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February 8, 2005

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D.C. OFFICE OF ZONING
2005 FEB -8 PM 2:00

By Hand Delivery

Mr. Anthony Hood
Vice Chairman, D.C. Zoning Commission
441 4th Street, N.W.
Second Floor
Washington, DC 20001

Re: Zoning Commission Case No. 04-22 – 220 H Street, NE (the "PUD Site")
Abdo Development, L.L.C. (the "Applicant")
Post-Hearing Submission

Dear Vice Chairman Hood and Members of the Commission:

In response to comments of the members of the Commission at the January 27, 2005 Public Hearing, the Applicant respectfully submits the following materials:

- A larger and enhanced plan depicting the landscaping on the roofs of the new buildings;
- Plans and renderings depicting views from across Third Street, NE of the PUD Site's existing conditions, the proposed project, and a matter of right project; and
- Discussion of the appropriateness of the proposed architectural embellishments on the roofs of the proposed project.

Roof Plan – Enhanced Landscaping

In response to a request from Commissioner Parsons, the enhanced roof plan depicts the landscaping that will be provided on the roofs of the new buildings. This plan has been enlarged to an 11" x 17" format.

ZONING COMMISSION
District of Columbia
CASE NO. 04-22
EXHIBIT NO. 46

ZONING COMMISSION
District of Columbia
CASE NO.04-22
EXHIBIT NO.46

Section and Renderings – Views from Third Street, NE Properties

The attached section and renderings demonstrate that any additional height above the 65 foot height permitted as a matter of right along Third Street, NE has little or no impact on the townhouses across Third Street, NE from the PUD project. This is due to the 90 foot width of Third Street, NE and the fact that the human eye has a conventional cone of vision of approximately 60 degrees. Based on these facts, the attached section and renderings illustrate that a person on the east side of Third Street, NE looking west, without tilting his head, will only be able to see the proposed structure up to a height of approximately 60 feet.

The attached renderings also include an oblique view that depicts the visual impact of the proposed building from the porches of the existing townhouses to give a fuller understanding of how Third Street, NE will appear with the construction of the PUD project. This oblique view illustrates that abundant light, air, and views still will be available to residents who live on, and people who walk along, Third Street, NE. Those views are enhanced by the proposed separation of the new building from the existing museum building to be preserved. That separation would not be required in a matter of right project.

As noted in the testimony of the project architect, the top two floors of the proposed building, above 90 feet, have been set back at a one-to-one ratio, effectively reducing the scale of the building and further mitigating its visual impact. The visual impact of the proposed structure on the townhouses is most affected by the treatment of the lower levels of the new building. In this regard, the proposed building includes individual entries on a rhythm and scale similar in frequency and detailing to that of individual row houses. Areas in front of the building and balcony projections are intended to acknowledge and reinforce elements from townhouses such as porches, cornices, and stoops. Similarly, front yards have been incorporated along the base of the building to allow a pattern of landscaping elements that is also consistent with townhouses and townhouse neighborhoods throughout the Near Northeast Neighborhood, Capitol Hill, and the District.

For all of these reasons, combined with the unanimous support of ANC 6C and the enthusiastic support of all neighboring community organizations, the Applicant believes that the proposed building has been sensitively designed for its site. The proposed project fits into the block's immediate context, surrounded on three and one-half of its four sides by commercially-zoned property, and is consistent with the District of Columbia's planning goals and vision for the H Street, NE corridor as confirmed by the Office of Planning.

Appropriateness of Rooftop Architectural Embellishments

The Zoning Regulations expressly allow "spires, towers, domes, pinnacles or minarets servings as architectural embellishments, penthouses over elevator shafts, ventilator shafts, antennas, chimneys, smokestacks, or fire sprinkler tanks" to be erected to a height in excess of the maximum building height that is normally permitted in a commercial district. (See 11 DCMR §770.3). The 1910 Height Act mirrors this language in allowing architectural embellishments to exceed the maximum height that is allowed for a building.

The embellishments included in the proposed project not only provide aesthetically pleasing enhancements to the building, they also provide the opportunity to shield from view required mechanical systems. Similarly, the trellis structures also act as armatures for planting materials that in effect create green landscapes on the roof. The proposed roof embellishments are similar to embellishments that are found throughout the District on apartment buildings that are generally considered to be some of the District's finest. These buildings include: The Altamont (1901 Wyoming Ave., NW); The Woodward (2311 Connecticut Ave, NW); 2101 Connecticut Ave., NW; The President Madison (1980 Florida Avenue, NW); Wardman Tower (2600 Woodley Street, NW); The Chastleton (1701 16th Street, NW); The Envoy (2400 16th Street, NW); and the National Trust Building (1785 Massachusetts Avenue, NW).

Conclusion

The attached documents address the comments that were made by the Commissioners at the January 27, 2005 Public Hearing in this case. The Applicant believes that the information included in the record of this case fully satisfies the requirements for PUD and Zoning Map Amendment approval and looks forward to the Commission's decision on this case at the February 24, 2005 Public Meeting.

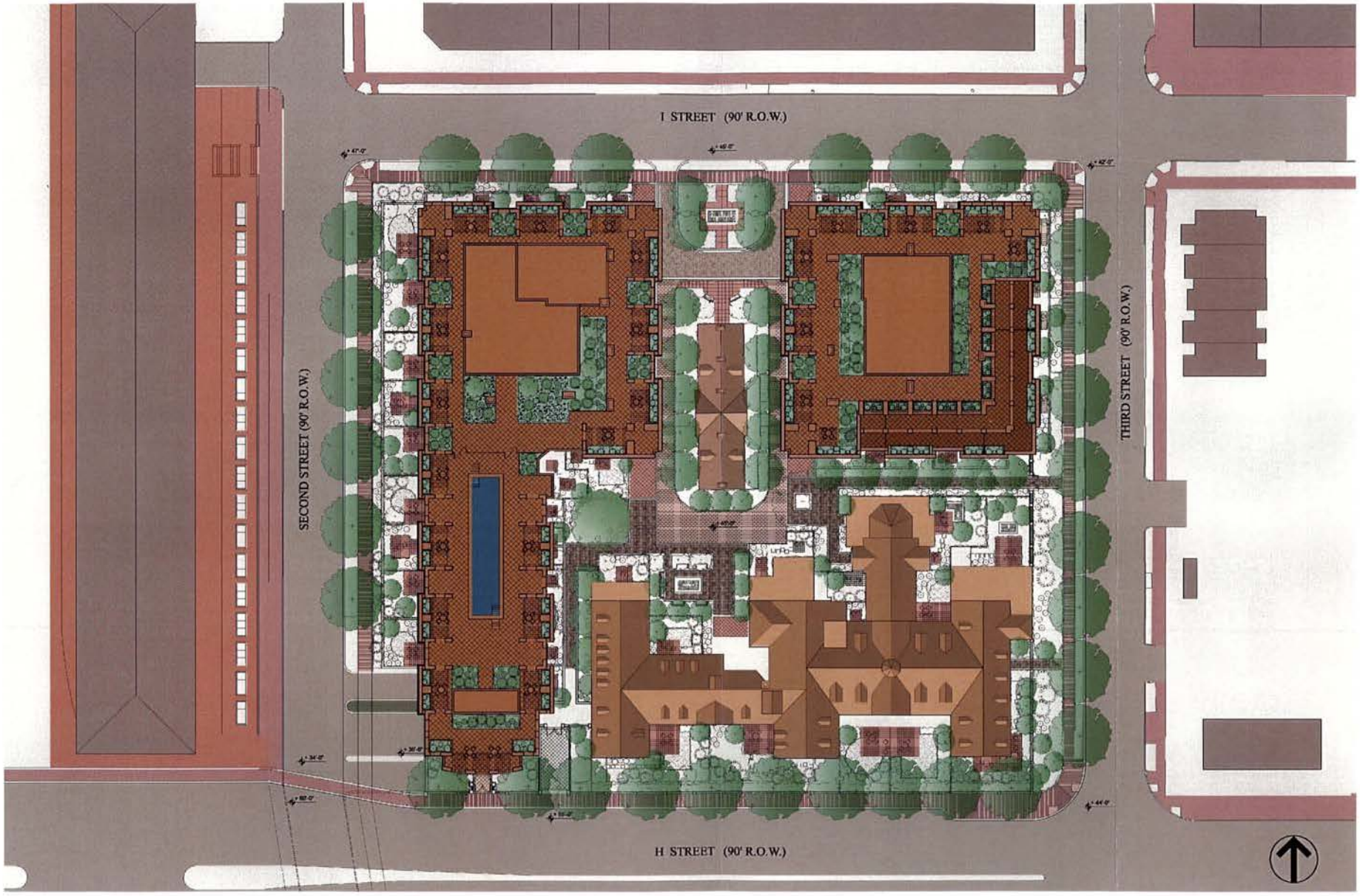
Sincerely,

Allison C. Prince

Paul A. Tummonds, Jr.

Enclosures

Document #: 1459790 v.1

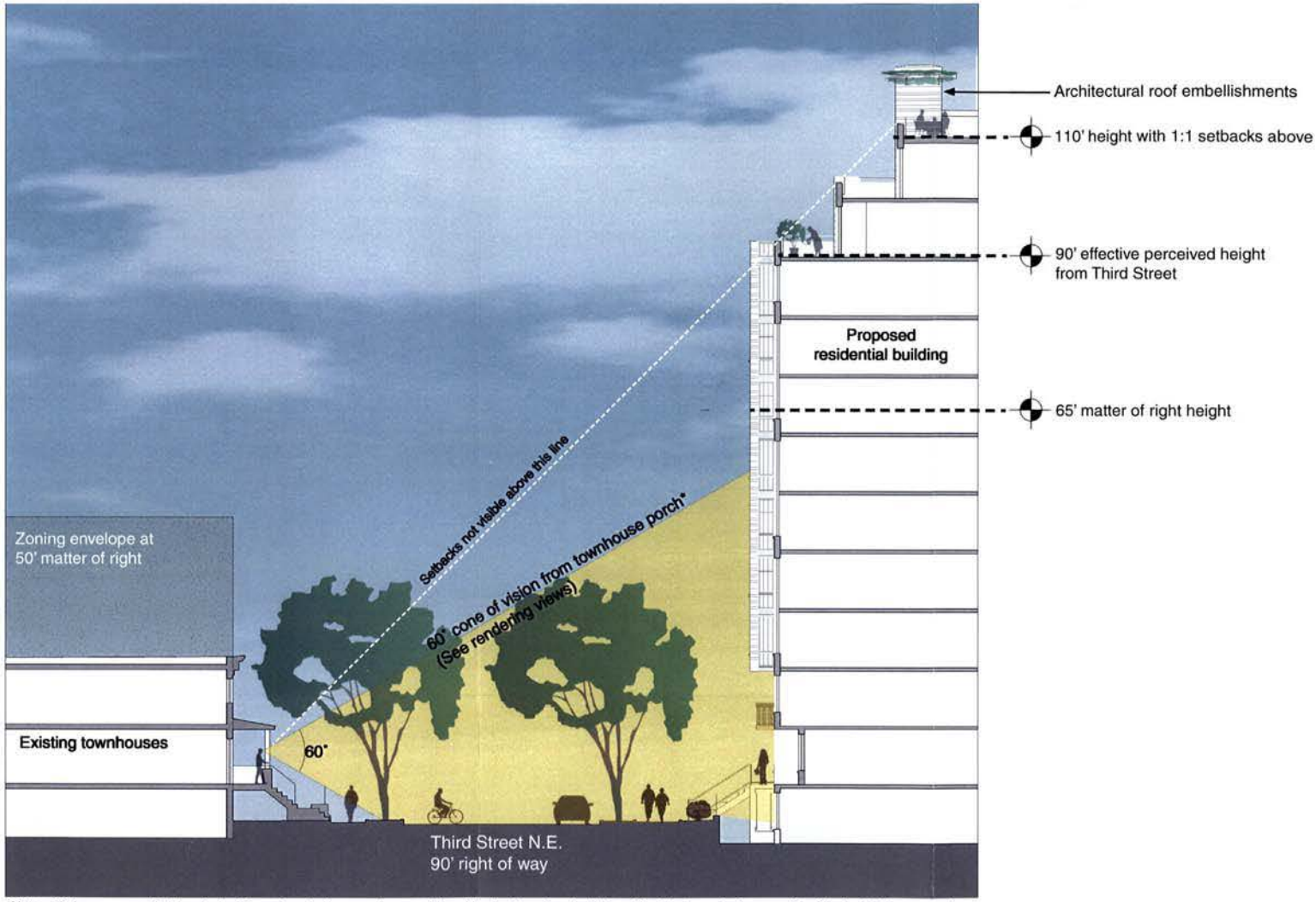


Capital Children's Museum
Washington, DC

Roof plan

0 50 100 200

ESOCOFF & ASSOCIATES architects



*Note: 60 degree cone of vision derived from standard conventions as defined by the American Instituite of Architects and referenced to: Charles G. Ramsey and Harold R. Sleeper, *Architectural Graphic Standards.* New York: John Wiley & Sons, 1994: pp. 4-5.

Capital Children's Museum
Washington, DC

East-west section through Third Street N.E. looking south



Existing conditions



Building allowed under existing matter of right

- No direct ground-level access to residences
- Allows thru-wall venting
- No requirement for architectural merit



Proposed building

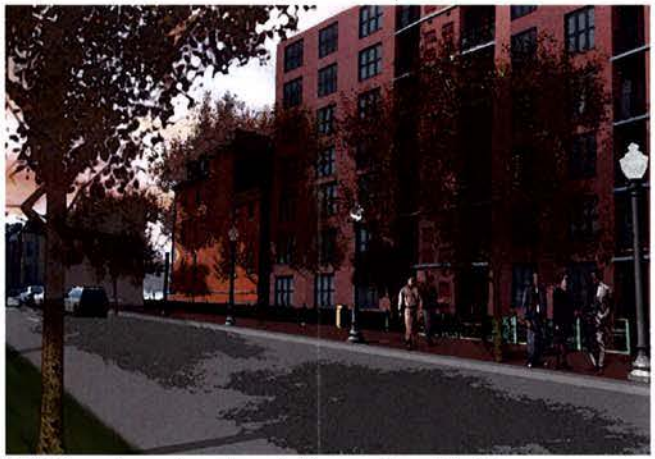
- Direct access to residences from sidewalk
- No thru-wall venting
- Architectural merit as detailed in PUD submission



Existing conditions

- View of museum cupola partially obscured by existing building

Matter of right allows this area to be blocked



Building allowed under existing matter of right

- View of cupola completely obscured

Proposed building keeps view open



Proposed building

- View of cupola improved over existing conditions

Capital Children's Museum
Washington, DC

View looking southwest along Third Street NE

Renderings shown correspond to 60° cone of vision in Third Street section

ESOCOFF & ASSOCIATES | architects

ShawPittman LLP

CERTIFICATE OF SERVICE

I hereby certify that on February 8, 2005 a copy of the foregoing letter and materials were served by hand on the following:

Advisory Neighborhood Commission
("ANC") 6C
c/o Anthony Rivera, ANC 6C05
817 4th Street, NE
Washington, D.C. 20002

The Stanton Park Neighborhood
Association ("SPNA")
c/o Drury Tallant
Co-Chair, SPNA Land Use Committee
732 3rd Street, NE
Washington, D.C. 20002

Paul A. Tummonds, Jr.

Document #: 1459899 v.1