factor (a) Non-Residential	Service Factor (a) Residential	Cost Per Household	Project Service Factor	Cost Per Household	Est Project Service Costs
11)	Government Support	$220,924,000	35%	65%	$574	30%	$172	$12,924
12)	Econ Development and Reg	$55,036,000	90%	10%	$22	50%	$11	$826
13)	Public Safety	$728,115,000	30%	70%	$2,039	65%	$1,325	$99,388
14)	Non-School Education	$107,539,000	20%	80%	$344	75%	$258	$19,357
15)	Human Support Services	$1,113,277,000	10%	90%	$4,008	20%	$802	$60,117
16)	Public Works	$305,629,000	35%	65%	$795	30%	$238	$17,879
17)	Financing and Other	$391,772,000	35%	65%	$1,019	30%	$306	$22,919
18)	***General Fund Expenditures***	$2,922,292,000	25%	75%	$8,800	35%	$3,112	$233,409
					Cost Per Student		Cost Per Student	
19)	DC Primary Schools	$744,971,000	0%	100%	$11,461	100%	$11,461	$290,539
20)	DC Charter Schools	$137,531,000	0%	100%	$12,503	100%	$12,503	$53,637
21)	***School Expenditures***	$882,502,000						$344,176
22)	***Total Expenditures***	$3,804,794,000						$577,585

Notes

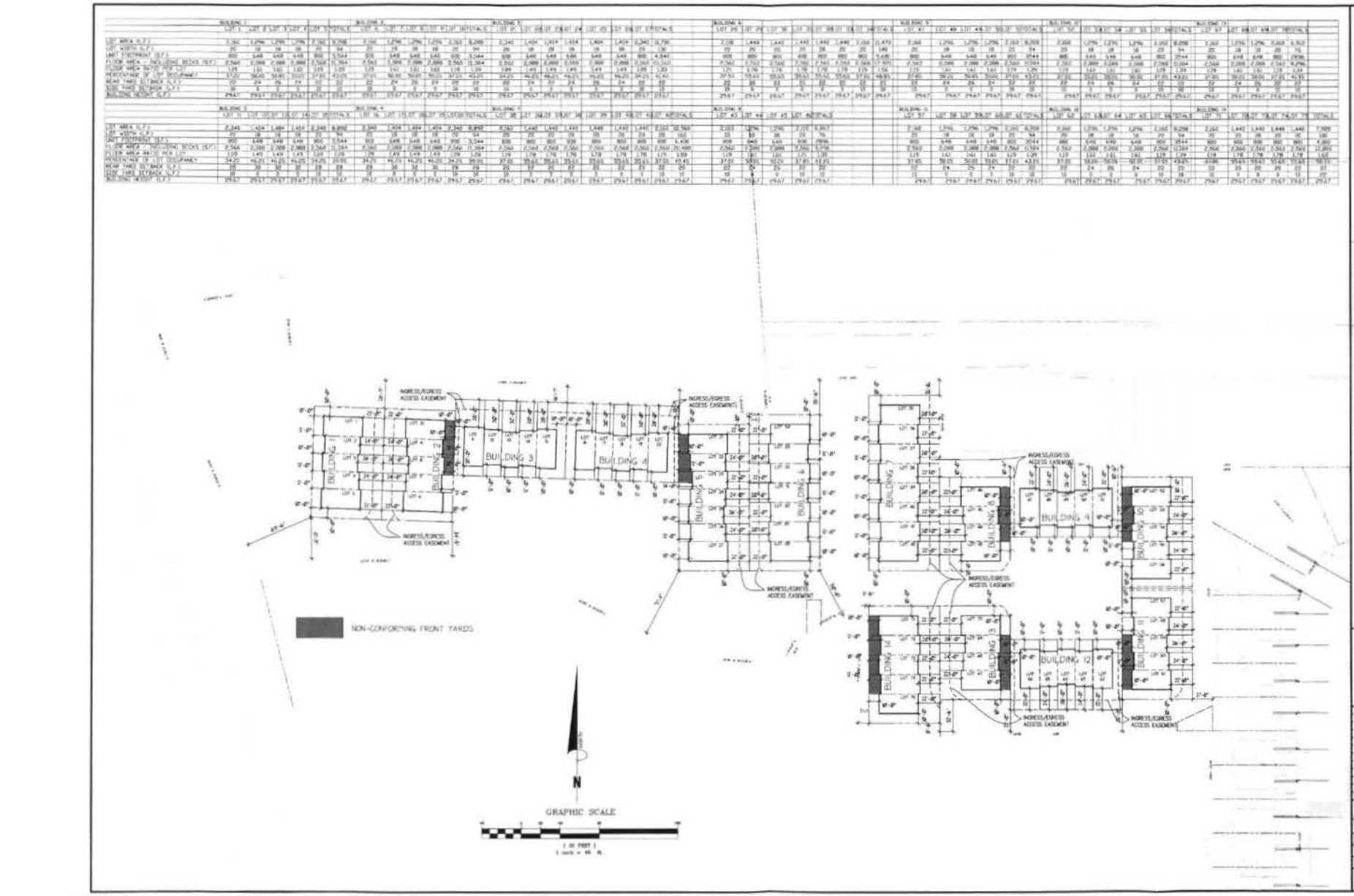
(a) Estimated cost of DC funded non-primary school government services divided between residential households and non-residential users

(b) Estimated school age population for upper middle income DC households attracted to Metro location (30% higher than DC average per HH)

Source District of Columbia 2004 Budget, District of Columbia Public Schools, Bolan Smart Associates (12/15/04)

ARCHITECTURAL DRAWING

(a) Diagram Identifying Non-Compliant Front Yard Setbacks



Bowman CONSULTING

SITE TABULATIONS - BUILDING SETBACKS

EMERSON PARK P.U.D.

WASHINGTON DISTRICT OF COLUMBIA

PLAN STATUS

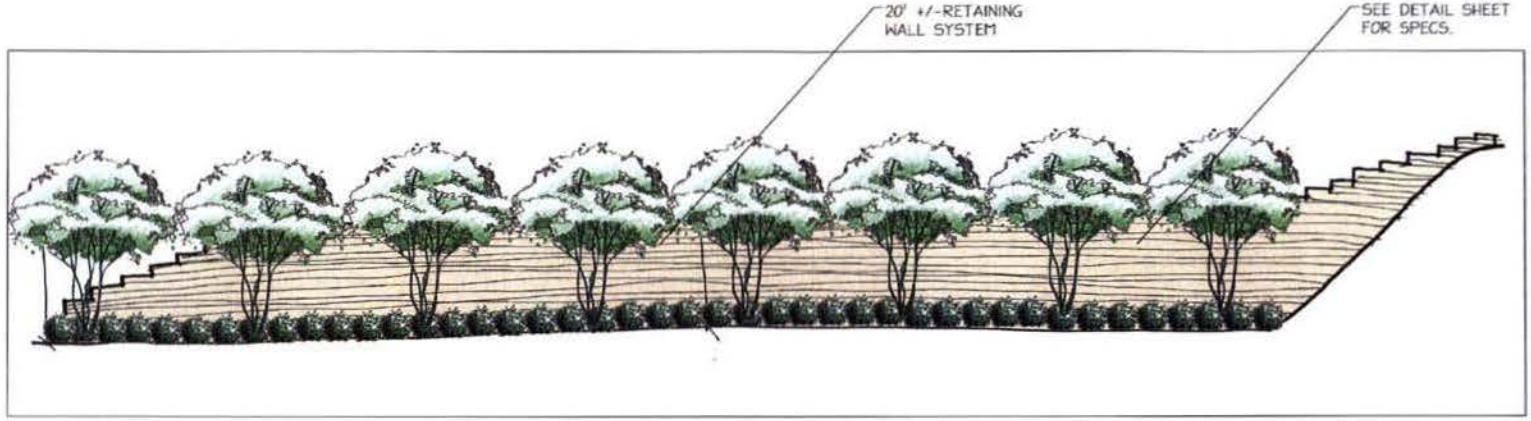
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JOB No.	2560-01-001	
DATE	APRIL 9, 2004	
FILE No.		
SHEET	12 OF 22	

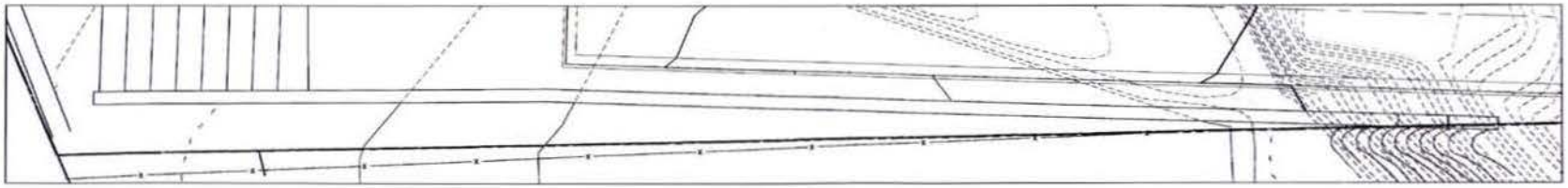
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ARCHITECTURAL DRAWING

(b) Depiction of Retaining Wall Solutions



1/19A ILLUSTRATIVE SOUTHERN RETAINING WALL
ELEVATION (REVERSE) 1" = 8'



2/19B SOUTHERN RETAINING WALL
PLAN 1" = 8'

SCALE: 1" = 8'

NORTH

Bowman CONSULTING

Bowman Consulting Group, Ltd.
3101 Wilson Boulevard, Suite 550
Arlington, Virginia 22201
Phone: (703) 548-2188
Fax: (703) 548-3739
www.bowmanconsulting.com

ILLUSTRATIVE RETAINING WALL ELEVATION

EMERSON PARK P.U.D.

WASHINGTON DISTRICT OF COLUMBIA

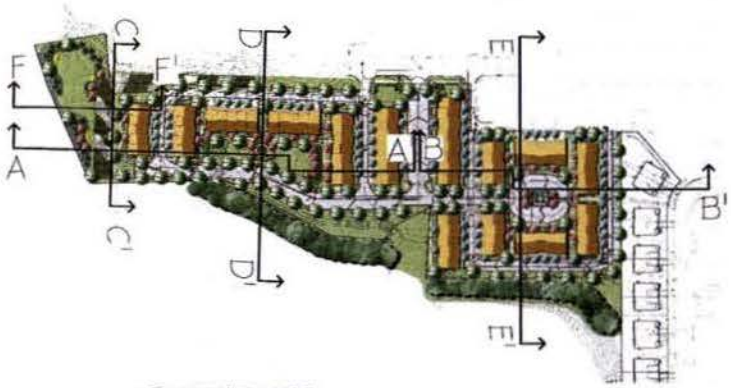
ANTHONY C. HOPE No. 9525 DISTRICT OF COLUMBIA PROFESSIONAL ENGINEER

DATE	DESCRIPTION
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ACM CHKD	
SCALE	1" = 40'-0"
JOB No.	2560-01-001
DATE	APRIL 9, 2004
FILE No.	
SHEET	19B OF 22

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1/16A CROSS SECTION C-C' - ALTERNATIVE
PLAN 1"=20'



2/16A VICINITY MAP
PLAN 1"=100'



3/16 CROSS SECTION D-D'
ELEVATION 1" = 20'



4/16A CROSS SECTION E-E'
ELEVATION 1" = 20'

GRAPHIC SCALE

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Alexandria, Virginia 22314
Phone (703) 548-2188
Fax (703) 683-8791
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a Bowman Company

SITE CROSS SECTIONS

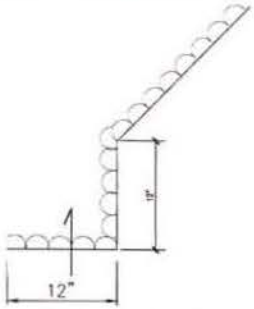
EMERSON PARK P.U.D.

WASHINGTON DISTRICT OF COLUMBIA

PLAN STATUS

DATE	DESCRIPTION

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SCALE: H: 1"=20' V:		
JOB No. 2560-01-001		
DATE: APRIL 9, 2004		
FILE No.		
SHEET: 16A OF 22		

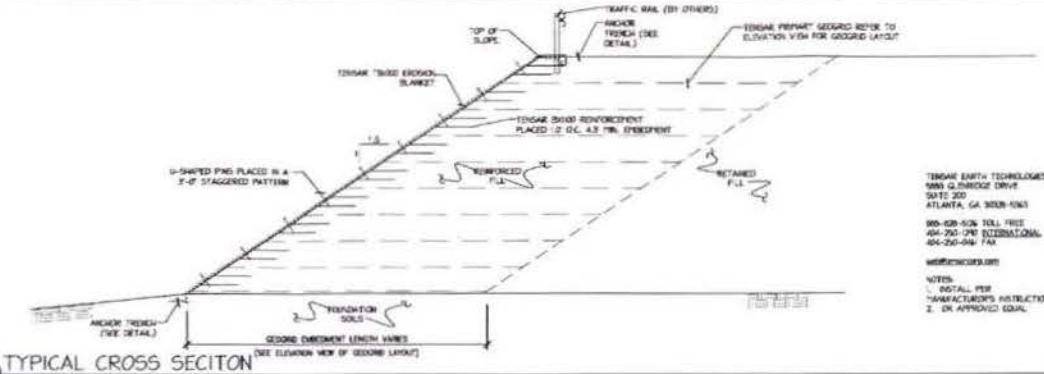


TENSAR EARTH TECHNOLOGIES, INC.
9993 GLENRIDGE DRIVE
SUITE 200
ATLANTA, GA 30328-5363

888-828-5226 TOLL FREE
404-250-0740 INTERNATIONAL
404-250-0461 FAX

NOTES:
1. INSTALL PER MANUFACTURER'S INSTRUCTIONS.
2. OR APPROVED EQUAL

1/22A ANCHOR TRENCH DETAIL TOE OF SLOPE
1/22A SECTION — 01-001B — 3" = 1'-0"

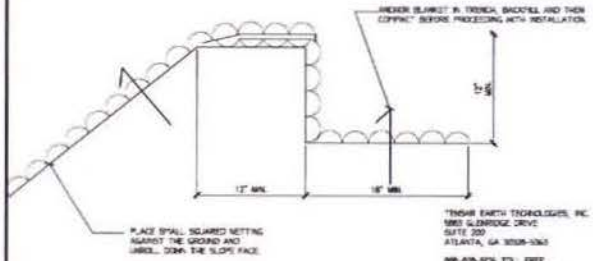


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NOTES:
1. INSTALL PER MANUFACTURER'S INSTRUCTIONS.
2. OR APPROVED EQUAL

4/22A TYPICAL CROSS SECITON
4/22A SECTION — 01-006B — 1" = 5'

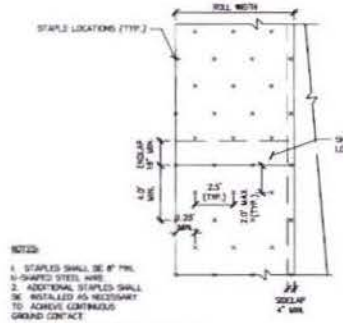


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NOTES:
1. INSTALL PER MANUFACTURER'S INSTRUCTIONS.
2. OR APPROVED EQUAL

2/22A ANCHOR TRENCH DETAIL TOP OF SLOPE
2/22A SECTION — 01-002B — 3" = 1'-0"



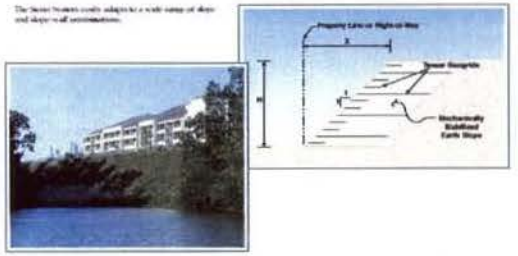
NOTES:
1. STAPLES SHALL BE 8" MIN. U-SHAPED STEEL WIRE.
2. ADDITIONAL STAPLES SHALL BE INSTALLED AS NECESSARY TO ACHIEVE CONTINUOUS GROUND CONTACT.

TENSAR EARTH TECHNOLOGIES, INC.
9993 GLENRIDGE DRIVE
SUITE 200
ATLANTA, GA 30328-5363

888-828-5226 TOLL FREE
404-250-0740 INTERNATIONAL
404-250-0461 FAX

NOTES:
1. INSTALL PER MANUFACTURER'S INSTRUCTIONS.
2. OR APPROVED EQUAL

5/22A SUBDRAIN DETAIL
5/22A SECTION — 01-004B — 1" = 1'-0"

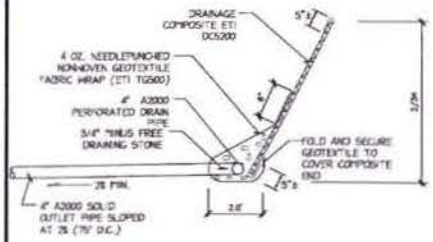


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888-828-5226 TOLL FREE
404-250-0740 INTERNATIONAL
404-250-0461 FAX

NOTES:
1. INSTALL PER MANUFACTURER'S INSTRUCTIONS.
2. OR APPROVED EQUAL

7/22A SIERRA SYSTEM ILLUSTRATIVE CROSS SECTION
7/22A SECTION/PICTORIAL — 01-006B — NTS

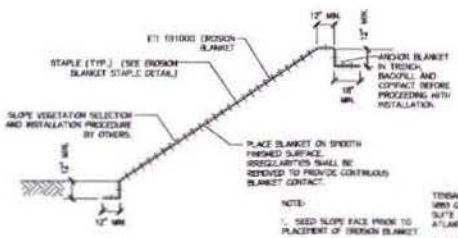


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404-250-0740 INTERNATIONAL
404-250-0461 FAX

NOTES:
1. INSTALL PER MANUFACTURER'S INSTRUCTIONS.
2. OR APPROVED EQUAL

3/22A SUBDRAIN DETAIL
3/22A SECTION — 01-003B — 3" = 1'-0"



NOTE:
1. SEED SLOPE FACE PRIOR TO PLACEMENT OF EROSION BLANKET.

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NOTES:
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2. OR APPROVED EQUAL

6/22A EROSION BLANKET DETAIL
6/22A SECTION — 01-007B — NTS



8/22A MESA RETAINING WALL SYSTEM PICTORIAL ELEVATION
8/22A ELEVATION/PICTORIAL — 01-009C — NTS

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SLOPE STABILIZATION & RETENTION SYSTEM

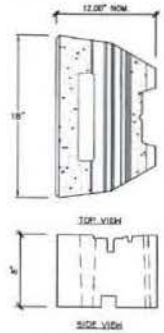
EMERSON PARK P.U.D.

WASHINGTON — DISTRICT OF COLUMBIA

DISTRICT OF COLUMBIA — ANTHONY C. MOTSEK — No. 9525 — PROFESSIONAL ENGINEER

PLAN 134-05

DATE	DESCRIPTION
GCL DESIGN	GCL DRAWN	AGM CHKD
SCALE	AS NOTED
JOB No.	2500-01-001
DATE	APRIL 9, 2004
FILE No.	
SHEET	22A OF 22

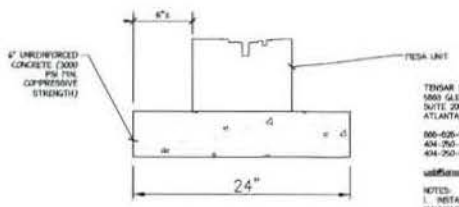


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404-250-1290 INTERNATIONAL
404-250-0464 FAX

NOTES:
1. INSTALL PER MANUFACTURER'S INSTRUCTIONS.
2. OR APPROVED EQUAL.

1/22B HIGH PERFORMANCE UNIT
TOP/SIDE
01-001C
1/2" = 1'-0"

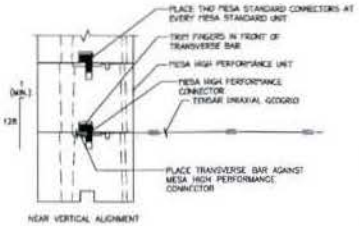


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404-250-0464 FAX

NOTES:
1. INSTALL PER MANUFACTURER'S INSTRUCTIONS.
2. OR APPROVED EQUAL.

4/22B LEVELING PAD
SECTION
01-004C
2" = 1'-0"

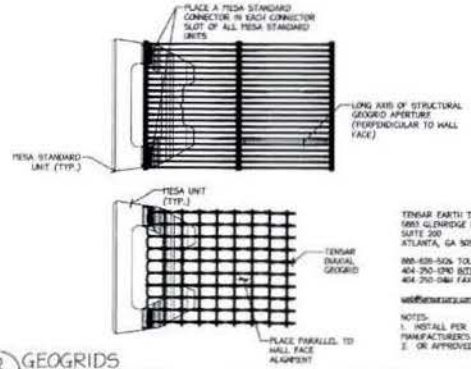


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404-250-1290 INTERNATIONAL
404-250-0464 FAX

NOTES:
1. INSTALL PER MANUFACTURER'S INSTRUCTIONS.
2. OR APPROVED EQUAL.

7/22B MESA HIGH PERFORMANCE UNIT & GEOGRID CONNECTION
SECTION
01-005C
NTS

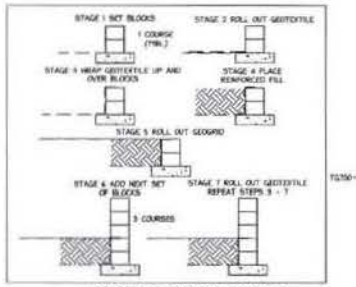


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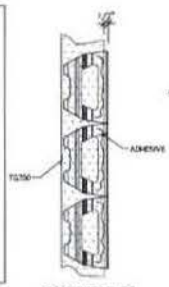
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404-250-1290 INTERNATIONAL
404-250-0464 FAX

NOTES:
1. INSTALL PER MANUFACTURER'S INSTRUCTIONS.
2. OR APPROVED EQUAL.

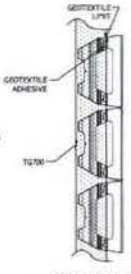
2/22B GEOGRIDS
PLAN
01-002C
NTS



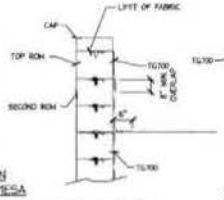
STAGES OF GEOTEXTILE LAYOUT
MESA WALL GEOTEXTILE SEPARATOR
NOT TO SCALE



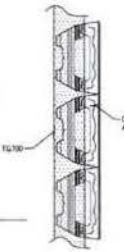
GEOTEXTILE ON SECOND IRON MESA
DETAIL 51



GEOTEXTILE ON TOP STANDARD MESA
DETAIL 52



TYPICAL SECTION

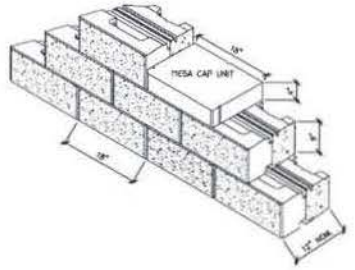


CAP ADHESIVE
DETAIL 53



MESA CAP
DETAIL 54

5/22B MESA GEOTEXTILE LAYOUT
VARIOUS
01-007C
NTS



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SUITE 200
ATLANTA, GA 30328-5363

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404-250-0464 FAX

NOTES:
1. INSTALL PER MANUFACTURER'S INSTRUCTIONS.
2. OR APPROVED EQUAL.

3/22B HIGH PERFORMANCE UNIT & CAP UNIT
ISOMETRIC
01-003C
NTS

FABRIC DRAINAGE SPECIFICATION

GEOTEXTILE MAY BE USED IN LIEU OF AGGREGATE FOR THE DRAINAGE MEDIUM BEHIND THE MESA FACING UNITS IF THE SELECT FILL USED IN THE REINFORCED ZONE, AS A MINIMUM, COMPLIES WITH THE AASHTO GUIDELINES FOR MECHANICALLY STABILIZED EARTH RETAINING WALLS. EARTH RETAINING SYSTEMS, SECTION 7.3.6.3 OF THE 1992 AASHTO GUIDELINES AS IT DEFINES THE SOILS PHYSICAL PROPERTIES.

AN EIGHT (8) OZ PER SQUARE YARD NONWOVEN NEEDLE PUNCHED GEOTEXTILE, TG700, SUPPLIED BY TENSAR, SHALL BE USED AS THE FILTER MEDIUM UNLESS OTHERWISE APPROVED BY TENSAR.

THE GEOTEXTILE SHALL BE DELIVERED TO THE PROJECT SITE IN ROLLS THAT HAVE BEEN FACTORY CUT TO THE SPECIFIED WIDTHS FOR THE INSTALLATION.

INSTALLATION PROCEDURE

1. INSTALL EACH COURSE OF THE MESA FACING UNITS BETWEEN THE TOP OF THE LAST GEOGRID PLACED AND THE BOTTOM THE NEXT LAYER OF GEOGRID ABOVE AS SHOWN ON THE APPROVED CONSTRUCTION DRAWINGS. THE FACING UNITS SHALL BE ALIGNED AND LEVELED IN ACCORDANCE WITH WALL INSTALLATION SECTION.
2. PRIOR TO PLACING THE SELECT BACKFILL, THE TG700 GEOTEXTILE SHALL BE PLACED BEHIND THE UNITS SUCH THAT A MINIMUM OF SIX (6) INCHES OF MATERIAL IS TURNED INTO THE FILL AT THE TOP AND THE BOTTOM. THE GEOTEXTILE SHALL THEN BE ADJUSTED TO PRESENT A RELATIVELY SMOOTH SURFACE.
3. THE SELECT BACKFILL SHALL THEN BE PLACED AND COMPACTED IN ACCORDANCE WITH THE APPROVED CONSTRUCTION DRAWINGS AND PROJECT SPECIFICATIONS.
4. AFTER THE SELECT BACKFILL HAS BEEN COMPACTED AND PROPERLY GRADED FOR THE INSTALLATION OF THE NEXT LAYER OF GEOGRID REINFORCEMENT, THE GEOTEXTILE ON THE TOP UNITS SHALL BE PULLED BACK ONTO THE BACKFILL.
5. INSTALL THE GEOGRID REINFORCEMENT AND REPEAT THE PROCESS COMMENCING WITH ITEM 1.
6. AFTER THE LAST LEVEL OF PRIMARY GEOGRID REINFORCEMENT HAS BEEN PLACED INSTALL THE REMAINING COURSES OF MESA FACING UNITS EXCEPT FOR THE LAST STANDARD COURSE AND THE CAP UNITS, IN ACCORDANCE WITH THE DETAILS ON THE APPROVED CONSTRUCTION DRAWINGS.
7. PLACE A LINE OF AN APPROVED CONSTRUCTION ADHESIVE ALONG THE TOP OF THE MESA STANDARD UNITS APPROXIMATELY ONE (1) INCH BEHIND THE FACE AS SHOWN IN DETAIL 5X.
8. PLACE THE EIGHT (8) OZ. GEOTEXTILE SUCH THAT THE LEADING EDGE OF THE MATERIAL IS APPROXIMATELY 1/2 INCH BEHIND THE FACE AND PRESS INTO THE ADHESIVE. THE BOTTOM OF THE FABRIC SHALL EXTEND A MINIMUM OF SIX (6) INCHES INTO THE SELECT FILL. ALLOW ADHESIVE TO OBTAIN AN INITIAL SET APPROXIMATELY 20 MINUTES (DETAIL 5X).
9. INSTALL THE MESA CONNECTORS IN THE SLOTS AS SHOWN IN THE WALL INSTALLATION GUIDE. CONNECTORS WILL PUSH THE FABRIC INTO THE SLOT AS SHOWN IN THE TYPICAL SECTION, THIS SHEET.
10. INSTALL THE LAST COURSE OF MESA STANDARD UNITS AND ALIGN AND LEVEL AS REQUIRED IN THE INSTALLATION GUIDE.
11. PLACE A LINE OF ADHESIVE IN THE DEPRESSED AREA BETWEEN THE CONNECTOR SLOT AND THE FACE OF THE UNIT PER DETAIL 5Z.
12. INSTALL THE EIGHT (8) OZ. GEOTEXTILE SUCH THAT THE LEADING EDGE OF THE MATERIAL JUST CONTACTS THE STEP AT THE EDGE OF THE DEPRESSED AREA AS SHOWN IN THE TYPICAL SECTION, THIS SHEET. THE BOTTOM OF THE GEOTEXTILE SHALL EXTEND A MINIMUM OF SIX (6) INCHES BEYOND THE GEOTEXTILE IN THE MESA STANDARD UNIT.
13. PLACE A LINE OF ADHESIVE ALONG THE TOP OF THE STANDARD UNITS JUST BEHIND THE FACE PER DETAIL 5S.
14. INSTALL THE CAP UNITS AS SHOWN IN DETAIL 5X.

GEOTEXTILE WIDTHS REQUIRED FOR THE DETAIL:

TG700 36 INCH

6/22B MESA GEOTEXTILE LAYOUT NOTES
01-006C
NTS

Bowman CONSULTING

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www.BowmanConsulting.com

RETAINING WALL SYSTEM DETAILS
EMERSON PARK P.U.D.
WASHINGTON DISTRICT OF COLUMBIA

ANTHONY C. MORSE
No. 9525
REGISTERED PROFESSIONAL ENGINEER
DISTRICT OF COLUMBIA

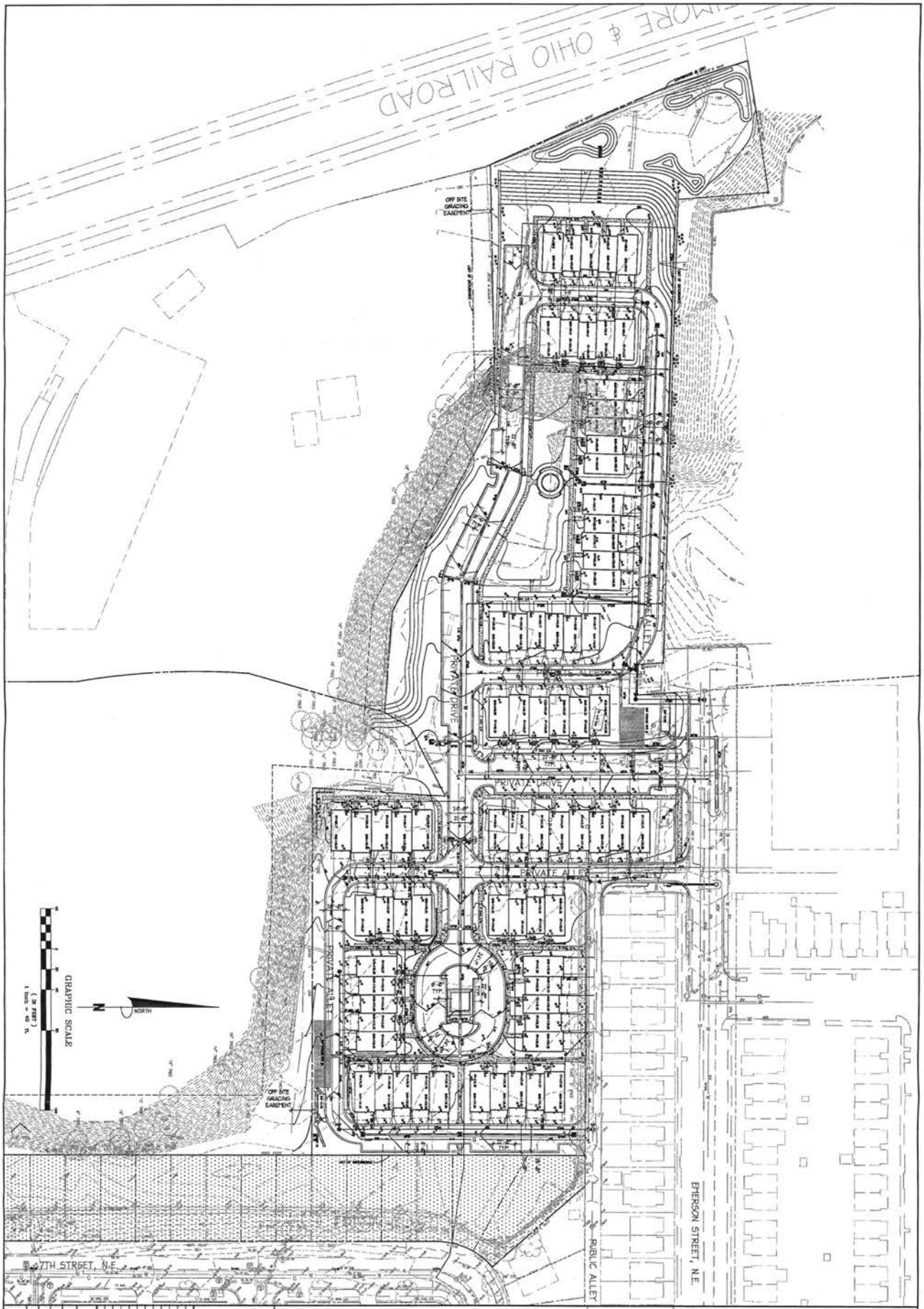
PLAN STATUS

DATE	DESCRIPTION

GCL DESIGN	GCL DRAWN	ACM CHKD
SCALE	H: AS NOTED V:	
JOB No.	2580-01-001	
DATE	APRIL 9, 2004	
FILE No.		
SHEET	22B OF 22	

ARCHITECTURAL DRAWING

(c) Alternative Proposal Drawings
(in event access easement not granted by OPM)



OVERALL SITE DEVELOPMENT PLAN

ALTERNATE CONCEPT PLAN

EMERSON PARK P.U.D.

WASHINGTON DISTRICT OF COLUMBIA

SHEET 8A OF 22

DATE : APRIL 9, 2004

FILE No. :

JOB No. 2560.01-001

SCALE : 1" = 40'

DESIGN GCL | DRAWN STC | CHKD ACM

DATE	DESCRIPTION

PLAN STATUS

DISTRICT OF COLUMBIA REGISTERED ENGINEER ANTHONY C. MORRIS No. 9525

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2121 Eisenhower Avenue
Suite 302
Alexandria, Virginia 22314

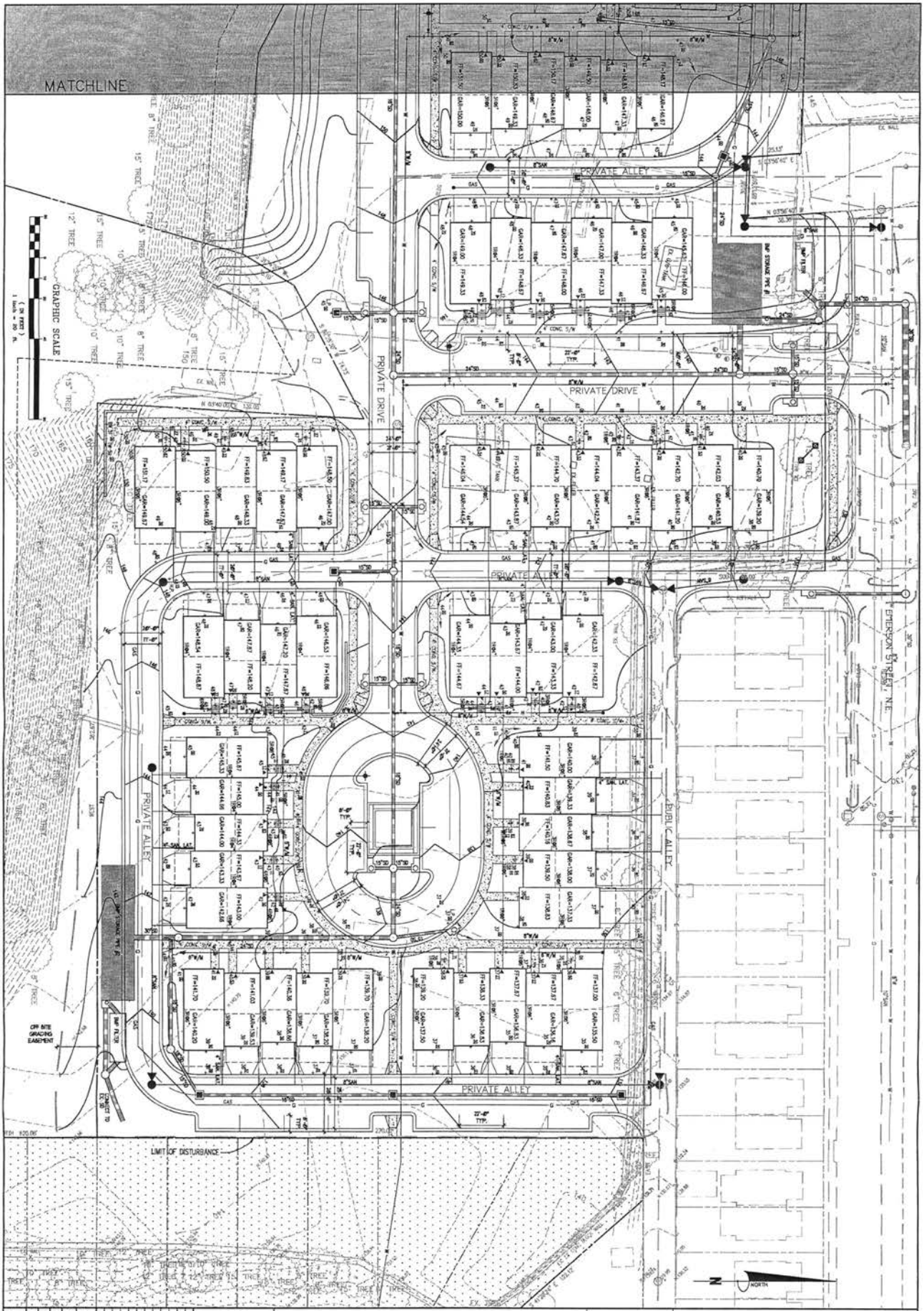
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Cad file name : P:\2560 - Emerson Street\2560-01-001-Eng\Engineering\PUD plans\2560-01-001-PUD-OVERALLSITE ALT 3.dwg



DETAILED SITE DEVELOPMENT PLAN (SHEET 1 OF 2)

ALTERNATE CONCEPT PLAN

EMERSON PARK P.U.D.

WASHINGTON DISTRICT OF COLUMBIA

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Fax: (703) 683-6791
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SHEET 10A OF 22

DATE : APRIL 9, 2004

JOB No. 2560-01-001

SCALE H: 1"=20' V:

DESIGN DRAWN CHKD

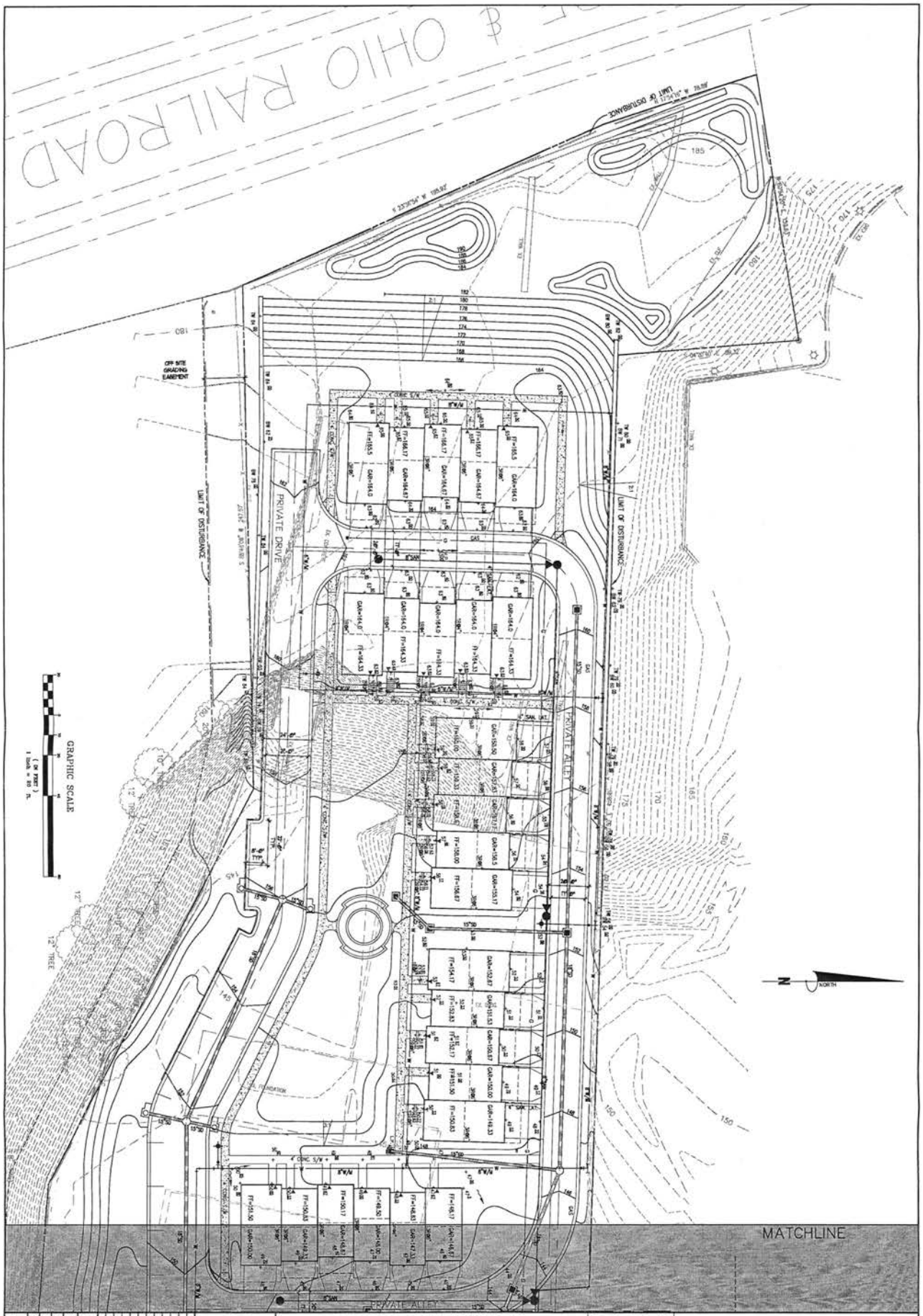
DESCRIPTION

DATE

PLAN STATUS

DISTRICT OF COLUMBIA REGISTERED LANDSCAPE ARCHITECT ANTHONY C. MORSE No. 525

Cad file name : P:\2560 - Emerson Street\2560-01-001-Eng\Engineering\PUD plans\2560-01-001-PUD-SITE ALT2.dwg



DETAILED SITE DEVELOPMENT PLAN (SHEET 1 OF 2)

ALTERNATE CONCEPT PLAN

EMERSON PARK P.U.D.

WASHINGTON DISTRICT OF COLUMBIA

DATE	DESCRIPTION

GCL DESIGN | STC DRAWN | ADM CHKD

SCALE 1" = 20'

JOB No. 2560-01-001

DATE : APRIL 8, 2004

FILE No. :

PLAN STATUS

SHEET 9A OF 22

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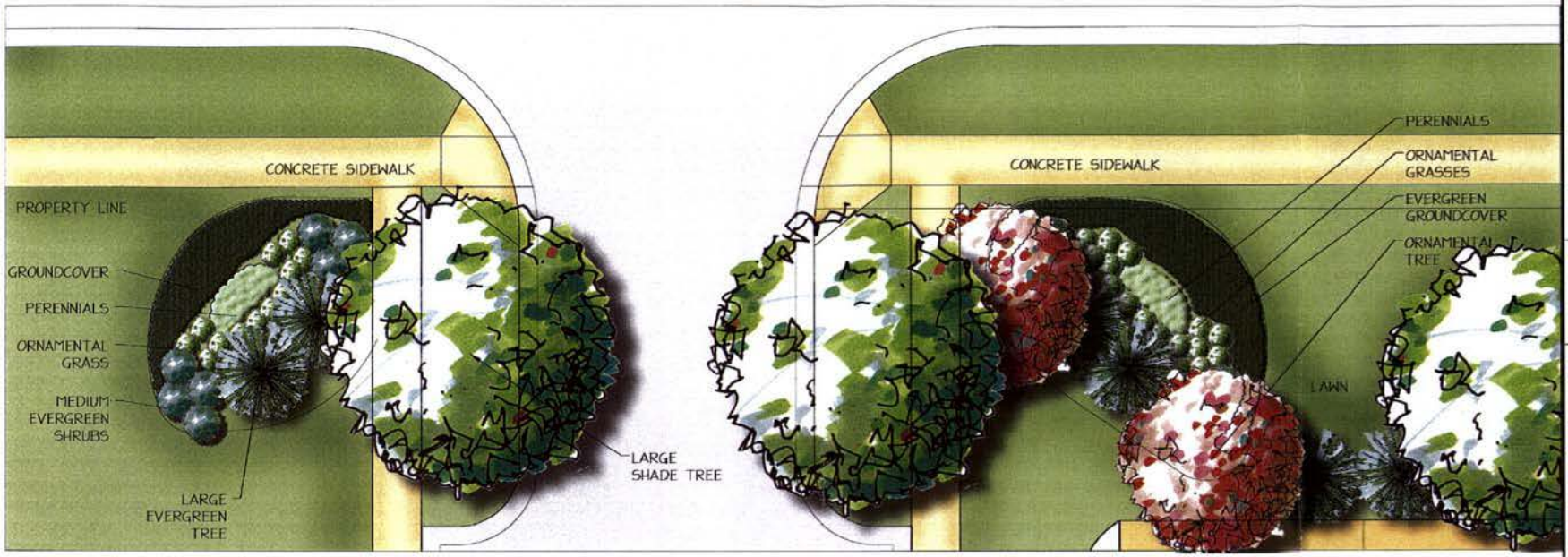
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Cad file name : P:\2560 - Emerson Street\2560-01-001-Civil Engineering\FIG plans\2560-01-001-PUD-DETSITE ALT.2.dwg

ARCHITECTURAL DRAWING

(d) Revised Entrance Drawings/ Supplemental Illustration of Pedestrian Access from 7th Street

EMERSON STREET N.E.



1/19 MAIN ENTRY LANDSCAPING
PLAN 1/4" = 1'-0"

SCALE: 1" = 4'-0"

NORTH

PLANT LEGEND

- LARGE SHADE TREE
- ORNAMENTAL TREE
- LARGE EVERGREEN TREE
- MEDIUM EVERGREEN/DECIDUOUS SHRUB
- GROUNDCOVER
- PERENNIALS
- PERENNIALS/ORNAMENTAL GRASS



2/19 MAIN ENTRY LANDSCAPING
ELEVATION 1/2" = 1'-0"

NOTES:
1. SEE SHEET 21 FOR PLANT LIST AND DETAILS

SCALE: 1" = 2'-0"

NORTH

Bowman CONSULTING

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LANDSCAPE ENLARGEMENT PLANS

EMERSON PARK P.U.D.

WASHINGTON DISTRICT OF COLUMBIA

DISTRICT OF COLUMBIA
ANTHONY C. HOPPE
No. 8525
REGISTERED PROFESSIONAL ENGINEER

PLAN STATUS

DATE	DESCRIPTION
GCL DESIGN	GCL DRAWN	ACM CHKD
SCALE	1" = AS SHOWN
JOB No.	2560-01-001
DATE:	APRIL 9, 2004
FILE No.	
SHEET	19 OF 22



1/19A PLAN 7TH STREET PEDESTRIAN CONNECTION PLAN

1" = 20'

NOTES:
1. SEE SHEET 21 FOR PLANT LIST AND DETAILS

SCALE: 1" = 20'

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7TH STREET PEDESTRIAN CONNECTION

EMERSON PARK P.U.D.

WASHINGTON DISTRICT OF COLUMBIA

ANTHONY C. HOBE
No. 9925
DISTRICT OF COLUMBIA
PROFESSIONAL ENGINEER

PLAN STATUS

DATE	DESCRIPTION

GCL DESIGN	GCL DRAWN	ACH CHKD
SCALE	1" = 40 SHOWN	
JOB No.	2560-01-001	
DATE	APRIL 9, 2004	
FILE No.		
SHEET	19A OF 22	

Holland+Knight

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Whayne S. Quin
202 663 7274
whayne quin@hklaw com

November 29, 2004

Mr. Joseph Wolfe
Senior Project Manager
Office of Property Management
441 4th Street, N.W.
Washington, D.C. 20001

Re. Zoning Commission Case No. 04-11
(Rocky Gorge) 7th and Emerson Streets, N.E.

Dear Mr. Wolfe:

As counsel for the Applicant in the above referenced case, I was extremely surprised to receive your letter dated November 22, 2004, at approximately 6:30 p.m. on that same date, just prior to the commencement of the hearing before the Zoning Commission. Our office has been attempting to arrange a meeting with your office since August of 2004 to discuss the possibility of some form of easement or access to the Rocky Gorge property across the District's property at the west end of Emerson Street, N.E. Calls and e-mails have been made by Dennis Hughes of our office, but, aside from a couple of early return messages, OPM has not responded to our inquiries. And absolutely no response has been forthcoming from your office in more than a month.

We would greatly appreciate the opportunity to meet with you to discuss our proposal, which is supported by the local ANC and the majority of neighbors As you may know, the Office of Planning, the Department of Transportation and the Department of Housing and Community Development have all supported the project as well.

We also were surprised by the statement in your letter that "OPM is negotiating on behalf of the Metropolitan Police Department to acquire all or part of the Thomas Somerville site to the south." Upon inquiry to the Thos. Somerville Co , we have learned that all of that property is under contract to other buyers and that the company is not aware that OPM is in any way presently negotiating for the acquisition of the property. Thus, there is a great deal of confusion in our minds as to the purpose of your letter, especially in light of the stated position on land use policy for the area.

While the area to the north and south of the proposed PUD is industrially zoned, that zoning is a remnant from the 1958 comprehensive rezoning when the railroad lines furnished spur access to many of the sites in the area. Much has changed in the intervening years and, in fact, the industrially zoned properties in the area, with minor exception, can only be reached by truck through well established residential areas Today, industrial uses are opposed by the neighborhood and also do not appear to be appropriate from a land planning standpoint. The Office of Planning, as the Mayor's representative responsible for the City's planning, in its pre-hearing report and at the hearing fully explained the appropriateness of the proposed uses which are entirely consistent with the Comprehensive Plan.

In any event, the topographical situation of the PUD site, with 30 foot changes in grade on the west and south, significantly separates the site from the surrounding properties. Finally, even usage by the Metropolitan Police Department, as referenced in your letter, would not appear to be incompatible with the residential development provided appropriate screening is included Throughout the city, Metropolitan Police Department uses are located adjacent to residential development.

The nature of the "on going industrial uses" to the north and south presently are very restricted and any expansion of industrial uses could have a detrimental impact on the entire residential community

We look forward to meeting with you at your earliest convenience to discuss all of these issues. Please call me at 202-773-7274 or my assistant, Lezlie Nye at 202-828-5085, to coordinate the meeting

Thanking you in advance,

I am

Sincerely yours,

HOLLAND & KNIGHT LLP

By. Whayne S. Quin

Whayne S. Quin

WSQ/lsn