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VIA IZIS and HAND DELIVERY

Zoning Commission for the
District of Columbia
441 4th Street, N.W., Suite 200S
Washington, D.C. 20001

Re: Zoning Commission Case No. 13-14
McMillan Sand Filtration Site (Square 3128, Lot 800)
First Stage and Consolidated PUD; Map Amendment

Dear Members of the Commission:

1. Introduction

On behalf of Vision McMillan Partners, the master developer selected by the District of Columbia for the McMillan Sand Filtration Site, and the Deputy Mayor's Office for Planning and Economic Development (collectively "Applicant"), we submit this supplemental statement in support of the application for a first stage and consolidated planned unit development ("PUD") and related map amended for the property located at 2501 First Street, N.W., (Square 3128, Lot 800). These materials respond to information requested by the Zoning Commission at its January 27, 2014, meeting and the Office of Planning in its report dated January 17, 2014, portions of which were submitted separately to the Commission on February 18, 2014. Updated drawings, which include the additional renderings requested by the Commission, more detailed elevations, and the location of the inclusionary zoning units are submitted as Exhibit A. Updated charts summarizing the Commission's comments and the Applicant's response are attached as Exhibit B. These materials cover the Stage 1 PUD Master Plan in one booklet, and a second booklet of drawings for the individual buildings designs for the community center and park; the multi-family residential and retail building, the rowhouses, and the healthcare facility. Given the complexity of this PUD, the Applicant has also prepared for the convenience of the Commission separate "reference guides" summarizing the PUD building program and the PUD's public benefits. Both are attached as Exhibit C.

2. Architectural Design

In its prehearing submission filed on February 18, 2014, the Applicant previously responded to several of the design issues raised by the Commission at the setdown meeting. The Commission's comments and the Applicant's response are summarized in the updated chart attached as Exhibit B. The new booklets of architectural plans submitted today also provide several new drawings to address the Commission's specific issues. These include a rendering that eliminates the "blank wall" appearance of the mixed-use multi-family building elevation on Evarts Street; fully detailed drawings of the rowhouse end-units; the location of the affordable and IZ units in the residential developments; and a lighting plan including an aerial rendering of the site just after dusk.

3. Transportation Impact Study

Attached as Exhibit D is the Applicant's Transportation Impact Study prepared by Gorove/Slade Associates. The report reviews the transportation aspects of the PUD and its evaluation includes both the application submitted on November 22, 2013 and February 18, 2014 follow up submittals. The report concludes that the PUD will not have a detrimental impact to the surrounding transportation network as long as the report's recommendations and mitigation measures are incorporated into the PUD application or made a condition of approval. These recommendations are summarized at the end of this executive summary and in detail in the body of the report. The first recommendation was to submit additional details on the loading and bicycle parking plans prior to public hearings – those details are included in the updated architectural drawings attached. Second is a detailed list of recommended roadway improvements on the streets and intersections affected by the PUD: Michigan Avenue, N.W., North Capitol Street, First Street, N.W., and Channing Street, N.W. Third, and central to those recommendations is an expectation that the Applicant will coordinate with DDOT, nearby institutions, and the community to help bring significant increases in transit capacity to the area. Preferably, these are WMATA and DDOT's already-planned improvement to the bus and streetcar systems. If these improvements do not come to fruition by full build-out of Phase 1 of the PUD, the Applicant will implement a private shuttle service to serve site-generated transit demand in the interim.

In anticipation of the study's release, the Applicant scheduled two community meetings to share the findings and gather feedback, publicizing these meetings via 8,500 postcards mailed to surrounding residents as well as through various online channels. The first meeting, May 13, 2014, was hosted by the McMillan Advisory Group and the second meeting, April 3, 2014, was hosted by the Applicant. The Applicant recorded questions and feedback at both meetings and distributed the questions and answers to all participants who signed in and published the same information online at various sites.

4. Structural Report

The Commission expressed interest in the adaptive reuse of the historic resources on the site. As noted in the Applicant's prehearing submission, many of the underground cells are structurally unstable and cannot be re-used. Robert Silman Associates, structural engineers, prepared a structural report for the Applicant, which describes the compromised integrity of the historic elements. The executive summary of the report is attached as Exhibit E.

5. Theoretical Lot Controls for the Rowhouse Development Under Section 2517

The rowhouses proposed for Parcel 5, which will be located in the CR District, are being developed pursuant to section 2517 of the Zoning Regulations. That section allows two or more principal buildings or structures to be erected as a matter of right on a single subdivided lot that is not located in or within 25 feet of a residence district. Parcel 5 will consist of 19 groups of buildings, with six to eight rowhouses in 18 of the buildings, and 16 rowhouses in Building 19. Each group will be on its own lot, only four of which will have street frontage. Buildings 1, 7 and 9 have frontage on First Street, and Building 19 has frontage on North Capitol Street. The remaining fifteen building lots will be interior to the site.

The Applicant seeks flexibility under the PUD guidelines from the rear yard requirements for all of the buildings except Building 9 and 19. A rear yard depth of 12 feet is required for each group of buildings, but only nine feet are provided for Buildings 1-8, and Buildings 10, 11, 13, and 17. The Applicant seeks a deviation of three feet for those buildings. No rear yards are provided for Buildings 12, 15, and 18. Additionally, the Applicant seeks flexibility from the open court width requirements at Building 9 in order to provide a 9.5 foot wide court where 10 feet is required. The minor flexibility from the rear yard and court requirements will allow the Applicant to provide a successful rowhouse development that is consistent with other similar projects constructed by EYA, one of the developers of the Applicant team, and approved by the Zoning Commission and Board of Zoning Adjustment. These include the Challenger Court PUD at 7th and G Streets, S.W. (Z.C. Order No. 870); the Bryan School PUD on Capitol Hill (Z.C. Order No. 945); the St. Paul's College PUD (Z.C. Order No. 07-27A); the Hillcrest Homes development in Ward 7 (BZA Order No. 17837); Capital Quarter as part of the Capper/Carrollsbury PUD (Z.C. Order No. 03-12/03-13), among others. Significantly, the lot occupancy for the townhouses will range from 51-68 percent, which is well below the permitted 75 percent lot coverage in the CR District.

6. Zoning Data

The Applicant refined and updated its zoning tabulations for the PUD. The calculations for the entire PUD site are included in the Stage 1 PUD Master Plan; the data for each individual building are repeated in the Stage 2 PUD drawings, along with specific areas of zoning flexibility requested. The calculations include both the actual and "effective" FAR and lot occupancy rates (i.e., a calculation that excludes the private streets within the PUD site). Zoning tabulations for vehicle parking, bike parking, and loading facilities for each building are also included.

7. Community Engagement

The Applicant has been in dialog with the community for the past several years and has hosted or attended over 200 meetings on the proposed PUD, in addition to responding to individual inquiries and feedback via email, telephone or in-person conversations. The community input has positively shaped and informed the project that is now before the Zoning Commission. Building consensus among stakeholders is challenging given the site's size and significance and therefore the number of potentially affected neighborhoods. The Applicant worked diligently to provide ongoing communication and actively listen to constituents among at least eight different neighborhoods, three ANC's and two Wards. While it is not possible to satisfy all participants, the process has been invaluable to the project. A log of the community interaction in 2013-14, the timeframe during which the Master Plan was finalized and rolled out, is attached as Exhibit F.

8. Additional Expert Witness

In addition to the witnesses listed in its prehearing submission, the Applicant may also call its structural engineer to testify as an expert witness, as warranted. Attached as Exhibit G is the resume of Kirk Mettam, Executive Vice President, Robert Silman Associates Structural Engineers.

9. Conclusion

The Applicant looks forward to presenting the PUD project and supporting documentation to the Commission in the hearings scheduled for May 1, 5, 8 and 13, as needed.

Respectfully submitted,

HOLLAND & KNIGHT LLP

By: 

Whayne S. Quin
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Attachments

cc: Jennifer Steingasser, Office of Planning (via hand-delivery)
Maxine Brown-Roberts, Office of Planning (via hand-delivery)
C. Dianne Barnes, ANC 5E09
Sylvia M. Pinkney, Chair, ANC 5E
Ronnie Edwards, Chair, ANC 5A
James A. Turner, Chair, ANC 1B

LIST OF EXHIBITS

- A Updated Architectural Drawings
- B Updated Chart Responding to ZC Comments
- C PUD Reference Guide (Site Plan and Public Benefits)
- D Transportation Impact Study
- E Structural Report Executive Summary
- F Community Engagement Log (2013-14)
- G Resume of Expert Witness, Kirk Mettam, Robert Silman Associates