

July 5, 2016

VIA IZIS

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

Re: Z.C. Case No. 15-28 – Applicant’s Post-Hearing Submission

Dear Chairman Hood and Members of the Commission:

The Commission held a public hearing for the above-referenced case on June 20, 2016. The Commission is scheduled to take proposed action in this case on July 25, 2016. This letter provides additional information or describes changes to the plans in response to questions and comments from the Commission.

Public Benefits and Project Amenities

The Applicant increased its public benefits and project amenities. The updated package is as follows:

1. The Applicant will preserve and rehabilitate the National Capital Press Building under the guidelines of the Historic Preservation Review Board. In addition, Applicant will file an application with the HPRB to designate the National Capital Press Building as a historic landmark.
2. The Applicant shall design the multifamily residential and historic warehouse portions of the Project to achieve sufficient points to attain at least LEED Gold certification. If the hotel component becomes a residential condominium, then the entire Project will be designed to achieve enough points to attain at least LEED Gold. However, the Applicant cannot commit to LEED Gold for the hotel because of the extreme challenge it would create for securing a brand. All hotel brands have very particular design standards outside of the Applicant’s control that often prevent attaining a LEED Gold level of

design. However, even without the hotel, approximately 85% of the Project will be designed for LEED Gold. This is an increase from the Applicant's previous proffer.

3. The Applicant shall dedicate 8% of the residential gross floor area (GFA) for affordable units pursuant to Inclusionary Zoning (IZ). One half of the IZ GFA will be reserved for households making up to 50% AMI, and one half of the IZ GFA will be reserved for households making up to 80% AMI. Following discussions with DHCD, the Applicant was made aware of the need for 2-bedroom IZ units reserved for households making up to 50% AMI. Accordingly, all of the 50% AMI IZ units will be 2-bedroom units. All of the 80% AMI IZ units will be studio or 1-bedroom units. This is an increase in the number and size of the 50% AMI units from the Applicant's previous proffer.
4. The Applicant shall design and install, to a cost of up to \$100,000, a piece of interactive art in the public space adjacent to the Project. The proposed location of the art is noted on page 3 in Exhibit A. The art piece and its location shall be subject to all applicable public space approvals and permits.
5. The Applicant shall improve the N Street streetscape, between 3rd and 4th Streets, pursuant to the plan attached as page 3 in Exhibit A, which has been coordinated with the developer of the project across N Street. The final design of the streetscape improvements shall be subject to all applicable public space approvals and permits.
6. The Applicant shall contribute \$100,000 to Two Rivers Public Charter School for improvements to its building and/or property, as determined by the school.
7. The Applicant shall contribute \$50,000 to the NoMa BID for the study of a new eastern entrance to the NoMa – Gallaudet Metrorail station. This is an increase from the Applicant's previous proffer.
8. The Applicant shall reserve 3000 square feet of the Project's retail space (more than 10% of the total retail space) for "maker" uses. Maker uses shall be defined as the following: Production, sale, distribution, and/or consumption of food and beverages; small-scale production and repair of goods and related sales; media/communications production and distribution; arts and entertainment; traditional crafts and trades; engineering and design; technology design and production; and environmentally-sensitive or sustainable retail and services. The reserved retail space shall receive a certificate of occupancy only for uses that satisfy this definition. This is an increase from the Applicant's previous proffer.
9. The Applicant shall devote two parking spaces for electric car charging spaces, as requested by DDOT. This is an addition to the Applicant's previous proffers.
10. The Applicant shall make all reasonable efforts to ensure that the windows of the ground floor retail spaces in the new construction part of the Project will not be blocked or otherwise obscured to prevent views inside. This is an addition to the Applicant's previous proffers.

Design and Additional Drawings

A. IZ unit location plan

The proposed locations of the IZ units are show on page G01 of the attached plans in Exhibit A.

B. Softening of southeast corner of Project

In order to better relate the southeast corner of the Project to the lower buildings across 4th Street, the Applicant added a green wall that will soften the appearance of the building's corner and create a transition through the change in texture and color. This change is shown in the images on pages A01 & A02 of the attached plans in Exhibit A.

C. Alley experience

The rendering on page A01 of the attached drawings in Exhibit A is a wide view of the rear alley from 4th Street. As the image shows, the alley will be wide and will provide for ample light and air to all adjacent buildings. It will not be dark, and it will be usable for pedestrians, bikes, and automobiles. Thus, the alley side of the Project will not have an adverse impact on any of the surrounding buildings.

D. Design treatment at top of building core "tower"

The Applicant explored adding some design of the top of the building core tower and prepared a solution best suited to the Project, as shown on pages A03 – A05 of the attached plans in Exhibit A. However, the Applicant reviewed this design with the Historic Preservation Office (HPO), and HPO indicated that they prefer the originally proposed tower element over that with the designed top. The Applicant believes the originally proposed design of the tower element is the best option, but the Applicant will defer to the Commission on its preference

E. View of penthouse

Views of the 301 N building's penthouse from N Street through the "gap" between the two proposed structures is provided on pages A06 & A07 of Exhibit A. As the illustrations show, the most generous view of the penthouse would be from Florida Avenue and N Street slightly to the east. However, as the illustrations show, the penthouse will be nominally visible through this gap and will be visible only from a limited point of view. When the gap is viewed slightly further to the east or west, the penthouse will not be visible.

F. Image of Project as viewed from 4th Street, showing nearby buildings

The attached image on page A08 of Exhibit A shows the Project and surrounding buildings on 4th Street as viewed from the south at the intersection 4th and M Streets.

Materials Board

The Applicant will provide a materials board to the Commission at the July 25 public meeting. In the meantime, a photo of the materials board is shown on page A09 of Exhibit A. This material board identifies the specific materials in particular locations on the Project and includes the materials that will be on the alley elevation of the Project.

4th Street Truck Mitigation

In response to the request from both the ANC and the Commission, the Applicant explored means to restrict the use of 4th Street by trucks. There is an existing sign at the southwest corner of 4th/Florida/N that states, “No Thru Trucks Over 1¼ Ton Capacity.” Additionally, although 4th Street south of Florida Avenue is designated as a collector roadway, the DDOT truck route map does not identify 4th Street as a truck route. Nevertheless, the Applicant will implement the following measures to help prohibit trucks that service the Project from using 4th Street:

1. The Applicant will install signage on private property within the widened alley easement that states “All retail truck traffic is prohibited from using 4th Street.” One sign will be placed in the private alley easement near 3rd Street such that it can be viewed when entering the site. Another sign will be placed in the private alley easement near 4th Street such that it can be viewed exiting the site.
2. The Applicant will include in all retail leases language that prohibits the retail tenants’ delivery trucks from using 4th Street to enter or exit the alley system serving the retail loading docks.

The Applicant looks forward to the Commission taking proposed action on this case on July 25th.

Sincerely,

/s/ Phil Feola
Phil T. Feola

/s/ Cary Kadlecek
Cary R. Kadlecek

Attachment