

January 27, 2025

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VIA IZIS

Anthony Hood, Chairperson
D.C. Zoning Commission
441 4th Street, NW, Suite 200S
Washington, DC 20001

**RE: ZC Case No. 24-23
Applicant's Supplemental Statement**

Chairperson Hood and Honorable Members of the Commission:

On behalf of the Applicant Cedar Tree Academy (the “**Applicant**”) the following supplemental information is being provided pursuant to Subtitle Z § 401.5 in advance of the Commission’s hearing on the subject application. As set forth in the case record, the Applicant seeks mandatory design review and approval in order to construct a new school building (the “**Project**”) at 701 Howard Road SE (Lot 89, Square 5861) (the “**Property**”) in the NHR zone district. As part of the application, the Applicant also requests special exception relief from the minimum residential floor-area-ratio requirement of 2.5 in the NHR zone.

I. Updated Architectural Plan Set

The Applicant is enclosing an updated architectural plan set (“**Updated Plans**”) at **Exhibit A**. The Updated Plans are consistent with the Project’s design in the original application, but incorporate limited changes to address the following elements:

- **Design Revisions to Façade**

The Applicant has continued to refine the Project’s architectural details. Accordingly, the Updated Plans reflect minor revisions to the façade materiality. Portions of the northern, western and southern facades that were comprised primarily of colored translucent glass have been altered to incorporate colored phenolic paneling with punched openings. See **Exhibit A**, Sheets A-022 – A-024. Despite the change, the general color scheme and rhythm of the facades remains the same. The Project continues to comply with the NHR zone’s designated street requirements under Subtitle K § 1004.3, including that the Project’s ground story facing Howard Road is 50% display windows or pedestrian entrances.

Additionally, the material that comprises the “wrapper” feature around the building façade has been shifted from a phenolic panel in pebble gray to exterior insulation and finish system

(EIFS) in silver gray. This material is identified as “EM-1” on Sheets A-026 – A-029 of the Updated Plans.

- **Bicycle Parking Detail**

The Updated Plans incorporate two additional sheets providing detail on the short-term and long-term bicycle parking arrangements. See **Exhibit A**, Sheets A-013A, A-013B. The Applicant has also added one short-term bicycle parking space for a total of 40 spaces and one long-term bicycle parking space for a total of 11 spaces. This exceeds the minimum requirements of 39 spaces and 10 spaces, respectively.

- **Zoning Chart Revisions**

The Updated Plans correct a prior omission as to the Project’s lot occupancy. In the initial application, the Project’s lot occupancy was incorrectly listed as 45.6%. The Updated Plans correct the lot occupancy to 25.34%. See **Exhibit A**, Sheet A-006. The updated zoning chart also reflects the additional bicycle parking outlined above as well as the number of bicycle showers and lockers.

II. Comprehensive Transportation Review

The Applicant is enclosing a Comprehensive Transportation Review for the Project, which was prepared by Symmetra Design, the Applicant’s transportation consultant. See **Exhibit B**. The Comprehensive Transportation Review includes a proposed Transportation Demand Management plan. The report is being provided to the Department of Transportation and ANC 8A.

III. Information on NHR Requirements under Subtitle K § 1005.3

In the initial application, the Applicant provided information in response to NHR zone requirements under Subtitle K § 1005.3. As a supplement to that information, the Applicant offers the following:

Subtitle K § 1005.3(a) – Coordination by the applicant with the Department of Employment Services (DOES) regarding apprenticeship and training opportunities during construction and operation at the subject site, and the provision of any internship or training opportunities during construction and operation at the subject site, either with the applicant or with contractors working on the project independent of DOES;

The Applicant engaged a local organization in Ward 8 and a citywide organization that both individually operate a DOES-approved paid apprenticeship and training program for local high school and college students in construction as well as operations and will also refer interns to the Applicant. Accordingly, the Applicant, its general contractor, and Community College Preparatory Academy in Ward 8 are creating an apprenticeship and internship program partnership for individuals in the HVAC industry. CC Prep currently offers HVAC certificate courses.

Subtitle K § 1005.3(b) – Efforts by the applicant to include local businesses, especially Wards 7 and 8 businesses, in contracts for the construction or operation of the proposed project;

On December 6, 2024, the Applicant hosted a CBE outreach meeting to introduce the project and gauge initial interest from local contractors. Since filing the application, local businesses submitted proposals to the Applicant's general contractor for construction subcontracts. The Applicant expects to sign a construction contract with the general contractor by the Zoning Commission public hearing, which will include the subcontracts with the local businesses in Wards 7 and 8. As noted in the application, local businesses will only be included in construction, as the Applicant must operate the public charter school.

Subtitle K § 1005.3(c) – Efforts by the applicant to provide retail or commercial leasing opportunities to small and local businesses, especially Ward 8 businesses, and efforts to otherwise encourage local entrepreneurship and innovation; and

While the Applicant strongly supports Ward 8 and its businesses, this requirement is not applicable due to the public school use proposed by the Project.

Subtitle K § 1005.3(d) - Coordination by the applicant with the State Archaeologist and any plans to study potential archeological resources at the subject site, and otherwise recognize local Anacostia history.

The Applicant met with the State Archaeologist on November 21, 2024. At the direction of the State Archaeologist, the Applicant contracted with Wetland Studies and Solutions, Inc., which has prepared a Work Plan for the State Archaeologist's approval. Once the Work Plan has been approved, the Applicant will proceed with scheduling the Phase IB archaeological study in the field. The State Archeologist will provide zoning review comments by February 10, 2025. The Applicant expects to recognize local Anacostia history in an educational design feature for the Project.

IV. Revisions to Proposed Design Flexibility

As part of the application, the Applicant requested design flexibility on the architectural plans reviewed by the Zoning Commission. The proposed language is consistent with flexibility approved by the Zoning Commission in recent cases.

Nonetheless, the Applicant continues to work with the Department of Transportation on the proposed number of curb cuts to be provided for the Project. If the number of curb cuts is ultimately reduced, the change would require reconfiguration of landscaping elements by the vehicular entrance to the site. Accordingly, the Applicant seeks to make a minor revision to the proposed design flexibility language to account for these discussions. The revised language is ***italicized in bold*** below.

a. To vary the location and design of all interior components, including partitions, structural slabs, doors, hallways, columns, stairways, and mechanical rooms, provided such variations do not change the exterior configuration or appearance of the building;

b. To vary the final selection of the colors of the exterior materials, based on availability at the time of construction, provided such colors are within the color ranges shown on the Architectural Plans approved by the Commission;

c. To make minor refinements to exterior façade details and dimensions, including curtain wall mullions and spandrels, window frames, glass types, belt courses, sills, bases, cornices, balcony railings and trim, or any other changes, providing such minor refinements do not substantially alter the Architectural Plans approved by the Commission and are necessary to comply with the District of Columbia Building Code or that are otherwise necessary to obtain a final building permit;

d. To vary the location, attributes and general design of the streetscape, *including curb cuts*, incorporated in the project to comply with the requirements of and the approval by the D.C. Department of Transportation's Public Space Division; and

e. To vary the final landscaping dimensions and materials as shown on the Architectural Plans based on ~~either~~ (i) availability and suitability at the time of construction; ~~or~~ (ii) ~~in-order-to satisfy~~ permitting requirements of the D.C. Department of Energy and Environment; *or (iii) to account for the location and design of curb cuts.*

f. To vary the features, means and methods of achieving the required LEED-Gold Certification, including as to the amount of photovoltaic panels.

V. Community Outreach

After filing the application, the Applicant presented the Project to ANC 8A at its public meeting on January 14, 2025. At that meeting, the ANC 8A voted unanimously to support the Project and the application.

VI. Outline of Witness Testimony with Expert Resumes

The following witnesses will testify on behalf of the Applicant at the public hearing:

- Dr. Latonya Henderson, Executive Director of Cedar Tree Academy.
- Luis Boza, Project Architect from A2 Design, Inc. Mr. Boza will be proffered as an expert in architecture and design. Mr. Boza's resume is attached at Exhibit C.
- Nicole White, Traffic Consultant from Symmetra Design. Ms. White will be proffered as an expert in traffic and transportation. Ms. White's resume is attached at Exhibit C.

Testimony outlines for each witness are attached at Exhibit D.

VII. Conclusion

The Applicant thanks the Commission for its consideration of this filing and looks forward to the public hearing on February 24, 2025.

Sincerely,
COZEN O'CONNOR



Eric J. DeBear

Certificate of Service

I HEREBY CERTIFY that on this 27th day of January, 2025, a copy of this Supplemental Statement with attachments was served, via email, on the following:

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