

April 18, 2019

Via IZIS and Hand Delivery

Anthony Hood, Chairperson
District of Columbia Zoning Commission
441 4th Street, NW, Suite 210-S
Washington, DC 20001

Re: **Zoning Commission Case No. 04-14F; Modification of Consequence of Order No. 04-14D (Square 708, Lot 15) (“Property”)**

Dear Chairperson Hood:

Riverfront Holdings II, LLC (the “Applicant”), hereby requests a modification (“Modification of Consequence”) of Order Nos. 04-14D and 04-14E (collectively, “Orders”). Order No. 04-14D approved Phase 2 of a multi-phased, mixed-use planned unit development (“PUD”) located immediately to the south of the baseball stadium and along the Anacostia River. More specifically, the order approved a residential building with 250-285 units and approximately 7,709-11,436 square feet of retail space (“Project”). A building permit has been issued for the Project and construction is well underway. The Applicant anticipates construction to complete in April 2020. The Applicant has, however, refined the residential signage plan, which reflects modest deviations from the plan approved during the PUD process. Accordingly, the Applicant files the instant application for review and approval of such modifications.

An agent authorization letter and application form are attached as Exhibit A. A copy of ZC Order Nos. 04-14D and 04-14E are attached as Exhibit B. Revised plans showing the modifications are attached as Exhibit C. This modification request is made pursuant to Subtitle Z Section 703 of the 2016 Zoning Regulations.

A. Background

A first stage PUD was first approved for the Property in 1998 pursuant to Zoning Commission Order No. 850 and a second stage approval was approved the following year. The PUD was not constructed pursuant to its initial approval and it was ultimately delayed while the baseball stadium was constructed and the Capital Gateway Overlay was finalized. The Zoning Commission approved a modification of the initial PUD in 2013 pursuant to Order No. 04-14B, which approved a first stage PUD for a residential building with ground floor retail on the Property. A second stage application was approved on February 13, 2017, pursuant to Order No. 04-14D. The Applicant subsequently filed an application for a modification of consequence for

modest refinements to its plans, including refinements to its signage plan. The modification of consequence application was approved on December 11, 2017, pursuant to Order No. 04-14E.

The Applicant secured its building permit for the Project on November 20, 2018 and construction is underway. It expects completion of the Project by April 2020 and initial occupancy in early 2020.

B. Modification Request and Applicant's Satisfaction of the Standards for Approving a Modification of Consequence

Condition No. 1 of Order No. 04-14D requires that the approved project be built in accordance with the approved plans (Order No. 04-14D, p. 20). Sheet A221 of the approved plans includes a residential signage plan for the building. The signage plan was subsequently modified in Case No. 04-14E to reduce the projection of the signage but it did not modify the substance of the signage plan itself. See Exhibit C, Sheet A221a in Case No. 04-14E. The signage plan evolved as the building branding was developed and the Applicant now proposes certain modifications as reflected in the attached plans. The proposed signage complies with the building code's signage regulations.

The PUD approved horizontal signage with lettering no greater than 2 feet in height. The new signage includes vertical signage with lettering applied directly to the building. The letters are aluminum with face-lit acrylic lenses. The letters will each be 4 feet in height and spell the building name, Maren, with one letter on each of floors 9-13 on the northern façade. The letters will be affixed to the metal paneling and will be internally lit. The letters will be set back a minimum of 13 inches from the windows of the residential units so as to minimize any lighting impacts. Additionally, the lights are front lit channel letters, so the light will be directed forward away from the building.

Section 703 of Subtitle Z of the 2016 Zoning Regulations establishes the standards and requirements for approval of modifications of consequence, without a public hearing. Section 703.4 notes that examples of modifications of consequence:

[i]nclude, but are not limited to, **a proposed change to a condition in the final order**, a change in position on an issue discussed by the Commission that affected its decision, or **a redesign or relocation of architectural elements** and open spaces from the final design approved by the Commission. (emphasis added in bold).

The revised signage plan is a redesign of an architectural element that qualifies as a modification of consequence.

C. Service on Party

The only party in Zoning Commission Case No. 04-14D was ANC 6D. Therefore, ANC 6D is being served with this application (in satisfaction of Section 703.13 of Subtitle Z). (See attached Certificate of Service). A representative of the Applicant has had preliminary outreach

Anthony Hood, Chairperson
District of Columbia Zoning Commission
April 18, 2019
Page 3

to ANC 6D07 Single Member District Commissioner Daniels to discuss the modification.

D. Conclusion

The proposed modification is consistent with the Zoning Commission's previous approval and the use of the consent calendar process outlined in Section 703 of Subtitle Z of the 2016 Zoning Regulations is appropriate for this application. All other conditions of Order Nos. 04-14D and 04-14E will remain as approved.

Please feel free to contact the undersigned if you have any questions or comments regarding this consent calendar modification application.

Respectfully Submitted,

Christine Roddy/is

Christine Roddy

Meghan Hottel-Cox/is

Meghan Hottel-Cox

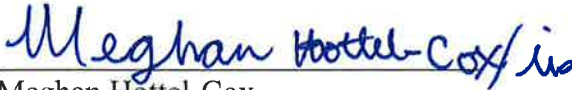
Certificate of Service

I hereby certify that I sent the foregoing document to the addresses below on April 18, 2019, by first class mail and hand delivery.

Karen Thomas
Office of Planning
1100 4th Street, SW, Suite 650E
Washington, DC 20024

ANC 6D (7 copies)
1101 4th Street SW, Suite W130
Washington, DC 20024

Commissioner Daniels – ANC 6D 07
301 Tingey Street, SE
Washington, DC 20020



Meghan Hottel-Cox