

January 27, 2015

VIA ELECTRONIC FILING

Anthony J. Hood, Chairman
Zoning Commission for the District of Columbia
441 Fourth Street, NW, Suite 210S
Washington, DC 20001

**Re: Zoning Commission Case No. 14-07: Consolidated PUD for
1270 4th Street, NE (Parcels 129/95 and 129/96 in Square 3587)
Modification of Plans to Incorporate Parcel 129/77 as a First-Stage PUD,
Request for Setdown of the First-Stage PUD, and Request for Abbreviated
Notice of Public Hearing for the Combined PUD**

Dear Chairman Hood and Members of the Commission:

In response to requests from OP, DDOT, and the community, the Applicant has revised the design of the proposed PUD to incorporate an extension of Neal Place through the PUD site. Although the proposed extension of Neal Place will have significant impacts on the design of the consolidated PUD, the Applicant has incorporated the extension because it responds to a major area of concern raised by the agencies and ANCs. The change has been well received by all parties as a major public benefit of the PUD. To fully accommodate the area and design of the Neal Place extension, the Applicant must incorporate property to the north of the current PUD site that is known as Parcel 129/77 (“**North Parcel**”). The Applicant proposes to incorporate the North Parcel as a first-stage PUD only at this time.

First-Stage PUD for the North Parcel

Attached to this letter are: plans and drawings reflecting the incorporation of the Neal place extension and first-stage PUD into the Project (Exhibit A); applications for first-stage PUD and zoning map amendment from the C-M-1 Zone District to the C-3-C Zone District for the North Parcel (Exhibit B); a plat for the North Parcel (Exhibit C); a revised property owners’ list that incorporates the North Parcel into the PUD site (Exhibit D); a revised Tabulation of Development Data for the entire amended PUD (Exhibit E); and a revised document outlining compliance with the PUD requirements (Exhibit F). Since the public hearing is already

scheduled, the Applicant has also included the Hearing Fee Form (Exhibit G) and a check for \$8,896.00, which represents the additional hearing fee for this matter, as well as pre-printed labels with the revised list of nearby property owners.

As shown on Exhibit A, the Applicant proposes to construct an 11-story building on the North Parcel containing approximately 130-160 dwelling units and approximately 8,000 – 12,000 square feet of ground floor retail space. The North Parcel building will contain underground parking as well, which will be connected to and accessed through the sister building to the south. The North Parcel component will generally match the height and massing of the proposed building to the south. Specific details on the design of the North Parcel will follow in a second-stage PUD submission.

Neal Place Extension

The plans and drawings attached as Exhibit A also depict the proposed Neal Place extension. The 50-foot wide extension matches the dimensions of the existing right-of way to the east, and will accommodate vehicular lanes as well as sidewalks.

The extension will be provided through a public access easement over a portion of the Project's parking garage. Upon such time that the proposed 3rd Street NE and further extension of Neal Place to 3rd Street are completed, opened, and dedicated by the District, the Applicant will authorize the use of the extension for vehicular traffic. Until that time, the Applicant proposes to landscape and treat the extension as a pocket park. The interim and final plans are shown on Exhibit A. The Neal Place extension is an essential link that will help facilitate pedestrian and vehicular movement through the emerging neighborhood.

The Applicant has met with DDOT regarding the temporary pocket park and Neal Place extension, and DDOT has endorsed the approach. The Applicant will continue to work with DDOT to finalize the design of such elements.

Additional Design Updates

The drawings included as Exhibit A also reflect updates to the architectural design of the consolidated PUD. In response to the Commission's direction, the design team has revised the design to reflect the industrial character of the neighborhood. Key changes include the setback of the residential floors from the retained façade of the warehouse building to emphasize the warehouse façade as well as changes in fenestration and materials to knit the upper-story addition together with the retained warehouse base. The Applicant will continue to revise the

design of the building and coordinate with OP and DDOT on other design issues leading up to the rescheduled public hearing on March 26, 2015.

As noted above, the Neal Place extension will also have significant impacts on the design of the consolidated PUD component of the Project, including reductions in the originally-planned retail and residential program. The Applicant and the design team are revising the plans to reflect these changes and will provide detailed revised drawings prior to the rescheduled March 26 public hearing.

Discussions with Stakeholders and Notice of the Modifications

The Applicant has met with OP and DDOT to discuss the above changes. The Applicant's traffic study, which was submitted to DDOT for review on January 9, incorporates the addition of the Neal Street extension and the North Parcel. A copy of the traffic study is attached to this letter as Exhibit H.

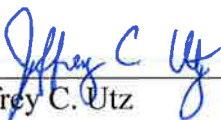
The Applicant has also presented the above changes to ANC 5D (the affected ANC), including the Neal Street extension and incorporation of the North Parcel.

Finally, pursuant to Section 3015.4 of the Regulations, the Applicant posted notice of the public hearing on the property on January 9, 2015. The posted notice specifically referenced the modification to incorporate the North Parcel.

Therefore, as a practical matter, all interested agencies, parties, and persons are fully apprised of the modifications. However, the Applicant respectfully requests that the Commission set the first-stage component of the PUD down at its February 9, 2015 public meeting as well as waive the requirement for certification under Section 3013.7 for the initial pre-hearing submission so that the Office of Zoning may transmit a revised Notice of Public hearing reflecting the modifications to the D.C. Register the following day (February 10). The Applicant further requests that the Commission authorize an abbreviated notice period so that the modified PUD may be heard at the scheduled March 26, 2015 public hearing. The Applicant has discussed the above process with the Office of Zoning, OP, and the Office of the Attorney General.

The Applicant looks forward to a full discussion of this project at the public hearing. Not less than 20 days prior to the public hearing (i.e., on March 6th), the Applicant will submit final proposed plans and drawings of the combined PUD as required by Section 3013.1. If you have any questions, please contact Jeff Utz at 202-721-1132 or David Avitabile at 202-721-1137.

Respectfully submitted,



Jeffrey C. Utz



David M. Avitabile

cc: Jeff Kaufman, Edens
Alisa Brem, Edens
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CERTIFICATE OF SERVICE

I certify that on January 27, 2015, I delivered a copy of the foregoing document via electronic mail, hand delivery, or first class mail to the addresses listed below.



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