

March 11, 2019

VIA IZIS AND HAND DELIVERY

Anthony Hood, Chairman
District of Columbia Zoning Commission
441 4th Street NW, Suite 200S
Washington, DC 20001

Re: Z.C. Case No. 02-38J – Application of WFS2, LLC (the “**Applicant**”) for Approval of an Application for a Second-Stage Planned Unit Development for 1000 4th Street, SW (Lot 822, Square 542, the “**Property**”) – Applicant’s Post-Hearing Submission

Dear Chairman Hood and Members of the Commission:

On January 31, 2019, the Zoning Commission (the “**Commission**”) held a public hearing on the above-referenced application for the development of the Property with an 11-story mixed-use building (the “**Project**”). The Applicant hereby submits this post-hearing filing in response to comments and questions from the Commission at the public hearing. This filing summarizes the Project’s public benefits, provides an update on the Applicant’s meetings with the Amidon-Bowen Elementary School PTA and ANC 6D, describes design revisions to the Project in light of the Commission’s comments at the public hearing, and responds to opposition testimony first raised on the day of the public hearing.

I. Public Benefits and Amenities

The Project is an exemplary PUD with a commendable package of public benefits and amenities. The public benefits included as part of this application must be understood in the context of the substantial public benefits (the “**Waterfront Station Public Benefits**”) proffered and delivered under the first-stage PUD (the “**Waterfront Station PUD**”).

As summarized below and in **Exhibit A**, the Project contributes to the Waterfront Station Public Benefits and goes above and beyond to provide additional public benefits (the “**Project Public Benefits**”) that were not required under the Waterfront Station PUD.

Waterfront Station Public Benefits – The Order approving the Waterfront Station PUD requires the following benefits¹ for the Waterfront Station PUD as a whole:	
Reopening of 4 th Street, SW	The reopening of 4 th Street, SW and the establishment of infrastructure in that street were major public benefits approved as part of the first-stage PUD. This benefit has been satisfied by previous second-stage PUDs approved under the Waterfront Station PUD although the Project provides an additional and related benefit by committing to make the private drive publicly accessible except during closures for short term special events.
Major Local Development Initiative	The Waterfront Station PUD is a major revitalization effort that has contributed to the substantial economic development of Southwest DC over the past two decades. The Project is the final phase of this Initiative.
Urban Design	The Waterfront Station PUD established broad urban design objectives for Waterfront Station, and the Project is consistent with and advances those objectives.
Town Center	The Waterfront Station PUD created a “town center” node around the Waterfront Station Metrorail stop with 50,000 square feet of open space for public use and enjoyment. This benefit has been satisfied by previous second-stage PUDs approved under the Waterfront Station PUD. Related but additional benefits from the Project are described below.
Maintenance of Public Park North of the Site	This benefit has been satisfied by previous second-stage PUDs approved under the Waterfront Station PUD.
Neighborhood-Serving Uses: Overall GFA	The Waterfront Station PUD committed to 110,000 square feet of gross floor area devoted to retail uses. This benefit has been satisfied by previous second-stage PUDs approved under the Waterfront Station PUD. Related but additional benefits from the Project are described below.
Neighborhood-Serving Uses: Local/Small Businesses	The Waterfront Station Public Benefits also included an obligation to use best commercially reasonable efforts to provide opportunities for local and small businesses to occupy 12,500 square feet of retail space. Pursuant to an agreement between the owners of the Waterfront Station PUD, and the District, the Project contributes to this benefit to the extent of 2,500 square feet.
Neighborhood-Serving Uses: Grocery Store Use	The Waterfront Station Public Benefits included a commitment to include a 55,000 square foot grocery store within the PUD area. This benefit has been satisfied by previous second-stage PUDs approved under the Waterfront Station PUD.

¹ See Z.C. Order No. 02-38A, Findings of Fact ¶¶ 89-90, which was included as Exhibit 2F in the record of the instant proceeding. See also, Exhibit 2H of the record in the instant proceeding for a summary of the satisfaction of the Conditions in the Order for the Waterfront Station PUD.

<p>Housing</p>	<p>The Waterfront Station PUD agreed to add at least 800,000 square feet of gross floor area of residential uses. This benefit has been satisfied by previous second-stage PUDs approved under the Waterfront Station PUD. With the Project, the PUD provides a total of in excess of 1.7 million square feet of residential gross floor area. Related but additional benefits from the Project are described below.</p>
<p>Affordable Housing</p>	<p>The Waterfront Station PUD agreed to add at least 160,000 square feet of gross floor area of affordable housing for households earning 80% of area median income for a period of 20 years. With the Project, the PUD provides a total of in excess of 241,000 square feet of affordable housing (13.6 percent of the total residential gross floor area):</p> <ul style="list-style-type: none"> • 84,033 sf at 80% MFI for 20 years (02-38A); • 40,161 sf at 60% MFI in perpetuity (02-38I); and • 117,094 sf at 30%/50% MFI for 99 years (02-38J). <p>The Project completes the satisfaction of this benefit and greatly exceeds the requirement, as described below.</p>
<p>Sustainable Design Features</p>	<p>The Waterfront Station PUD committed to a series of stormwater management, green roof and erosion and sedimentation control measures for office buildings within the overall PUD area. This benefit has been satisfied by previous second-stage PUDs approved under the Waterfront Station PUD. Related but additional benefits from the Project are described below.</p>
<p>Community Meeting Space</p>	<p>The Waterfront Station PUD provided approximately 1,000 square feet of office and meeting space for ANC 6D and other community groups for a period of 10 years. This benefit has been satisfied and expanded upon by previous second-stage PUDs approved under the Waterfront Station PUD.</p>
<p>Security and Construction Mitigation Plan</p>	<p>The Waterfront Station PUD committed to providing security and construction mitigation measures during the development of the Waterfront Station PUD. This benefit has been satisfied and expanded upon by previous second-stage PUDs approved under the Waterfront Station PUD. Related but additional benefits from the Project are described below.</p>
<p>Transportation Management Plan</p>	<p>The Waterfront Station PUD committed to a transportation management plan, which the Applicant significantly expanded upon with respect to the Project.</p>
<p>Employment and Training Opportunities</p>	<p>The Waterfront Station PUD committed to enter into First Source Employment Agreements and Department of Small and Local Business Development (“DSLBD”) agreements for second-stage PUDs. The Project complies with this requirement.</p>

Project Public Benefits – The Project provides the following Public Benefits in partial satisfaction of the requirements of the Waterfront Station PUD and as additional public benefits:	
Superior Urban Design and Architecture	The Project’s contemporary, yet contextual form (i.e., recalling key elements of mid-century modernism in Southwest DC), high quality materials, dual orientation, and extensive use of balconies are all elements of the Project’s superior design and architecture.
Superior Open Spaces	The Project’s private drive and play area are public elements of its superior streetscape and open space design.
Site Planning and Efficient Land Utilization	The Project’s transit-oriented location and design, lack of surface parking, and infilling of a gap in a maturing retail town center each exemplify efficient site planning and land use.
Housing in Excess of Matter-of-Right Development	The Project’s provision of in excess of 370,000 square feet of residential gross floor area (and 450 overall new units) adds much-needed housing supply to meet increasing demand and offset upward pressures on housing prices in a transit-accessible and mixed-use location.
Affordable Housing	<p>The Project’s most outstanding public benefit is its contribution of affordable housing. In sum, the Project provides 136 affordable units, affordable at either 30% or 50% MFI for a period of 99 years, which exceeds the requirements of the Waterfront Station PUD in amount, depth of affordability, and duration. For reference, approximately 91 units (at 80% MFI for only 20 years) are required to satisfy the conditions of the Waterfront Station PUD, and only 37 units (at 60% MFI) would be required under a matter-of-right inclusionary zoning development of the Property.</p> <p>In response to questions raised by the Commission about the concentration of affordable units on the south-facing side of the building (i.e., facing the courtyard), the Applicant has reallocated some of the Project’s affordable units, so that the units are more evenly dispersed between the north and south façades of the building, as shown in Exhibit H. One quarter of the affordable units have access to private balconies or terraces (which is roughly proportional to the building as a whole).</p> <p>The Applicant affiliates have a long history of successfully filling affordable housing with qualified residents at its other developments in the District. <i>See Exhibit B.</i></p>
Employment and Training Opportunities	The Project advances the First Source and DSLBD objectives of the Waterfront Station PUD. The Applicant affiliates have a history of successfully implementing employment and training measures in Southwest DC. <i>See Exhibit C.</i>

<p>Building Spaces for Special Uses: Neighborhood-Serving Retail</p>	<p>The Project reserves at least 11,000 square feet of the ground floor for neighborhood-serving uses in the retail, general service, financial service, or eating/drinking establishment use categories set forth in Subtitle B of the Zoning Regulations. An additional 9,000 square feet of the ground floor is reserved for uses in the above categories plus education or daytime care categories.</p>
<p>Building Spaces for Special Uses: Neighborhood-Serving “Diner” Uses</p>	<p>As part of the 11,000 square foot retail requirement, the Project also reserves at least 1,200 square feet of the ground floor for a restaurant serving at least three meals per day. This obligation survives for two years following the issuance of the first Certificate of Occupancy for the building after which the restriction sunsets. The Applicant will provide the ANC with quarterly leasing updates regarding this commitment and other retail leasing developments.</p>
<p>Building Spaces for Special Uses: Arts/Cultural</p>	<p>The Project reserves 9,000 square feet of the ground floor for a theater or similar performing arts venue, or if such a use cannot be secured within five years after the first Certificate of Occupancy for the Project, any use in the entertainment/assembly/performing arts, arts/design/creation, or arts-related educational use categories of the Zoning Regulations. The Applicant will also work with the ANC to develop and solicit a public request for proposals or undertake similar process to find a theater operator.</p>
<p>Environmental/Sustainable Benefits: LEED Gold</p>	<p>The Project is designed to achieve LEED (2009) Gold or better.</p>
<p>Environmental/Sustainable Benefits: Solar Panels</p>	<p>The Project includes no less than 3,000 square feet of roof top solar panels.</p>
<p>Outdoor Children’s Play Area (“Play Area”)</p>	<p>The Project includes a 3,000 square foot Play Area open to general public use during daylight hours except during the hours of use by any educational/daytime care use in the Project and/or at other designated times.² To be clear, the playground will be open to the public all day 184 days a year (i.e., weekends, holidays, and summertime) and in use by the school during school hours only, on only 181 days per year.</p>

² The Applicant notes that the Play Area will be open to public use during daylight hours outside of typical school hours for the public charter school that is anticipated to occupy a portion of the ground floor of the Project. As is the case with most public schools and public charter schools in the District, the public charter school anticipated to be located in the Project currently has after care hours that extend until as late as 6:00 p.m. on weekdays. The existing playground at Amidon-Bowen Elementary School, which also has after care hours, similarly states that its facilities are open to the public only outside of school hours, which last until 6:00 p.m. on school days. See *Location and Hours*, AMIDON-BOWEN ELEMENTARY SCHOOL, <http://www.amidonbowen.org/about/location-contact/> (last visited February 17, 2019) (showing “Aftercare until 6:00 p.m.”) and William Rich, *Amidon-Bowen Opens New Doors*, HillRag.com (Sept. 5, 2012) <http://www.swtlqtc.com/2012/08/amidon-bowen-opens-new-doors.html> (“All of [Amidon-Bowen Elementary School’s outdoor recreation] areas will be open to the public outside of normal school hours.”). These policies are consistent with general DC Public Schools policies for school

Uses of Special Value to the Neighborhood: Construction Management Plan	The Applicant will comply with the terms of the Construction Management Plan included in the record of this proceeding at Exhibit 22E and has agreed to assist the Southwest Branch of the DC Public Library with wayfinding signage during construction of the Project.
Uses of Special Value to the Neighborhood: Amidon-Bowen PTA Contribution	NEW PUBLIC BENEFIT: As part of the Applicant’s discussions with the Amidon-Bowen PTA, discussed in more detail below, the Applicant has committed to providing \$75,000 to the PTA immediately upon the final effective date of the order in this proceeding (subject to the resolution of any appeals). The Applicant has also committed to limiting the enrollment of any public charter school in the Project to no more than 132 students in the aggregate in grades pre-K3 and pre-K4.

II. Discussions with the Amidon-Bowen PTA re. AppleTree Public Charter School

At the public hearing, the Commission heard testimony from members of the Amidon-Bowen Parent-Teachers Association (“PTA”) and encouraged the Applicant to engage in further discussion with the PTA in relation to the PTA’s concerns. As noted above, the Applicant has committed to providing \$75,000 to the PTA. The commitment to provide those funds runs from the issuance of the Order in the instant application (rather than from any milestone tied to construction of the Project) subject only to the resolution of any appeal of the Order. Below is a summary of the Applicant’s outreach to and interaction with the PTA:

- **January 8, 2019** – prior to the public hearing on the Project, the Applicant and the PTA met to discuss safe walking routes to Amidon-Bowen during the construction of the Project. At this meeting, the PTA raised concerns with the anticipated inclusion of AppleTree Public Charter School on the ground floor of the Project. The PTA requested a cash contribution from the Applicant for unspecified school-related resources. The Applicant requested that the PTA provide a specific list of items that the PTA had identified as priorities.
- **January 23, 2019** – at the regular January public meeting of the ANC, the PTA presented its concerns to the ANC, and the Applicant answered questions from the PTA. Immediately following the meeting, the Applicant and the PTA met to discuss the PTA’s questions and list of resource priorities.

playgrounds. *See Track, Field, Playground Usage and Access Policy*, DCPS CHANCELLOR’S DIRECTIVE 604.2 v 2.0 at 3 (Aug. 2016) <https://dcps.dc.gov/sites/default/files/dc/sites/dcps/publication/attachments/Track%20and%20Field%20Policy.pdf> (“School playgrounds will not be available when DCPS scheduled activities are using the facility during the times stated above. This includes extracurricular activities, or when entities or programs are granted access through a building use agreement or lease, as well as when the facilities are otherwise locked or closed to the public”).

- **February 4, 2019** – within two business days of the public hearing, the Applicant provided written information to the PTA regarding the maximum enrollment at AppleTree and the proposed term of AppleTree’s lease at the Project.
- **February 8, 2019** – the Applicant, PTA, and members of the ANC met in person to discuss the concerns the PTA raised at the public hearing. The PTA requested a total of \$612,000 calculated based on \$50,000 per year of the initial period of the AppleTree lease plus an incremental \$1,000 per year in interest costs. The PTA also identified a number of potential uses for the revenue. The Applicant proffered an initial amount of \$25,000 but asked that the PTA provide a “budget” for its needs so that the Applicant could identify a specific deliverable. The PTA agreed to provide the Applicant with a detailed list of resource priorities for Amidon-Bowen.
- **February 12-13, 2019** – the Applicant and PTA exchanged emails regarding the PTA’s list of priorities (which totaled in excess of \$612,000), *see* Exhibit 45, and the Applicant agreed to provide \$50,000 for 66 laptops and three computer storage carts.
- **February 25, 2019** – the Applicant and PTA again met in person to discuss a contribution to the elementary school’s technology needs. At the encouragement of the ANC, the Applicant agreed to increase its offer to \$75,000 worth of technology equipment and thereafter sent the ANC commissioner a draft proffer in that amount. The Applicant committed to the technology priority identified in the ANC’s resource needs sent to the Commission and the Applicant on February 15, 2019. *See* Exhibit 45. The PTA identified that its information technology needs were, by dollar value, the highest priority stated by the PTA in its submission to the Commission. Members of the PTA separately identified the school’s technology needs as a priority independent of the PUD process.³
- **March 7, 2019** – the PTA responded via e-mail to the Applicant’s proposal to provide \$75,000 worth of technology equipment with a revised request to spread the funds over several categories of possible uses in order to give the PTA flexibility in using the funds to meet the school’s needs as they arise.⁴ The Applicant also met with the ANC, which was instrumental in addressing the PTA’s concerns and finding a successful resolution.

³ *See, e.g.,* Grace Hu, *DCPS Laptops Are as Old as the Children Who Use Them: Time to Modernize DCPS Technology*, HILLRAG.COM (Oct. 22, 2018) <https://hillrag.com/2018/10/22/dcps-laptops-are-as-old-as-the-children-who-use-them/> and Grace Hu, *Solving DCPS’s Computer Challenges Is Not Rocket Science*, EDUCATIONDC (July 2, 2018) <https://educationdc.net/2018/07/02/solving-dcps-computer-challenges-is-not-rocket-science/>.

⁴ The Applicant may update its proffer to the PTA if it can reach an agreement with the PTA and the ANC, subject to approval from OAG, on a condition that both satisfies the Commission’s rules regarding public benefits and provides the PTA with its requested flexibility in use of the funds.

The Applicant's commitment to provide funding for computers for Amidon-Bowen is in addition to the already significant package of Project Public Benefits, which are themselves in addition to the robust package of Waterfront Station Public Benefits. Moreover, the \$75,000 contribution above is in addition to the regular contributions that P.N. Hoffman & Associates makes to the nearby Jefferson Middle School and Amidon-Bowen Elementary School for school supplies at the beginning of each school year, which contribution is typically in the amount of or in excess of \$1,000 annually (e.g., in 2016 P.N. Hoffman provided \$4,000 to Jefferson Middle School's computer program).

PTA Concerns with AppleTree's Inclusion in the Project

The PTA's concerns with the Project relate exclusively to the Project's anticipated inclusion of AppleTree Public Charter School, serving pre-K3 and pre-K4 students, within the ground floor of the Project. A summary of the PTA's concerns and the Applicant's response to such concerns is included in **Exhibit D**.

Pre-K Impacts on the Private Drive

In its testimony to the Commission, ANC 6D raised some concerns about whether the Project's potential charter school use, and in particular the after school care hours, had been fully analyzed in the Project's Comprehensive Transportation Report ("**CTR**"). As noted above, "after care" programs are a common feature of both public and charter schools in the District. Only a fraction of the AppleTree's students participate in such after school program. That is, of the 108 students enrolled at AppleTree today, only approximately 40 participate in the school's after care program, where student pickups can range from any time from 3:15 p.m. until 6:00 p.m. The Applicant's CTR conservatively assumed that, with respect to educational uses only, 33 vehicles would exit the Project during the evening peak hour (i.e., between approximately 5:00 p.m. and 6:00 p.m.). *See* Exhibit 15A at 19-20. The CTR assumes 82 total out-bound trips (including the 33 related to educational uses) and 122 total in-bound trips (29 education related) during the evening peak hour. These are conservatively high numbers to "stress test" the Project's private drive pick-up/drop-off loading plan and garage-based contingency plan.

Pre-K Impacts on the Southwest Branch of the DC Public Library

The ANC raised concerns that the inclusion of a charter school in the Project would overburden the Southwest Branch of the DC Public Library. AppleTree has reported that it does not now regularly take its students to the Public Library and has no plans to do so in the future. DCPL provided an update to its report to the Office of Planning confirming that it does not expect the Project or the inclusion of AppleTree in the Project to have any undue impact on the Southwest Branch of the DC Public Library. The Applicant anticipates that the Office of

Planning will include this confirmation from the DC Public Library in an updated report from the Office of Planning prior to March 25, 2019.

III. Design Modifications

At the public hearing on the Project, the Commission raised a few questions about the Project's design, each of which are addressed below:

A. Family-Sized and Three Bedroom Units

At the public hearing, the Commission asked about the provision of three-bedroom units within the Project. Following the hearing, the Applicant and its design team further studied the possibility of including three-bedroom units within the Project. Ultimately, this is not possible without reducing the overall number of units (and therefore reducing the absolute number of affordable units) in the Project. The number of units in the Project was established as a result of negotiations with DMPED and is consistent with the number of units approved by the Council in the legislation authorizing the disposition of the Property to the Applicant. Ultimately, the Applicant understands the Mayor's the Council's priority for this Project is to provide 136 units and not a lesser number of units, some of which have a greater number of bedrooms.

The request for a commitment to provide three-bedroom units is a proxy for provision of units that can accommodate households with children (i.e., sometimes called "family-sized" units). The Project provides for family-sized units in a couple of ways:

1. The Project, as currently designed, has 90 two-bedroom units, which can accommodate families with children.⁵ Moreover, 10 of those 90 two-bedroom units include a "den" or a separate room. Although such dens lack a third bedroom with a window sized in satisfaction of DHCD's requirements, such den can be used as a third bedroom or play room for children. Such "dens" are regularly marketed as "bedrooms" in both for sale and for rent market-rate units throughout the District. Finally, five of the ten two-bedroom plus den units are affordable.
2. The Project's two-bedroom units are also larger than typical and therefore provide additional space for families. For instance, the Project's two-bedroom units are on average 1,063 square feet. Comparable nearby new buildings have two-bedroom units averaging 861 square feet to 1,178 square feet.

⁵ Although not directly applicable to the instant application, regulations from the District Department of Housing and Community Development ("DHCD") contemplate two children sharing a bedroom in DHCD-administered affordable housing units in some circumstances. *See* 14 DCMR § 5205.3.

3. In total, approximately 30 percent of the Project's residential net square footage is dedicated to units large enough to accommodate households with children (i.e., "family-sized" apartment units with two or more rooms separate from living, kitchen, and bathroom areas).

Accordingly, the Applicant believes that the Project addresses the need for family-sized units, despite not providing any "three bedroom" units in accordance with the DHCD definition of bedrooms.

The Project's mix of units also reflects the demographics of Southwest DC, which continues to show much smaller household sizes and lower percentages of households with children relative to other parts of the District. For instance, information provided to DMPED in a report prepared in 2015 by the Urban Institute showed that there were on average 1.7 people per household in the "Waterfront" cluster of Ward 6 (i.e., the majority of Southwest) and that only 10 percent of the households in such cluster had children and only 3 percent of households (i.e., 212 of the cluster's 7074 households) have four or more people.⁶ Based on the data in that study, 11 percent of the 8,403 housing units (i.e., 924 units) in the Waterfront cluster had three or more bedrooms. That is, the Waterfront cluster has a ratio of approximately 4.4 three-bedroom or larger units for every household with four or more people.⁷ Moreover, the same report projected that one- and two-person households will account for most of the District's population growth.⁸

For reference as of 2015 (the date of the report), the Waterfront cluster contained 8,400 total housing units, and a population of just under 12,000 people. These are among the lowest averages in the District.

B. Distribution of Affordable Dwelling Units

As noted above, the Applicant has reallocated the Project's affordable units as shown on **Exhibit H**. Now only 57 percent of such units face onto the Project's courtyard to address the Commission's concerns that such units were previously distributed in such a way that a disproportionate number looked onto either the "back" of the building.

⁶ Peter Tatian, et al., *Affordable Housing Needs Assessment for the District of Columbia*, URBAN INSTITUTE at 15-16, 116 (May 2015) https://www.urban.org/sites/default/files/publication/50151/2000214-affordable-housing-needs-assessment-for-the-district-of-columbia_0.pdf. Data tables from this report is reproduced in the hard copies of this filing at **Exhibit G-1** as such tables contain the demographic information sought by some Project opponents.

⁷ *Id.* at 116 and 137.

⁸ *Id.* at 47-48 ("One- and two-person households will remain the most prevalent, with the number of people living in households with one or two people projected to grow by over 59,000 between 2010 and 2020.").

The courtyard side of the Project, though nominally the “back” is by some measures the more desirable side of the building: (a) it is south-facing, so it has better daylighting than the north side of the building, (b) it faces the Project’s courtyard, which is likely to be quieter than the east and west-facing sides of the Project, both of which sides face onto public streets, and (c) it has a “greener” view, with green roofs on all levels of the Project’s courtyard and on the roof and garage roof of the adjacent office building at 1100 4th Street.

C. Courtyard Design

In addition to the Commission’s concern that a large percentage of the Project’s affordable units faced onto the courtyard, the Commission also seemed concern with the overall design of the courtyard, suggesting that it relies on a “lessened” material and is not as well articulated as the three public-facing façades.

The courtyard is generally not visible from 4th Street, SW or any other public right-of-way. However, the courtyard brick is not a “lesser” material than the ceramic on the public-facing sides of the building. Indeed, as the Commission is well aware, the high-quality brick employed on the courtyard would be the façade material of choice in many neighborhoods in the District. The Applicant elected a larger ceramic rainscreen on the public-facing façades because that is more in character with the other modern buildings in the Waterfront Station PUD. However, the brick is entirely contextual for Southwest DC and is a high-quality exterior material.

Moreover, the courtyard is not bereft of articulation. Each of the three courtyard façades is articulated through a mix of massing changes, including bays and reveals. The courtyard views also benefit from landscaping in the courtyard and the sunnier southern exposures. These benefits balance the benefits of the north and west-facing units with balconies but also with respectively, no direct daylight or more street noise. Finally, the color of the courtyard’s brick is deliberately light in tone to reflect light and to create a brighter experience for the south-facing units. Additional views of the courtyard conveying this experience are included in **Exhibit H**.

D. Signage Heights

In response to the Commission’s questions regarding the maximum allowed height of the Project’s signage, attached as part of **Exhibit H** is an updated drawing from the Project’s signage plan showing such maximum allowable height.

E. Solar Panel Visibility

The Commission also expressed some concern that the Project’s solar panels could result in visual clutter at the roof level of the Project. The Applicant’s studies of the potential locations for solar panels suggest that none would be visible from the public right of way given the

screening and setback requirements for such panels. See **Exhibit H**. In response to the Commission’s questions regarding the viability of solar panels over green roofs, the Applicant includes as **Exhibit E** material from DOEE on this point.

F. Response to FEMS

The Applicant understands that the District’s Fire and Emergency Management Services (“**FEMS**”) intends to submit a report on the Project. The Applicant will comply with the fire code requirements applicable to the Project as raised in the FEMS report.

G. Response to the ANC

In its report to the Commission, the ANC requested additional information regarding the demand for an additional Capital Bikeshare station at Waterfront Station. The Applicant obtained usage data for the existing Waterfront Station Bikeshare station from the Capital Bikeshare program. That data shows unmet demand for a second Bikeshare station at Waterfront Station and is included here as **Exhibit F**.

Exhibits

This filing includes the following Exhibits:

- Exhibit A Summary of Waterfront Station Public Benefits
- Exhibit B Summary of Applicant’s Affiliate’s Experience with Affordable Housing
- Exhibit C Summary of Applicant’s Affiliate’s Employment/Job Training Experience
- Exhibit D Summary of Response to Concerns Raised by PTA
- Exhibit D-1 Amidon-Bowen Elementary School Profile
- Exhibit E Excerpt from “Errata for the 2013 Stormwater Management Guidebook”
- Exhibit F Capital Bikeshare Waterfront Station Demand Data
- Exhibit G Applicant’s Response to the Southwest Accountability Group’s Filing
- Exhibit G-1 Excerpt from “Affordable Housing Needs Assessment for DC”
- Exhibit G-2 Memorandum from Wiles Mensch re. Infrastructure Impacts
- Exhibit G-3 Memorandum from Gorove/Slade
- Exhibit G-4 Study of Urban Design Characteristics Surrounding the Property
- Exhibit H Revised Allocation of Affordable Dwelling Units
Additional Views of Courtyard
Study of Solar Panel Visibility
Revised Signage Plans Showing Maximum Height of Signage

Conclusion

The Applicant has satisfied the requirements for consideration of the application and respectfully requests that the Commission schedule final action on the application.

Sincerely,

/s/David M. Avitabile

/s/David A. Lewis

cc:

P.N. Hoffman & Associates, Inc., 760 Maine Street, SW, Washington, DC 20024 (3 copies via hand delivery)

Joseph Lapan, District of Columbia, Office of the Deputy Mayor for Planning and Economic Development, John A. Wilson Building, 1350 Pennsylvania Avenue, NW, Suite 317, Washington, DC 20004 (1 copy via hand delivery)

Gail Fast, 700 7th Street SW #725, Washington, DC 20024 (1 copy via hand delivery)

Anna Forgie, 28 K Street SE, #1008, Washington, DC 20003 (1 copy via hand delivery)

Ronald Collins, 301 G Street SW #609, Washington, DC 20024 (1 copy via hand delivery)

Andy Litsky, Vice Chair, 423 N Street SW, Washington, DC 20024 (1 copy via hand delivery)

Anthony Dale, 222 M Street, SW, #820, Washington, DC 20024 (1 copy via hand delivery)

Rhonda N. Hamilton, 44 O Street SW, Washington, DC 20024 (1 copy via hand delivery)

Edward Daniels, 301 Tingey Street SE, #433, Washington, DC 20003 (1 copy via hand delivery)

DC Public Library, Southwest Neighborhood Library, 900 Wesley Place SW, Washington, DC 20024 (1 copy via hand delivery)

CERTIFICATE OF SERVICE

On or before March 11, 2019, I caused a copy of the foregoing letter and enclosures to be delivered by hand or electronic mail to the following:

District of Columbia Office of Planning (*1 copy via e-mail and hand delivery*)
1100 4th Street, SW, Suite 650E
Washington, DC 20004
Attn: Jennifer Steingasser
Joel Lawson
Steve Mordfin

District Department of Transportation, Policy and Planning (*1 copy via e-mail and hand delivery*)
55 M Street, SE, 5th Floor
Washington, DC 20003
Attn: Anna Chamberlin
Aaron Zimmerman

Advisory Neighborhood Commission 6D (*1 copy via hand delivery*)
1101 4th Street SW, Suite W130
Washington, DC 20024

Tiber Islands Cooperative Homes, Inc. (*1 copy via U.S. Mail*)
429 N Street, SW
Washington, DC 20024
Attn: Paul Greenberg and Paula Van Lare

Carrollsborg Square Condo Assn. (*1 copy via U.S. Mail*)
c/o: The New Washington Land Company
1606 17th Street NW
First Floor
Washington, DC 20009

/s/ David A. Lewis