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March 17, 2016

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BY HAND DELIVERY

District of Columbia Zoning Commission
441 4th Street, NW
Second Floor
Washington, DC 20001

Re: Zoning Commission Application No. 08-30B
Applicant's Post Hearing Materials

Dear Members of the Zoning Commission:

West Half II Residential, L.L.C. and West Half III Residential, L.L.C. (collectively, the "Applicant") submit the following information and attached materials in response to comments and questions received from the Commission in the course of the public hearing held on February 25, 2016. Included with this submission as Exhibit A is a booklet of drawings dated March 17, 2016. These drawings reflect refinements to the design made as a result of comments raised at the hearing. Given the limited nature of these changes, the Applicant requests that this booklet of drawings supplement its earlier-filed comprehensive set, dated February 5, 2016, and included as Exhibit 21B in the hearing record.

The changes made to the drawings are summarized on Sheet A001 in the enclosed booklet and include the following:

- *New* **Sheet A050**: diagram demonstrating that the closed court is an irregularly shaped court and variance relief is not required
- *Revised* **Sheet A313**: plan more clearly identifying the mezzanine areas and confirming that these areas comprise not more than 1/3 of the gross floor area of the floor below (shown on revised Sheet A312)
- *Revised* **Sheets A309-A312, A403, A501-A502, A504**, identifying in plan, elevation and section compliance with the 1:1 penthouse setback requirement, including more detailed sections at the penthouse level as requested by the Commission
- *Revised* **Sheet A108, LEED Scorecard,** reflecting increased commitment identifying 56 affirmative points
- *New* **Sheets A414 and A415,** perspective renderings along Half Street, NE, showing retail interaction at ground level per an earlier Office of Planning request and shown at the public hearing
- *Revised* **Sheet A302**, plan showing the area of within the second floor where the Applicant has requested flexibility to provide either retail, residential or office uses, totaling approximately 10,500 square feet

Penthouse Revisions

Given the concerns noted by the Commission regarding the proposed setback of the penthouse along the pedestrian "Via" as well as regarding the trellis element serving as a measuring point for the penthouse setback along the court fronting on Van Street, the Applicant has extensively revisited the design and location of the penthouse, as reflected in the revised plans. To that end, the Applicant is pleased to advise that it has pulled back the penthouse from the Via frontage to allow for a compliant 1:1 setback ratio (as opposed to the earlier-proposed 1/2 :1 ratio along this frontage). Likewise, through additional cantilevering and building extension, the Applicant has succeeded in slightly expanding the footprints of the 10th and 11th levels such that the penthouse now sets back at a 1:1 ratio from building edge rather than trellis. For these reasons, the Applicant no longer requests the relief raised at the public hearing to provide penthouses not meeting the required setback along the Via. The Applicant continues to request appropriate relief to allow penthouse enclosing walls of unequal height, as shown in detail on **Sheet A504**.

Affordable Housing/Inclusionary Zoning

The Commission has requested additional information from the Applicant regarding its affordable housing commitment for the residential portion of the project. To that end, the Applicant confirms that there will be two dedicated affordable components: one generated by the penthouse habitable space provided, and one relating to the amount of residential use added to the approved project as part of this proposed modification.

With regard to the penthouse affordable, the Applicant currently proposes to provide a total of approximately 24,779 square feet of penthouse habitable space, excluding space dedicated to communal areas. This amount of habitable space would generate an affordable housing requirement under the Inclusionary Zoning (IZ) provisions of Chapter 26 of the Zoning Regulations in the amount of approximately 1,982 square feet, utilizing the 8 percent requirement established in section 2603, all of which will be restricted to low-income households, defined in the Zoning Regulations as households not exceeding 50% of the annual median income the Metropolitan Washington, DC, statistical area according to the US Department of Housing and Urban Development (HUD) (Metro AMI). Given that the project as modified contains a mixture of for-sale and rental dwelling units, the Applicant anticipates that it will provide a mixture of for-sale and rental IZ units. The Applicant expects that this set aside will result in approximately 3 units of affordable housing, all of which will be provided within the building.

In addition to this IZ square footage generated by the penthouse habitable space, the Applicant proposes to provide a significant amount of affordable housing, also within the building, and relating directly to the increase in overall residential use provided within the project as part of the proposed modification. The approved project contained 288,242 square feet of residential uses, none of which was subject to the IZ set aside as it was approved prior to the implementation of the IZ program. By contrast, the modified project offers approximately 362,855 square feet of residential use, not including the above- referenced 24,779 square feet of penthouse habitable space currently contemplated, representing an increase of approximately 74,613 square feet of residential. The Applicant is committing to subject this increased amount of residential use to the IZ set aside requirements of sections 2603.2 and 2603.4 of the IZ regulations, namely, 8 percent of the gross floor area of residential use provided within the building, which would result in approximately 5,970 square feet, or roughly 7 to 8 additional dedicated affordable housing within the building, all of which to be set aside for eligible moderate-income households not exceeding 80 percent Metro AMI. As above, the Applicant anticipates that these units would be provided as a mixture of rental and for-sale affordable units

The Applicant fully appreciates the Zoning Commission's emphasis on maximizing affordable housing in the District of Columbia and request that the Applicant study the feasibility of further lowering the threshold income level for these set aside units. The Applicant is an affiliate entity of the JBG Companies, which has undertaken many successful residential projects in the region and has demonstrated a strong commitment to affordable housing. By recent count, JBG entities have constructed or are in process of constructing more than 4,600 residential units in the metropolitan area in the past several years, including more than 2,500 in the District of Columbia. Included among these units are approximately 500 income-restricted affordable dwelling overall. By way of contrast with a PUD, the CG overlay design and project review under Chapter 16 does not provide any additional height or density, as was understood when the Applicant acquired this site and proceeded with project development. In looking forward to continuing its long term presence in the District of Columbia and working with the Zoning Commmission, Board of Zoning Adjustment, Office of Planning and other agencies, the Applicant believes that predictability in process is important to everyone. In that regard, the Applicant has presented what it believes is a truly exemplary design, has met the criteria set forth in the Chapter 16 of the Regulations and has done so while providing a significant and meaningful affordable housing component. As a result, we hope the Commission will agree and act favorably on this application.

Sustainability and Revised LEED Scorecard

Finally, with regard to questions raised by the Commission regarding sustainability, the Applicant has thoroughly reviewed its design and construction program in an effort to maximize its LEED certification rating. While the Applicant remains unable to achieve formal LEED Gold certification, it has significantly increased its proposed scoring, from 51 points to 56 points and continues to explore further increases. As addressed during the public hearing, there are certain elements of the innovative architectural design that are not appropriately recognized in the LEED scoring system, and others, such as extensive terracing and building landscaping, do not currently yield LEED scoring. The project architects provide a more extensive discussion of this issue, at Exhibit B.

Thank you for your consideration of these additional materials in advance of the April 11 public meeting.

Respectfully submitted,

HOLLAND & KNIGHT LLP

Dennis R. Hughes

Enclosure

cc: Advisory Neighborhood Commission 6D
DC Office of Planning