

Holland & Knight

800 17th Street, NW, Suite 1100 | Washington, DC 20006 | T 202.955.3000 | F 202.955.5564
Holland & Knight LLP | www.hklaw.com

July 16, 2015

VIA IZIS AND HAND DELIVERY

Zoning Commission
of the District of Columbia
441 4th Street, N.W., Suite 210
Washington, DC 20001

Re: Zoning Commission Case No. 14-19 – 300 M Street, N.E.
Applicant's Post-Hearing Submission Materials

Dear Members of the Commission:

On behalf of M Street Development Group, LLC and Square 772 Development Group, LLC, (the “Applicant”), we hereby submit the following information requested by the Commission at the July 9, 2015, public hearing on this matter:

1. Revised Architectural Drawings

As indicated on Sheets A30 and A31 of the Revised Architectural Plans and Elevations (the “Revised Drawings”) attached hereto as Exhibit A, the Applicant has revised the proposed roof structures such that the raised pool deck on the 12th level of the building and the northernmost roof structure on the 9th level of the building are both set back 1:1 from all exterior walls. Sheets A50 and A51 of the Revised Drawings also illustrate the approximate locations of the photovoltaic (“PV”) panels, which will achieve 1% renewable energy for the building (see Section 3 below). The PV panels will be placed above the green roof at the southeast corner of the 9th level of the building and on top of the 9th level penthouse, and will also be located above the green roof at the southeast corner of the 12th level of the building and on top of the southern penthouse on the 12th level. All PVs will be placed to achieve a 1:1 setback from exterior walls.

In addition, as shown on Sheet A52 of the Revised Drawings, the Applicant has provided an elevation of the north end penthouse wall facing 4th Street, N.E.

2. Revised Public Benefits and Project Amenities

As requested by the Commission, the Applicant has continued to work with Advisory Neighborhood Commission (“ANC”) 6C on the PUD’s public benefits and project amenities. The Applicant has agreed to increase the financial contribution to Two Rivers Public Charter School to \$20,000 for the relocation of concrete benches and sidewalk repair. The Applicant has also agreed to increase the financial contribution to Planned Parenthood of Metropolitan Washington to \$10,000 for the purpose of purchasing furniture and equipment for the organization’s community room. In addition, the Applicant will donate \$25,000 to Playable Art DC, a play and place-making initiative that brings innovative art-based play spaces to neighborhoods with underserved park space in the District through a design competition. Playable Art DC promotes the use of art as a means of creating new types of play spaces in areas that are constrained by space, topography, or other barriers like busy streets. Playable Art DC also seeks to engage the whole community in play as a way to promote fitness and exercise and create community landmarks and neighborhood gathering spots. The \$25,000 contribution will be made to a new Playable Arts DC site at one of the following locations: 1200 block of 4th Street, N.E.; the corner of N Street and Florida Avenue, N.E.; or along the Metropolitan Branch Trail between M Street and L Street.

3. Continued Work with the District Department of the Environment (“DDOE”)

Following the public hearing, the Applicant communicated with representatives of the District Department of the Environment (“DDOE”) to discuss the sustainability components and environmental proffers for the proposed PUD. Based on these conversations, the Applicant has committed to achieving LEED Gold for the PUD (see Sheet A53 of the revised Drawings), and will either (i) incorporate renewable energy for a minimum of 1% of the building’s predicted energy use following the LEED v2009 EAc2: On-Site Renewable Energy credit calculation methodology; or (ii) demonstrate a minimum 26% savings relative to the appropriate baseline for the project as defined by ASHRAE 90.1-2007 Appendix G - Performance Rating Method and following the LEED v2009 EAp2: Minimum Energy Performance calculation methodology. As indicated above, the approximate locations and number of the PV panels to achieve renewable energy for 1% of the building’s energy use are shown on Sheets A50 and A51 of the Revised Drawings.

4. Location, Mix, and Subsidy of Inclusionary Zoning Units

As requested by the Commission at the public hearing, the Applicant has increased its affordable housing proffer. As shown on the IZ Calculation Chart, attached hereto as Exhibit B, the Applicant will develop a total of approximately 405,898 square feet of gross floor area for new housing. Of the housing, a minimum of 8% (approximately 32,680 square feet of gross floor area and 35 units) will be devoted to IZ units. Of that 8%, approximately 26,993 square feet of gross floor area (28 units) will be devoted to households earning up to 80% of the AMI, and approximately 5,687 square feet of gross floor area (7 units) will be devoted to households earning up to 50% of the AMI. The IZ units will maintain affordability in accordance with all applicable requirements of Chapter 26 of the Zoning Regulations.

5. Flexibility for Exterior Building Materials

The Commission requested that the Applicant clarify the requested flexibility regarding the exterior materials of the proposed building. The Applicant's revised flexibility request is as follows:

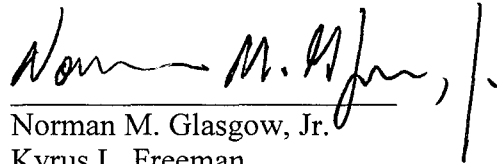
"To vary the final selection of the exterior materials within the color ranges and material types as proposed, based on availability at the time of construction without reducing the quality of the materials; and to make minor refinements to exterior details, including window frames, doorways, railings, and trim; and other changes to comply with applicable District of Columbia laws and regulations that are necessary to obtain a final building permit."

6. Draft Findings of Fact and Conclusions of Law

Attached hereto as Exhibit C is the Applicant's Draft Findings of Fact and Conclusions of Law, as requested by the Commission at the public hearing.

Thank you for your considerate attention to these matters.

Sincerely,



Norman M. Glasgow, Jr.
Kyrus L. Freeman
Jessica R. Bloomfield
800 17th Street, N.W. #1100
Washington, DC 20006
(202) 955-3000

Attachments

cc: Advisory Neighborhood Commission 6C (with enclosures, Via U.S. Mail)
Tony Goodman, Single Member District 6C06 (with enclosures, Via U.S. Mail)
Jennifer Steingasser, D.C. Office of Planning (with enclosures, Via Hand)
Stephen Cochran, D.C. Office of Planning (with enclosures, Via Hand)
Anna Chamberlin, District Department of Transportation (with enclosures, Via Hand)
Jay Wilson, District Department of the Environment (with enclosures, Via Hand)