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By Hand Delivery

Ms. Carol Mitten
Chairman, D.C. Zoning Commission
441 4th Street, N.W.
Second Floor
Washington, DC 20001

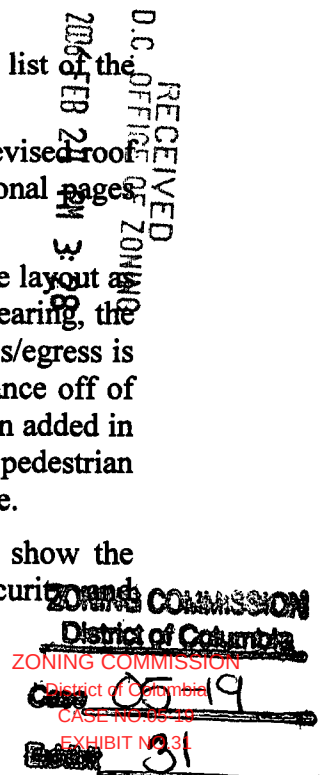
**Re: Zoning Commission Case No. 05-19 - Consolidated Review
and Approval of a PUD and Zoning Map Amendment
Application for 4100 Georgia Avenue, NW (Square 2910, Lots
35 and 803) – Post-hearing Submissions**

Dear Chairman Mitten and Members of the Commission:

Enclosed please find twenty one copies of the post-hearing submissions of The Neighborhood Development Company, LLC (the “Applicant”), for the above referenced case.

At the hearing on February 6, 2006, the Zoning Commission requested that the Applicant provide additional information as listed herein.

- **Alterations to the project design drawings.** The following is a list of the changes made to the drawings provided in Exhibit A:
 - Cover Sheet – The image has been updated to show the revised roof plan and the related residential recreation space. Additional pages have been added to the table of contents.
 - Page 8 – The design has been revised to reflect the new site layout as a result of the revised traffic plan. As stated during the hearing, the traffic pattern has been altered so that the vehicular ingress/egress is handled solely from Kansas Avenue. The vehicular entrance off of Taylor Street has been closed and parking spaces have been added in this space. This arrangement will minimize vehicular and pedestrian conflicts and allow for a more efficient utilization of the site.
 - Page 13 – The garage floor plan has been amended to show the Space Saver parking spaces. In order to enhance security and



prevent tampering with the Space Saver units, a separation wall including a security door has been added between the retail and residential parking areas. Further information about the Space Saver units including the safety information for these products as requested by the Zoning Commission is listed below.

- Pages 15 and 16 – These pages show the changes to the one bedroom units facing Georgia Avenue and Kansas Avenue. As a result of the addition of projecting bays on both of these façades to enhance the project's design, the floor plans for certain units have changed. In addition, the alteration in the dimension of the corner tower has altered the layout of the one bedroom units that are in that tower.
- Page 17 – The roof plan has been amended in order to add detail and to better identify the areas that will be accessible to the tenants of the building. To maximize the tenants' visual experience from the roof terrace, the air-conditioning units are now screened by rows of potted shrubs (boxwood or similar). Pavers have been shown to allow for tenants to walk around the roof terrace. The roof plan also shows a detail of the sedum plants that will be used for the green roof covering.
- Page 18 – This page shows in larger scale the revisions to the one bedroom units that face Georgia Avenue.
- Page 20 – This page shows the significant revisions to the Taylor Avenue façade in response to Zoning Commission comments. The most significant change is that the finish colors have been refined. Previously, the Applicant proposed a blue-based color. The Applicant now proposes a more subdued light sky gray. In addition, the band across the top floor has been changed from Hardie Panel to Hardcoat Stucco. The Stucco bands above and below this are an off white color. The tower element at the corner of Georgia Avenue and Taylor Street has been modified to consist of one color that blends with the façade, yet adds a contributing design element to the project. Finally, the roof structures of the tower elements are now depicted correctly.
- Page 21 – This page shows both the Georgia Avenue and Kansas Avenue façades of the building. The Zoning Commission expressed particular concerns about the Georgia Avenue façade. The Applicant significantly enhanced the Georgia Avenue façade by adding the projecting bay element to continue the pattern established on the Taylor Avenue façade. In order to enhance the impact of this projecting bay, the Applicant also decreased the size of the main tower element. To supplement this design element, the Applicant simplified the color scheme on the main tower element and revised the color of the elevator tower to blend with the rest of the facade.

The result is a more unified and cohesive color scheme. The Applicant also revised the residential entry on Georgia Avenue to be consistent with the design for the first two stories of the building. The Applicant also added two projecting bays onto the Kansas Avenue façade to unite this façade with the Taylor Street façade.

- Page 22 – The alley elevation and elevator tower now reflect the color scheme along the Taylor Street, Georgia Avenue and Kansas Avenue elevations. As stated above, the elevator shaft tower has been lowered to equal the height of the main tower. The existing nearby building are shown to allow for the more accurate review of this elevation.
- Page 23 – The site sections have been revised to show the Space Saver parking units and the tower elements' relation to the building.
- Page 25 – A page detailing the Space Saver product has been included in this package. This page shows the operational and security features of the Space Savers which include the requirement for keys to operate the lift. The page also details the dimensions of the Space Saver units.
- Page 27 – This page shows a new image of the building as it will appear from the corner of Georgia Avenue and Taylor Street. This perspective shows that the elements of the façades fronting on both Taylor Street and Georgia Avenue have been unified and that the Applicant has fully addressed the Zoning Commission's concerns. In addition, this perspective provides a more complete sense of the comprehensive color scheme and continuity of materials used on the façade.
- Page 28 – This page shows a new image of the building as it will look from the corner of Kansas Avenue and Taylor Street. This perspective also shows how the elements of the façades fronting on both Taylor Street and Kansas Avenue have been unified.
- Page 29 – This page details the materials and colors that will be used on the façades of the building. This page shows the materials that will contribute to the altering of the color of the design to address the Zoning Commission's concerns.
- Page 30 – This page has been added to provide greater detail about the materials proposed to be used for the façade of the building.
- **Mechanism that will control the 40 year affordability period.** The Applicant will be receiving a loan of six million six hundred seventy seven thousand dollars (\$6,677,000) from the Department of Housing and Community Development's ("DHCD") Housing Production Trust Fund ("HPTF"). The terms of the loan allow the project to include the extent of

affordability that is proposed, as mentioned at the hearing. The HPTF loan carries a three percent (3%) interest rate and defers payments until the beginning of year eleven (11). The loan is conditioned on the existence of fourteen units being reserved for families who are at thirty-one percent (31%) to fifty percent (50%) of the Area Median Income and who have Section 8 rental subsidy vouchers. In addition, there will be agreements between DHCD and the Applicant requiring that the building remain 100% affordable for at least 60% AMI for 40 years.

- **Details on safety of the Space Saver lift system.** As is shown by page 25 of Exhibit A and further detailed in Exhibit B, there are several features of the Space Saver system that will allow for safe usage of the proposed parking mechanism.
 - First, the system can be activated only by use of unique keys that operate the individual Space Saver lift associated with each user. Therefore, it will not be possible for someone to operate any of the lifts without the key related to each one. In order to operate the lifts, the user must turn the key in the individual control module.
 - Further, the Applicant is investing additional money in each Space Saver unit to add a feature that utilizes sensors that disable the Space Saver lift if there is any foreign object in or near the lift (such as a child or pet). Therefore, it would not be possible for a child to be injured by the lift since the sensors would recognize a child's proximity and disengage the system.
 - Finally, the Applicant is installing a gate between the residential and retail parking spaces to minimize the access to the residential area of the parking garage that will contain the Space Saver units.
- **Department of Employment Services ("DOES") First Source Agreement.** The DOES First Source Agreement that has been proposed for the project is attached as Exhibit C. The Applicant is in the process of finalizing the First Source Agreement with DOES and received the attached draft today. The final version of the First Source Agreement for this project will be in substantially the same form as Exhibit C.
- **Local, Small, Disadvantaged Business Entity ("LSDBE") Memorandum of Understanding.** The Applicant has been in consistent contact with the Department of Small and Local Business Development ("DSLBD") to finalize the LSDBE Memorandum of Understanding. The LSDBE Memorandum of Understanding that has been proposed for the project is attached as Exhibit D. The Applicant is in the process of finalizing the LSDBE Memorandum of Understanding with DSLBD. The final version of the LSDBE Memorandum of Understanding for this project will be in substantially the same form as Exhibit D.

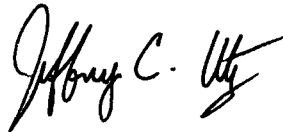
- **Applicant request for hearing fee waiver.** The Applicant has enclosed the letter from DHCD dated February 9, 2006 to the Zoning Commission requesting a hearing fee waiver for the Applicant in this case (attached as Exhibit E). The Applicant already paid the hearing fee of \$9,500 to the Office of Zoning, because the DHCD award had not yet been determined at the time of filing the hearing fee. The Applicant now requests a refund of that amount. The proposed project is possible only by the subsidies granted by the District of Columbia government. Such a refund of the hearing fee would assist the Applicant and the District government in achieving their goals at the project site. As stated during the hearing, the project will contain 100% low and moderate income subsidized housing. By granting this fee waiver, the Zoning Commission will help the Applicant create a residential project that is not only affordable to low and moderate income residents, but is also a safe, attractive and inviting place to live.
- **Letter of Support from the Petworth Action Committee.** The Applicant is also enclosing as Exhibit F a letter from the Petworth Action Committee that expresses the Petworth Action Committee's support for the project. This letter is yet another example of the overwhelming community support for the proposed project and the enthusiastic reception of the neighborhood to the Applicant's proposed investment at 4100 Georgia Avenue.

If you have any questions or comments, please do not hesitate to call or email Allison at (202)663-8853 or Jeff at (202)663-8715.

Sincerely,



Allison C. Prince



Jeffrey C. Utz

Enclosures

Ms. Carol Mitten
February 24, 2006
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cc: ANC 4C
 Maxine Brown-Roberts
 DDOT
 The Neighborhood Development Company, LLC