



May 10, 2019

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Frederick L. Hill, Chairperson
Board of Zoning Adjustment
441 4th Street, NW, Suite 200S
Washington, DC 20010

RE: BZA Application 19960-Applicant's Post Hearing Filings

Chairperson Hill and Honorable Members of the Board:

On behalf of the Applicant, MCF 1400 Montana LLC and MCFI Limited Partnership¹, please find the enclosed post hearing filings. The Applicant proposes to build a 108 unit apartment building on a split-zoned lot (Square 4023, Lot 001) (the "Property") that was in single ownership prior to May 12, 1958² (the "Project"). This filing is prepared in response to the Board's verbal requests during the May 1st public hearing (the "May 1st Board Requests"). The May 1st Board Requests were summarized by Clifford Moy, the Secretary for the Board of Zoning Adjustment in the May 3rd Memo to the File at BZA Exhibit No. 88 ("May 3rd Memo"). The Applicant's post hearing filings contain the information itemized as numbers 1-6 in the May 3rd Memo and provides clarification based on the May 1st Board Requests. Accordingly, the following documents are enclosed:

1. Complete set of updated architectural and landscaping plans ("May 10 Updated Plans") now including perspective renderings and elevations showing the Project in relation to existing one-family homes in the area, as well as context to the nearby PUD development, and an updated design for the entry on Montana Avenue NE that is in compliance with DDOT's Public Space requirements, attached at **Tab A**.
2. Construction Management Plan, including traffic ramifications and how it would be mitigated, attached at **Tab B**.
3. Traffic Management Plan for Construction, attached at **Tab C**.
4. Pervious surface calculations and mitigation information, attached at **Tab E**.
5. Traffic Report Summary and Transportation Demand Management Plan (including additional detail and summarizing information from the Traffic Report in the record at BZA Ex. 34), attached at **Tab D**.

¹ The Property is owned by MCF 1400 Montana LLC and MCFI Limited Partnership and will be developed by Mid-City Financial Corporation.

² The Property is shown as a single lot (Parcel No. P143/35) as early as 1943 in the District of Columbia's 1943 Baist Maps.

6. Community Liaison information is included in the draft Construction Management Plan, attached at **Tab B**, which establishes a community liaison.
7. Updated Community Outreach: A summary of the May 7th, 2019 SMD 5C06 meeting and sign-in sheet is attached at **Tab F**.

I. Summary of Supplemental Documents

To provide further clarity to the Board, a more detailed description of each document is provided below:

1. Updated Architectural Plans

The May 10 Updated Plans, attached at **Tab A**, include the renderings and elevations requested by members of the Board showing the Project in the context of the surrounding neighborhood from all three sides of the Property as well as context to the nearby PUD development. As shown by the new context images, the proposed relief from Subtitle A § 207.2 is in character with the existing and future development of the surrounding neighborhood. Additional comparisons (on Sheets A18 and A19) show that the difference in mass between an apartment building without the boundary line extension versus the proposed Project will have a diminutive impact on the single family dwellings across Saratoga as the additional mass of the Project will be 165 ft. from those homes.

As illustrated by the shadow studies on Sheets A17A and A17B, which show the impacts on light by the Project on the surrounding neighborhood, there will be no impact on the light of the single family dwellings across Saratoga Avenue.

The May 10 Updated Plans also respond to the Board's concerns regarding the compliance of the Project's entry on Montana with DDOT's Public Space requirements as identified in the DDOT Report. The May 10 Updated Plans include a revised entry on Montana Avenue that is now compliant with DDOT's Public Space requirements.

In addition, the May 10 Updated Plans include a corrected height measurement for the MU-4 portion of the building of 49 ft. which is under the height of 50 ft. permitted as a matter of right.

The May 10 Updated Plans supersede the plans in the record at BZA Exhibit No.s 5, 39A, and 82A1 and A2.

2. Construction Management Plan

Construction issues are governed under the Construction Code, DDOT and DOEE, and are not part of the zoning review and determination by the Board. Despite these issues not being germane to the Board of Zoning Adjustment's review, in response to requests made by the Board and concerns raised by SMD Commissioner Williams, the Applicant has prepared the draft Construction Management Plan, attached at **Tab B**. The Applicant will work with the ANC and neighbors to engage in a Construction Management Plan. The attached draft Construction Management Plan contains provisions establishing that the Applicant will coordinate with the ANC through a representative to act as a liaison with the community, and provides for a designated neighborhood contact person, as well as the means via which notice of construction events will be

transmitted to the surrounding neighborhood. In addition, the draft Construction Management Plan proposes the Applicant and developer's commitments regarding site management, cleanliness, work hours, and requirements for contractors and subcontractors.

3. Traffic Management Plan (for Construction)

During the May 1st hearing, the Board requested that the Applicant submit a traffic management plan for traffic during construction, which is referred to in the May 3rd Memo as "Traffic Management Plan." While traffic management during construction is not germane to the Board's review of the requested relief, the draft Traffic Management Plan for construction, attached at **Tab C**, addresses the concerns of SMD Commissioner Williams and is provided at the request of the Board. As noted therein, the Applicant work with the ANC and neighbor to refine the draft plan but the proposed draft includes notification of the surrounding community regarding any anticipated construction activity that will impact pedestrian and vehicular traffic.

4. Pervious Surface Calculations and Mitigation Plan

During the May 1st hearing, Vice Chair Hart verbally requested additional information regarding the pervious surface of the entire existing site versus the entire proposed site and additional information about stormwater management of the impervious surface. The May 3rd Memo notes this request as "Mitigation plan on proposed changes to pervious surface."

Although there is no pervious surface requirement under the Zoning Regulations for the Mu-4 or RA-1 zones, Moody Graham has provided the pervious surface calculation information attached at **Tab E** in response to Vice Chair Hart's verbal request. Further, Moody Graham has provided the following additional information about stormwater and mitigation.

As noted by Moody Graham, the site, as built in the 1970s, has no modern stormwater management features. Because of this, the site in its current condition contributes negatively to the quality of stormwater entering the city's stormwater system. The existing permeable surface is primarily lawn on compacted soils which allows for very little infiltration, contributing to surface runoff. Further, the existing parking lot directs its untreated surface runoff directly into the storm drains, or across the lawn. Runoff from the building roof is similarly untreated and discharged across the surface parking lot towards the storm drains. Conventional storm drains along Montana Avenue collect untreated runoff from the site, and from the road surface, and direct it into the stormwater system. The proposed stormwater management measures will greatly increase the quality of the water entering the stormwater system.

Accordingly, even though the existing site area technically has 12% more pervious surface area,³ the difference in overall pervious area between the existing site and proposed site is significantly mitigated because the majority of the proposed impervious surface areas drains to green roofs or at-grade bio-retention areas. Further, the proposed pervious areas are designed with soils and plants to retain as much water as possible, in contrast to the existing turf, which has much lower infiltration rates. Additionally, as stated in previous filings and during the May 1st hearing,

³ As noted in the statement by Moody Graham at **Tab E**, the existing site area is made up of approximately 51% pervious surfaces, of which the majority is composed of turf. The proposed development will result in approximately 39% total pervious area, mostly composed of bio-retention area and green roofs.

the project will meet all Green Area Ratio and stormwater requirements as outlined by the current zoning and building codes.

5. Traffic Mitigation Plan and Traffic Report Summary

A summary of the Traffic Report in the in the record at BZA Exhibit 34 is attached at **Tab D**. As described therein and as testified to at the hearing, the Comprehensive Transportation Review prepared by Gorove Slade found that the requested relief would have no adverse impacts on the surrounding transportation network.

As noted in the Traffic Report in the record at BZA Exhibit No. 34 and during the public hearing on May 1, 2019, the Applicant proposes the following TDM measures, which are based on the DDOT expectations for developments of this type and size.

- The Applicant will identify a TDM Leader (for planning, construction, and operations) at the building, who will act as a point of contact with DDOT/Zoning Enforcement with annual updates. The TDM Leader will work with residents to distribute and market various transportation alternatives and options.
- The Applicant will provide TDM materials to new residents in the Residential Welcome Package materials.
- The Applicant will meet Zoning requirements by providing approximately 36 long-term bicycle parking spaces on the ground floor of the building.
- Five (5) short-term bicycle parking spaces will be provided along Montana Avenue, meeting zoning requirements.
- The Applicant will unbundle the cost of residential parking from the cost of lease or purchase of each unit.
- The Applicant will provide a bicycle repair station to be located in the secure long-term bicycle storage room.

II. Updated Community Outreach

A representative of the Applicant, Stephanie Liotta-Atkinson, an executive vice president of MidCity, attended the follow-up SMD meeting held by SMD Commissioner Williams at the Brookland Manor Community Center on May 7, 2019. As shown on the sign-in sheet attached at **Tab F**, four people attended the meeting. Ms. Liotta-Atkinson provided answers to all questions posed at the meeting as summarized by Ms. Liotta-Atkinson in the emails dated May 7, 2019 and May 8, 2019, also attached at **Tab F**.

III. Conclusion

The Applicant's Project will bring much needed additional housing to the District. The Applicant proposes to construct a 108 unit apartment building (including 11 IZ units) on an under-utilized split-zoned lot that was in single ownership prior to May 12, 1958. As shown in the record, testified to at the public hearing, and further demonstrated by the enclosed post hearing filings, this Project satisfies the standards for special exception relief pursuant to 11 DCMR Subtitle X § 901.2, Subtitle A § 207.2 for approval of a 35-foot adjustment of the boundary line allowing the bulk regulations of the MU-4 zone to extend to a portion of the Property zoned RA-1, Subtitle U

§ 421.1, to construct a new multi-family residential apartment building in the RA-1 Zone District, and Subtitle C § 714.3 to have a 24-foot wide gap in the screening of a surface parking lot.

Accordingly, the Applicant respectfully requests that the Board grant the relief requested.

Sincerely,

A handwritten signature in blue ink, appearing to read 'MM', is written over a light blue horizontal line.

COZEN O'CONNOR

By: Meredith Moldenhauer

Certificate of Service

I hereby certify that on this 10th day of May, 2019, a copy of the foregoing cover letter and supplemental documents were served, via email, as follows:

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