

ZC Case No. 15-27
300 Morse Street, NE (Square 3587, Lots 805, 814 and 817)
Applicant's Response to Comments from Office of Planning and DDOT

	Relevant Topic	OP Comments from Hearing Report (Ex. 39)	Applicant's Response
1.	Materials	Provision of additional specific information regarding the types of materials to be used, including material type, color, and samples, demonstrating that the proposed building materials will be of a high-quality.	Included as Sheets 13-16 of <u>Exhibit A</u> are photographs of the materials to be used for the consolidated PUD buildings. The Applicant will bring physical samples of the materials to the public hearing.
2.	Additional Renderings	Provision of additional renderings, including: 1) an eye-level rendering of the plaza from the ground floor between buildings A-1 and B; 2) additional eye-level renderings, as requested by the Zoning Commission; 3) a rendering showing the proposed landscape and use of the green space between building B and the approved Highline PUD to the south (ZC 15-01).	<p>Included as Sheets 2-11 of <u>Exhibit A</u> are renderings showing multiple views throughout the PUD Site.</p> <p>Included as Sheets 18-21 of <u>Exhibit A</u> are additional sections and an enlarged landscape plan showing the proposed landscape and use of space between Building B and the PUD approved by ZC Order No. 15-01 (the "Highline"). As shown on these sheets, the portion of this area will be fenced, lighted, and landscaped. The Applicant will maintain the portion of this area on the PUD Site in a safe and secure manner.</p> <p>Also included at the end of <u>Exhibit A</u> are updated project calculations, plans, and sections, which correct inaccuracies shown on the drawings included with the 20-day Prehearing Submission.</p>
3.	Neal Place	The extension of Neal Place, whether in a temporary or permanent condition, shall remain open during the construction of adjacent buildings.	The Applicant hereby reconfirms its commitment that Neal Place will be open during construction of the PUD, either in a temporary or permanent condition, and that any interim Neal Place section will have a width of 22 feet, with 6'-8" sidewalks on both sides. <i>See</i> Sheet C202 of <u>Exhibit A</u> .
4.	DC Water Easement	Continued coordination with DC Water to ensure that the proposed easement requested by DC Water meets its needs.	The Applicant will continue to work with DC Water to ensure that the Applicant satisfies DC Water's requirements for DC Water's approval of the building permit(s) for the buildings included in the PUD.
5.	Virginia Railway Express	Provision of correspondence from Virginia Railway Express (VRE) regarding the use of Track 2 for the New York Avenue Storage Facility, and on mitigation measures that minimize the impact of the use of the track to adjacent properties.	A letter from VRE indicating VRE's support for the proposed development and its indication that both projects can move forward concurrently is included in the record at Exhibit 42.

6.	Green Roof Data	Provision of the square foot area of green roof that would be provided for the consolidated portion of the PUD.	Included as Sheets C500-502 of <u>Exhibit A</u> are civil drawings showing the overall stormwater management plan for the PUD Site, which include information of the areas of green roof provided for the Consolidated PUD. As shown on those sheets, a total of 30,401 square feet of green roof surface area will be provided within the consolidated portion of the PUD.
7.	Park Connection	Provision of additional information regarding the connection between the lower portion of the Florida Avenue Park (ZC Case No. 15-01) and the proposed plaza, including materials, permeability, and landscape.	Included as Sheets 22-28 of <u>Exhibit A</u> are plans showing the connection between the lower portion of the Florida Avenue Park located on the Highline property, and the upper portion of the Florida Avenue Park located on the PUD Site. The paving material on the PUD Site will match the Highline portion of the park before transitioning into the Plaza. The landscaped area will include bio-retention trees, grasses and plantings.
8.	Use of City-owned Land	Provision of correspondence with the Deputy Mayor of Planning and Economic Development regarding the use of city-owned land as a paved surface.	A letter from the Deputy Mayor for Planning and Economic Development consenting to the Zoning Commission moving forward with the application is included in the case record at Exhibit 44.
9.	FAR Calculations	Provision of a determination letter from the Zoning Administrator regarding FAR calculations for theoretical lots	The Zoning Administrator has confirmed orally that FAR relief is not required for Lot/Building C. The Applicant anticipates receiving written confirmation from the Zoning Administrator in the very near future.
10.	Building Connection	Provision of additional information relating to the requested flexibility to allow buildings C-1 and C-2 be considered the same building for zoning purposes.	The Applicant hereby removes its prior request for flexibility to allow Buildings C1 and C2 to be considered a single building without providing a building connection. The Applicant confirms that a building connection between Buildings C1 and C2 will be provided as required under the 1958 Zoning Regulations.
11	Plaza	OP is uncertain if the way the plaza has been framed, between buildings A-1 and B, is appropriately scaled. Furthermore, the design of the ground floor should consist of industrial elements that have been carried through the Market, including canopies.	As shown on the Plans, including the supplemental materials included in <u>Exhibit A</u> , the Applicant believes that the plaza has been appropriately scaled between Buildings A1 and B, and that the ground floor design consists of industrial elements that are carried through the market area.
12	Gantry	The renderings of the Gantry do not clearly demonstrate the sculpture's relationship with the adjacent buildings, and do not provide clear images as to how it fits in with the plaza, or with planned activities that would occur at the Gantry... Overall, OP is supportive of this feature, but additional details providing dimensions and views from the plaza at eye-level should be provided.	As shown on Sheets 30-33 of <u>Exhibit A</u> , the Gantry is a metal-framed structure that represents a de-constructed form of the nearby rail gantries. The Gantry provides a "third side" to the plaza along the rail tracks, creates a window for passengers on passing trains, and serves as a neighborhood identifier and backdrop for outdoor events. The Gantry will be interactive with a series of jets that will emit fog-like water vapor at regular intervals. Specialty stone paving will extend through the Gantry

			allowing engagement with the water feature. A series of wooden benches will frame the stone paving, creating another place to congregate outside of the primary pedestrian traffic area. The seating in this area will be positioned using deaf-space design principles.
13	LEED for Building B	The applicant has indicated that building B cannot be certified at the Gold level because it reduces the affordability of the project. OP strongly encourages the applicant to reevaluate this option.	Building B is located on a constrained site with limited depth, and is separated from Building A to allow for the pedestrian connection from Florida Avenue into the market area. As such, at 110 units, the building does not have sufficient scale to cost effectively support a central HVAC system, which is key to the LEED energy performance scoring component. In lieu of this, the Applicant has added a number of sustainable features that do not receive LEED credit (such as set-back storefronts that will provide more shade for the retail) and has committed to a minimum 55 LEED points (mid-point between Silver and Gold).
14	Employment and Economic Development Objectives	The proposal could better address specific employment and economic development objectives of the Comprehensive Plan, the Ward 5 Works Study, and the Florida Avenue Small Area Plan.	Attached hereto as <u>Exhibit B</u> is an analysis demonstrating that the project complies with many of the employment and economic development objectives of the Comprehensive Plan, the Ward 5 Works Study, and the Florida Avenue Small Area Plan. In addition, the Applicant has committed to enter into a First Source Employment Agreement with DOES, consistent with the First Source Employment Agreement Act of 1984 and the Apprenticeship Requirements Amendment Act of 2004.
15	Flexibility for Building Materials	OP generally has no objection to the flexibility to vary the final selection of exterior building materials in PUDs; however, the quality of materials shall not be compromised to value-engineer a building and it should be flexibility within the color ranges and material types “approved by the Zoning Commission” and not as proposed.	The Applicant does not anticipate making any substantial changes to the proposed building materials. However, consistent with the flexibility granted in other PUDs, the Applicant requests that the Zoning Commission include the following proposed condition, which provides flexibility while not diminishing the quality of the materials: “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.”
17	Utilities	The applicant has indicated that an investment of approximately \$2.5 million will be made for the extension of all new utilities throughout the PUD Site.	The Applicant is proposing a substantial amount of public benefits and project amenities, including utility/infrastructure improvements, as listed on <u>Exhibit C</u> attached hereto.

18	BID	The applicant has indicated that it will be contributing \$25,000 towards a BID exploratory committee for the Florida Avenue Market area. While this would be an important process to establish, it has not been considered a benefit for the purposes of a PUD.	The Applicant is proposing a substantial amount of public benefits and project amenities, as listed on <u>Exhibit C</u> attached hereto.
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	Relevant Topic	DDOT Comments from Hearing Report (Ex. 40)	Applicant's Response
1.	Traffic Signal	Install a traffic signal at Morse Street & 4th Street: Due to the proximity of this intersection to the 4th Street & Florida Avenue intersection and the limited queue lengths available, the Applicant should install a full signal at this intersection to be coordinated with the adjacent signal to the south. The signal should be installed as part of Phase 1 to address impacts identified from the first phase of the development.	As requested by DDOT, prior to the issuance of a Certificate of Occupancy for the first building completed within the Consolidated PUD, the Applicant will demonstrate to the Zoning Administrator that it has installed a signal at Morse and 4 th Streets in Phase 1 of the PUD. The Applicant notes that the cost of a new traffic signal is approximately \$250,000-\$300,000, given that the proposed signal location will likely include a separate head and timing settings for bicycles.
2.	Traffic Management Cameras	Install traffic management cameras at New York Avenue & 4th Street NE and Florida Avenue & 5th Street NE for integration into the DDOT traffic management program to provide real-time traffic signal updates in coordination with other signals in the District.	As requested by DDOT, prior to the issuance of a Certificate of Occupancy for the first building completed within the Consolidated PUD, the Applicant will demonstrate to the Zoning Administrator that it has installed traffic management cameras at the intersections of New York Avenue and 4 th Street and Florida Avenue and 5 th Street for integration into the DDOT traffic management program.
3.	Street Centerlines	Align the centerline of the Neal Place and Morse Street with the Neal Place extension under ZC 14-07 and public segment of Morse Street, respectively.	All street centerlines within the PUD Site have been designed to match those approved in ZC Case No. 14-07.
4	Pedestrian Crossings	Commit to design all pedestrian crossings internal to the site to current DDOT and ADA standards.	The Applicant will design all internal pedestrian crossings to be consistent with current DDOT and ADA standards. The vehicular entrance to Building A1 is wider than the standard maximum width of 26 feet in order to accommodate three drive aisles and a pedestrian island, which will maximize traffic flow from the single point of access to the parking structure.

5	Clear Circulation Zones	Maintain circulation zones as clear and continuous pedestrian paths along all streets devoid of obstacles such as sidewalk cafes, street furniture, utility vaults, etc. The clear sidewalks should be in the same location for each block face, and the sidewalk clear zone should not jog within a block face	As shown on Sheets 39-40 of <u>Exhibit A</u> , clear and continuous pedestrian paths are provided throughout the PUD Site to create a walkable site and a vibrant pedestrian experience. In some locations, the clear pedestrian zones are not in the same location for each block face, and in some locations the clear zones jog within an individual block face. The Applicant designed the sidewalks to be oversized to allow for both café seating and pedestrian circulation, with broad amenity zones against building faces where appropriate (e.g. where outdoor cafes are anticipated) and/or against the curb, depending on the context.
6	Construction-related Interim Neal Place Cross Section	Construct a cross section featuring two 11' travel lanes for bidirectional vehicular operations and minimum 6' clear pedestrian circulation zones on both sides of the street.	As shown on Sheet C202 of <u>Exhibit A</u> , the Applicant has designed the interim Neal Place section to have a width of 22 feet, which includes a 11' cartway and 6'-8" sidewalks on each side.
7	Cycle Track Design	Construct a 10' cycle track in the alley featuring a 2' raised buffer to separate bicycle traffic from vehicular traffic and a 1' buffer to separate bicycle traffic from pedestrian traffic. Breaks in the barriers should be provided to accommodate loading and vehicle access points for Buildings C-1, C-2, and D.	The Applicant is continuing to work with the property owner to the east of the alley. However, the final alley section will include the requested 10' cycle track.
8	Cycle Track Connections	Construct off-site cycle track connections between the proposed cycle track in the private alley and the planned cycle track on 4th Street between Florida Avenue and Morse Street.	Given the uncertainty regarding the timing, design, and location of the planned cycle track on 4th Street between Florida Avenue and Morse Street, the Applicant proposes to place \$7,000 in escrow for use by DDOT to: (i) construct the cycle track connections between the proposed cycle track in the private alley and the proposed new cycle track; or (ii) if the cycle track is not ready to be installed prior to issuance of a Certificate of Occupancy for the first building completed within the Consolidated PUD, funds could be used by DDOT for other Florida Avenue multi-modal study improvements.
9	TDM	Place and fund the operations and maintenance for one year of a new Capital Bikeshare station within the site	The Applicant will fund the installation and one year of operations and maintenance of a new Capital Bikeshare station located on the PUD Site as part of the Phase II development abutting Building C2 or D.
10	TDM	Increase the duration of the annual carsharing or Capital Bikeshare membership to each residential unit for a period of five years	As requested by DDOT, prior to the issuance of a Certificate of Occupancy for the first building completed within the Consolidated PUD and Second-stage PUD, respectively, the Applicant will demonstrate to

			<p>the Zoning Administrator that it has dedicated \$200.00 per residential unit in alternative transportation incentives that can be used as an annual membership for Capital Bikeshare, an annual carshare membership, a carshare driving credit, or for bicycle repair/maintenance. These funds, currently anticipated to be a total of \$113,400.00 in Phase 1, will be pooled during each phase of the project into a fund that would make incentives available to residents until it is exhausted. This benefit will be codified in rental/condominium documents for all of the residential units planned within the project, both in Phase 1 and Phase 2. This fund must be exhausted within five years of issuance of a certificate of occupancy for the first building within each phase of the project, or else it will be disbursed to a TDM-related entity or organization at DDOT direction.</p>
11	TDM	Provide at least 63 and 28 short-term bicycle parking spaces for Phases 1 and 2, respectively.	<p>There are currently 42 short-term bicycle parking spaces located on the sidewalks throughout the PUD Site. In addition, the retail space on the B01/Plaza Level of Building A1 is planned for a bike use in connection with the bike parking area behind. As such, the Applicant will make this area available to accommodate the additional 49 short-term bicycle parking spaces through either (i) publicly accessible bike parking, (ii) a bike valet operated by the PUD Association or BID on weekends and during special events, or (iii) a retail outlet leased to a bike oriented business that includes in its operations bike repair and maintenance.</p>
12	TDM	Dedicate two curbside parking spaces for car sharing services to use with right of first refusal.	<p>As requested by DDOT, prior to the issuance of a Certificate of Occupancy for the first building completed within the Consolidated PUD, the Applicant will demonstrate to the Zoning Administrator that it has dedicated two curbside parking spaces for car sharing services within the PUD Site. If no car share providers are willing to operate in those spaces, the dedicated spaces may be returned to the general on-street parking supply.</p>
13	TDM	Purchase a total of 20 electric bikes and install ten electric bike charging stations to be distributed proportionally across the residential buildings.	<p>Given the costs of operation and maintenance of a fleet of electric bikes, as well as potential liability, the Applicant is not proposing to provide electric bikes as part of the PUD.</p>
14	TDM	Purchase a total of 20 cargo bicycles for residents to use to be distributed proportionally across the residential buildings.	<p>As requested by DDOT, prior to the issuance of a Certificate of Occupancy for each residential building, the Applicant will demonstrate to the Zoning Administrator that it has provided two cargo bicycles within each residential building.</p>

15	TDM	Install six publicly-accessible electric bike charging stations.	The Applicant is not proposing to provide publically-accessible electric bike charging stations.
16	TDM	Provide 40 rolling shopping carts to be distributed proportionally across the residential buildings.	As requested by DDOT, prior to the issuance of a Certificate of Occupancy for each residential building, the Applicant will demonstrate to the Zoning Administrator that it has provided three rolling shopping carts within each residential building.
		<i>Given the complexity and size of the action, the Applicant is expected to continue to work with DDOT outside of the Zoning Commission process on the following matters:</i>	<i>See below.</i>
17	Second-stage Application	For the subsequent Stage 2 PUD submission, DDOT expects the Applicant to evaluate its consistency with the Stage 1 analysis. If the Stage 2 PUD submission is found to have significantly higher trip generation or different mode splits than the Stage 1 assumptions, DDOT will request a full CTR update.	The second-stage PUD applications will be consistent with the first-stage analysis.
18	Design of Transportation Infrastructure	Final design of private transportation infrastructure and public realm should be coordinated with DDOT through the EISF process. The public realm, including curb and gutter, street trees and landscaping, street lights, and other features within the private streets, are expected to be constructed to DDOT standards and be consistent with streetscape guidelines for the area.	The Applicant will continue to work with DDOT on the design of the transportation and public realm infrastructure as requested.
19	Sidewalk Width	DDOT encourages the Applicant to redistribute 2' from the tenant zone in order to achieve 10' sidewalks, which is DDOT's standard sidewalk width for commercial areas.	The Applicant proposes to provide wider tenant zones in order to provide usable café space adjacent to the buildings. The sidewalk width as proposed will provide adequate clear space for pedestrian use.