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April 27, 2010

BY HAND

Anthony J. Hood, Chair  
Zoning Commission for the District of Columbia  
441 Fourth Street N.W. Suite 210 S  
Washington DC 20001

**Kinley R. Bray**

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**Reference Number**  
**031752.00002**

Re: Application of G.K.D. 1412 Chapin Street, LLC  
Zoning Commission Case No. 09-15 (the "Application")  
Applicant's Post-Hearing Submission

Dear Chairman Hood and Members of the Board:

At the conclusion of the Commission's public hearing on the above-referenced Application, the Commission requested certain additional information from the Applicant and directed the Applicant to meet with the District of Columbia Department of Transportation ("DDOT") to resolve issues related to the projections into District of Columbia Public Space as part of the proposed building design shown in the Application. The Commission closed the record on April 1, 2010 except for this requested information, which the Applicant was directed to file on or before 3:00 p.m. on April 26, 2010.

The Applicant met with officials from DDOT on Friday, April 9, 2010. At that meeting, DDOT requested additional information from the Applicant regarding similar projections into public space in other areas of the city and recommended changes to the plans. It was agreed that the Applicant would complete the research, revise the plans, and submit that information to DDOT in advance of a second meeting between the parties, which was scheduled for Friday, April 23, 2010. Unfortunately, due to an internal scheduling conflict at DDOT, the April 23 meeting had to be rescheduled to the morning of April 26, 2010, the same date on which the filing was due.

The Applicant could not finalize the documents to be submitted to the Commission until it met with DDOT, and as a result, was unable to meet the 3:00 p.m. deadline on Monday, April 26, 2010. Therefore, the Applicant respectfully requests that the Commission reopen the record to accept the late filing of the information requested by the Commission on April 1, 2010 and an explanation of the outcome from the Applicant's meetings with DDOT with respect to the proposed projections into public space.

ZONING COMMISSION  
District of Columbia  
GENBUS/734116.1

CASE NO. 09-15  
EXHIBIT NO. 53  
555 West Fifth Street, 48th Floor  
Los Angeles, CA 90013-1065

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## **Public Space Issues**

As stated above, the Applicant met with DDOT on Friday, April 9, 2010. Present at the meeting were Karina Ricks, Associate Director, Transportation Planning and Policy; Jeff Jennings, Staff Member, Policy and Planning; and Gabriela Vega, Ward 1 Transportation Coordinator; as well as Joel Lawson, Associate Director for Development Review in the Office of Planning. The Applicant and DDOT discussed the recommended conditions of approval in DDOT's February 8, 2010 report to the Zoning Commission, specifically the concerns expressed by DDOT and the Commission regarding the proposed building design's use of projections extending into the public space above the two public alleys abutting the Property.

At the conclusion of the meeting, DDOT asked the Applicant to conduct additional permit research to demonstrate how similar projects throughout the city had been approved, and asked the Applicant to consider reducing the depth and width of the proposed projections. The Applicant agreed to review its plans once more with an aim of utilizing less public space, and agreed to review and provide permit records for several other properties to DDOT. On Thursday, April 22, the Applicant provided a memorandum to DDOT that included revised plans (showing the projections along the eastern alley frontage reduced from 4' to 2' in depth), additional justification for the use of public space, and a permit research report conducted by EHT Tracerics. See Exhibit A, attached. A second meeting, to review this additional information, was scheduled for Friday, April 23.

The Applicant met with DDOT again on April 26, 2010 to review the plans and additional information submitted on April 22, 2010. At that meeting, Karina Ricks, Jeff Jennings, and Gabriela Vega explained that DDOT could not support the revised drawings submitted by the Applicant on April 22, 2010, and indicated that further refinements would be necessary before DDOT could support any projection into public space. Ultimately, based on DDOT's suggestion, the Applicant revised the elevation and layout of the proposed development further to show a two foot projection into public space and a separation between two large bays along the east façade of the building. The revised design consists of a reduction of approximately 48 square feet per floor and does not result in the loss of any balconies. The Applicant sent an elevation drawing showing the proposed revision to DDOT via e-mail (see Exhibit B, attached) and received a response from Jeff Jennings of DDOT on Monday afternoon indicating that DDOT assents to the revision. See Exhibit C, attached.

Based on the approval of DDOT, the Applicant prepared a full set of plans and elevations showing the revised design, and requests that the Zoning Commission accept the revised drawings into the record at this time as an amendment to the application. See Exhibit D. The proposed projections are the minimum reasonably necessary to provide balconies for the majority of units and to maintain spatial relationship between interior rooms of units. The

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projections have been reduced from four feet (4') to two feet (2') in depth along the façades of the building which abut the public alley. The desired articulation along the east façade is maintained. No units have been lost, and there is no impact on the FAR of the project. The proposed projections meet the requirements of Chapter 3202 of the Construction Codes in that the primary purpose of the projection is to maintain an articulation of the façade, not to occupy or appropriate additional public space; minimum required clearance above the grade of the adjacent alley is met; and there is no adverse impact to surrounding buildings.

## **Additional Information Requested by the Commission**

At the public hearing on April 1, 2010, the Commission also asked for certain additional information from the Applicant, which we have provided in this submission as follows:

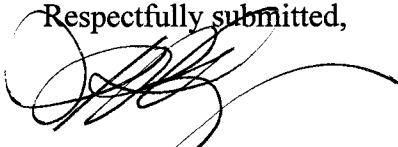
1. **Setback stair towers on roof a minimum of 3 feet.** Change shown on elevations included in Exhibit D.
2. **Remove keystone detailing over windows.** Change shown on elevations included in Exhibit D.
3. **Provide a detailed drawing showing proposed brick & stone.** Detailed drawing provided as part of Exhibit D.
4. **Provide quantification of public amenity package.** Detailed accounting provided as Exhibit E.
5. **Draft Order.** Provided at Exhibit F.

The Applicant believes that all outstanding information requested by the Commission has now been provided, and we appreciate the opportunity to work cooperatively with DDOT toward a mutually-acceptable solution. We believe that the revised design continues to meet the requirements for a project of exceptional merit and the design guidelines for planned unit developments, without having any detrimental impact on the public space surrounding the Property, and urge the Commission to approve the Application at its meeting of May 10, 2010.

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Should you require anything further to process this filing, please let me know.

Respectfully submitted,



Kinley R. Bray

Enclosures

Cc (via U.S. or  
e-mail as noted):

Karina Ricks, DDOT  
Jeff Jennings, DDOT  
Gabriela Vega, DDOT  
Joel Lawson, OP  
Paul Goldstein, OP  
Buwa Binitie, Dantes Partners  
Jordan Bishop, Dantes Partners  
Carlos Perdomo, G.K.D. Chapin Street LLC  
Jeff Goins, PGN Architects  
Nicole White, Symmetra Design  
Ellen McCarthy (by hand)  
Advisory Neighborhood Commission 1B