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VIA IZIS & HAND DELIVERY

Zoning Commission for the
District of Columbia
Office of Zoning
441 4th Street, N.W., Suite 210S
Washington, D.C. 20001

Re: Z.C. Case No. 06-04C (Florida & Q Street, LLC – Modification to PUD @ Square 3100)

Dear Members of the Zoning Commission:

Florida & Q Street, LLC (the "Applicant") hereby submits the attached prehearing submission materials in support of its application to the District of Columbia Zoning Commission (the "Commission") for approval of modifications to an approved Planned Unit Development ("PUD") and zoning map amendment for Lot 48 in Square 3100 (the "Subject Property").

The Commission approved a PUD and rezoning of the Subject Property from the C-2-A District to the C-2-B District pursuant to Order No. 06-04, as extended pursuant to Order Nos. 06-04A and 06-04B. The approved PUD includes approximately 85,428 square feet of gross floor area. Approximately 81,428 square feet of gross floor area was devoted to residential use, providing between 65 and 85 dwelling units, and approximately 4,970 square feet of floor area was devoted to retail use, with a portion of the retail use in the cellar. The approved PUD had a maximum density of 4.5 FAR and a maximum building height of 86 feet (not including roof structures). The approved project included 84 parking spaces located on two levels of underground parking accessed from a curb cut on Florida Avenue.

The Applicant is seeking Commission approval of modifications to the approved plans. Specifically, the Applicant requests approval to reduce the building's maximum height from 86 feet to 72 feet, 4½ inches (not including roof structures); provide approximately 85,428 square feet of gross floor area; provide between 85 and 95 dwelling units and approximately 4,998 square feet of floor area devoted to retail use in the cellar, with the option to convert this space to residential use if it cannot be leased for retail uses; provide 41 parking spaces located on one level of underground parking accessed from Florida Avenue; and to make minor refinements to the exterior facades of the building. The overall density of the modified project is 4.5 FAR, which is consistent with the approved PUD. In all respects other than height, the design of the building will be substantially consistent with the prior approval and the conditions set forth in Order No. 06-04.

ZONING COMMISSION
District of Columbia
CASE NO.06-04C
EXHIBIT NO.14

The Office of Planning report, dated June 28, 2013, recommended that the Commission schedule a public hearing on the application, and the Commission voted at its public meeting on July 8, 2013 to set the application down for a public hearing. During the public meeting, the Commission requested that the Applicant provide: (1) more information regarding the relationship between the approved garage entrance and any proposed DDOT improvements near the intersection of North Capitol Street, Q Street, and Florida Avenue; (2) confirmation that the project will comply with the Inclusionary Zoning ("IZ") requirements; and (3) clarification of which amenities will be reprogrammed due to the closure or termination of operations of a number of the approved amenity recipients.

With respect to the DDOT and transportation issues, the Applicant and development team met with DDOT on June 12, 2013, to discuss the proposed PUD modifications, as well as public space issues. The Applicant continues to work with DDOT on these issues, and anticipates having prior to the public hearing more information regarding how any proposed District-initiated public space improvements or modifications will relate to the location of the approved garage entrance.

As the Commission found when initially approving the development (See Z.C. Order No. 06-04, Finding of Fact 26(f)), the development of housing on the Subject Property is a benefit and amenity pursuant to Section 2403.9(f) of the Zoning Regulations. The Applicant is also committed to providing new housing on the Subject Property, and is also committed to complying with the IZ requirements. As shown on Sheet A1.6 of the modified Architectural Plans & Elevations included with the application materials filed on May 31, 2013, the Applicant is dedicating 8% of the residential gross floor area to IZ units, and Sheet A1.6 identifies the location of the IZ units. There will be an approximately 18% increase in the square foot of residential gross floor area devoted to IZ units under the proposed development when compared to a matter-of-right project under the existing C-2-A zoning.

Subsequent to PUD's initial approval, Shaed Elementary School, J.F. Cook Elementary School, and the North Capitol Street BID Incubation Fund have either been closed or are no longer operational. The approved amenities package included \$1,000 to Shaed Elementary School; \$6,600 to J.F. Cook Elementary School, and \$35,000 to the North Capitol Street BID Incubation Fund development (See Z.C. Order No. 06-04, Finding of Fact 26(g)). Since these amenity recipients are no longer operational, the Applicant will work with ANC 5E and the Ward 5 Councilmember to reallocate the \$42,600.00 originally designated for these closed or otherwise nonoperational entities to the other exiting schools or organizations, while maintaining the aggregate amount of the contributions at \$109,600.00. The Applicant anticipates having the updated list amenity recipients finalized prior to the public hearing on this application.

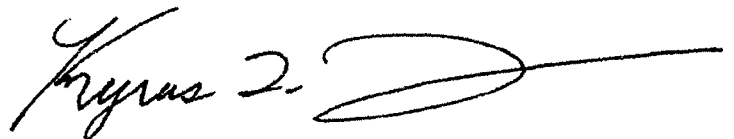
The following attached documents provide the applicable information required pursuant to Section 3013 of the Zoning Regulations:

1. A check in the amount of \$1,300.00 made payable to the D.C. Treasurer for the required hearing fee;

2. A completed Form 116 - Hearing Fee Calculator (Exhibit A);
3. A list of witnesses prepared to testify on behalf of the Applicant (Sec. 3013.1(b)) and an estimate of time required for presentation of the Applicant's case (Sec. 3013.1(g)) (Exhibit B);
4. A summary of testimony of witnesses or reports and area of expertise (Sec. 3013.1(c)) (Exhibit C);
5. A list of maps, plans or other documents readily available (Sec. 3013.1(f)) (Exhibit D);
6. A list of the names and addresses of the owners of all property located within two hundred feet of the site (Section 3013.6) (Exhibit E); and
7. Certification of Compliance With Section 3013 of the Zoning Regulations (Exhibit F).

For all of the reasons stated in the Applicant's modification request and supporting documents filed with the Commission on May 31, 2013, the Applicant respectfully requests that the Commission schedule a public hearing on this application and grant the requested modifications as expeditiously as possible.

Respectfully submitted:



By: _____

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cc: Advisory Neighborhood Commission 5E (via U.S. Mail)
Karen Thomas, D.C. Office of Planning (via hand delivery)