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May 7, 2012

VIA EMAIL

Chairman Anthony Hood  
D.C. Zoning Commission  
441 4<sup>th</sup> Street, NW, Suite 210-S  
Washington, DC 20001

Re: Zoning Commission Case No. 11-13 – Applicant’s Response to Procedural Order

Dear Commissioner Hood and Members of the Commission:

In response to the Zoning Commission’s Procedural Order, dated April 30, 2012, this letter addresses the public benefits being proffered by the Applicant and the draft conditions for each proffered benefit that are both specific and enforceable. Below is a chart of the proffered amenity and proposed condition.

Proffered Amenity	Proposed Condition
<p><u>Finding of Fact No. 37 (f)(i)</u> The Applicant will dedicate 10% of the building’s gross floor area being devoted to residential use for families/individuals making 80% or less of the Area Median Income.</p>	<p>1. The Applicant will dedicate 10% of the building’s gross floor area being devoted to residential use for households making 80% or less of the Area Median Income. All of this affordable housing will be part of the Project’s Inclusionary Zoning affordable units, so all of the affordable units will be administered by the Department of Housing and Community Development pursuant to the regulations in 14 DCMR § 2200 <i>et seq.</i></p>
<p><u>Finding of Fact No. 37(f)(ii)</u> The Project will include a 1/3 acre landscaped courtyard open to the public. The courtyard will provide trees, pathways, benches, water features, and other landscaping amenities that will create a large green respite in the city. The courtyard will be open to the public from</p>	<p>2. The Delaware Avenue access to the courtyard will be open to the public every day from dawn till dusk.</p>

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<p>dawn to dusk every day, and patrons will access the courtyard via a 12-foot wide opening from Delaware Avenue.</p>	
<p><u>Finding of Fact No. 37(f)(iii)</u>                  All loading for the Project will occur in an underground facility accessed via Delaware Avenue. This loading facility will minimize potential pedestrian conflicts as well as noise, odors, and other possible adverse impacts.</p>	<p>3. The Applicant shall provide all loading facilities underground, subject to possible modifications in layout in final design.</p>
<p><u>Finding of Fact No. 37(f)(iv)</u>                  The new St. Matthew's Church will include the Thurgood and Cecilia Marshall Southwest Community Center. This community center will be open to the public and operated by Transforming Southwest CDC, an arm of St. Matthew's Evangelical Lutheran Church. The new community center will offer community-based programming as well as a computer lab, community outreach center and coffee shop. The neighborhood coffee shop will be a community gathering place and may provide employment training for local residents in the food service industry. Any member of the public may use the community center, and members of the community may host events and other gatherings at the community center. Further, ANC 6D will be welcome to host meetings at the community center. Based on the presently assessed needs of the community and available Church resources, the Church anticipates offering the following community-based programs at the community center:</p> <ul style="list-style-type: none"> <li>• After school programming/Adult Computer Training/Reverse Mentoring;</li> <li>• T'ai Chi/Yoga/Wellness programming;</li> <li>• Seniors Morning Out (Weekly)</li> <li>• Gallery to support and show local artists;</li> <li>• Free Wi-Fi in and around the building.</li> </ul> <p>Additional community-serving programming is anticipated to be offered at the community</p>	<p>4. Annually (on July 1 of each year, beginning on the first date after the certificate of occupancy for the church is issued), the Applicant will provide a listing and schedule of programs at the Community Center to the Zoning Administrator ("ZA").</p>

<p>center based on ongoing conversations with and the expressed needs of the community, but all programs are subject to change based on community needs and available resources. Staffing, hours of operation, and other details will be decided once the programs have been established.</p>	
<p><u>Finding of Fact No. 37(f)(viii)</u> The Applicant will provide a minimum of two parking spaces for a car-sharing service. The exact number will be determined by the car-sharing service's requirement for this location.</p>	<p>5. The Applicant will make available a minimum of two parking spaces for a car-sharing service in the underground parking garage. The exact number will be determined by the car-sharing service's requirement for this location. Prior to the issuance of a Certificate of Occupancy ("CO") for the residential portion of the Project, the Applicant will provide evidence of an agreement or efforts to secure an agreement with a car sharing program to the ZA and OZ.</p>
<p><u>Finding of Fact No. 37(f)(ix)</u> The Applicant will provide four 240-volt spaces for charging electric cars in the underground parking garage</p>	<p>6. The Applicant will provide four 240-volt spaces for charging electric cars in the underground parking garage. Prior to the issuance of a CO for the residential portion of the Project, the Applicant will provide proof of installation of the charging facilities for the parking spaces to the ZA and OZ.</p>
<p><u>Finding of Fact No. 37(f)(x)</u> The Applicant will agree to prohibit Residential Permit Parking permits for residents of the Project.</p>	<p>7. The Applicant will prohibit Residential Permit Parking ("RPP") permits for residents of the Project by voluntarily removing the Property from the list of properties eligible for RPP permits. Prior to the issuance of a CO for the residential portion of the Project, the Applicant will provide proof of RPP ineligibility to the ZA and OZ.</p>
<p><u>Finding of Fact No. 37(f)(v-vii)</u> The Applicant will make the following financial contributions:</p> <p>a. Fencing for School Vegetable Gardens: The Applicant will support KidPowerDC and their Veggie Time</p>	<p>8. The Applicant shall make the following financial contributions within the specified period:</p> <p>a. \$5,000 to KidPowerDC and their Veggie Time program for fencing</p>

<p>program in the Southwest community located at Amidon-Bowen Elementary School. The Applicant will pay up to \$5,000 for the fencing around up to three of KidPowerDC's vegetable gardens at Amidon-Bowen Elementary School.</p> <p>b. Trees in Public Space: The Applicant will pay for ten (10) trees and their installation on the M Street median across from the Project site (Square 546, Lot 301) by Casey Trees, subject to approval by DDOT. If DDOT does not approve such trees or their installation is otherwise infeasible, then the Applicant will pay for ten (10) trees and their installation by Casey Trees on other public space in the vicinity of the Project.</p> <p>c. Funds for Community Benefits Coordinating Council: The Applicant will donate \$20,000 to the Community Benefits Coordinating Council ("CBCC"). The CBCC is an 11-member board that includes leaders of many of the major community organization in Southwest and near Southeast Washington. The Applicant's contribution will help fund the organization's ongoing support of community programs.</p>	<p>around up to three vegetable gardens at Amidon-Bowen Elementary School. The Applicant will make this payment prior to the issuance of the building permit for the Project.</p> <p>b. The cost of ten (10) trees and their installation to Casey Trees for such trees on the M Street median across from the Property (Square 546, Lot 301), subject to approval by DDOT. If DDOT does not approve such trees or their installation is otherwise infeasible, then the Applicant will pay for ten (10) trees and their installation by Casey Trees on other public space in the vicinity of the Project. The Applicant will make this payment prior to the issuance of the building permit for the Project.</p> <p>c. \$20,000 to the Community Benefits Coordinating Council ("CBCC") to help fund the organization's ongoing support of community programs. The Applicant will make this payment prior to the issuance of the building permit for the Project.</p>
<p>Once the Applicant and the Carrollsburg Square Condominium Association ("CSCA") agree to the terms of the Tree Protection Agreement ("TPA"), the Applicant will abide by the TPA that will be submitted into the record prior to the Commission taking final action.</p>	<p>9. The Applicant shall abide by the terms of the Tree Protection Agreement submitted into the record.</p>
<p>Following a request from the CSCA, the Applicant will provide a gate in the fence along</p>	<p>10. The fence along the Property's southern property line will contain a gate that will allow</p>

the southern property line between the CSCA  
and the courtyard.

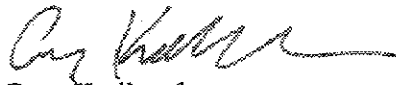
residents of the CSCA to enter the courtyard.

We look forward to the Zoning Commission taking Final Action on this case.

Sincerely,

Handwritten signature of Allison Prince, written in cursive script.

Allison Prince

Handwritten signature of Cary Kadlecek, written in cursive script.

Cary Kadlecek

## CERTIFICATE OF SERVICE

I hereby certify that on May 7, 2012, copies of the attached letter were delivered via email to the following:

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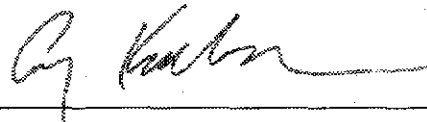
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Cary Kadlec