

ANC 2F | Community Development Committee Meeting

MINUTES WEDNESDAY
JULY 30, 2014

7:00 P.M.

WASHINGTON PLAZA HOTEL
10 THOMAS CIRCLE, NW

Attendance

PRESENT

Commissioner Walt Cain (2F02)
Louis Cipro
Joyce Cowan
Joel Heisey
Helen Kramer
Jim Loucks
Commissioner Greg Melcher (2F06)
Ron Rubin

ABSENT

Dave Feinstein
Leah Frelinghuysen

GUESTS AND PRESENTERS

Sak Pollert, Owner of Rice restaurant
Carolyn Brown, Holland & Knight

Committee meeting **called to order** by Commissioner Walt Cain at **7:01 p.m.**

Approval of Meeting Agenda

Commissioner Cain moved to adopt the draft agenda without modification; the motion was seconded and approved unanimously by the Committee.

Vote: 6-0 (unanimous; Cowan and Rubin not present)

Approval of June 25, 2014 Meeting Minutes

Helen Kramer moved to approve the meeting minutes without modification; the motion was seconded and approved unanimously by the Committee.

Vote: 6-0 (unanimous; Cowan and Rubin not present)

Committee Announcements

1. Committee member Helen Kramer shared that the developer of 1310 Q St, NW was holding off on signing the sales contract for the property because the D.C. Office of Zoning had put a stop to all permits while considering revisions to zoning code related to “pop-up buildings.” Kramer expressed her concern over the Office of Zoning’s inaction, and suggested the Committee consider sending a letter to the Mayor’s Office and Zoning Commission.¹

Old Business

[none]

¹ Subsequent to the July 30, 2014 meeting, Helen Kramer learned that she had been misinformed about the reason for permit issuance delays by the D.C. Office of Zoning. Kramer thereafter clarified that the permit issuance delays were the result of Office of Zoning understaffing.

New Business

1608 14th St, NW (Rice restaurant building)

Sak Pollert, Owner of Rice restaurant

HPRB approval for concept/rear addition

Sak Pollert, owner of Rice restaurant located on the first floor of 1608 14th St, NW, requested CDC support for HPRB approval of the concept for a second-story rear addition to the existing structure. Pollert made the request in place of the building owner and project architect, both of who were out of town. Pollert explained that the proposed addition would not be visible from 14th Street but would be visible from Q Street.

The Committee had difficulty deciphering the project drawings, which lacked detail and were difficult to read. The Committee was unclear how the new construction might look from the street or rear alley. Commissioner Cain recommended that the CDC not take action on the request until the project architect and/or building owner were able to provide additional clarification about specific elements of the drawings/renderings related to the project elements and potential sight line impacts. The Committee advised Pollert to have the Applicant reach out to the community and improve the project drawings before returning to the CDC. The Committee took no official action.

Planned Unit Development (PUD) for Marriott hotel on northwest corner of 9th & L St, NW

Discussion of community concerns

The Committee entertained community input on the Planned Unit Development (PUD) for the proposed Marriott hotel on the northwest corner of 9th & L Streets, NW, while stressing that no official action would be taken on the issue at the present meeting.

Representatives from both the Whitman Condominium (910 M St, NW) and Quincy Court (1117 10th St, NW) presented letters of concern to the Committee [copies of which are at the end of these minutes]. Among other issues, the letters raised concern about the PUD's impact on compromising access to building loading docks; pedestrian and bicyclist safety; ingress and egress to alleyways between the buildings and proposed development; traffic congestion; and aesthetic and quality of life deterioration. Carolyn Brown of Holland & Knight was present among attendees. Brown offer a conciliatory message on behalf of the developer related to its upcoming meetings with the community and its interest in reaching agreement on the issues of concern.

The Committee took no official action, but plans to take an official position on the PUD at a future monthly meeting.

1322 14th St, NW (Dolcezza)

DDOT Public Space Application

Commissioner Cain moved that the CDC recommend that the full ANC recommend disapproval of the DDOT Public Space application for the Applicant, due to the failure of a representative of the establishment to appear before the Committee, and because the establishment has been using the space without authorization since shortly after their opening. The motion was seconded and approved unanimously by the Committee.

Vote: 8-0 (unanimous)

Commissioner Cain moved to adjourn the meeting; the motion was seconded and unanimously approved by the Committee. Meeting adjourned at **8:12 p.m.**



July 16, 2014

VIA DCOZ IZIS

DC Zoning Commission
Government of the District of Columbia
441 4th Street NW Suite 200S
Washington, DC 20001

RE: Zoning Commission Case 14-09 – QC 369, LLC

The Quincy Court Condominiums (QC Condos) at 1117 10th St. NW appreciates the opportunity to comment on the proposal from QC 369, LLC regarding the construction of the “Columbia Place, Square 369” project. The proposal would add two large hotels and a condominium building, and convert an existing apartment building to condominiums, in the southeast quadrant of Square 369.

The QC Condos occupies Lot 69, which consists of a majority of the southwest corner of Square 369, and contains 134 residential condominiums and two commercial units. The QC Condos will be directly adjacent to the proposed new condominium building.

The QC Condos generally supports the Historic Preservation and Review Board report. That report negatively viewed the proposed demolition of the contributing structures located at 911 and 913 L St., and the remaining interior contributing structures, including the historic Edwin E. Ellett Tile & Marble workshop (Lot 67). However, while the QC Condos regrets the demolition of these historic structures, the QC Condos believes that, on balance, the preservation of the historic structures on 9th St, and the preservation of 919 L St. would sufficiently offset these losses so long as the concerns outlined below are addressed and the historic nature of the interior of the block is preserved.¹

More importantly, the historic Shepherd Ct. alleyway forms the southernmost portion of the historic Blagden Alley/Naylor Ct. neighborhood. This thriving alley neighborhood is now home to art galleries, restaurants, and coffee houses, and forms a central element of the revitalization of the Shaw Historic District. Shepherd Ct. provides important pedestrian access to Blagden Alley from the hotels and business districts along Massachusetts Ave. The pedestrian friendly alleys of this neighborhood should be retained.

¹ The QC Condos would also support proposals for moving the contributing structures at 911 and 913 L St. to other locations in the neighborhood. The Zoning Commission should require the developer to offer the structures to third parties at no cost, conditioned on the third party moving the structure to a new location.

The QC Condos has several specific concerns regarding the current project proposal. Primary among those concerns is that the proposal would not maintain the historic pedestrian-friendly alley nature of the block, in keeping with Naylor Ct. and Blagden Alley. The current proposal would create dark, airless “canyons” in place of the current open-air historic alleys negatively impacting the historic nature of the greater Shaw and Blagden Alley neighborhoods. The proposal would also impose significant and inappropriate traffic and noise burdens on current residents, reduce the utility of the alleys to neighboring buildings, and significantly increase commercial and private vehicle traffic in the alleys.

As detailed below, QC Condos requests that the Zoning Commissions require wide, well-lighted, brick-paved, pedestrian-friendly alleys; require below-grade loading bays accessed via the Convention Center loading docks; and require parking for the both the hotel and residential portions of the development to be accessed via a shared entrance directly from either 9th St. or L St.

The Development Must Preserve the Historic Alley Nature of the Block

The QC Condos does not, in principle, oppose the conversion of under-utilized public alleys to private use – including relocating historic Shepherd Ct. from the eastern side of Lot 859 to the western side of Lot 859. However, the current proposal would inappropriately convert public lands to private use – providing the developer with significant private profit – without proper and commensurate benefit to the city, neighborhood and residents.

The developer should be required to return at least an equal amount of square footage of currently private land to public use within Square 369. According to the Applicant’s diagrams, the developer would convert 5,825 sq. ft. of currently public alleys to private use, and return far less to public use via a small private alley easement extension of an existing service alley. Further, the proposed easement is inappropriate because historic Shepherd Ct. should remain a named alley running from L St. to M. St, and private land returned to public use should be permanently deeded to the city to ensure the continued protection of the neighborhood’s character.

QC Condos requests that the Zoning Commission require the developer to return 5,824 sq. ft. of land from Lots 859, 805, 804 and 40 to public use specifically to widen the remaining interior alleys. This would help ensure the continued historic nature of the Shepherd Ct. alley by retaining 40 ft. wide alleys, as were common for access to stables, and as exist in Naylor Ct. Furthermore, the air space above each alley must remain open, with a view to the sky, to avoid the creation of dark, canyon-like alleyways devoid of sunlight and air. The Zoning Commission should reject the proposed covered alley entrance from L St. These changes to the developer’s proposed alleys would also help retain the sun-filled nature of the community’s crown jewel, the 10th St. Park, which occupies Lots 874 and 877. The current proposal would eliminate direct sunlight from the playground and picnic areas in that park.

Also missing from the current application is a proposal to return the interior alleys to brick paving to match Blagden Alley and Naylor Ct. and to provide alley lighting features and green spaces to encourage pedestrian access. These elements were among the critical elements agreed upon by the developer and local residents when the project was first under discussion. Brick paved and well-lighted alleys would help to integrate Shepherd Ct. with the Naylor Ct. and

Blagden Alley communities, and would emphasize the pedestrian utility of those alleys. Further, the developer previously agreed that the new hotels would have well-lighted, designated pedestrian entrances on the alley to encourage tourism and pedestrian traffic to the Blagden Alley shops and restaurants. These entrances do not appear in the proposal, and should be required.

The Development Must Allow Continued Commercial Vehicle Access to Existing Businesses in the Block

The QC Condos is concerned about the proposed service alley extension from Lots 72 and 859 to L St. Any changes to the block's alley layout must ensure that service access and ingress/egress routes to all current and future buildings in Square 369 are not negatively impacted.

First, the QC Condos is concerned that the proposed conversion of the service alley between Lots 69 and 859 to a combined service alley *and* ingress/egress route will negatively impact the utility of the service alley to the current residents and businesses that rely on that service alley. The proposal would combine the traffic burden of two service alleys and one ingress/egress alley onto a single, already fully-utilized alley without significantly widening it, and add the traffic burden of the entrance to the new residential parking garage.

The dramatic increase in traffic burden on the reduced number of alleys will immediately and negatively impact the service and private vehicle access to the existing buildings of the QC Condos, the Whitman Condominiums, and the Eldon Luxury Suites Hotel. For example, the delivery and trash collection access to the retail pharmacy on Lot 69 and the hotel located on Lot 72 will be significantly decreased or eliminated. The portion of that service alley proposed for conversion to ingress/egress is extensively used for deliveries and trash collection for several businesses.

Second, as presently designed, the extension would not allow large vehicles appropriate access from L St. This is particularly important because the QC Condos structure contains two commercial properties, a café and a retail pharmacy. The retail pharmacy in particular requires regular large vehicle access for deliveries. It is unclear from the proposal's drawings what the maximum height and width restrictions would be for the L St. entrance. The Zoning Commission should reject any alley overhang between Lots 72 and 859 and ensure a sufficiently wide alley entrance from L St. to provide sufficient clearance for commercial vehicles.

While QC Condos does not, in principle, object to the relocation of Shepherd Ct. to the proposed location, the Zoning Commission should require a full 40 foot wide alley between Lots 69/72 and Lot 859, with no overhanging structure, including at the street entrance, to ensure the continued utility of this alley.

The Development Must Not Add Significant Commercial and Private Vehicle Traffic to the Alleys, and Options Exist to Add Zero Additional Traffic

The current alley consolidation proposal would, in the first instance, dramatically increase the service and private vehicle traffic on the remaining alleys. Furthermore, the proposal's location of service and private vehicle access to the new buildings would further

burden those limited alley spaces. However, because the developers are able to start from a nearly “blank slate” for a large segment of the block, and will be constructing the new buildings simultaneously using a single excavation, a significant opportunity exists for minimizing the traffic impacts to the alleys and for improving pedestrian access and safety by co-locating vehicle entrances directly on either 9th St. or L St. – instead of the alleys – and providing below-grade loading docks.

As an initial matter, the Zoning Commission should deny the requested loading dock size variances. For example, DC Regulations require at least one 55 foot deep dock for the residential building, but the proposal has requested a variance to allow a loading dock only 30 foot deep. As a practical matter, a 30 foot deep loading dock, when fronting on an interior alley, would require most commercial sized moving or delivery trucks to completely fill the loading dock and partially block the alley.² QC Condos is a similarly sized building, and has two 55 foot loading bays. In QC Condos’ experience, these large bays are necessary to accommodate not just long-length commercial delivery vehicles, but also to allow parking for the numerous smaller vehicles of service and maintenance companies performing work or repairs within the building. For example, on any given day multiple condominium owners have plumbers, painters, flooring installers, and furniture deliveries all competing for loading bay space. Absent sufficiently large loading bays, many of these vehicles would be forced to park in the alleys, blocking traffic. These variances should be denied.

Furthermore, rather than imposing additional burdens on the limited alley spaces, the Zoning Commission should require the loading docks be located below grade and accessed via the Convention Center loading bays as was originally proposed for the L St.-spanning, 1,500 room version of the Marriott Marquis that would have occupied the same Lots. Because the residential and hotel portions of the development will share a below-grade structure, and will be constructed simultaneously, access to both buildings could be readily provided via a shared below-grade loading dock accessed via a tunnel from the Convention Center. This approach has proven highly successful for the Marriot Marquis located on the next block, and would receive *significant* community support if implemented here. Similar, below-grade loading docks for combined commercial and residential buildings were recently used in the area at the City Center and the City Market at O developments with great success. Below-grade loading docks would remove significant volumes of large vehicle traffic from the historic alleys, would further improve the pedestrian-friendly nature of those alleys, reduce noise levels, provide less pollution impact to the 10 St. Park and playground, and help preserve the historic charm of the Shaw Historic District.

Similarly, the Zoning Commission should require the hotels and residential buildings to share a single private vehicle parking entrance directly from L St. or 9th St. – not an alley – to further reduce private vehicle traffic in pedestrian-friendly alleys. Again, this approach has been very successful at the City Center and the City Market at O developments, which provide garage access to the commercial, office, and residential parking areas via a shared garage entrance. If loading dock access is impossible via a tunnel from the Convention Center, this shared entrance should also be used for below-grade loading docks.

² For example, a common “26 ft” U-Haul moving truck is in fact more than 34 feet from bumper-to-bumper. Commercial delivery vehicles are even longer.

Requiring below-grade loading dock access via the Convention Center, and a shared parking entrance ramp for the hotel and residential portions of the development would significantly reduce or eliminate the negative impacts to the historic alleys.

Thank you for your consideration,

A handwritten signature in blue ink, appearing to be 'RSM', written over a light blue horizontal line.

Board of Directors
Quincy Court Condominiums Owners Association

cc: Historic Preservation and Review Board
ANC 2F
ANC 2F - Community Development Committee

**Whitman Condominium Statement to the
Community Development Committee 2F
7/30/2014**

Thank you for this opportunity to speak on behalf of the Whitman Condominium; my name is Carlos Arce and I'm a member of the Board of Directors of our HOA. The Whitman is the largest owner-occupied community in the block being developed by our Marriott neighbors. We are about 320 people in 185 residential units with 215 garage parking spaces, and a wonderful roof deck with a pool, among other urban amenities. We will be the Marriott's closest and most directly impacted neighbors.

Let me start by noting that we look forward to a mutually respectful and collaborative relationship and that we are broadly positive about Marriott's plans to further develop the area in ways that will benefit our city, our neighborhood, and our block.

Nevertheless, we are concerned about and we oppose certain aspects of the Marriott development, as they appear in the documents available to us at this time. The letter we submitted last week addresses these concerns in substantial detail. At this time, I wish to simply and briefly summarize our key concerns, of which there are four:

1. Accessibility to the Whitman loading dock and garage will be severely compromised. The proposed location of the Marriott hotels, the reconfiguration of the alleys, and the proposed location of the hotels' main loading dock combine to effectively and completely bar larger vehicle access to the Whitman loading dock. The Marriott's loading dock will substantially increase traffic in the alley that is the sole access point of our parking garage.
2. Safety will be compromised by the proposed use of alleys. We are concerned that with increased vehicular and pedestrian traffic, congestion in the alleys will prevent emergency vehicles from accessing the rear of the Whitman building, as well as the rear of the Marriott buildings, in the event of a fire or other hazard. We also worry about the safety of pedestrians and bicyclists using the alleys to access our building and neighboring amenities.
3. Traffic congestion on M Street between 9th and 11th Streets will become severe. We are concerned that large vehicles accessing the Marriott loading dock behind the Whitman will use the north/south alley from M Street, resulting in massive traffic back-ups and congestion on what is a narrow and largely residential block of M Street. To further complicate matters, this narrow portion of M Street is crucial for residential parking and for bicycle travel and that will be compromised and made unsafe. It is also critical that the one-way portion of M Street west of 9th Street be maintained.

4. Finally, aesthetic and quality of life deterioration will result from the proposed plans. On this, we primarily seek clarification on several elements of the development plan, specifically:
- a. The plans are not clear regarding where trash compactors and dumpsters will be located. We are concerned about noise related to garbage pick-up, offensive odors, and rodent infestations.
 - b. The plans appear to severely obstruct natural light. The proposed height and straight vertical design on the north side of the proposed buildings will likely prevent natural light from reaching the south of our building and the 10th Street Park. We hope that creative solutions to this life quality problem for residential neighbors and Marriott guests and staff can be found.
 - c. The staging and logistics of construction threaten our neighborhood. As far as we know, there is no information on where construction materials, equipment, vehicles and temporary structures will be located, what degree of obstruction to alleys may occur, or what impact the proposed demolition may have. We must have more details and clear assurances that existing improvements, including the Whitman, will be respected.
 - d. Lastly, the Marriott plans are unclear on the final location, height, width and noise abatement features of the roof mechanicals. This makes the total, final height of the development unclear. We object to features that excessively diminish views or increase noise levels on our existing rooftop deck.

In closing, we welcome the contemplated benefits of the Marriott project, including its compatibility with the nearby Marriott Marquis and Convention Center. We welcome the proposed rejuvenation of existing historic buildings, which need remediation.

But, we do have real and significant concerns related to the proposed design for the buildings and plans for access points, in terms of practicality, safety and overall aesthetics related to the proposed and existing uses. The development should not limit, hinder or otherwise interfere with free and reasonable access and enjoyment to our building.

So, we request more specificity on the items I have mentioned; consideration of creative, reasonable modifications; ongoing consultation with the Marriott team; and involvement in the ANC and CDC to address our concerns.

Thank you for taking time to listen to us. If there are actions we should take to make this a better project for everyone, we will appreciate your guidance.