

April 22, 2016

VIA ONLINE 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. 15-15 – Application of JBG/Boundary 1500 Harry Thomas Way, L.L.C. and JBG/Boundary Eckington Place, L.L.C. to the D.C. Zoning Commission for a Consolidated Planned Unit Development and Related Zoning Map Amendment for 1500 Harry Thomas Way, NE (Square 3576, Lot 814) and 1611-1625 Eckington Place, NE (Square 3576, Lots 2001-2008) (the “Property”) – Twenty-Day Pre-Hearing Submission of the Applicant

Dear Chairman Hood and Commissioners:

Pursuant to 11 DCMR Section 3013.1, JBG/Boundary 1500 Harry Thomas Way, L.L.C. and JBG/Boundary Eckington Place, L.L.C. (collectively, the “**Applicant**”), the applicants in Zoning Commission Case No. 15-15, hereby file their twenty-day pre-hearing submission for their application for a consolidated Planned Unit Development and related Zoning Map amendment. The Applicant looks forward to presenting its application before the Zoning Commission on May 12, 2016.

The Applicant has incorporated several modifications to the project as it has continued its work with the community to refine the project design. The Applicant is enclosing updates to the project plans and architectural diagrams, along with further detail regarding the operations and benefits and amenities of the project, among other items, as described below.

I. Background

The Property consists of Lots 814 and 2001-2008 (also known as Lot 805), Square 3576. The property that is the subject of this application is in the Northeast quadrant of the District of Columbia between Eckington Place, NE and Harry Thomas

Way, NE. The property currently contains surface parking lots and one and two story commercial buildings.

The Property consists of approximately 135,099 square feet of land area and is zoned M. The M Zone District permits a maximum height of 90 feet and a maximum floor area ratio (“**FAR**”) of 6.0. The related Map Amendment proposes to rezone the site from the M Zone District to the CR Zone District.

The Applicant proposes to construct a mixed-use building comprised of four connected structures containing residential units, ground floor commercial uses, and underground parking (the “**Project**”). Three of the structures will be constructed to a height of approximately 75 feet and one of the structures will be constructed to a height of up to approximately 102 feet¹. The project will contain up to approximately 707,000 gross square feet (“**GSF**”), which is equivalent to an FAR of up to approximately 5.2. More specifically, the Project will provide approximately 695 residential units and up to approximately 77,200 GSF of maker and innovative retail and service uses. The building will occupy approximately 80% of the lot. The underground parking area will accommodate approximately 331 car parking spaces and at least 237 permanent bike parking spaces.

II. Updates to the Project Plans

a. Changes to the Northeast Structure Based on Community Input

The Applicant incorporated several design updates to the architectural drawing set submitted as part of the February 29, 2016 pre-hearing submission, as shown on the plans and diagrams attached as Exhibit A (the “**Plans**”). All references to page numbers in this submission shall refer to pages in the Plans.

The most significant of these updates involve the structure at the northeast of the Project (the “**Northeast Structure**”) and result from a detailed and cooperative effort by the community, neighbors, and the Applicant. In addition to prior modifications to the design of the Northeast Structure in consultation with the community, the following considerable modifications were made to the Northeast Structure:

¹ The building height of this structure has been lowered from 110 feet to 102 feet in response to Zoning Commission and Office of Planning comments.

- The loading dock and trash functions along with the entry to the parking garage were relocated to the east of the Property to position these elements as close to Harry Thomas Way as possible so that the amount of activity on such alley was reduced. Such change necessitated the relocation of the lobby and the associated elevator and stair core to the east, due to required proximity to the loading function. The relocated loading and parking garage access are shown on Pages A4.01, A4.06, A4.08 and A4.10. The Applicant's traffic consultant has studied the turning movements necessary for the use of the relocated loading facilities and parking garage entrance and concluded that they are satisfactory for the Project's operation. Related truck turn diagrams are shown on Pages A1.17 and A1.18 of the Plans.
- The Applicant revised the operations of the Project such that the loading zone in the Northeast Structure will only be utilized by use within such structure. Trash and loading for the structure at the northwest of the Project (the "**Northwest Structure**") will occur from the Project's promenade. The two structures at the south of the Project will utilize the adjacent loading facilities at The Gale (151 Q Street, NE), if approved by the Zoning Commission under Z.C. Case No. 05-23B. The Applicant notes that the modification to move the Project's loading into The Gale resulted from prior suggestions from the community.
- The Applicant greatly reduced the massing and reconfigured the sixth and seventh floors of the Northeast Structure to accommodate the R Street neighbors' request for solar access to their backyards.
- The north wall of the building at the first and second floor was set back an additional two (2) feet south from the property line to accommodate a wider alley experience. Such modified first floor footprint is shown on Page A4.06 and A4.10.

In addition to the above, the floor plans, garage, promenade and roof landscape plans were modified as the result of the changes made at the request of the community. Pages reflecting such changes have been closed within the Plans.

b. Additional Diagrams, Plans and Information

The Applicant also hereby submits additional and refined diagrams, plans, views and information to complete the record. These pages continue the themes of the February 29 filing since they demonstrate the simplification of the Project's materials and styles and more cohesive design. Of particular note, the Applicant is submitting the following additional or enhanced pages:

- Page A2.04 – The street view perspective of the Project from Eckington Place has been refined. The page gives a clearer sense of the experience at the

“face” of the Project, where the initial interaction with pedestrians and the Eckington neighborhood will occur.

- Page A2.05 – This page has been added to show further realistic views of the pedestrian experience along the Project’s Eckington Place frontage. One view is to the north along the sidewalk, while the other view is to the south along the sidewalk, from the perspective of a pedestrian passing immediately adjacent to the Project. The Applicant notes that the location of items in public space would be subject to the public space approval process.
- Page A2.06 – This page has been added to show further perspectives of the pedestrian experience along the Project’s Harry Thomas Way frontage. One view is to the north along the sidewalk, while the other view is to the south along the sidewalk, from the perspective of a pedestrian passing immediately adjacent to the Project. These images indicate the more highly refined landscaping approach to this frontage as the Project will complement the new NoMA Park.
- Page A2.12 – The Applicant is resubmitting this page to update and replace Page A2.10 in the February 29th filing. This page also shows the total of the changes incorporated to the Northeast Structure at the request of the community. Of note, this view provides a clearer depiction of the significant deference the Project is providing to the lower scale townhouses to the northeast of the Property, along with the efforts of the Applicant to maintain light and air to the rear yards of such neighbors. These modifications are also further detailed on Pages A2.13 and A2.14 of the Plans.
- Pages A1.13 and A1.14 – The Applicant is submitting updated LEED scorecards and a sustainability narrative. Of note, the Applicant is able to commit to an additional LEED point beyond that shown on the February 29, 2016 filing, for a total of 52 LEED points. In addition, the Applicant is beginning analysis of compliance with mandatory requirements (“prerequisites”) of the LEED for Neighborhood Development (LEED-ND) rating system. LEED-ND measures sustainability at a community level by evaluating where to build, what to build, and how to manage environmental impacts. If compliance with LEED-ND prerequisites is confirmed, then LEED-ND certification may also be feasible.

III. Enhancements to the Public Benefits and Project Amenities

The Applicant has continued to enhance its benefits and amenities package from the augmented version submitted into the record on February 29, 2016, largely due to continued discussion with the local community. Updates to the benefits and amenities package are summarized below.

a. Affordable Housing

As the result of working with the community, and in particular ANC 5E, the Applicant has revised – and greatly strengthened – the Project’s affordable housing component. The Applicant proposes to set aside 8% of the Project’s residential component as affordable housing for households earning an income not to exceed 60% of the Washington, D.C. Area Median Income (“AMI”). Such affordable set aside is a significant enhancement to the affordable component of the Project.²

The Applicant has included an illustrative affordable unit distribution matrix on Page A1.02 of the Plans indicating the proposed unit types for the Project’s affordable housing. Of note, the Applicant will provide approximately six (6) multi-level units, approximately two (2) three bedroom units, and approximately fifteen (15) two bedroom units as affordable housing. This housing will address a dire need in the community for larger affordable units, potentially available for use by families, which are not commonly constructed.

In addition to the above, as noted in the Applicant’s February 29th filing, in compliance with the new roof structure regulations set forth under Z.C. Order No. 14-13, the Applicant will provide 8% of the applicable habitable space in the roof structure, or approximately 446 gross square feet, as affordable space at 50% AMI.

The Project’s affordable units will be distributed throughout the floors (other than the Project’s structures’ top two floors and the penthouse) on a pro rata basis based on the size of each floor and evenly across the Project’s unit types.

b. Additional Updates to Benefits and Amenities Package

In addition to the significant benefits and amenities already described above in the record, the Applicant has added further benefits and amenities to the Project to comprise a robust, neighborhood-enhancing package for the Eckington community:

- Banners for Eckington – The Applicant will work with the Eckington Citizens Association and community to manage the design and installation of banners denoting the Eckington neighborhood on streetlights and/or lampposts

² Applicant notes that previously, it was proposing to set aside set aside 8% of the Project’s residential component as affordable housing, with 80% of such housing being set aside for households earning 80% AMI and 20% of such housing being set aside for households earning 50% AMI.

surrounding the Property (subject to approval by DDOT). The Applicant will contribute up to \$20,000 towards such effort.

- Contribution for Improvement of Safety Measures for Metropolitan Branch Trail – The Applicant will contribute \$25,000 to either the NoMA Business Improvement District or another similar situated party to improve safety measures along the Metropolitan Branch Trail, with a preference on the areas of the portion of the trail north of R Street, NE most directly affecting the Eckington community.
- Adopt A Block – The Applicant will participate in the District’s Adopt-A-Block program for three (3) terms, equaling a total of six (6) years for a minimum of two (2) square blocks in the vicinity of the Property.
- Urban/Community Garden – The Applicant will provide an urban/community garden to the surrounding community within the ANC 5E03 boundaries. The Applicant will work with the community and ANC to determine the location of such garden.
- Public Art – The Applicant will contribute up to \$20,000 for the purchase and installation of public art to be located on or adjacent to the Property.

In addition, the Applicant is working to enter into a community benefits agreement. The Applicant has finalized a construction management agreement with the Eckington Citizens Association, which is attached hereto as Exhibit C.

The Applicant notes that the benefits and amenities package is a significant value in light of the amount of density (6.0 FAR matter of right; 5.2 FAR proposed) and height (90 feet matter of right; 75 feet and 102 feet proposed) gained and flexibility approved by the Project.

IV. Traffic Impact Study

Attached as Exhibit B, please find the Applicant’s traffic consultant’s Traffic Impact Study. The Traffic Impact Study concludes that “**the project will not have a detrimental impact** to the surrounding transportation network assuming that all planned site design elements and mitigations are implemented.” The Applicant’s Traffic Demand Management measures are described on Pages 12-13 of Exhibit B.

V. Informational Updates

a. Events in Promenade

The Applicant continues to refine the types of events and programming to occur in the Project’s promenade area. The Applicant will continue to develop the concepts relating to events in the promenade utilizing the following parameters:

- Events will be planned and financed by the ownership and/or the property management company of the Property.
- The innovative retailers and maker uses within the Project will have stipulations in their leases that require participation in activating the promenade on a regular basis. The frequency of such participation will be dictated by the type of use of the respective tenant or user.
- The commercial component of the Project is designed so that activation of the promenade occurs daily, as part of the routine of the Project. The tenants' large, slide-up doors facing the promenade are intended to be open when tenants are open and when weather conditions would allow.
- The Applicant will curate events to promote larger DC occurrences such as concepts supplemental to the Cherry Blossom Festival, Earth Day, large scale holidays, and other similar ongoing events.
- Examples of events to be planned for the promenade include the following:
 - Farmers' markets
 - Pet adoption events
 - Artist shows/fairs
 - Outdoor movies
 - Community do-it-yourself nights with the commercial tenants/users. Examples include flower arrangement making seminars (if there is a florist within the Project), bike repair seminars (if there is a bike shop), or painting or sculpting events (if there is an art studio).

b. **Maker Spaces Use Guidelines**

The Applicant continues to refine the approach for encouraging and prohibiting the types of uses within the Project's maker spaces. As a driving concept, the Applicant envisions a cohesive, active community where the ground plane is populated by maker and innovative retail spaces that draw residents from all over the City while also inviting the residents above and nearby to use the site as their daily shopping and recreational area. The Applicant will continue to develop the strategy to attract, encourage, and retain maker uses at the Project with an eye towards including the following guidelines:

- The Applicant will encourage maker and innovative retail uses that complement the nearby community and the Project while also activating the ground plane.
- The Applicant will encourage maker and innovative retail uses that support the Ward 5 Works Study. Examples of such uses include:
 - Soft goods and apparel
 - Artisanal tenants
 - Food production
 - Small scale wineries, breweries or distilleries
 - Bakeries

- Coffee roasters
- Creative art and tech uses
- The Applicant will prohibit uses that would directly conflict with the residential uses above the maker and innovative spaces. Examples of such uses would be those that emit toxic odors and/or vapors or that emit dangerously or unacceptably high noise volumes.
- All makers and innovative retailers will be required, through their leases, to comply with local laws and codes regarding their uses and their proximity to residential spaces.

c. Refinements to the Promenade Usage and Access

The Applicant continues to refine the approach for the use of and access to the promenade. One primary goal of the Project is to create an active and inviting promenade for the residents of the Project, neighbors, and the District at large. To that end, the Applicant plans to operate the promenade based, in part, on the following guidelines:

- The promenade will be open to pedestrians – both of the public and residents and guests of the Project – at all times.
- The promenade will be closed to vehicles as needed for events and pedestrian high traffic periods such as weekends.
- The promenade will be accessible for emergency responders and life safety vehicles at all times.
- The promenade will remain a private access way and will not be dedicated to the public.
- While no easement would be recorded on such space, any Order approving the Project will be recorded on the Property as an exhibit to the PUD Covenant, and therefore bind the Property to use of the promenade for public access.
- The promenade will be fully-accessible to utility companies. In fact, the PEPCO transformers for the Project will be located within the promenade, and therefore out of public space.

VI. Working with Community

The Applicant has continued to meet and work extensively with community to regarding the Project and will continue to do so in the future. The Applicant has been engaged with Advisory Neighborhood Commission (“ANC”) 5E, the Eckington Citizens Association, and the group of condo and home owners from the 200 block of R Street, just north of the site. As mentioned above, many of the modifications to the Project have occurred as the direct result of suggestions and requests by the community members. Most recently, the Project was approved by ANC 5E on April 19, 2016. The additional community members have indicated support for the Project as well.

VII. Conclusion

The development team appreciates the opportunity to update the record and looks forward to presenting this application to the Commission.

If you have any questions regarding this application, please feel free to contact Jeff at 202-721-1132. Thank you for your attention to this application.

Respectfully submitted,



Jeffrey C. Utz

Certificate of Service

I certify that on April 22, 2016, I delivered a copy of the foregoing document via hand delivery or first class mail to the addresses listed below.



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