

**BEFORE THE
ZONING COMMISSION
FOR THE DISTRICT OF COLUMBIA**

PREHEARING SUBMISSION

**Second-Stage PUD @ Square 5784, Lots 899, 900, and 1101
Reunion Square Office Building (“Building 4”)
Four Points, LLC**

Z.C. CASE NO. 08-07C

May 16, 2018

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CERTIFICATION OF COMPLIANCE
WITH SUBTITLE Z § 401 OF THE ZONING REGULATIONS

The undersigned hereby certifies that, in accordance with Subtitle Z § 401 of the Zoning Regulations, ten (10) copies of the architectural drawings and two (2) copies of all of the other information listed below were filed with the Zoning Commission on May 16, 2018, and in accordance with Subtitle Z § 401.5, the application shall not be modified less than twenty (20) days prior to the public hearing.

<u>Subtitle Z Subsection</u>	<u>Description</u>	<u>Page/Exhibit</u>
401.1(a)	Information requested by the Zoning Commission and the Office of Planning	Pages herein
401.1(b)	List of witnesses prepared to testify on the Applicant's behalf	Exhibit A
401.1(c)	Summary of witnesses' testimony and expert witnesses' resumes	Exhibit B
401.1(d)	Additional information introduced by the Applicant	Pages herein
401.1(e)	Reduced plan sheets	Exhibit C
401.1(f)	List of maps, plans, or other documents readily available that may be offered into evidence	Exhibit D
401.1(g)	Estimated time required for presentation of Applicant's case	Exhibit A
401.3(a)	Names and addresses of owners of all property within 200 feet of the Site	Exhibit E
401.8	Report by Traffic Consultant	To be submitted no later than 30 days prior to the hearing

By: 
Jessica R. Bloomfield

LIST OF EXHIBITS

<u>Exhibit</u>	<u>Description</u>
A	List of Witnesses
B	Summary of Witness Testimony and Resumes of Expert Witnesses
C	Architectural Drawings
D	List of Maps, Plans and Documents
E	200-foot Property Owner List

I. INTRODUCTION

This prehearing statement and accompanying documents are submitted by Four Points, LLC (the “Applicant”) in support of its application to the Zoning Commission for the District of Columbia (the “Zoning Commission”) for a Second-Stage planned unit development (“PUD”) to develop an office building with ground floor retail (“Building 4”) on property located at Square 5784, Lots 899, 900, and 1101 (the “Site”), in accordance with the Zoning Commission’s First-Stage PUD approval in Z.C. Order No. 08-07. Pursuant to Subtitle A §§ 102.1 and 102.3(a) of the 2016 Zoning Regulations (“11 DCMR”), the Second-Stage PUD has vested development rights under the 1958 Zoning Regulations because the proposed architectural drawings for Building 4 are consistent with the unexpired First-Stage PUD that was approved prior to the effective date of the 2016 Zoning Regulations. However, the application will follow the procedural requirements of Subtitle X, Chapter 3 and Subtitle Z of the 2016 Zoning Regulations.

As described in the application statement (Exhibit 3), pursuant to Z.C. Order No. 08-07, dated September 9, 2013, and effective on October 25, 2013, the Zoning Commission approved a First-Stage PUD and a related Zoning Map amendment from the C-2-A and C-M-1 Districts to the C-3-A District for Square 5772, Lots 827, 829, 831, 880, 984, 1017, and 1019; Square 5783, Lots 829 and 1018; Square 5784, Lots 898, 899, and 900; and Square 5785, Lots 839 and 906 (collectively, the “PUD Site”).¹

The subject application is for a Second-Stage PUD for Building 4 within the PUD Site and consistent with the architectural drawings approved for Building 4 in Z.C. Order No. 08-07. The Applicant proposes to develop Building 4 with approximately 287,866 square feet of total gross

¹ Under the 2016 Zoning Regulations, which repealed and replaced the 1958 Zoning Regulations on September 6, 2016, the C-2-A District was re-designated to the MU-4 District, the C-M-1 District was re-designated to the PDR-1 District, and the C-3-A District was re-designated to the MU-7 District.

floor area devoted to office and retail use. Building 4 will be developed to a maximum height of 90 feet, will contain 324 zoning-compliant parking spaces, and up to 136 tandem parking spaces. A detailed description of the proposed architectural program and design for Building 4 is included in the application statement (Exhibit 3).

By report dated May 4, 2018, the Office of Planning (“OP”) recommended setdown of the application, and at its public meeting of May 14, 2018, the Zoning Commission voted to schedule the case for a public hearing. Both OP and the Zoning Commission requested that the Applicant submit additional information, which is provided herein. This Prehearing Submission also meets the filing requirements under Subtitle Z § 401, and accordingly the Applicant requests that the Zoning Commission schedule a public hearing for consideration of this application.

II. COMMENTS/QUESTIONS RAISED BY THE ZONING COMMISSION

At its public meeting of May 14, 2018, the Zoning Commission voted to schedule a public hearing on the application, with certain questions and requests. A chart indicating the Applicant’s response to the Zoning Commission’s comments on the application follows.

Comments from the Zoning Commission	Applicant’s Response
Confirm the flexibility requested regarding the selection of building materials.	<p>The Applicant proposes to limit the flexibility granted regarding the type of building materials through the following language, which has recently been approved by the Zoning Commission for other Second-Stage PUDs (<i>see</i> Z.C. Order No. 11-03J).</p> <p>“To vary the final selection of exterior building materials within the color ranges of the material types shown at Sheets ___ of the Architectural Drawings (Ex. ___) based on availability at the time of construction. Any such variations shall not reduce the overall quality of materials, nor substantially change the exterior appearance, proportions, or general design intent of the building.”</p>

<p>Confirm whether the proposed penthouse complies with the penthouse regulations of the 1958 Zoning Regulations, and if it does not, request relief as necessary.</p>	<p>Pursuant to Section 2405.1 of the 1958 Zoning Regulations, the maximum permitted penthouse height for a PUD in the C-3-A District is 20 feet in one story plus a mezzanine, with a second story permitted for penthouse mechanical space. The proposed penthouse has two heights in two stories: 15 feet for the communal recreation space and 20 feet for the mechanical space, as measured from the top of the structural roof slab. The penthouse is setback a minimum of 1:1 from all exterior walls. Therefore, relief from the penthouse requirements of the 1958 Zoning Regulations is not required.</p>
<p>Confirm whether the proposed penthouse triggers a contribution requirement to the affordable housing trust fund.</p>	<p>The proposed penthouse triggers the contribution requirements set forth in Section 414 of the 1958 Zoning Regulations. Pursuant to the provisions of Sections 414.13 through 414.16, the estimated calculation for the required contribution is as follows:</p> <ul style="list-style-type: none"> - Estimated Assessed Value 2019 (land only): \$2,118,410.00² - (\$2,118,410.00 assessed value) / (64,783 land area) = \$32.70 - (\$32.70) / (4.44 FAR maximum proposed) = \$7.36 - (\$7.36) x (14,373 sf penthouse habitable space) = \$105,785.28 - (\$105,785.28) / 2 = \$52,892.64 total estimated contribution <p>The actual amount of the contribution will be calculated based on the square footages once the PUD plans are approved, and will be submitted to DCRA no earlier than 30 days prior to the date of the building permit application to construct the penthouse habitable space, as required by 11 DCMR § 414.14.</p>
<p>Submit additional drawings showing how the proposed building interacts with the adjacent residential row houses.</p>	<p>The Applicant is preparing additional images of the project and context and will submit these additional images no later than 20 days prior to the public hearing.</p>

² The assessed value will be obtained from OTR records no earlier than 30 days prior to the public permit application.

III. COMMENTS/QUESTIONS RAISED BY THE OFFICE OF PLANNING

The following chart indicates the Applicant’s response to the comments raised in the OP setdown report.

Comments from the Office of Planning	Applicant’s Response
Provide a Transportation Study including TDM measures, with guidance for the study outline to be provided by DDOT.	The Applicant will submit a transportation study to DDOT no later than 45 days prior to the public hearing and to the Zoning Commission no later than 30 days prior to the public hearing.
In consultation with DDOT, provide short term bicycle spaces.	The Applicant is committed to providing short-term bicycle parking spaces in public space adjacent to the Site, with the exact number and location to be confirmed with DDOT prior to the public hearing.
Provide details of the coordinated use of the loading area by the retail and office uses, a clear path of how goods would travel to and from the loading area, and details of how to prevent deliveries being done from W Street and Shannon Place.	<p>The Applicant will work with DDOT to prepare (i) a Loading Management Plan that coordinates the use of the loading facilities between the retail and office users; and (ii) a Curbside Management Plan that governs the use of W Street and Shannon Place for loading and unloading activities.</p> <p>Attached hereto as Sheets SUP A-3 through SUP A-5 of the Architectural Drawings (<u>Exhibit C</u>) is a plan showing a clear path of how goods will travel between the loading dock and the office and retail areas.</p>
Provide a Construction Management Plan as required by the First Stage approval.	The Applicant is in the process of drafting a Construction Management Plan for Building 4 and will submit a copy of the final version of the Construction Management Plan no less than 20 days prior to the public hearing.
Provide a full elevation of the southern façade and how it interacts with the rowhouses.	Attached hereto as Sheet A-36 of the Architectural Drawings (<u>Exhibit C</u>) is a copy of Building 4’s south elevation that was submitted with the architectural drawings on March 9, 2018 (Exhibit 3F). As noted above, the Applicant is preparing additional images of the project and context and will submit these additional images no later than 20 days prior to the public hearing.

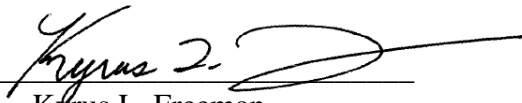
<p>Provide general theme and standards for the ground floor retail signage.</p>	<p>Attached hereto as Sheets SUP A1-A2 of the Architectural Drawings (<u>Exhibit C</u>) is a proposed ground floor retail signage plan for Building 4.</p>
<p>Work with the Department of Energy and the Environment to maximize the environmental benefits that can be provided on the site to benefit the operation of the building, the employee, visitors to the site and to a greater extent the surrounding community.</p>	<p>The Applicant met with DOEE on May 15, 2018, to discuss the project. The Applicant will provide an update regarding any specific recommendations issued by DOEE prior to the public hearing.</p>
<p>Justify the lack of First Source and CBE information which was proffered at Stage I.</p>	<p>Prior to the issuance of a Certificate of Occupancy for Building 4, the Applicant shall demonstrate to the Zoning Administrator that it has executed and submitted a First Source Employment Agreement to DOES, consistent with the First Source Employment Agreement Act of 1984 and the form of agreement utilized at the time the PUD received first-stage approval in 2008, and a Certified Business Enterprise Agreement applicable to Building 4 or the overall development including Building 4, as approved/executed by the Department of Small and Local Business Development.</p>
<p>Provide an update on the creation of the Business Improvement District (BID) as proffered at First Stage.</p>	<p>The Anacostia BID was established in 2012 as a resource to support a thriving, clean and safe commercial district. The Anacostia BID supplements existing District government services and programs, enhances street cleaning, sponsors special events, and advocates on behalf of stakeholders. The BID's goal is simple: to maintain a thriving, safe, clean, and vibrant commercial and arts district. The BID is comprised of thirty square blocks in the southeast quadrant of Washington, DC. The Anacostia BID is a registered 501 (c)(3) nonprofit organization, and the BID's website can be found at: https://anacostiabid.org/.</p>
<p>Provide materials samples.</p>	<p>The Applicant will bring samples of all proposed materials to the public hearing.</p>
<p>Provide additional details regarding the landscaping and streetscape treatment of the public space.</p>	<p>Attached hereto as Sheet SUP L-6 of the Architectural Drawings (<u>Exhibit C</u>) are precedent images showing proposed landscape features for the streetscape and courtyard.</p>

IV. CONCLUSION

This Prehearing Submission, along with the original application, meet the filing requirements for a Second-Stage PUD, as required by Subtitle X, Chapter 3 and Subtitle Z of the 2016 Zoning Regulations. For the foregoing reasons, the Applicant respectfully requests that the Zoning Commission schedule a hearing on the application.

Respectfully submitted,

HOLLAND & KNIGHT LLP

By: 

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