

February 24, 2015

VIA ELECTRONIC SUBMISSION

Mr. Anthony J. Hood  
Chairman  
D.C. Zoning Commission  
441 4<sup>th</sup> Street NW  
Suite 210S  
Washington, DC 20001

Re: **Zoning Commission Case No. 14-18 – Consolidated PUD and Zoning Map Amendment Application- Supplemental Pre-Hearing Statement of the Applicant**

Dear Chairman Hood and Members of the Zoning Commission:

This consolidated PUD and Zoning Map Amendment application has been scheduled for a public hearing on March 16, 2015. This letter and the attached materials serve as Mid-City Financial Corporation's (the "**Applicant**") supplemental pre-hearing statement.

**Applicant's Dialogue with Brookland Manor Residents, ANC 5C and ANC 5B, and the Surrounding Community**

A detailed outline of the meetings and presentations that the Applicant has made to the Brookland Manor Residents Association, ANC 5C and ANC 5B, various community and neighborhood organizations, and District and Federal agencies is attached as Exhibit A. In general, the project's proposed urban design and site planning (including the mix of uses, building heights, massing, and creation of usable open and public spaces) have been strongly supported. ANC 5C adopted a unanimous resolution in support of the PUD and Zoning Map Amendment application at their February 18, 2015 regularly scheduled public meeting.

Questions that have been raised about the PUD and Zoning Map Amendment application have typically focused on the tenant relocation and construction plan, as well as the affordable housing component of the project. The Applicant believes that the detailed information provided in the January 8, 2015 pre-hearing statement thoroughly and adequately addresses these issues, and has presented that same information in all recent meetings and presentations.

### **Additional Background Information on the Applicant**

As noted in the Applicant's original statement in support of the application, Mid-City Financial Corporation (through Brentwood Associates and Edgewood Management) has managed the apartment buildings on the property since 1977 pursuant to two project-based Section 8 contracts, through the acceptance of District of Columbia Housing Authority vouchers, and by renting to a small number of market rate residents. Brentwood Associates/Edgewood Management has been a responsive and attentive owner/manager of these properties. The Applicant and Brentwood Associates have never received a distribution of cash flow from the property. All income received through rent and subsidy payments have been reinvested back into the property and its operations. The existing buildings are meticulously maintained and the grounds are kept free of trash and litter.

Included in Exhibit B are two letters and an article from the Wall Street Journal (which describes in part how Mid-City "runs a showcase of low-income housing") that provide greater context to the Applicant's commitment to providing safe, clean, and inviting communities for the residents. The first letter is from the US Department of Housing and Urban Development ("HUD"). In this letter, the HUD representative notes that "the proposed redevelopment of Brookland Manor into a mixed income community, while retaining 373 Apartment Section 8 Project Based Assistance contract, is consistent with the HUD's objective of upgrading low income housing and developing true mixed income communities." The HUD representative also noted the very high scores that Brookland Manor has received under HUD's Real Estate Assessment ("REAC") system, which notes that a passing score is 62, and that scores in the 90's exempt the property from re-inspection for a period of three years. Brookland Manor's most recent score, in December, 2012, was a 95. In 2009, Brookland Manor also received a score in the 90's.

The second letter included in Exhibit B is from the Executive Director of Beacon House (Gerald Kittner), which provides after school tutoring and mentoring programs for low-income children in the Edgewood Terrace (now Edgewood Commons) apartment complex. This letter notes the beneficial changes that occurred at the Edgewood property after the Community Preservation and Development Corporation (founded by Eugene Ford, Sr., also the founder of the Applicant) took ownership of that property. Mr. Kittner notes "Just as Edgewood has been an unequivocal success story, Mid-City's planned renovations of Brookland Manor hold the

promise of a much brighter future for current and low-income residents. Furthermore, it is hard to discern the value of preservin

promise of a much brighter future to discern the value of preservin

### **Transportation Impact Study**

transportation engineering firm, Gorove/Slade Associates, filed a TIS") with the District Department of Transportation ("DDOT") of the TIS is included as Exhibit C. The TIS analyzed the impacts on network during three distinct phases of development of the

The Applicant's transportation impact study ("TIS") was completed on January 30, 2015. A copy of the study is attached on the surrounding transportation project.



The TIS noted that this project includes several significant transportation improvements and found:

The PUD Master Plan takes advantage of the significant size of the project to greatly enhance the street network. Not only will the project add more roads to the site, it lays out the roads in a fashion that provides more connectivity for drivers, pedestrians and cyclists. First, a new '15th Street Extended' will connect all of the way through the site from Downing Street to Rhode Island Avenue. Second, 14th Street will be extended through the site to Rhode Island Avenue as a pedestrian connection, providing a second access point on Rhode Island Avenue. Finally, the PUD Master Plan includes a new alley network that provides quality access to parking facilities and loading docks.

Given the nature of this First-Stage PUD application, the TIS notes that Transportation Demand Management (TDM) plans and the exact number of parking spaces provided in each building will be addressed at subsequent Stage-Two PUD applications. The TIS includes proposed mitigation measures for some of the phases of development (such as the installation of a traffic signal at the intersection of Saratoga Avenue and Montana Avenue in the second phase of development of the entire project, which is expected to be completed by 2022), but ultimately concludes that "the PUD project will not have a detrimental impact to the surrounding transportation network assuming that all planned site design elements are implemented, and all mitigation measures are incorporated into the PUD application."

The Applicant and its design team have engaged in additional meetings and dialogue with representatives of DDOT (as well as OP and DDOE) since the application was set-down for a public hearing. In response to questions raised by DDOT representatives, an updated plan depicting the proposed public and private streets and alleys is attached to this supplemental filing as Exhibit D.

#### **Requested Flexibility**

As noted in the Applicant's initial statement, dated October 1, 2014, the Applicant is requesting that the First-Stage PUD approval be granted for a period of three years, and within such time an application for the processing of a Second-Stage PUD application must be filed in order to vest the approval of the First-Stage PUD application. The final Second-Stage PUD application necessary to complete the development of the PUD project must be filed within 10 years of the approval of the First-Stage PUD application.

#### **Additional Information Requested by the Zoning Commission at the Set-Down Hearing**

The Applicant's pre-hearing statement included significant information and detail regarding the tenant relocation plan and construction phasing plan. Plans depicting the proposed construction phases are included in Exhibit E. A construction management agreement that the Applicant will follow in order to mitigate any potential adverse impacts on the existing Brookland Manor residents and the surrounding community due to construction activity is attached as Exhibit E.

The Zoning Commission also asked that the Applicant provide a commitment to include a grocery store in the project. The Applicant has engaged a retail broker to start marketing efforts to attract an anchor grocer. The Applicant is willing to add as a condition of approval that the development of Block 2 or Block 3 will be required to include a grocery store.

### **Proposed Witnesses, Expert Witnesses and Resumes**

The Applicant anticipates that the following witnesses will present testimony at the public hearing on March 16, 2015, they are:

- 1) Eugene Ford Jr. and Michael Meers - Representatives of the Applicant (an outline of their testimony was included in Exhibit C of the pre-hearing statement);
- 2) Matthew Bell – Project Architect/Urban Planner - proposed as an expert witness in architecture and urban planning – resume attached, (an outline of Mr. Bell’s testimony was included in Exhibit C of the pre-hearing statement); and
- 3) Dan Van Pelt or Robert Schiesel - Project Transportation Consultant - proposed as expert witnesses in transportation engineering – resumes attached, (an outline of their testimony was included in Exhibit C of the pre-hearing statement).
- 4) Dan Duke – Project Civil Engineer - proposed as expert witness in civil engineering – resume attached, (an outline of Mr. Duke’s testimony is included with Exhibit F of this filing).

### **Exhibits**

The following exhibits are attached to this supplemental pre-hearing statement:

Exhibit A – Outline of meetings/presentations by Applicant to Brookland Manor Residents Association, ANC 5C and ANC 5B, neighborhood community organizations, and relevant District and Federal agencies.

Exhibit B – Letters from HUD and Beacon House, article from the Wall Street Journal.

Exhibit C - Transportation Impact Study prepared by Gorove Slade Associates.

Exhibit D – Updated plans depicting proposed public and private streets and alleys.

Exhibit E – Plans depicting the construction phasing plan and a construction management agreement.

Exhibit F – Resumes of proposed expert witnesses.

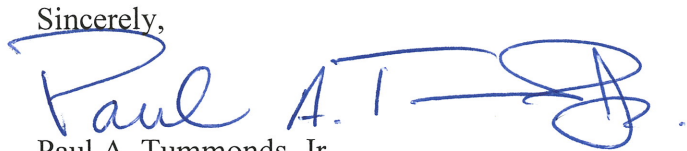
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**Conclusion**

The Applicant looks forward to presenting this application to the Zoning Commission on March 16, 2015.

Sincerely,

A handwritten signature in blue ink that reads "Paul A. Tummonds, Jr." with a stylized flourish at the end.

Paul A. Tummonds, Jr.

**CERTIFICATE OF SERVICE**

I hereby certify that I sent a copy of the foregoing document to the following addresses on February 24, 2015 by Hand Delivery and First Class Mail:

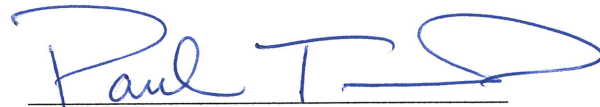
Maxine Brown-Roberts  
Office of Planning  
1100 4<sup>th</sup> Street, SW  
Suite E650  
Washington, DC 20024  
(By Hand Delivery)

Regina James, ANC 5C05  
1363 Adams Street, NE  
Washington, DC 20018  
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1714 Montana Avenue, NE  
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Paul Tummonds