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October 4, 2019

## **VIA IZIS**

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

**Re: Applicant’s Response to Outstanding Issues in OP and DDOT Reports  
Z.C. Case No. 19-10  
Consolidated PUD @ Square 1499**

Dear Members of the Commission:

On behalf of Valor Development, LLC (the “Applicant”), we hereby submit the following information in response to the reports of the Office of Planning (“OP”) and the District Department of Transportation (“DDOT”) (Exhibits 52 and 53 of the case record). The information provided herein is in response to the comments outlined below and does not modify the application in any way.

As requested by OP, the Applicant also herein submits (i) updated flexibility language which is informed by comments received from OP and the Office of Attorney General (Exhibit A); and (ii) an updated list of the project’s public benefits and amenities (Exhibit B).

### **I. RESPONSE TO OP REPORT**

The following chart indicates the Applicant’s responses to the specific comments and requests for information from OP in its hearing report.

<b>OP Comment</b>	<b>Applicant’s Response</b>
Provide a revised sign plan that reduces the number of grocery signs on the north building façade to no more than two signs.	The Applicant agrees to provide only two grocery signs on the north building façade near the grocery entrance along Yuma Street. <i>See</i> Sheet A48 of the Architectural Drawings submitted with the 20-day Supplemental Prehearing Submission (Exhibit 28) (the “Architectural Drawings”). Per discussion with OP, the proposed blade sign at the northwest corner of Building 1 will serve as directional signage only to

	<p>assist drivers in locating the parking garage. No grocery or retail signage will be located on the blade sign. With respect to the number of grocery signs, the Applicant commits to only having two grocery signs on the north building façade. There would be one grocery sign located on the wall that is perpendicular to Yuma Street, and one sign that is parallel to Yuma Street. The sign that is parallel to Yuma Street would either be mounted on the building façade or on the proposed entrance canopy. The Applicant believes the limitation on the content of the blade sign and the number of grocery signs on the north façade is properly handled as a condition in the Commission’s order.</p>
<p>Determine whether the 1,109 square-foot space at the southwest corner of Building 1 will be used for retail or amenity.</p>	<p>The 1,109 square foot space at the southwest corner of Building 1 will be dedicated to retail use (not amenity). Attached as <u>Exhibit C</u>, are revised Sheets A02, A03, A12, CL01, CL04, and CL08 showing the retail designation. These sheets will supersede and replace the corresponding sheets previously submitted with the Architectural Drawings (Exhibit 28).</p>
<p>Incorporate solar photovoltaics (PV) and design the remaining roof space to be as solar-ready as possible for potential expansion in the future.</p>	<p>The project has been designed to integrate a host of sustainable features and will achieve LEED Gold v.4 certification. However, the Applicant is unable to install PV panels on the roof at this time. In response to the lower-density residential uses to the north and east, Building 1 includes significant upper-level setbacks, step-downs, large courtyards, and public plazas. As a result, there is limited space on the roof on which to accommodate enough green roof to meet storm water requirements, mechanical equipment to serve the building, and a sufficient PV array that would provide any meaningful energy production. <u>However, per OP’s recommendation the Applicant agrees to construct the roof so that it is “solar ready” by installing conduit to the roof level that would be required for future roof-mounted solar.</u></p> <p>The Applicant also notes that the AU Building currently contains a substantial number of solar panels. While not considered a PUD benefit, the existence of these solar panels could reasonably be considered when also taking into account the substantial number of sustainable features that will exist within the project boundary.</p>

<p>Ensure the electric vehicle supply equipment is at least a Level 2 charger and consider the installation of additional make-ready infrastructure to install future charging equipment at significantly lower expense and disruption.</p>	<p>The Applicant confirms that the electric vehicle charging equipment installed in the parking garage will be Level 2 chargers. The Applicant also agrees to install infrastructure that will allow for additional charging stations to be readily added in the future.</p>
<p>Provide playable elements in the common areas and public space, especially geared at younger kids and toddlers</p>	<p>As shown on the Architectural Drawings (Exhibit 28), the open space in the PUD site and surrounding public spaces will be attractively designed and landscaped. In addition, as part of its public benefits package the Applicant will contribute an additional \$15,000 for the activation of these spaces. As set forth in the Memorandum of Understanding with ANC 3E (Exhibit 49), the Applicant has agreed to implement the ANC's suggestions as to the design and construction of the open space improvements to the greatest extent possible. In doing so, the Applicant will work with the ANC on the exact type of improvements to be installed, including consideration of incorporating playable and interactive elements.</p>
<p>Address any conditions recommended by the District Department of Transportation.</p>	<p>See Section II, below.</p>
<p>Continue to work with OP and the Office of the Attorney General to refine the requested common flexibility language.</p>	<p>The Applicant's updated PUD flexibility language is attached as <u>Exhibit A</u>.</p>
<p>Provide a detail for the long-term bike parking, including access, racks, and rack spacing.</p>	<p>Details on the long- and short-term bicycle parking spaces, including their locations, rack type, and rack spacing, are attached as Sheets A02, A09 and L1.1 to <u>Exhibit C</u>. As set forth on p.17 of the DDOT Report, the final locations of the short-term bicycle parking spaces will be determined during public space permitting.</p> <p>Access to the long-term bicycle parking spaces will be via the parking garage ramp or the jump elevator located to the west of the garage entrance, which will be access controlled and lead down to the G-1 level.</p> <p>In addition, electrical outlets will be provided within the long-term bicycle storage rooms for the charging of electric bikes.</p>

<p>Provide a detailed drawing, including a dimensioned section, of the walk-out and patios on the east façade.</p>	<p>Dimensioned sections and renderings showing the walk-out unit at the corner of 48<sup>th</sup> and Yuma Streets and the outdoor patios along 48<sup>th</sup> Street are attached as Sheet A15.1 in <u>Exhibit C</u>.</p>
<p>Confirm that the townhouses would be rental and consider locating one Inclusionary Zoning (IZ) unit in a townhouse.</p>	<p>The Applicant does not know what the tenure type of the proposed townhomes will be at this point in the project. Given the substantial reductions that have been made to the project since its inception, and the complexity added to the project by the existing improvements within the PUD boundary, the townhomes have become a critical component of the success of the project. As such, the Applicant is unable to locate an IZ unit in one of the townhomes. Doing so results in 20% of this important project component being devoted to IZ for the life of the project. As proposed, the Applicant will devote 11% of the project’s residential gross floor area (“GFA”), which includes the GFA of the townhomes, to IZ units at 50% and 60% of the MFI. This amount of affordable housing exceeds the amount that would otherwise be required under the IZ regulations.</p>
<p>Submit a final list of proffered project benefits and amenities.</p>	<p>The Applicant’s updated list of public benefits and amenities is attached as <u>Exhibit B</u>.</p>

**II. RESPONSE TO DDOT REPORT**

<p><b>DDOT’s <u>Conditions</u> to a finding of “No Objection”</b></p>	<p><b>Applicant’s Response</b></p>
<p>Fund and construct the proposed pedestrian improvements (upgrade curb ramps, stripe missing crosswalks, install curb extensions) at the four following intersections:</p> <ul style="list-style-type: none"> <li>· 49<sup>th</sup> Street and Yuma Street</li> <li>· 48<sup>th</sup> Street and Yuma Street</li> <li>· 48<sup>th</sup> Street and Windom Street</li> <li>· 48<sup>th</sup> Street and Warren Street</li> </ul>	<p>The Applicant agrees to this condition.</p>

Implement the TDM plan as proposed in the CTR for the life of the project.	The Applicant agrees to this condition.
Implement the LMP as proposed in the CTR for the life of the project.	The Applicant agrees to this condition.


<b>Additional DDOT <u>Comments</u></b>	<b>Applicant's Response</b>
Provide a public access easement on the 7-foot private space setback along the public alley.	The Applicant agrees to this request.
Obtain a public occupancy permit for the trash enclosures along the north-south alley.	The Applicant agrees to this request.
Move the dumpsters in public space along Yuma Street to the new trash enclosures in the public alley.	The Applicant agrees to this request.  As previously set forth in the LMP, the Applicant will ensure that all trash bins and dumpsters currently located along Yuma Street will be relocated to the alley and placed in the new trash enclosures. <i>See</i> CTR, p. 23 and DDOT Report, p. 7.
Ensure that all trucks serving SVSC are directed not to load or unload on Yuma Street, and instead utilize the alley or internal private drive aisles.	The Applicant agrees to this request.  As previously set forth in the LMP, the loading dock manager will monitor the alley to keep the designated loading areas clear for deliveries, keep the alley from being blocked due to vehicle loading/unloading activity, and enforce the no parking restriction. <i>See</i> CTR, p. 23 and DDOT Report, p. 7. As part of this responsibility, the loading dock manager with direct trucks serving SVSC to utilize the alley or private drives for all loading activity.

<p style="text-align: center;"><b>Considerations to be Reviewed in Detail during <u>Public Space Permitting</u></b></p>	<p style="text-align: center;"><b>Applicant's Response</b></p>
<p>Existing curb cuts on Yuma Street and 48<sup>th</sup> Street should be closed and replaced with green space and street trees.</p>	<p>The Applicant agrees to this request.</p>
<p>Public space occupancy permit required for the trash enclosures in the alley and any portion of the outdoor café in public space near the Yuma Street grocery entrance.</p>	<p>The Applicant agrees to this request.</p>
<p>Building projections on Yuma Street should not project more than 4 feet into public space.</p>	<p>The Applicant agrees to this request.</p>
<p>The concrete strips running north-south in the middle of the green space near the grocery store entrance on Yuma Street should be removed.</p>	<p>The Applicant is unable to fully agree to this request at this time. However, per discussion with DDOT the Applicant will continue to work with DDOT during the public space permitting process on the design of the landscaping adjacent to Northwest Plaza in order to address this comment.</p> <p>Due to the approximately 4-5 foot change in grade between the Yuma Street sidewalk and grocery store entrance, there is a need to retain some of the proposed “concrete strips” as they are serving to retain grade. Specifically, the two concrete strips on either side of the stairs leading down to Northwest Plaza and the western-most concrete strip adjacent to the public alley are necessary to accommodate the change in grade. <i>See Sheet L2 of the Architectural Drawings.</i></p>
<p>Move the dumpsters in public space along Yuma Street to the new trash enclosures in the public alley.</p>	<p>The Applicant agrees to this request as described above.</p>
<p>Pavement sections in public space along Yuma Street, west of the alley and east of Exxon, should be restored to green space with lead walks connecting from the sidewalk to building entrances.</p>	<p>The Applicant is unable to fully agree to this request at this time. Due to a change in grade and several egress doors at the rear of the MAPS site, the paved sections in public space along Yuma Street cannot be fully restored to green space. However, per discussion with DDOT the Applicant will continue to work with DDOT during the public space permitting process to determine how these public space areas can be improved while maintaining proper access to the rear of the MAPS.</p>

The Applicant appreciates the Commission's continued review of this project and looks forward to making a full presentation at the October 7, 2019, public hearing.

Sincerely,

HOLLAND & KNIGHT LLP

By:   
Norman M. Glasgow, Jr.  
Jessica R. Bloomfield

#### Attachments

cc: Certificate of Service  
Joel Lawson, D.C. Office of Planning (via email and hand delivery w/ attachments)  
Elisa Vitale, D.C. Office of Planning (via email and hand delivery w/ attachments)  
Anna Chamberlin, District Department of Transportation (via email w/ attachments)  
Aaron Zimmerman, District Department of Transportation (via email w/ attachments)

## CERTIFICATE OF SERVICE

I hereby certify that on October 4, 2019, copies of the foregoing letter and attachments were served on the following via email, with hard copies sent on the following business day.

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