

## EXHIBIT C – RESPONSE TO QUESTIONS/ISSUES FROM SET-DOWN AND INTERAGENCY REVIEW MEETING

Question/Comment from OP Report and/or Zoning Commission	Applicant Response
<p>1. <b>Affordable Housing:</b> OP asked the applicant to “detail the parameters of the affordable housing component, such as (but not limited to): (a) The anticipated MFI level for apartment type (e.g. X one-bedrooms at 60% MFI etc.), and (b) The bedroom count of apartments in the existing building compared to the proposed building.”</p>	<p>Page G10 of <u>Exhibit A</u> supplements the information in the record as Exhibit 13A regarding the Project’s affordable housing and includes the estimated number of affordable units, the affordable unit types by bedroom count, the affordability levels, and the proposed location of the affordable units. Below is a summary of information regarding the Project’s affordable housing in a tabular format requested by OP.</p> <p>As noted previously, the vacant building on the site included: 7 one-bedroom units; 48 two-bedroom units; and 8 three-bedroom units. The Project currently includes: 135 studio units, 124 one-bedroom units, 83 two-bedroom units; and 18 three-bedroom units.</p>
<p>2. <b>Design/Flexibility:</b> OP requested a materials exhibit and that “any design flexibility requested . . . be identified and explained.”</p>	<p>An Addendum to this <u>Exhibit C</u>, outlines the requested design flexibility. Physical samples of the Project’s materials will be provided at the public hearing.</p>

Residential Unit Type	Floor Area (sf)	Percentage of Total	Units	Affordable Control Period	Affordable Unit Type
Total Res. Floor Area (Gross SF)	342,943	100%	360		
Market Rate (Gross SF)	301,790	88%	319		
IZ – 60% MFI (Gross SF)	36,873	10.8%	38	Life of the Project	Rental
IZ – 50% MFI (Gross SF)	4,280	1.2%	3	Life of the Project	Rental
Affordable / Non IZ	0	0	0	Life of the Project	Rental
Large family sized units (3BR+)	22,820	4.2% (15/360 units)	15	Life of the Project	Rental
Affordable large family sized units (3BR+)	4,092	.8% (3/360 units)	3	Life of the Project	Rental

Question/Comment from Interagency Meeting	Applicant Response
<b>DC Water</b>	
1. Will the existing water lines in either 5 <sup>th</sup> Street, NW or 6 <sup>th</sup> Street, NW need to be relocated?	The Applicant continues to study whether the 5 <sup>th</sup> Street, NW water line will need to be relocated. On 6 <sup>th</sup> Street, NW, the Project is located no further forward of the Property line than the existing buildings, which accommodate access to and maintenance of the existing water line on that street. As a result, the Applicant does not expect that the 6 <sup>th</sup> Street, NW water line will need to be relocated.
2. How will the building be serviced by water (i.e., will there be a single water meter)?	The Applicant will coordinate with DC Water during the permitting stage to determine the appropriate service model for the Project and the necessary excavation mitigation measures. As part of the discussion at the interagency meeting, DC Water did not indicate that these questions needs to be resolved prior to the PUD approval.
3. How will tiebacks/support of excavation work given the existing water lines surrounding the property?	
4. Does the Project contain any commercial uses that would affect the system availability fee calculation?	The Project does not include any commercial uses, so it will be subject to the residential fee calculation to the extent applicable.
5. There is plenty of sewer capacity in the area around the Project and plenty of available water given the size of surrounding lines.	The Applicant appreciates confirmation that there is adequate water and sewer capacity to accommodate the Project without producing any stress on the existing infrastructure.
<b>Department of Energy and the Environment</b>	
6. DOEE is available for consultation regarding the incorporation of solar in the green roof design and calculations relating to those requirements.	The Applicant appreciates DOEE's offer for consultation and will work with DOEE as necessary ahead of and during the permitting phase of the Project to ensure the success of the Project's green roof and solar panels.
7. Does the garage include electric vehicle charging stations?	<p>The Applicant will provide three (3) electric vehicle charging stations in the Project's garage as a sustainability measure.</p> <p>In addition, the Applicant is aware the Commission encourages wiring the long-term bicycle storage to accommodate ebikes. Accordingly, the Applicant will provide power outlets in the long-term bicycle storage.</p>

Question/Comment from Interagency Meeting	Applicant Response
<b>Department of Housing and Community Development</b>	
8. How much affordable housing would a matter-of-right alternative to the Project be required to provide if it were to satisfy the minimum set aside based on the 75% of the Inclusionary Zoning bonus density?	34,618 square feet. The Project ultimately reserves 41,153 square feet of residential gross square footage for affordable housing, which is approximately 6,535 square feet more than would be required for a matter-of-right development of the Property. Whether a matter-of-right development of the Property would need to satisfy the 75% IZ bonus density requirement or the minimum GFA set-aside, the Project’s affordable housing proffer is significantly greater than any matter-of-right alternative. Moreover, the Project includes 18 three-bedroom units.
9. Please provide the proposed location of the affordable units in the upcoming filing.	Please see page G10 of <u>Exhibit A</u> .
10. Is it possible to provide an affordable housing set aside in excess of 12 percent of residential GFA or to reserve more of the affordable units at 50% MFI?	The Applicant believes that a 12 percent set aside is appropriate for this Project in light of the lack of a map amendment and limited zoning flexibility requested. The Project includes affordable units reserved at 50% MFI consistent with the penthouse affordable housing requirements.
<b>Department of Transportation (“DDOT”) Comments</b>	
11. DDOT is still reviewing the CTR and may have additional comments in its report it will file with the Commission. DDOT is reviewing the TDM and pavement types at the intersection of 6th Street, NW and M Street, NW among other items.	The Applicant will provide responses to DDOT’s comments as necessary following the filing of the DDOT report.
12. Has the Applicant submitted for a conceptual curb cut approval from the Public Space Committee for the two vehicle entrances to the project?	The Applicant will file for concept approval of its curb cuts prior to December 23, 2019.

<b>Question/Comment from Interagency Meeting</b>	<b>Applicant Response</b>
<b>Comments from Urban Forestry Division (“UFD”) Report filed as Exhibit 22</b>	
<p>13. UFD recommends the [Applicant] schedule a walk through to determine a path forward to preservation. Street trees to be preserved . . . require a Tree Preservation Plan (TPP) developed by a . . . Certified Arborist</p>	<p>As UFD noted, the Applicant and UFD have walked the Property once already. The Applicant will meet on site with UFD and a Certified Arborist to develop a Tree Preservation Plan acceptable to UFD and the Applicant, to mitigate any removed trees and to identify a planting program for new trees.</p>
<b>Additional OP Comments from Interagency Meeting</b>	
<p>14. Provide more information about the “defensible space” around the units with ground level entries and outdoor patio areas along public streets.</p>	<p>None of the Project’s units are directly at the same level as the street: first level units are raised approximately five feet above grade and the lower level units are approximately five feet below grade and screened from the public street by planting and railings around the areaways (patios) outside such units. This condition is similar to the public space relationship exhibited by the historic townhouses on M Street, NW. See additional views on sheet A10a of <u>Exhibit A</u>.</p>
<p>15. How many stories are in the bar connecting the two wings of the building?</p>	<p>The amenity bar connecting the two wings is two stories.</p>
<p>16. The Applicant met with staff from OP's design division and made changes that address the design division's comments.</p>	<p>The Applicant appreciates OP’s comments and believes they improve the overall design of the Project.</p>
<p>17. The Applicant has already submitted a thorough Comprehensive Plan analysis in light of there not being a map amendment as part of this case.</p>	<p>The Applicant agrees that the record already contains a sufficiently robust analysis of the Project’s satisfaction of the Comprehensive Plan prong of the PUD evaluation standard. However, the Applicant will provide additional analysis if necessary for the Commission’s review.</p>

## **ADDENDUM TO EXHIBIT C**

### **Proposed Design Flexibility**

The Applicant requests design flexibility in accordance with the flexibility contained in the conditions of recent previously-approved PUDs and/or to account for unique design aspects of the instant proposal.

The Applicant seeks flexibility with the design of the PUD in the following areas:

- (a) To vary the location and design of all interior components, including but not limited to partitions, structural slabs, doors, hallways, columns, stairways, and mechanical rooms, provided that the variations do not change the exterior configuration of the Project as shown on the [Final Plans];
- (b) To vary the final selection of the exterior materials within the color ranges of the material types as proposed, based on availability at the time of construction, without reducing the quality of the materials, provided such colors are within the color ranges shown on the [Final Plans]; and to make minor refinements to exterior details, dimensions and locations, including curtainwall mullions and spandrels, window frames and mullions, glass types, belt courses, sills, bases, cornices, balconies, railings and trim, or any other changes to comply with the District of Columbia Building Code or that are otherwise necessary to obtain a final building permit or to address the structural, mechanical, design, or operational needs of the building uses or systems;
- (c) To make minor refinements to the locations and dimensions of exterior details that do not substantially alter the exterior configuration of the Project as shown on the [Final Plans]; examples of exterior details include, without limitation, doorways, canopies, railings, and skylights;
- (d) To provide a range in the number of residential units in the Project of plus or minus ten percent (10%) relative to the number depicted on the [Final Plans];
- (e) To make refinements to the approved parking configuration, including layout and number of parking spaces plus or minus ten percent (10%), provided the number of parking spaces is at least the minimum number of spaces required by the Zoning Regulations;
- (f) To make minor refinements to the floor-to-floor heights, so long as the maximum height and total number of stories as shown on the Plans do not change;
- (g) To vary the design of the public space surrounding the Property and/or the selection of plantings in the landscape plan depending on seasonal availability within the range and quality as proposed in the [Final Plans] or otherwise in order to satisfy any permitting requirements of DC Water, DDOT, DOEE, DCRA, or other applicable regulatory bodies and/or service to the Property from utilities;
- (h) To vary the amount, location and type of green roof, solar panels, and paver areas to meet stormwater requirements and sustainability goals or otherwise satisfy permitting

requirements, so long as the Project achieves a minimum GAR required by the Zoning Regulations and provides a minimum of approximately 1,400 square feet of roof area containing solar panels and related equipment;

- (i) To vary the approved sustainable features of the Project, provided the total number of LEED points achievable for the Project does not decrease below the minimum required for the LEED standard specified by the order;
- (j) To vary the final design and layout of the mechanical penthouse to accommodate changes to comply with Construction Codes or address the structural, mechanical, or operational needs of the building uses or systems, so long as such changes do not substantially alter the exterior dimensions shown on the [Final Plans] and remain compliant with all applicable penthouse dimensional requirements of the Zoning Regulations; and
- (k) To vary the final design and layout of the indoor and outdoor amenity and plaza spaces to reflect their final design and programming and to accommodate special events and programming needs of those areas from time to time.

*[End of Exhibit C]*