

February 1, 2016

VIA ELECTRONIC FILING

Anthony J. Hood, Chairman
Zoning Commission for the District of Columbia
441 Fourth Street, NW, Suite 210S
Washington, DC 20001

**Re: Zoning Commission Case No. 15-05:
Consolidated PUD and Related Zoning Map Amendment for
Riverside Baptist Church (Square 472, Lot 127)
Applicant's Submission Regarding Public Benefits and Proffers**

Dear Chairman Hood and Members of the Commission:

Pursuant to Section 2403.20 of the Zoning Regulations, this letter contains revisions to the proposed conditions for the above-captioned case in response to comments from the Office of the Attorney General and the Office of Planning. Based on these comments, Project Development Condition #5 has been added, and Public Benefits Condition #3(c) has been modified. All other conditions remain as proposed in the Applicant's January 18, 2016 letter.

<u>Proffer</u>	<u>Proposed Condition</u>
<u>Exemplary Urban Design, Architecture, and Open Spaces</u> , through the use of high-quality materials, pedestrian-oriented streetscape improvements, including water walls that will function as public art, clear separation of pedestrian and vehicular entrances and circulation patterns, and sustainable features.	<u>Project Development</u> 1. This project shall be developed in accordance with the plans marked as Exhibit 26, Tab A and Exhibit 40, Tab A of the Record, as modified by guidelines, conditions, and standards herein (collectively, the "Plans"). 2. The Property shall be rezoned from R-
<u>Site Planning and Efficient Land Utilization</u> , through the redevelopment of a strategic	

underutilized site located along a key gateway into the Southwest neighborhood. <u>Uses of Special Value: Retention of Riverside Baptist Church</u>	5-B to C-3-A. Pursuant to 11 DCMR § 3028.9, the change of zoning shall be effective upon the recordation of the covenant discussed in Condition No. D.1. 3. The Project shall include a mixed-use building containing approximately 167 residential units; a place of worship and related accessory uses; approximately 6,900 to 9,100 square feet for a ground-floor neighborhood-serving retail or service use, daycare, or clinic; and a parking garage containing approximately 169 parking spaces, as shown on the Plans. 4. The Applicant shall be permitted to construct the Project to a maximum density of 4.57 FAR, and shall have flexibility from the rear yard, courts, parking, and loading requirements of the Zoning Regulations as shown on the approved plans. 5. <u>The Project shall include the water walls that function as public art depicted on page 67 of Exhibit 26, Tab A of the Record; provided, the Applicant shall have flexibility to cease operation of the water component seasonally and as needed for regular maintenance.</u>
<u>Environmental Benefits</u>, including a commitment to achieve LEED Gold certification under the LEED 2009 rating system for the residential component of the Project.	<u>Public Benefits</u> 1. <u>LEED Gold</u>. Prior to the issuance of a certificate of occupancy for the Project, the Applicant shall provide the Zoning

	Administrator with evidence that the residential portion of the Project is on track to secure Gold certification or higher from the U.S. Green Building Council under the LEED-2009 rating system. Within 12 months after the issuance of the certificate of occupancy for the Project, the Applicant shall submit evidence that it has secured such Gold certification.
<u>Housing and Affordable Housing</u> , through the creation of approximately 167 residential units, including approximately 6,004 square feet of gross floor area (or approximately 8 units) set aside for households earning up to 50% of the area median income and approximately 8,635 square feet of gross floor area (or approximately 12 units) set aside for households earning up to 80% of the area median income. Exhibit 2, Exhibit 26, Exhibit 40. This represents a significant increase in amount and depth of affordable housing over both a matter-of-right project in the underlying R-5-B zone (6,483 square feet of affordable housing, with 3,232 square feet at 50% AMI and 3,241 square feet at 80% AMI) and over the base requirements of the C-3-A zone sought through the PUD (11,516 square feet at 80% AMI).	2. <u>Affordable Housing</u> . For so long as the project exists, the Applicant shall set aside a minimum of 6,004 square feet of gross floor area for households earning up to 50% AMI. This amount represents the sum of (a) 4% of the residential gross floor area of the Project and (b) 8% of the floor area of habitable residential units within the penthouse of the Project. In addition, the Applicant shall set aside a minimum of 8,635 square feet of gross floor area for households earning up to 80% AMI. This amount represents 6% of the residential gross floor area of the project.
<u>Uses of Special Value: Daycare Subsidy</u> , through a \$25,000 subsidy to help attract a daycare to the Project.	3. <u>Ground-Floor Community-Serving Retail Use</u> . a. For the life of the Project, the

	Applicant shall set aside approximately 6,900 to 9,100 square feet of the ground floor of the Project for neighborhood-serving retail and service, daycare, or clinic use. b. Prior to the issuance of a certificate of occupancy for the Project, the Applicant shall demonstrate that it has either (1) provided a \$25,000 subsidy to help attract a daycare to the ground-floor space or (2) provided an alternative community benefit of the same value to be identified by ANC 6D. c. For the life of the Project, the Applicant shall develop and implement a plan to mitigate light and noise impacts from the ground-floor tenant's use of the outdoor area of the rear of the Project; specifically, the Applicant shall ensure that light is directed away from surrounding properties and that noise from the ground-floor tenant use is managed to comply with District of Columbia noise regulations.
<u>Effective and Safe Vehicular and Pedestrian Access and Transportation Demand Management Measures</u>, through: i. TDM plan as set forth in the Applicant's prehearing submission and updated at the public hearing to include the items	4. <u>Public Space Improvements.</u> a. Prior to the issuance of a certificate of occupancy for the Project, the Applicant shall demonstrate that it has constructed the intersection reconfiguration and landscape public space improvements at 7th

requested by DDOT. Exhibits 26, 30. ii. Agreement to restrict residents and tenants of the Project from participating in the residential parking permit (“RPP”) program. Exhibits 26, 40. iii. Approximately 64 bicycle parking spaces and a bicycle repair facility within the garage and an additional 20 parking spaces at ground level as shown on the approved plans. iv. Transportation and streetscape infrastructure improvements, including: 1. Reconfiguration of the 7th and I Street intersection to significantly enhance the multi-modal accessibility and increase pedestrian safety of the intersection. 2. Creation of a landscaped public space at the new intersection. 3. Relocation of the curb lane on 7th Street to widen the sidewalk and planting zone. 4. Landscaping of the 20-foot wide publicly-owned strip of land parallel to Maine Avenue.	and I Streets SW as shown on the Plans, including any signal modification required to the intersection’s traffic signal. The final design of such improvements shall be subject to the approval of DDOT. b. Prior to the issuance of a certificate of occupancy for the Project, the Applicant shall demonstrate that it has constructed the streetscape improvements along the perimeter of the Project as shown on the Plans. The final design of such improvements shall be subject to the approval of DDOT. <u>Mitigation Measures:</u> 1. <u>Church Parking.</u> For the life of the Project, the Applicant shall ensure that at least 35 vehicular parking spaces are made available to the Church on Sunday mornings. 2. <u>Residential Permit Parking.</u> For the life of the Project, the Applicant shall prohibit tenants and residents of the Project from participating in the District’s Residential Parking Permit (“RPP”) program through a lease provision or similar mechanism. 3. <u>Bicycle Parking.</u> For the life of the Project, the Applicant shall provide a minimum of 64 bicycle parking spaces and an on-site bicycle repair facility within the building and a minimum of
---	---

	20 bicycle parking spaces on racks outside the building. The final number and location of improvements in public space shall be subject to the discretion of DDOT. 4. <u>Transportation Demand Management Plan</u>. For the life of the Project, the Applicant shall provide the following transportation demand management (“TDM”) measures: a. Unbundle the cost of residential parking from the cost of lease or purchase, and set parking rates at no less than the rate of the lowest fee garage within 1/4 mile of the Project. b. Identify one or more TDM leaders at the residential building to work with building residents to distribute and market various transportation alternatives. c. Dedicate two parking spaces for car sharing services within the Project, if requested for use by a carsharing service, with such spaces available to members of the carsharing service 24 hours a day, 7 days a week; d. Dedicate one parking space within the Project for an electric vehicle charging station; e. Provide each new household
--	---

	with an option to select either a one-year membership in Capital Bikeshare or a one-time membership fee subsidy to a carsharing program, up to a maximum of \$20,000 expended on such memberships for the life of the Project; and f. Provide one or more electronic message boards in the residential building lobby that provide real-time transit information.
--	---

Conclusion

The Applicant looks forward to the Commission's action on this matter. If you have any questions, please contact David Avitabile at 202-721-1137.

Respectfully submitted,

_____/s/
David M. Avitabile

cc: Bao Vuong
Pastor Michael Bledsoe

CERTIFICATE OF SERVICE

On February 1, 2016, I caused a copy of the foregoing letter and enclosure to be delivered by electronic mail to the following:

Steve Cochran
D.C. Office of Planning
1100 4th Street, SW, Suite E650
Washington, DC 20024

Ryan Westrom
Policy and Planning
District Department of Transportation
55 M Street SE, 5th Floor
Washington, DC 20009

ANC 6D
1101 4th Street SW, Suite W130
Washington, DC 20024

Josh Hurwitz
President, Town House Management One, Inc.
610 H Street SW
Washington, DC 20024

Jacob Ritting
D.C. Office of the Attorney General
[by email]

_____/s/____

David Avitabile

g