

Holland & Knight

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

Jessica R. Bloomfield
202.469.5272
Jessica.bloomfield@hklaw.com

October 13, 2017

VIA IZIS AND HAND DELIVERY

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

**Re: Z.C. Case No. 16-06A – Amended Application
Modification of Significance to Plans Approved Under the Capitol Gateway
Design Review Provisions
1900 Half Street, SW (Square 666, Lot 15)**

Dear Members of the Commission:

On behalf of Jemal’s Lazriv Water, LLC (the “Applicant”), the owner of Lot 15 in Square 666 (the “Property”), we hereby amend the application submitted on August 28, 2017 (the “Original Application”), which requested a Modification of Significance to the Architectural Plans and Elevations approved in Z.C. Order No. 16-06 under the Capitol Gateway Overlay Design Review provisions of the 1958 Zoning Regulations. This amended application supplements and does not replace the materials submitted in the Original Application.

The Original Application requested modifications that apply to the building’s penthouses only, and which result in the need for additional zoning relief related to penthouse height and setback. This amended application includes the following additional modifications to the overall building design and program, as described in more detail herein:

1. Request to reduce the total number of residential units from 427 (approved) to 415 (proposed), with the flexibility to increase or decrease the total number of units to plus or minus 10% from the 415 units proposed;
2. Request to reduce the total number of on-site parking spaces from 312 spaces (approved)¹ to 246 spaces (proposed), including flexibility to reduce the total number of on-site parking spaces so long as the number of spaces provided meets the minimum number required by Subtitle C, Chapter 7 of the Zoning Regulations;

¹ Of the 312 approved parking spaces, 12 were tandem spaces, so only 300 spaces were considered zoning-compliant.

3. Request to reallocate interior spaces and uses within the building, primarily to increase the gross floor area devoted to residential amenity space and decrease the gross floor area devoted to retail space; and
4. Request to make minor refinements to the building façade.

None of the proposed modifications within this amended application require additional zoning relief. The proposed modifications increase the approved site density from 4.06 FAR to 4.22 FAR (a 0.16 FAR increase) and do not increase or change the approved building height or lot occupancy. The increase in FAR is due to the following minor modifications:

- The inset balconies on the north, south, and courtyard facades on floors 2-8 have been replaced with recessed windows (balconies and terraces on the east and west facades will remain), and the inset balconies on floor 9 have been removed (terraces on the east façade will remain). Under the approved project, the inset balconies were not counted towards FAR;
- At the second level, the previously-proposed two-story retail space along the west façade has been filled in by maintaining the existing building slab. Residential units have been added in this location;
- At the second level, a new residential amenity lounge has been extended into the south courtyard, and the east-facing private terraces have been filled in; and
- Previous FAR calculations have been corrected as follows:
 - Mechanical, electrical, and plumbing shafts have been excluded from FAR above the ground floor, consistent with 11-B DCMR § 100.2;
 - Residential lobby and vertical circulation at the first floor have been included in FAR (previously omitted);
 - “Perimeter wall method” was used to calculate FAR at the P1 level, consistent with 11-B DCMR § 304.4 (previously calculated incorrectly); and
 - Thickness of exterior façade has been included in FAR, consistent with 11-B DCMR § 304.1 (previously omitted).

Even with the most recent FAR increase, the proposed building is still 1.77 FAR (197,281 square feet) *smaller* than the existing structure. Attached hereto as Exhibit A are Modified Architectural Plans and Elevations (the “Modified Plans”) that show the proposed modifications not included in the Original Application and how they compare to the architectural plans approved in Z.C. Order No. 16-06. Sheets 17-22 of the Modified Plans showing the approved and proposed penthouses are the same as the corresponding sheets submitted with the Original Application.

A. Additional Modifications Requested Herein

1. Reduction in the Number of Dwelling Units

As shown on the floor plans included in the Modified Plans, the Applicant proposes to increase the size of many of the residential units, which results in fewer total units being provided within the building (427 approved, compared to 415 proposed). Reducing the total number of units removes the project's smallest units and creates space for a greater number of larger unit types with more bedrooms. For example, the total number of two- and three-bedrooms units increased from approximately 60 units (14% of the total units) in the approved project to approximately 106 units (25% of the total units) in the proposed project. As noted above, the Applicant requests flexibility to increase or decrease the total number of residential units to plus or minus 10% from the 415 units shown on the Modified Plans.

2. Reduction in the Number of On-site Parking Spaces

As shown on the parking plans included in the Modified Plans, the Applicant proposes to reduce the total number of parking spaces within the building from 312 (approved) to 246 (proposed). The proposed number of spaces exceeds the minimum number of spaces required by the Zoning Regulations; however, the Applicant requests flexibility to reduce the total number of spaces provided, so long as the number provided meets the minimum number of spaces required by Subtitle C, Chapter 7 of the Zoning Regulations.

3. Revised Interior Layout and Program

As shown on the floor plans of the Modified Plans, the Applicant proposes to reallocate interior spaces and uses within the building, primarily to increase and improve the gross floor area devoted to residential amenity space and decrease the gross floor area devoted to retail space. Under the approved plans, approximately 24,032 square feet of gross floor area was devoted to retail space. Under the proposed plans, approximately 16,542 square feet of gross floor area is devoted to retail space, and the remaining space is now devoted to necessary residential amenities. The Applicant requests flexibility to adjust the amount of space devoted to retail so long as the adjustment does not impact the design of the façade.

The revised interior layout also includes the following modifications: (i) increased the size of the trash room to accommodate future more sustainable trash types and disposal options, and a relocated the trash room from the P1 level to the ground level; (ii) revised the type of bicycle rack (single rack instead of stacked), per DDOT's request, increased the number of long-term residential bicycle parking spaces, and relocated the residential bicycle parking location from the P1 level to the ground level for increased ease of use; (iii) created a small one-story addition to the building in the south courtyard (2nd floor) to allow for a taller ceiling and better amenity space in this location; and (iv) as described above, filled in the 2nd floor two-story retail area with the existing slab to create additional residential units in this location.

The Applicant also further developed the landscape design of the courtyards and the Riverwalk in conjunction with DOEE and OP, as shown on Sheets 9-10 and 43 of the Modified

Plans. The scope of the public space plan has not changed from the plan approved in Z.C. Order No. 16-06, and the Applicant has continued to work with the applicable District agencies to obtain necessary approvals.

4. Revised Façade Design

As shown on the elevations and renderings included in the Modified Plans, the Applicant has made the following modifications to the building façade:

- Added glass canopies above the residential and retail entrances along Water Street;
- Incorporated a brick masonry finish at the first two-stories;
- Incorporated operable windows at the residential units;
- Removed the trellises on the private terraces facing east on floors 7 and 9;
- Replaced the panelized rain screen for the stair enclosures facing the courtyards with metal panels; and
- Provided a matte grey finish for the penthouses' metal paneling and mechanical screens.

The Applicant also removed the inset balconies for the smallest residential units not facing the river, and replaced them with interior living space to create larger and more functional units. As approved, the balconies on these units were small and limited the amount of light that could reach the living areas. The revised unit layouts bring the windows closer to living areas, increase the size of the living areas, and create a more usable interior layout. Given the extensive indoor and outdoor residential amenities in the building, the addition of operable windows, and the ability to have a better unit layouts and increased light, the Applicant believes the trade-off for individual unit balconies is an overall benefit.

In addition to the items listed above, the Applicant still requests the same modifications related to the building's penthouses, as set forth on pages 6-12 of the Applicant's Statement in Support submitted with the Original Application (Exhibit 2).

B. Update on Community Engagement

Pursuant to 11-Z DCMR § 301.6, a Notice of Intent to file the subject application was mailed to the owners of all property within 200 feet of the perimeter of the Property and to Advisory Neighborhood Commission ("ANC") 6D on July 12, 2017. On August 28, 2017, the Applicant filed the Original Application. Since then, the Applicant has presented the application, including the additional modifications requested herein, to ANC 6D. On September 11, 2017, at ANC 6D's regularly-scheduled and duly-noticed public meeting, at which a quorum of commissioners was present, ANC 6D voted to support the application as amended. The Applicant will continue to work with the ANC commissioners to ensure that their September 11, 2017, vote is consistent with all of the modifications included in the Modified Plans and described herein. If not, the Applicant will present the Modified Plans at another duly noticed and regularly scheduled public meeting of ANC 6D and will request a formal vote in support of the amended application.

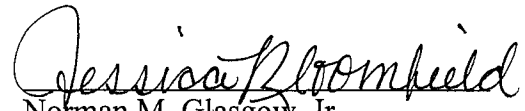
The Applicant has also met with the Office of Planning ("OP") on several occasions to discuss the proposed modifications included in the Original Application and those requested in

this amended application. The Applicant looks forward to continuing dialogue with OP and other affected District agencies throughout the zoning review process.

Based on the foregoing, the Applicant respectfully requests that the Zoning Commission review this amended application together with the Original Application. We look forward to presenting the application to the Commission at its December 18, 2017 public hearing.

Sincerely,

HOLLAND & KNIGHT LLP


Norman M. Glasgow, Jr.
Jessica R. Bloomfield

Enclosures

cc: Jennifer Steingasser, D.C. Office of Planning (w/ enclosures, Via Email and Hand Delivery)
Joel Lawson, D.C. Office of Planning (*See Certificate of Service*)
Elisa Vitale, D.C. Office of Planning (w/ enclosures, Via Email and Hand Delivery)
Advisory Neighborhood Commission 6D (*See Certificate of Service*)
Chairman Andy Litsky, ANC 6D (w/ enclosures, Via Email and U.S. Mail)
Commissioner Roger Moffatt, SMD 6D05 (w/ enclosures, Via Email and U.S. Mail)

CERTIFICATE OF SERVICE

I hereby certify that on October 13, 2017, a copy of the foregoing amended application for a Modification of Significance was served on the following:

Mr. Joel Lawson
D.C. Office of Planning
1100 4th Street SW, Suite E650
Washington, DC 20024
joel.lawson@dc.gov

Via Email & Hand Delivery

Advisory Neighborhood Commission 6D
1101 4th Street, SW
Washington, DC 20024

Via Hand Delivery


Jessica R. Bloomfield