

June 27, 2017

VIA IZIS AND HAND DELIVERY

Anthony Hood, Chairman
District of Columbia Zoning Commission
441 4th Street, NW
Suite 200-S
Washington, DC 20001

Re: Z.C. Case No. 16-26 – Application of Wisconsin Owner LLC for Approval of a Consolidated Planned Unit Development and Zoning Map Amendment for Lots 45 and 49 in Square 1732 (the “Property”) – Pre-Hearing Submission

Dear Chairman Hood and Members of the Commission:

On March 13, 2017, the Zoning Commission set down the above-referenced case for a public hearing. The Applicant hereby submits additional exhibits and information into the record in response to comments raised by the Commission at the public meeting and by the Office of Planning (“OP”) in its report dated March 3, 2017.

I. Updates to Building Design

The Applicant has continued to work with the community and government agencies regarding the Project. Based on feedback from the community and the Zoning Commission, the Applicant has revised the Project in several key ways: (1) lowering the building height; (2) refining the front façade for a simpler, residential feel; (3) simplifying the rear façade; and (4) improving the streetscape for a better pedestrian experience along Wisconsin Avenue. Updated and new illustrations, views and plans, along with additional supplemental pages, are attached as Exhibit A (the “Plans”).

A. Reducing the Building Height

The Applicant has heard concerns from the Zoning Commission and the community regarding the height of the building, including the penthouse, with its proximity to nearby

residential homes. In response, the Applicant has revised the Project to reduce the overall appearance and height of the building. First, the Applicant has removed the entire habitable penthouse structure from the rooftop. Additionally, the Applicant has reduced the main building height as well. By removing the penthouse and reducing building height, the overall height of the building has decreased by approximately 12 feet.¹ Through these reductions, the building now sits at a similar height to the neighboring development, Tenley View, to the south, as shown on page A7 of the plans.

Finally, the Applicant has revised the primary frames on the front façade of the building. Now, the two main frames of the building step down with the grade, which reduces the overall appearance of the building’s massing as the grade steps down in response to the natural topography of Wisconsin Avenue.

B. Simplifying the Façades

Another major feature of the changes to the Project is the redesigned and simplified façade along Wisconsin Avenue. The Applicant has removed the projecting yellow metal boxes from the building and replaced them with more elegant alternating brick materials. The streamlined design coordinates the design patterns and materials on the building, as shown on page A7 of the plans, and provides a more residential feel appropriate for the character of the Project.

The Applicant has also simplified the rear façade of the building along the alley. By reducing the number of balconies and making changes to the building’s shape at the rear, combined with the removal of the penthouse story and reduction in overall height, these changes help address concerns about transition to the residential neighborhood to the west.

C. Improving the Streetscape

The Applicant, in response to comments raised by OP and the Commission, has continued to work with the District Department of Transportation (“**DDOT**”) regarding the streetscape of the Project. As shown on pages A4, A10, and A12 of the plans, the Applicant has revised the streetscape plan to provide a more cohesive, interactive pedestrian environment and integrate the streetscape into the current plan to reuse the existing building slab. These revisions relocate the residential entry to the southern corner of the building, closest to the Metro station entrance. The

¹ The removal of the habitable penthouse also reduces the density of the building (including penthouse) by approximately 0.15 FAR.

Applicant has also removed the areaway at the north end of the building, as requested in OP's Setdown Report.

The proposed changes allow the retail to occupy the majority of the frontage of the building in an unbroken fashion. Additionally, there is now pedestrian seating and resting points in the streetscape designed to provide an interactive experience. Also, the low-lying steps to the retail provide an appropriate transition between these two spaces, while keeping the streetscape interactive, unlike the current separation at the site. Finally, the streetscape design works with the grade changes of Wisconsin Avenue. The streetscape not only incorporates the grade into the design, but it provides appropriate transitions to sites north and south of the Building.

II. Updates to Zoning Flexibility Requested

By relocating the elevators from the front of the building to the center of the building, the Applicant no longer requires the requested flexibility from the roof structures setback requirements. However, the Applicant continues to request flexibility from (1) the lot occupancy requirement for the first floor of the building only, given the small amount of residential use that occupies the first floor, and (2) the rear yard requirement for a small, 5'8" high non-compliant rear yard that exists above the 25 foot horizontal plane where the rear yard measuring point is changed. Above the first floor, the building complies with the lot occupancy (66% at the second floor, decreasing to 62% at the 5th floor, and decreasing to 57% at the 8th floor) and rear yard (21'10" at the second floor, increasing to 24'10" at the 5th floor) requirements.

Based on the revised roof plan, the Applicant is also requesting flexibility from the requirement that mechanical elevator overruns be of one uniform height. The Applicant is only bringing one elevator to the roof level to provide access; however, the overrun for the other elevator that stops at the top floor has a height of 5'2" above the roof slab. In contrast, the full elevator to the roof has a height of 15' 1.5". Therefore, the Applicant requests flexibility from the uniform height requirement for the elevator overrides.

No other zoning flexibility is requested.

III. Project Benefits and Amenities

The Applicant has continued to develop the public benefits and project amenities for the Project. Below is an updated summary with additional details on the proposed benefits. The

Applicant is continuing to discuss the Project's public benefits with the ANC and other stakeholders, and will provide an additional update, if any, closer to the public hearing.

A. Affordable Housing

In the initial application, the Applicant proffered 8% of the gross floor area of the Project be provided for affordable housing, with 50% of the affordable units at 50% of the Area Median Income ("AMI") and 50% of the affordable units at 80% of the AMI.

The Applicant is updating its affordable housing proffer to provide 10% of the gross floor area of the Project for affordable housing, all set aside at 60% of the AMI. This advanced proffer serves the District's goals at providing affordable housing for residents in Washington, DC in a variety of locations across the city and exceeds the current requirements under Inclusionary Zoning.

Through recent Ward 3 history, PUDs have not generated a sufficient source of affordable housing, with most projects proffering between 5% and 10% of the overall square footage as affordable, and the majority of that affordable housing being set aside at 80% of the AMI. Therefore, the proposed amenity provides a significant amount of affordable housing at a greater level of affordability, which is a benefit to the District as a whole and in particular to those households that seek to live in affordable housing in this portion of the District.

B. LEED

Even with the redesign of the building, the Project continues its commitment to meeting the requirements of LEED Gold certification, as discussed in the initial application.

C. Undergrounding Utilities

The Applicant is also committed to undergrounding the utilities along Wisconsin Avenue in front of the Project, at an estimated cost of up to \$600,000.

D. Chesapeake House

The Applicant is proposing to renovate the Chesapeake House in direct response to feedback from multiple stakeholders, including the ANC, the Tenleytown Historical Society, and

numerous community members. The Chesapeake House is a historic structure in Tenleytown in close proximity to the Project which is owned by the National Park Service (“NPS”).

The Applicant has had significant discussions with the Rock Creek Conservancy (“RCC”) regarding the Chesapeake House, as the RCC has a working relationship with NPS and the ability to expedite work within Rock Creek Park. Through the RCC, the Applicant will renovate the Chesapeake House through an in-kind donation of services currently estimated to include \$250,000 of hard and soft costs. Renovating the Chesapeake House will provide a historic, attractive addition to the neighborhood. The Applicant’s work will renovate the House up to a “warm, lit shell” and make it suitable for reuse, with the understanding that RCC and other stakeholders would then be able to further outfit the structure for particular uses.

To help implement this amenity, the Applicant has already cleared out the Chesapeake House site from lack of upkeep over the years at a cost of \$1,000.

E. Retail Commitment

Through ongoing discussions, members of the community have requested that the Applicant incorporate a full-service restaurant into the Project. In response to these requests, the Applicant proposes to reserve a minimum of 3,500 square feet of retail space within the Project for a full-service restaurant, with the understanding that if the Applicant is unable to identify a suitable tenant within the first year after issuance of the certificate of occupancy for the Project, the Applicant may then lease the space to other retail and service tenants. By “full-service restaurant”, the Applicant is committing to reserve the space for a restaurant, as the term “Restaurant” is defined in the Zoning Regulations, where food is (1) delivered to the tables by a server; (2) paid for after consumption; and (3) served on non-disposable plates with non-disposable cutlery. The Applicant has also agreed with the community to provide venting of the restaurant to the roof so as to minimize the impact of odors on the neighbors to the Property.

IV. Traffic Study

The Comprehensive Transportation Review (“CTR”) prepared by Wells + Associates regarding the project is attached as Exhibit B. The CTR was submitted to DDOT in November 2016, and was also shared with the ANC on December 8, 2016, and has been posted on the project’s website for public review.

V. Outlines of Witness Testimony and Expert Witness Resumes

The resumes of the expert witnesses appearing on behalf of the Applicant and outlines of witness testimony of those witnesses are attached as Exhibit C and Exhibit D, respectively.

VI. Conclusion

The Applicant believes it has made positive changes to the project and it looks forward to continuing its dialogue with the Commission, agencies, and stakeholders in this community. Enclosed is the hearing fee of \$10,180.00. The Applicant asks that the Commission schedule a public hearing at its earliest convenience.

Sincerely,

David Avitabile/is

David M. Avitabile

Meghan Hottel-Cox/is

Meghan Hottel-Cox

Enclosures

Certificate of Service

The undersigned hereby certifies that copies of the foregoing document will be delivered by first-class mail or hand delivery to the following addresses on June 27, 2017.

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