



July 8, 2024

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VIA IZIS

Anthony Hood, Chairperson
D.C. Zoning Commission
441 4th Street, NW, Suite 200S
Washington, DC 20001

**RE: ZC Case No. 03-05A
Applicant's Post-Hearing Submission**

Chairperson Hood and Honorable Members of the Commission:

On behalf of the Applicant NRP Properties, LLC (the "**Applicant**") the following constitutes a post-hearing submission to address the comments and questions from the Commission at the July 1, 2024 hearing. As set forth in the case record and during the hearing, the Applicant seeks a modification of significance to the approved planned unit development and related map amendment under case number 03-05 (the "**Approved PUD**") in order to construct a new mixed-use development (the "**Project**") on Tingley Street SE (Lot 804, Square 770) (the "**Property**").

I. Revised Public Space Plan

During the hearing, much of the discussion concerned the Project's request for flexibility from on-site loading and the Applicant's corresponding proposed public space and loading plan. As detailed in the record, the Applicant is proposing to incorporate a 48-foot loading zone and 40-foot "pick-up/drop-off" ("**PUDO**") zone on New Jersey Avenue SE and a 60-foot loading zone on Tingley Street SE. While the D.C. Department of Transportation ("**DDOT**") supports the Applicant's loading plan, Advisory Neighborhood Commission 8F (the "**ANC**") raised issues and concerns in its resolution (Ex. 26) and as further elaborated through the ANC's hearing testimony. The ANC identified issues with respect to congestion, pedestrian and bicyclist safety, and enforcement of loading and PUDO zones.

Accordingly, the Commission requested the Applicant to revise its public space and loading plan and work with the ANC to ensure its concerns are addressed. Following the hearing, the Applicant has worked to enhance the Project's public space and loading plan, as follows:

- **Moving Residential Entrance to New Jersey Avenue**

The Applicant is moving the Project's residential entrance so that it is located on the Project's New Jersey Avenue SE façade. A copy of the updated architectural plans (the "**Updated Plans**") are enclosed at **Tab A**.¹ The entrance was previously located on the Tingey Street SE façade. The Applicant will also be requesting a New Jersey Avenue SE address for the Project, once completed. A New Jersey Avenue SE residential entrance will improve access to the PUDO and loading zones on New Jersey Avenue. To demonstrate the improved access, the Applicant is enclosing a diagram showing the change in distance from the prior proposal to the updated entrance. See **Tab B**. The updated New Jersey Avenue SE residential entrance is 35 feet closer to the PUDO and loading zones than the original, Tingey Street SE entrance.

The residential entrance and Project address on New Jersey Avenue SE will funnel traffic and curbside congestion away from Tingey Street SE, which was a concern of the ANC. Tingey Street SE's current congestion is unrelated to the Project, but the Applicant is nonetheless attempting to minimize any impact the Project will have on Tingey Street SE by relocating the Project's lobby and entry location away from Tingey Street SE.

- **Loading Zone Signage, Reservation, and Increased Monitoring**

Another key concern of the ANC is ensuring the proposed loading and PUDO zones are not used for illegal parking and that they remain available for the Project's loading use. While the Applicant's loading management plan incorporates requirements for a loading coordinator and enforcement mechanisms, the ANC sought additional measures.

The Applicant will request special signage for the loading and PUDO spaces, as reflected in the updated public space diagram attached at **Tab C**. For the loading zone, the signage will expressly restrict its use to 30-minute loading for commercial vehicles for 24 hours a day and 7 days a week. The signage will state that a permit or payment is required to use the loading area. For the PUDO space, the signage will expressly state that the area is only for pick-up/drop-off, no parking is permitted, and that all unattended vehicles will be ticketed and towed. As with all public space elements, DDOT must approve the proposed signage during the public space review process. Nonetheless, the signage is consistent with DDOT standards for similar loading and PUDO zone signage in the city and the Applicant agrees to request approval of signage consistent with Tab B.

Additionally, the Applicant will pursue and seek DDOT's approval to 1) reserve the loading and PUDO zone on New Jersey Avenue SE to be solely used by the Project and 2) incorporate video cameras in public space to help monitor the loading and PUDO zones. If approved during the public space process, the reserved loading and PUDO zones will ensure that they are used by only the Project and its residents. The cameras would be accessible by building management and would expedite the identification and reporting of illegal parking. As with signage, the reserved loading and PUDO zones and the installation of video cameras in public space is subject to DDOT approval.

¹ The Updated Plans only incorporate sheets that are impacted by the revised entrance and other minor design changes noted in Section II.

- **Improved Conflict Zones for Bicycle Lane**

The ANC identified safety challenges where a bicycle lane is located between a loading/parking area and the sidewalk. The Applicant is proposing such a condition on New Jersey Avenue SE, where the bicycle lane would be moved between the loading and PUDO zones and the sidewalk to preserve existing bicycle connectivity and provide a hardened buffer between vehicular movement and the bicycle lane. *See **Tab C***. To address these concerns, the Applicant is proposing to install dashed green conflict striping, flexiposts, and caution signage along the bike lane to alert bicyclists of pedestrian conflicts and vice versa. Pedestrians will be encouraged to cross the bike lane at discrete locations where the east-west hardscaping will be enhanced along the pedestrian desire lines leading from the PUDO lane and directly to the relocated lobby entrance.

The Applicant looks forward to presenting the revised public space and loading plan to the ANC and will update the Commission on those discussions at the July 25th hearing.

II. Architectural Plan Updates

In addition to the revised building entrance, the Updated Plans incorporate minor updates to the prior plan set. First, the Updated Plans include additional details for the “Juliet” balconies. *See **Tab A***, Sheet A.55. The changes are limited to revised details with no changes to the number of balconies. Second, the Updated Plans include a reference to a proposed mural that would be located on the western and northern façades. *See **Tab A***, Sheets A.20A and A.23A.

III. Office of Planning Conditions

As part of the Office of Planning (“OP”) Hearing Report (Ex. 23), OP requested two conditions of approval, as follows:

- The Applicant shall comply with conditions set forth in the Transportation and Loading Management Plan as approved by DDOT;² and
- Design flexibility requested for the number of units be amended to plus/minus 5%, and amended to not allow a reduction in proffered three bedroom units.

During the July 1st hearing, the Applicant agreed to the conditions set forth in the OP Hearing Report. For completeness of the case record, the Applicant is memorializing its consent to the conditions herein. The conditions will be reflected in the Applicant’s proffers and conditions and draft order.

IV. Enterprise Green Communities Plus Scorecard

As part of the OP Hearing Report (Ex. 23), the D.C. Department of Energy and Environment requested the Applicant to submit in the record the Enterprise Green Communities Plus scorecard for the Project. Accordingly, the Applicant is enclosing the scorecard at **Tab D**.

² DDOT’s report requests the same condition – that the Applicant incorporate the proposed transportation demand management plan and loading management plan as conditions of approval.

V. Expert Resume

The Applicant is enclosing the resume of Sean Pichon from Michael Graves Architecture at **Tab E**. During the July 1st hearing, the Commission qualified Mr. Pichon as an expert in architecture.

VI. Conclusion

The Applicant thanks the Commission for its consideration of this filing and looks forward to the public hearing on July 25, 2024.

Sincerely,
COZEN O'CONNOR



Meridith Moldenhauer



Eric J. DeBear

Certificate of Service

I HEREBY CERTIFY that on this 8th day of July, 2024, a copy of this Post Hearing Submission with attachments was served, via email, on the following:

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