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April 6, 2007

D.C. Zoning Commission
441 4th Street, N.W.
Suite 210
Washington, D.C. 20001

ZONING COMMISSION
District of Columbia
CASE NO. 06-45
EXHIBIT NO. 31

RE: Zoning Commission Case No 06-45
Highlands Addition PUD
Supplemental Pre-Hearing Submission

At its January 8th setdown meeting on this application, the Zoning Commission requested additional information with respect to several aspects of the project. The applicant hereby transmits its responses to those questions in addition to a complete set of updated plans. The most significant changes to the plans are outlined herein, together with comments on additional details in the plans and the application generally.

1. **Site Plan.** The street and alley configuration has been refined to create a more typical block section.

- Several alley segments have been realigned so as to mitigate sloping conditions. This change is beneficial to the relationship between the homes and the site, to water flow, as well as to vehicular safety.

- The intersection of Condon Terrace and 8th Street has been reconfigured to mitigate a relatively steep slope condition. Now the extension of Condon Terrace ties into the existing 8th Street configuration.

- All street and alley alignments have been fully coordinated with the D.C. Department of Transportation.

- Retaining walls have been reduced in height and extent. This has been accomplished by breaking the walls into smaller sections and reducing the length of higher walls. The design team also adjusted unit types so as to reduce retaining wall heights.

  +Retaining walls on site are divided into three types appropriate to their location and purpose:

  -Retaining Walls – composed of a dry stack block with a metal guardrail on top. These larger walls will be structurally designed and detailed to ensure proper execution and stability.

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-Garden Walls – composed of brick to match adjoining retaining walls. These nonstructural walls occur along some sidewalks in the building fronts. The walls will match the similar conditions existing adjacent to the site to provide a smoother transition to the new development.

-Brick Screening Walls – composed of brick to match the adjoining home. The screening walls will help block the view into alleyways from major streets and neighborhood intersections.

- The adjustments to street and alley alignment and siting of houses have successfully enlarged typical lot sizes and have improved, more "livable" rear yard dimensions.

- Buildings 1, 2 and 3 have been reconfigured to create a more consistent street wall.

- The small green spaces at the intersection of 8th Street and Condon Terrace will be part of the right-of-way and controlled by the D.C. Department of Transportation.

2. **Project Data.** As a result of the revisions to the project plans, the key physical features of the project are as summarized below:

- 1.10 Aggregate FAR
- 53.3'Maximum Height as measured from the curb to the top of roof
- 138 dwelling units, including 30 affordable units (under 60% AMI), or 22% of units
- Building types include:

Single-Family Detached Dwelling	1
Semi-Detached Dwelling/Duplex	24 (12 pairs)
Rowhouse	95
Stacked Units/Triplex	18 (6 buildings)
Total	138

- Breakdown by # bedrooms

Building Type/Number	**Tenure**
26 two bedroom units	Rental
4 three bedroom units	Rental
70 three bedroom units	Sale
38 four bedroom units	Sale

- 32% Aggregate Lot Occupancy
- Parking - 138 spaces required, 188 off-street spaces provided, plus 121 curbside spaces.

3. **Exterior Materials.** The team has carefully reviewed the utilization of brick and Cementitious Fiber Board siding in the exterior design. Approximately fifty percent of the rental building facades (duplexes and stacked units) are now brick, and the other fifty percent are Cementitious Fiber Board siding, similar to the market rate units. The facades visible from streets now have substantially more brick than in the original application.

4. **Elevation Graphics.** In response to Commissioners' comments from the set-down meeting, the architects have developed a diagram showing the locations of brick and Cementitious Fiber Board Siding, including each of the 19 elevation options. The diagram focuses on the front façade ratios as seen from the street, showing the appropriate material on all four building facades.

This submission includes more rendered street elevations to give a realistic representation of what the neighborhood will look like. Also, rather than showing a civil site section, the architects have generated detailed block sections which showing the relationship between the grade and the architecture. The submission also includes a color palette for the exterior materials with samples and photos of similar Torti Gallas and Partners projects.

5. **Multiple Buildings on a Lot.** The applicant has decided not to subdivide the lots between all of the rental buildings. Thus, there will be multiple buildings on a lot, which requires a special exception under § 2516 "Exceptions to Building Lot Control (Residence Districts)." The applicant requests that this special exception be included in the application and approved. The affected properties are buildings numbered 1-3, 17, 18-21 and 32-34. The rationale is that all of the rental units will be owned by the affordable housing partnership and, as a result, there is no particular need for separate lots of record. All of the home ownership units will be on separate, fee-simple lots.

6. **Fencing.** Fencing will be provided to establish property delineation between the homes and as a deterrent to prevent non-residents from walking between the buildings. The developer will construct the fence along side property lines to a minimum depth of 10 feet from the rear wall of the building. The proposed fence is a black, powder-coated metal fence 36 inches high, that has the appearance of wrought iron. This same style will also be used as the guardrails atop retaining walls over 30" in height. If property owners wish to add additional fencing along the side and rear property lines, we assume the PUD order will require the same fencing to the used.

7. **Trash Collection.** Because public streets and alleys will serve these dwelling units and because all buildings have three or fewer units, public trash collection will be provided. The applicant has confirmed with the Department of Public Works that collection will be from the alley except in those few locations without alleys.

8. **Storm Water Control.** The plans submitted with this transmittal include a storm water draining plan clearly showing that water will not drain directly into Oxen Run Park. The following description of the plan is more detailed than the applicant's

original submission and hopefully addresses the Zoning Commission's concerns in this area.

Storm Water Retention System. The PUD site poses a design challenge due to its existing steep grades and existing public streets that act as control for proposed grading. The site lies within the area that has separate storm and sanitary sewer system. Thus, the site development plans do not require storm water management quantity control per the District Department of the Environment, Watershed Protection Division design criteria, whereas quality control for all impervious areas has to be addressed on-site.

The applicant's design proposes to address the water quality control aspect of this project by utilizing quality control catch basins for treating runoffs from all public streets and use drywells to treat runoff generated from impervious areas on private lots. In developing this approach, the applicant's engineers worked closely with the Watershed Protection Division of the District Department of the Environment and the D.C. Water and Sewer Authority ("WASA").

Drywell is an environmentally friendly underground crushed-stone reservoir system which safely collects storm runoff and allows it to slowly seep back into the ground. The individual drywells will be below grade and covered with topsoil and green lawn surfacing. In order to maximize the green space on-site, we will utilize a 12-inch-square grate opening on top of the drywell to receive surface runoff from contributing drainage areas. We have investigated utilizing large central quality control facilities, but due to steep slopes on this site, large central facilities pose a potential flooding problem for downstream property owners in case of a failure. Central facilities also come with additional problems regarding maintenance and required cross-drainage easements from individual property owners. Thus, in order to provide a superior and environmentally favorable system and, at the same time, avoid the maintenance and easements issues, we, in consultation with Watershed Protection Division, are proposing to address the storm water quality control requirement by utilizing drywells on individual lots.

9. First Source and LSDBE Agreements.

The applicant and the D.C. Department of Employment Services have already entered into a First Source Employment Agreement with respect to the entire Highlands Addition PUD site. The First Source Employment Agreement was executed and became effective on January 10, 2007. The applicant has completed and submitted all filings required for the D.C. Office of Local Business Development to execute its Memorandum of Understanding with respect to our LSDBE goals and requirements.

10. Final Traffic Analysis. Wells & Associates, LLC has prepared an updated and final traffic analysis based on the current plans. The report, together with comments from DDOT and responses thereto, is attached. The 156 pages of analysis tables are not attached but can be submitted to the record if the Zoning Commission wishes to see them.

Respectfully submitted,
ARNOLD & PORTER LLP

Nathan W. Gross, AICP

Cynthia A. Giordano

Enclosures

Cc: Advisory Neighborhood Commission 8E
Office of Planning

WELLS & ASSOCIATES, LLC
TRAFFIC, TRANSPORTATION, and PARKING CONSULTANTS

TO: CEMI-NMI Highlands LLC

FROM: Michael J. Workosky
Anushree Jain
Wells & Associates, LLC

DATE: March 30, 2007

SUBJECT: Updated Traffic Study
Highland Dwellings Development;
Washington, DC

Introduction

This document presents an updated traffic study for the Highland Dwellings Development. The site is located in the 8th Ward section of Southeast Washington, and is bounded on the north and east by Valley Avenue and on the south and west by 9th Street, S.E.,and is proposed to be developed with a total of 138 residential townhouses.

The updated analyses are based on updated site plans for the project, comments provided by the District Department of Transportation (DDOT), dated February 9, 2007, and the original traffic impact study submitted to DDOT dated August 10, 2006. A copy of the DDOT comment letter is included in Appendix A.

It is noted that the development program for the project has been slightly reduced (from 142 units to 138 units) from the original traffic study. This modification and current site layout for the project are reflected in the attached analyses.

The following summarizes the comments and responses regarding the traffic study. For reviewing purposes, all revised tables and figures are included in the attached appendices.

Summary of Comments and Responses

Comment 1. The timing and phasing data in the existing synchro files do not match the data in the field. The consultant should request for the latest signal timing info from DDOT and utilize it to model the existing condition accordingly.

Response 1. The intersection capacity analyses have been updated to reflect the signal timings provided by DDOT and are provided in the attached appendices. The following summarizes results for existing, background and total future conditions, and indicate that the revised analyses are consistent with the previously submitted traffic report.

Existing Conditions

The capacity analyses for existing traffic conditions indicate the following:

a. The four signalized intersections in the study area on 4th Street and Wheeler Road currently operate at overall acceptable levels of service (LOS "D" or better) during both the AM and PM peak hours.

b. All of the individual approaches at each of the signalized intersections currently operate at acceptable levels during both the morning and evening peak hours, with the exception of the northbound approach on 4th Street at the 4th Street/Atlantic Street intersection, which operates at LOS "E" during the AM peak hour and at LOS "F" during the PM peak hour.

c. All approaches at the unsignalized intersections operate at LOS "D" or better during both the AM and PM peak hours.

Background Conditions

The intersection capacity analyses for background traffic conditions, without redevelopment of the site, indicate that all of the study intersections would continue to operate levels of service similar to those experienced under existing conditions.

As identified in the previous traffic study, minor modifications to the existing traffic signal timings at the 4th Street/Atlantic Street intersection would allow all approaches to operate at acceptable levels of service during both the AM and PM peak hours.

Total Future Conditions

The intersection capacity analyses for total future conditions indicate that the new trips generated by the proposed project would have minimal impact on the intersections in the study area. All of the signalized and unsignalized intersections would continue to operate at acceptable levels of service during the morning and evening peak hours, assuming the signal timing modifications required under background conditions are implemented at the 4th Street/Atlantic Street intersection.

The roadway network modifications associated with the project that include the extension of Foxhall Place and Condon Terrace to 9th Street and a new roadway (Rolark Place), between 8th Street and 9th Street would adequately serve traffic generated by the site, and complete a system of connected streets within the residential area that will improve mobility for residents.

Comment 2. The number of vehicles generated by the site (49 veh-trips in the AM and 57 veh-trips in the PM) seems very low for 142 units.

Response 2. The analyses have been undated to reflect changes in the development program from the original study that include a reduction of four (4) townhouses, from 142 to 138.

The number of new vehicle trips expected to be generated by the project was determined based on standard Institute of Transportation Engineers (ITE) trip generation rates with appropriate adjustments for the proximity of the project to the Congress Heights Metro station and other transit use.

The census journey-to-work information indicates that the prevailing mode share in this area is 27 percent. Thus, this was reflected in the trip generation calculations for the project. Given the proximity and access to public transportation in this area, we feel that these estimates are appropriate for use in the study. Further, if transit were not assumed, approximately 20 additional peak hour vehicles would be added to the road network. This minor increase would not significantly impact the results of the traffic study.

Comment 3. Page 12 of the study indicates that Parkside Terrace which is located in the southeast quadrant of the Valley Avenue and 9th Street intersection. Currently this location has a high rise apartment building with a driveway access to 9th Street. Weather this driveway remains the same or relocated, we would like Condon Terrace to join it.

Response 3. Through discussions with DDOT it has been determined that alignment of Parkside Terrace driveway with Condon Terrace is not required.

Comment 4. Please consider the line of sight at the curb cut areas. This has not been mentioned in the study.

Response 4. This information will be provided by Lciderman Soltesz Associates. The plans indicate that sufficient line of sight has been provided at the curb cut areas.

Comment 5. We have not seen the 1"=20' scale drawings. Please submit full size copies to us ASAP.

Response 5. This information will be provided by Lciderman Soltesz Associates.

Questions regarding this document should be directed to Wells & Associates.

Appendix A

Copy of DDOT Comment Letter

GOVERNMENT OF THE DISTRICT OF COLUMBIA
District Department of Transportation

Traffic Services Administration
Office of the Associate Director

MEMORANDUM

TO: Ali Shakeri
Program Manager, Team 4
Infrastructure Project Management Administration

FROM: Asnake Negussie
Electrical Group Manager, Team 4
Traffic Services Administration

DATE: **February 9, 2007**

SUBJECT: **Review of Highland Dwellings Development (Traffic Impact Study)**

We have reviewed the Final Submission design plans for the Highland Dwellings Development traffic impact study at the intersection of 9th Street and Valley Avenue S.E.

Please indicate the resolution to these comments in your next submittal. Any questions regarding specific comments should be directed to me.

Listed below are TSA's comments pertaining to the subject project.

I. TRAFFIC IMPACT STUDY	Resolution
1. The timing and phasing data in the existing synchro files do not match the data in the field. The consultant should request for the latest signal timing info from DDOT and utilize it to model the existing condition accordingly.	
2. The number of vehicles generated by the site (49 veh-trips in the AM and 57 veh-trips in the PM) seems very low for 142 units.	
3. Page 12 of the study indicates that Parkside Terrace which is located in the southeast quadrant of the Valley Avenue and 9th Street intersection. Currently this location has a high rise apartment building with a driveway access to 9th Street. Weather this driveway remains the same or relocated, we would like Condon Terrace to join it.	
4. Please consider the line of sight at the curb cut areas. This has not been mentioned in the study.	
5. We have not seen the 1"=20' scale drawings. Please submit full size copies to us ASAP.	