

Holland & Knight

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

KYRUS L. FREEMAN
202-862-5978
kyrus.freeman@hklaw.com

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VIA IZIS AND HAND DELIVERY

Zoning Commission for the
District of Columbia
441 4th Street, N.W., Suite 210S
Washington, D.C. 20001

**Re: Z.C. Case No. 15-22 -- Supplemental Post-hearing Submission
Consolidated PUD & Related Map Amendment @ Square 772N, Lot 803**

Dear Members of the Commission:

On behalf of 301 FL Manager, LLC (the “Applicant”), we hereby submit the following information requested by the Zoning Commission at the March 26, 2016 public meeting during which the Zoning Commission took proposed action to approve the planned unit development (“PUD”) and Zoning Map amendment for property located at 301 Florida Avenue, NE (the “Subject Property”).

1. N Street, NE Public Space Improvements

During the public meeting on March 26th, the Zoning Commission requested that the Applicant provide a budget indicating the cost of the proposed public space improvements on N Street, NE, between 3rd and 4th Streets, NE (the “N Street Improvements”) shown on Sheet A-1.0 of the Applicant’s supplemental architectural drawings, dated March 3, 2016 and included as Exhibit 35A in the case record, and that the Applicant confirm its commitment to paying for completion of the portion of the N Street Improvements adjacent to the Subject Property.

As requested by the Zoning Commission at the public meeting, attached hereto as Exhibit A is an itemized budget for the proposed N Street Improvements adjacent to the Subject Property. As shown on the budget, the work includes new curbs and gutters, scored sidewalks, specialty paving, site furnishings, and enhanced landscaping and parklets. The Applicant has

committed to spend up to \$150,000 to ensure that the N Street Improvements adjacent to the Subject Property are completed.

As indicated in the letter included in the record at Exhibit 35B and re-attached hereto as Exhibit B, Foulger-Pratt Development, LLC (“Foulger-Pratt”) is the owner of 301-331 N Street, NE, and currently has a PUD pending before the Zoning Commission. Foulger-Pratt has agreed to develop and install a matching streetscape to that proposed by the Applicant, and to submit a corresponding streetscape design as part of its PUD approval process. Accordingly, the Applicant believes that there are sufficient assurances to ensure that the N Street Improvements will be delivered, given that Foulger-Pratt has agreed to develop a corresponding streetscape design as part of its PUD approval process, and further given that the Applicant proposes that the following language be included in the Order approving the PUD:

1. Prior to the issuance of a certificate of occupancy for the building, the Applicant shall demonstrate to the Zoning Administrator that it has expended, or is otherwise in the process of expending, up to \$150,000 (or shall post a deposit with DDOT of up to \$150,000) for the design, permitting, and improvements to N Street, NE, between 3rd and 4th Streets, NE, as shown on the N Street Improvements site plan dated March 3, 2016, and marked as Exhibit 35A in the record of this case:
 - a. Extend the sidewalk width along the north side of N Street, NE, between 3rd and 4th Streets, NE, a minimum of two feet, with the final sidewalk width to be subject to DDOT and utility agency approvals;
 - b. Install enhanced landscaping along the north side of N Street, NE, between 3rd and 4th Streets, NE, which will include oak trees, landscaped beds, drought-tolerant shrubs, ornamental grasses, and perennials, with the final design and location of the enhanced landscaping to be subject to DDOT and utility agency approvals;
 - c. Install short-term bike racks on the north side of N Street, NE, between 3rd and 4th Streets, NE, with the final design, number, and location of the bike racks to be subject to DDOT and utility agency approvals;
 - d. Install parklets along the north side of N Street, NE, between 3rd and 4th Streets, NE, that will expand public space along the N Street sidewalk and provide seating areas for pedestrians, with the final design, programming, and location of the parklets to be subject to DDOT and utility agency approvals;
 - e. Install bulb-outs on the north side of N Street, NE, between 3rd and 4th Streets, NE to discourage vehicular traffic on N Street, with the final design and location of the bulb-outs to be subject to DDOT and utility agency approvals;
 - f. Decrease the cart path width of N Street, NE, between 3rd and 4th Streets, NE, with the final design and dimension of the cart path width subject to DDOT and utility agency approvals.

The contribution of up to \$150,000 shall be allocated to the work identified in section 1(a) first, with remaining proceeds allocated to the work identified in sections 1(b) through 1(f), respectively.

2. Response to ANC Conditions

The Zoning Commission requested that the Applicant respond to the following three requests raised by ANC 6C in its letter dated March 15, 2016, and included as Exhibit 38 in the record. The ANC's letter states that ANC 6C recommends approval of Zoning Commission Case No. 15-22 at 301 Florida Avenue NE with the following qualifications: (1) that the Applicant be granted flexibility for the locations and programming of the parklet spaces between the sidewalk and curb, in particular so that art sculptures and seating can be added; (2) that the Applicant add public outdoor bicycle racks near the corner of 3rd and N Streets, NE; and (3) that the Applicant make internal improvements to the building to ease bicycle flow into the storage room.

The Applicant agrees to the ANC's conditions in principle. For example, with respect to the parklets and the bicycle racks, the Applicant has drafted the proposed condition 1(c) and 1(d) above, which, if adopted by the Zoning Commission, allows for flexibility in terms of the final design, programming, and location of the parklets, and with respect to the final design, number, and location of the bike racks, all subject to DDOT approval and the overall budget parameters. Moreover, although the Applicant is not proposing to install any art sculptures, nothing that the Applicant is proposing would prohibit the ANC or any other party from installing art in public space if desired and permitted.

Finally, the Applicant will also install an automatic push-button door opener on one of the building's egress doors onto N Street, NE, so that cyclists can more easily enter and exit the building with their bikes. Cyclists will be able to access the building's service corridor from either N or 3rd Streets, which leads directly to the service elevator and then to the bicycle room. Cyclists will also be able to use the bike gutter along the stair between the ground and cellar levels as another convenient option to access the bicycle storage room.

Based on the above, the Applicant believes it has fully addressed the comments in ANC 6C's March 15th submission.

3. Florida Avenue Bay Window Projections

The Zoning Commission requested additional perspectives from the Applicant showing the sidewalk conditions adjacent to the building on Florida Avenue, NE. As shown on the diagrammatic drawing of the building's Florida Avenue façade attached hereto as Exhibit C, the bay window projections will not adversely impact the experience for pedestrians walking on the sidewalk adjacent to the Subject Property and will not result in an overly narrow or confined

pedestrian experience. The projections occupy a minimal portion of the building's façade and do not create a "cavernous" effect for people walking adjacent to the building.

In addition, as shown on the Bay Window Projections sheet included in the record at Exhibit 35A and re-attached hereto as Exhibit D, the bay projections only occur at a relatively small portion of the total frontage along Florida Avenue, NE (i.e. 37% as measured against the total Florida Avenue block width between 3rd and N Streets, NE). Moreover, the ground floor retail along Florida Avenue is setback from the property line by three feet in order to provide a more generous sidewalk width and tree planter strip, and the bay projections are located at the second floor and above (starting at a height of approximately 14.2 feet). Finally, as indicated in the letter from Gary Englebert, the District of Columbia Code Official, attached hereto as Exhibit E, Mr. Englebert approved the Building Code modification to permit the bay projections based upon his findings that:

- a. The primary object of the modification is not the occupation of additional space, but is rather to improve the design of the building along Florida Avenue and to provide additional light and air to the residential units;
- b. The primary object of the modification is not to change interior arrangements. The interior spaces connected to the bay windows are of sufficient functional size without the projections;
- c. The modification will not interfere with adjacent buildings, since the PUD will be the only building on the block and will be set back from the property line at the ground level by three feet; and
- d. The modification will not interfere with the general public interest.


Therefore, the Applicant believes that the proposed bay window projections will not have any adverse impacts and thus respectfully requests that the Zoning Commission approve the plans.

4. Proposed Proffers and Conditions

In compliance with the Zoning Commission's procedures of 11 DCMR § 2403.15 *et seq.*, attached hereto as Exhibit F is the Applicant's draft list of proffers and corresponding conditions for the PUD.

Thank you for your attention to these matters. We believe that the Applicant has addressed the outstanding information requested by the Zoning Commission, and we look forward to the Zoning Commission's final consideration of this project at the May 9, 2016 public meeting.

Very truly yours,

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

Enclosures

- cc: Advisory Neighborhood Commission 6C (with enclosures, Via U.S. Mail)
- Tony Goodman, Single Member District 6C06 (with enclosures, Via Email)
- Stephen Gyor, D.C. Office of Planning (with enclosures, Via Email)
- Jonathan Rogers, District Department of Transportation (with enclosures, Via Email)