

April 29, 2016

VIA HAND DELIVERY

Chairman Hood  
D.C. Zoning Commission  
441 4<sup>th</sup> Street, NW  
Suite 210-S  
Washington, DC 20001

Re: Case No. 15-16: Supplemental Submission

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Dear Chairman Hood and Members of the Commission:

In preparation for the public hearing on May 19, 2016, the Applicant submits its final revisions to the proposed project, including a final set of plans, refined benefits and amenities package and information on its community outreach.

I. **Plans**

Attached as Exhibit E is a complete set of plans for the PUD. The primary modifications since the last submission are:

- **Curb cut:** The Applicant has consolidated the curb cut north of Block 3 with the curb cut serving the Edgewood Commons community to the north. This consolidation of curb cuts eliminates potential conflicts between traffic entering and exiting Edgewood Commons and the traffic entering and exiting the PUD site. The proposed curb cut also aligns with Channing Street on the west side of 4<sup>th</sup> Street, which further reduces the potential for pedestrian/vehicular conflict and is desirable as it further establishes the street grid. Another benefit from consolidating the curb cuts is that the level of traffic that is anticipated to use the curb cut will warrant a traffic signal, which has been desperately sought by the Edgewood Commons community. The Applicant has discussed the consolidation of the curb cuts with the Community Preservation and Development Corporation (“CPDC”), the owner of Edgewood Commons, and they have indicated their support for the proposal.
- **Connections:** Pursuant to a request from both CPDC and the Single Member District representative for ANC 5E02, the Applicant is including a gate on the two stair connections between the PUD site and Edgewood Commons. The Applicant did not propose a gate on the stairs as it wanted the connection to be open and fully

accessible; however, CPDC and SMD 5E02 voiced security concerns with people using the connections to access the Edgewood Commons community late at night and asked the Applicant to incorporate a gate. Accordingly, the Applicant is proposing a gate on both stair connections. The gate hours will coordinate with the arrival of the first train and departure of the last train at the Metro station: the gates will be closed between 1:00 am and 4:30 am Monday through Friday and between 3:00 am and 6:30 am Saturday and Sunday. Signage will be provided to notify pedestrians and bikers of the stair hours.

Unrelated to the provision of a gate, the Applicant has refined its design for the stairs, which can be seen on Sheets L1.15-L1.17. The Applicant heard numerous comments from the community regarding the need to make the connection between the properties accessible for the seniors living in Edgewood Commons. The existing grade creates significant challenges for making the connection between properties ADA-compliant. A ramp would have to be over 500 feet long in order to accommodate the grade required to make it ADA-compliant; the ramp would essentially run the distance between the connection and 4<sup>th</sup> Street, which undermines the purpose of the connection. Instead, the Applicant has enhanced the connections for those with limited mobility by providing landings and seating to allow people to rest. It also incorporates solid-backed 6.5 inch risers and 11 foot tread, making the stairs easier to traverse for those with limited mobility. Finally, for those who simply cannot use stairs, the Applicant has arranged for transportation to drive them down to the site once a week, as detailed in the benefits and amenities outlined below.

- Security: While a significant number in the community support the movie theater in Block 2, some have voiced concern that it will attract crime. In an effort to address any security concerns regarding the movie theater, the Applicant has developed a strong security plan that will benefit the entire PUD site, as well as the surrounding community. The security plan includes security cameras and enhanced lighting along the Metropolitan Branch Trail (“MBT”), the connections between Edgewood Commons, open spaces and between buildings. It also incorporates a security callbox along the MBT and a 24-hour patrol around the site. Finally, the Applicant is reserving at least 500 square feet on the first floor of Building 1A for the Metropolitan Police Department (“MPD”). The MPD is excited to use the space for its officers serving the area. A copy of the Security Plan is attached as Exhibit A.
- Temporary Retail: In order to create additional interest along the eastern edge of the site, the Applicant is proposing temporary retail kiosks on its property between the plaza area and the Metropolitan Branch Trail. The kiosks will be no greater than 500 square feet each and will not have a permanent connection to the ground. The kiosks may rotate from time to time but will feature food, drinks, retail goods or services, depending on demand.

## II. Community Outreach

The Applicant has spent the last two years meeting with the community regarding this project. In total, it has had 50 meetings with representatives of the community, including presentations before the ANC, SMD 5E02, SMD 5E10, Edgewood Commons “Network Night”, Edgewood Civic Association, Brentwood Civic Association and the Eckington Civic Association. The Applicant first met with the ANC well before filing the application for this project. It has since returned to the ANC and has reached out to the commissioners to continue its dialogue as it continues through this process. The Applicant has met with Commissioner Williams nine times since her swearing-in as ANC Commissioner SMD 5E02 in March 2016, including four public presentations to her Single Member District. The Applicant developed its benefits and amenities package with input from Commissioner Williams.

As noted previously, the Applicant is utilizing the PUD process to gain additional height on-site. The PUD process affords a maximum height of 90 feet in the C-3-A Zone District, compared with the 65 feet permitted as a matter-of-right. The Applicant is neither proposing to rezone the property nor is it gaining additional density from this process. In fact, this project proposes 672,610 square feet less density than what is permitted as a matter-of-right. The Applicant also is not proposing any uses in this project that are not otherwise permitted as a matter-of-right.<sup>1</sup>

In exchange for twenty-five feet of height, the Applicant is proposing the following benefits and amenities package:

- A. Connections: Two pedestrian staircases, with accompanying bicycle trough, will be provided between the PUD site and Edgewood Commons. As noted above, the connections will integrate features such as benches and solid-backed 6.5 inch risers and 11 foot treads to accommodate those with limited mobility. The eastern staircase will include a bike trough so that cyclists can use it to access the Metropolitan Branch Trail (“MBT”). The eastern connection will be provided during the construction of Phase I. The western connection will be provided during construction of Block 2. **(\$75,000)**
- B. Artwork: The Applicant will retain, restore or replace in-kind the mural wall along the rear of the property. The Applicant will work with Peter Krsko, the original artist, to recreate the mural through the Open Walls DC Program. Similar to the painting of the

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<sup>1</sup> The newly adopted Zoning Regulations provide for a voluntary design review process in Subtitle X, Chapter 6, which allows Applicants to seek additional height so long as the project does not require additional density in excess of what is permitted as a matter-of-right. This process is separate and distinct from the PUD process and does not require the proffering of a benefits and amenities package. This process was not available to the Applicant at the time it filed its application but would otherwise be an appropriate avenue for realizing the proposed project.

original mural, its recreation will involve the work of District of Columbia students. The timeframe for completion of this work will be finalized during the Stage 2 application for Block 2. **(\$100,000)**

C. Artwork: The Applicant will retain, restore or replace in-kind the mosaic on 4<sup>th</sup> Street exterior wall of Forman Mills. This work will be completed in connection with the construction of Block 3 and the timing will be further refined during the Stage 2 PUD process. **(\$50,000)**

D. Artwork: The Applicant will preserve and relocate existing sculptures along the MBT. This work will be completed prior to the issuance of a certificate of occupancy for Building 1A.

E. Affordable housing: 8% of residential square footage will be reserved as affordable housing. 25% of the affordable units will be reserved for households with an income no greater than 50% AMI; the remainder will be reserved for households with an income no greater than 80% AMI. The units reserved for 50% AMI units will have a higher concentration of two bedroom units. **(\$3,788,682)**

Phase 1A Residential Unit Type	Residential GFA / Percentage of Total	Units	Income Type	Affordable Control Period	Affordable Unit Type	Notes
Total	185,252 sf/100%			Life of project	TBD	NA
Market Rate	170,432 sf/92%		Market	Life of project	TBD	NA
IZ	11,115 sf/6%		80% AMI	Life of project	TBD	NA
IZ	3,705 sf/2%		50% AMI	Life of project	TBD	
Affordable/Non IZ	NA	NA	NA	NA	NA	NA
Phase 1B Residential Unit Type	Residential GFA / Percentage of Total	Units	Income Type	Affordable Control Period	Affordable Unit Type*	Notes
Total	122,572 sf/100%			Life of project	TBD	NA
Market Rate	112,766 sf/92%		Market	Life of project	TBD	NA
IZ	7,355 sf/6%		80% AMI	Life of project	TBD	NA
IZ	2,451 sf/2%		50% AMI	Life of project	TBD	NA
Affordable/Non IZ	NA	NA	NA	NA	NA	NA

Phase 5B Residential Unit Type	Residential GFA / Percentage of Total	Units	Income Type	Affordable Control Period	Affordable Unit Type*	Notes
Total	99,093sf/100%			Life of project	TBD	NA
Market Rate	91,166 sf/92%		Market	Life of project	TBD	NA
IZ	5,946 sf/6%		80% AMI	Life of project	TBD	NA
IZ	1,982 sf/2%		50% AMI	Life of project	TBD	NA
Affordable/Non IZ	NA	NA	NA	NA	NA	NA

- F. MBT Improvements: The Applicant will improve the MBT including realignment, signage, wayfinding, landscaping, and lighting. The Applicant is working with the District Department of Transportation to finalize a maintenance agreement for these improvements. These improvements will be completed prior to issuance of a certificate of occupancy for Building 1A. **(\$500,000)**
- G. Security: The Applicant will purchase and install an emergency call box along the trail. This will be completed prior to issuance of a certificate of occupancy for Building 1A. **(\$15,000)**
- H. Security: The Applicant will implement a security plan to include enhanced lighting, provision of cameras and a 24-hour patrol. The Applicant will also reserve up to 500 square feet in Building 1A for use by MPD as they see fit. **(up to \$300,000 a year for implementation of Security Plan; \$21,000 in lost revenues for MPD space)**
- I. Traffic signal: The Applicant will reconfigure the traffic signal at Bryant Street and 4<sup>th</sup> Street. The timeline for this work will be determined during the Stage 2 application for Block 3. **(\$150,000)**
- J. Traffic signal: The Applicant will reconfigure the entrance of Edgewood Commons and install a traffic signal to align with Channing Street NE. The timeline for this work will be determined during the Stage 2 application for Block 3. **(\$600,000)**
- K. Bikeshare: The Applicant will purchase, install and fund the operation and maintenance of a Capital Bikeshare station along the MBT for a period of one year. The timeframe for this work will be finalized during the Stage 2 application for Block 3. **(\$80,000)**
- L. Transportation package: The Applicant will provide the following transportation package for the first residents to move into each residential unit. The transportation package will include:
  - a. Smartrip card, Zip Car membership or Bikeshare membership for 2 years **(\$500,000)**
  - b. Transit screen in the residential lobbies of all residential buildings **(\$40,000)**

- c. **Bike room in each residential building that will include tools for bicycle repairs. (\$80,000)**
  
- M. **Transportation**: The Applicant will partner with Seabury Transportation for Seniors and the District Department on Aging to provide services once a week to transport seniors at Edgewood Commons to the PUD site or elsewhere, depending on the seniors' request. These services will be provided once a week for five years, beginning upon issuance of a building permit for Building 1A and at the request of Edgewood Commons. **(\$30,000/year for 5 years)**
  
- N. **Public spaces**: The project improves over 157,600 square feet of space for public use:
  - a. 44,200 square feet of green space **(\$100,000)**
  - b. 12,650 square feet of public plaza space **(\$1,250,000)**
  - c. 88,600 square feet of internal roadways open to the public **(\$1,400,000)**
  - d. 12,300 square feet of bike trails from MBT to 4<sup>th</sup> Street **(\$300,000)**
  
- A. **Employment Program**: The Applicant will partner with the D.C. Workforce Investment Council to create and fund an employment program. This partnership will be established prior to issuance of a building permit for Building 1A. **(\$200,000)**
  
- B. **Local Businesses**: The Applicant will partner with Bald Cypress, a Ward 5 company, to publicize opportunities to engage small and local businesses in this project. This partnership will be established prior to issuance of a building permit for Building 1A. **(\$10,000)**
  
- C. **Construction plan**: The Applicant will pursue construction methods that minimize impact on the MBT and the Metro pedestrian bridge. A copy of the proposed plan is attached as Exhibit B.
  
- D. At the request of the SMD, the Applicant will provide the following monetary contributions prior to issuance of a certificate of occupancy for Building 5B:
  - a. Edgewood Adult Reading Program: **\$5,000**
  - b. Beacon House: **\$10,000**
  - c. Community Preservation and Development Corporation Food Pantry Program: **\$15,000**
  - d. McKinley Technology Education Campus to restart the school's greenhouse program: **\$10,000**
  - e. Edgewood Recreation Summer Camp support: **\$10,000**
  
- E. **Beautification of 4<sup>th</sup> Street**: The Applicant will assist in beautifying 4<sup>th</sup> Street between Rhode Island Avenue and Channing Street, by providing tree boxes and Edgewood lamp

post banners. The timeline for this work will be refined during the Stage 2 application for Building 4. (**up to \$50,000**)

- F. Business Improvement District: The Applicant will help fund an analysis of the feasibility of a Rhode Island Avenue BID. This payment will be made prior to issuance of a certificate of occupancy for Building 1A. (**\$5,000**)
- G. Holiday Market: The Applicant contributed \$7,800 to the Procrastinator's Holiday Market 2015, which took place on December 19, 2015 on the PUD Site and featured 30 local vendors. The Market was a coordinated effort with Rhode Island Avenue Main Street.

**Total valuation of benefits and amenities package: \$14,851,480**

### III. Flexibility

- *Use*: The Applicant is requesting flexibility to provide retail uses in Block 1a along its eastern facade, facing the MBT. Given the isolation of the eastern frontage, retail may not be feasible immediately. The Applicant would like the flexibility to dedicate this space for residential use and allow a conversion to retail use, when feasible. More specifically, the Applicant seeks this flexibility to convert approximately 13,000 square feet in Block 1a from residential to retail.

Related to the provision of retail uses, the Applicant seeks flexibility for the height of the retail space for Blocks 1a, 1b, and 5b. Depending on the retailers ultimately secured, additional floor-to-ceiling height may be required. Accordingly, the Applicant seeks flexibility to adjust the height of the retail level so long as the maximum building height does not exceed 90 feet.

The Applicant also seeks flexibility to convert one floor of Block 5b from residential use to office use, if market demand allows. Block 5b is located along Rhode Island Avenue and provides an opportunity to provide creative office/incubator space in a location where office use does not currently exist. Again, market demands may not allow this use immediately, however, the Applicant seeks flexibility to convert approximately 23,250 square feet of residential space to commercial office use (the second floor of the building) if and when market conditions allow.

The Applicant seeks flexibility to provide an additional level of parking for Blocks 1a, 1b and 5b; these numbers are included in the parking space ranges provided on Sheet 0.10.

The Applicant also requests flexibility to provide interim uses on-site before construction of the later phases begins. This will help generate interest in the site and will activate the site prior to the application for a Stage 2 application. Otherwise, the

property will sit dormant and will not contribute to either the community or the success of the project. The parking and loading spaces provided for Blocks 1a and 1b will also serve the temporary uses.

- **Loading:** The Applicant requests relief from the loading requirements for each development block. Each block, with the exception of Block 2b, requires 1-55 foot berth for the residential use, whereas the Applicant is proposing a 40 foot berth, which will be shared with the retail uses. The specific breakdown of the loading requirement and what is being provided is detailed on Sheet 0.10. In sum, 24 loading berths are required for this site (11@55' and 13@30'); the Applicant is providing 12 loading berths (3@55' and 9 @ 40').
- **Section 2516:** The Applicant is proposing nine buildings on a single record lot, which is permitted pursuant to Section 2516. The Applicant requires flexibility from Section 2516.5(b), which requires front yards for each principal building and 2516.5(c), which requires a rear yard for each building. None of the buildings are providing a front yard as the Applicant believes it is more appropriate to pull the building faces as close to Main Street as possible. This creates a more urban site plan, as opposed to setting the buildings back. Rear yard relief is required for Blocks 2a and 2b, which are not set back from the northern lot line, rather than the requisite 18.75 feet. There is a significant grade change immediately to the north of the building, which requires a retaining wall; as such, there is no adverse impact from the reduction in the depth of the rear yard.
- **Rear Yard:** A rear yard of 18.75 is required for the project. As noted on Sheet 0.10, Blocks 2a, 2b and 4 do not provide the requisite setback. Accordingly, relief from this requirement is required.
- **Parking:** Parking flexibility is required for Blocks 2b, 5a and 5b. Though these blocks do not meet the parking requirement on-site, parking demand will be satisfied by the garages constructed on the other blocks.

#### IV. Transportation Analysis

Attached as Exhibit C, is a copy of the Comprehensive Transportation Review (“CTR”) for the PUD. It notes that the project is proximately located to the Metrorail station, which makes it an ideal location for development. The project also incorporates many of DDOT’s urban planning policies, namely completion of the street grid through the use of a private network of roadways, and provision of short and long term bike spaces, creating an appropriate urban context for the project. The CTR includes details with respect to the overall context of the site and the Applicant’s proposed transportation demand management program.



V. **Hearing Presentation**

The Applicant will require 60 minutes for its presentation and will have four witnesses, including: Michael Skena, a representative of MRP; Federico Olivera Sala, an expert in architecture; Don Hoover, an expert in landscape architecture; and Erwin Andres, an expert in transportation engineering. Resumes for each expert, including Scott Delgado, the project's civil engineer, are attached as Exhibit D. Outlines of witness testimony are also attached as Exhibit D.

VI. **Conclusion**

The Applicant asks that a public hearing be scheduled for this application at the earliest convenient date.

Sincerely,

A handwritten signature in blue ink that reads "Christine Roddy". The signature is written in a cursive style and is positioned to the right of the typed name.

Christine Roddy

Certificate of Service

The undersigned certifies that a copy of the foregoing materials was sent by hand or by first class mail to the following addresses on April 29, 2016:

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Christine Roddy