

John T. Epting
Director
jepting@goulstonstorrs.com
(202) 721-1108 (tel)

Meghan Hottel-Cox
Associate
mhottel-cox@goulstonstorrs.com
(202) 721-1138

July 5, 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. 16-29 – Application of Poplar Point RBBR, LLC (the “Applicant”) for Approval of a First-Stage Planned Unit Development and Zoning Map Amendment for Lots 97, 1025-1031, 1036, and 1037 in Square 5860 and Lot 91 in Square 5861 (the “Property”) – Pre-Hearing Submission

Dear Chairman Hood and Members of the Commission:

On February 27, 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 February 17, 2017. As a result, the Applicant requests to be scheduled for a hearing before the Zoning Commission at the Commission’s earliest opportunity.

I. Updates to Project 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) incorporating additional setbacks to reduce the overall massing appearance of the Project; (2) clarifying the zoning data for the project; (3) providing more meaningful building connections; and (4) improving the streetscape for a better pedestrian and vehicular experience along Howard Road SE. Updated and new illustrations, views and plans, along with additional supplemental pages, are attached as Exhibit A (the “Plans”).

A. Building Updates

The Applicant has taken significant steps in updating the Project to incorporate greater setbacks and massing articulation to create a more pedestrian-friendly Project. Specifically, the Applicant has removed the glass “wall” at the top of the office buildings, eliminating the visual

impact of the extra height. The Applicant has also incorporated setbacks at the upper levels of the residential buildings to decrease the height, massing and bulk perception of the buildings. The Applicant has also removed some architectural embellishments on the roof that created the appearance of taller, more dominating buildings. Finally, the Applicant has reduced the number of projecting balconies and bay windows and instead introduced inset balconies for more interesting articulations in the facades of the residential buildings to provide a more nuanced Project.

OP also requested clarification of some of the development data for the project, specifically the penthouse and the court-in-lieu measurements. As illustrated on pages 32-33 of the plans, the height of the penthouses on all portions of the project are within the height allowed, and all of the roof structures are set back by at least a 1:1 ratio. Additionally, in lieu of a rear yard, the Applicant is providing a court at each building, which complies with the required measurements, as shown on page 31 of the plans.

B. Building Connections

The Commission discussed providing a more meaningful connection between the two residential buildings at the Project. The Applicant has redesigned the bridge between these buildings significantly, as shown on page 24 of the attached plans. First, the Applicant has raised the bottom of the bridge to a height of 37.5 feet, an increase of 18.5 feet. This increase provides a better view shed down the private street to the Anacostia Park and River.

Second, the Applicant has truly made the bridge a meaningful connection, by providing a six-story connection between the residential buildings, not only providing residential pedestrian access, but including residential units within the bridge. The bridge is a focal point and true part of the overall residential portion of the Project.

OP also requested clarification of the meaningful connection between buildings D + E on the south side of Howard Road. There are double-doors connecting Buildings D and E on the first four floors of the buildings, providing the accessible connection required by the Zoning Regulations, as shown on pages 21-23 of the attached plans.

C. Improving the Streetscape

The Applicant is continuing to refine the streetscape design of the Project in conjunction with the District Department of Transportation (“DDOT”) and other government agencies. First, the Applicant has relocated the westernmost curb cut along Howard Road 30’ further away from the intersection to prevent vehicular conflicts, as encouraged by DDOT.

The Applicant continues to design the streetscape of the Project to anticipate future development. While the streetscape serves the Project, it opens the door for future development in

the Poplar Point area, which is encouraged by OP and is anticipated in NPS's 2017 Anacostia Park Management Plan and Anacostia Waterfront Initiative Plan.

II. Updates to Zoning Flexibility Requested

Based on the feedback from OP and from the Commission, the Applicant is removing its request for flexibility (1) to vary the locations of the office and residential components of the Project; and (2) for the residential buildings, to provide above-ground parking within the building's core.

However, the Applicant continues to request flexibility to (1) vary the phasing anticipated for the Project; (2) vary interim uses at the Property while the other phases of the Project are being finalized; and (3) adjust parking downwards if needed to meet market demand, but not below the minimum required by the Zoning Regulations.

The Office of Planning requested additional information regarding the interim uses at the Project. Currently, there is one anticipated use along Howard Road SE until the Project is fully developed.

South Capitol Street Corridor Project – Construction Office, Parking, Storage and Staging

The Applicant is currently in discussions with the competing general contractors for the South Capitol Street Corridor Project concerning construction office, parking, storage and staging interim uses located along the 600-900 block of Howard Road SE. The construction office will be co-working space for both DDOT, bridge contractor and sub-contractors and will be located at 633 Howard Road SE which sits on the proposed PUD Building E site. The interim uses for storage, staging and parking will be potentially on different 600-900 Howard Road parcels. DDOT and the general contractor anticipate occupying the land for a 4-year period from 2017 to 2021.

III. Community Outreach

The Applicant has engaged in numerous community outreach efforts, including city agency meetings, ANC meetings, Council Member meetings and meetings with individual community groups regarding the Project since the Commission set the case down for public hearing.

The Applicant continues to collaborate, communicate and convene with various DC agencies and regional authorities/agencies/non-profits. The Applicant convened at the Office of Planning on April 28, 2017 to participate in the interagency meeting with various DC government agencies and regional authorities. The interagency meeting included the Office of

Planning (OP), District Department of Transportation (DDOT), the Department of Energy and Environment (DOEE) and Washington Metropolitan Area Transportation Authority (WMATA). Prior to the inter-agency meeting, the applicant met with OP, DDOT and WMATA on the PUD application. The Applicant met with WMATA staff at their office on March 27 and May 5, 2017 as well as March 17, 2017 to walk the existing site conditions, discuss conceptual design options and outline the basic agreement terms and conditions for the Anacostia Metrorail station. In 2017, the Applicant partnered with the Deputy Mayor for Planning and Economic Development (DMPED) on the participation, planning and implementation of the Ward 8 Works Program.

The Applicant met with the ANC Single Member District representatives Greta Fuller from SMD 8A06 on April 14, 2017 and Karen Lucas from SMD 8C01 on February 9 and May 26, 2017. The Applicant also conducted a project informational meeting with the ANC 8A Executive Development Committee on May 15, 2017. The Applicant intends to conduct informational meetings with the ANC 8C Executive Development Committee in June 2017.

Instead of presenting to the individual ANC 8A and 8C in June, the Applicant has been requested by the ANCs to convene a larger joint ANC 8A/8C Full Commission public meeting in July to present the most updated PUD application architectural design and development scheme, public amenities and benefits, and public engagement process/schedule.

The Applicant also met with Ward Council members throughout the District of Columbia to present the PUD plans. The Applicant met with Ward 8 DC Council Trayon White on May 15 and 23, 2017; Ward 7 DC Council member Vincent Gray on May 23, 2017; Ward 5 DC Council and Business and Economic Development Committee Chair Kenyan McDuffie on April 5, 2017; at-large Council member Anita Bonds on May 22, 2017; at-large DC Council member Robert White Jr. on May 22, 2017; and, at-large DC Council member David Grosso on May 23, 2017.

The Applicant met with the following community groups in the spring of 2017:

- Anacostia Park Initiative Public Forum on April 4, 2017
- Cedar Tree Academy Executive Board on April 6, 2017
- Bishop Walker School on April 25, 2017
- 11th Street Bridge Park on May 2, 2017
- Congress Heights Wellness Center Seniors on May 3, 2017
- Living Classrooms on May 13, 2017

As a result of all of these meetings, the Applicant has revised the Project to address thoughts and concerns raised by the community.

IV. Project Benefits and Amenities

The Applicant is continuing to refine the proffered benefits and amenities associated with the Project, and the benefits and amenities discussed in the initial application continue to be

ongoing commitments for the Project. Discussed below are further refinements and additional details regarding some of the largest commitments of benefits and amenities for the Project. These are additional details, and the Applicant remains committed to the full benefits and amenities discussed in the initial Application.

Streetscape Improvements and Connectivity

The Applicant has worked with OP throughout the process, and OP has repeatedly encouraged the Applicant to provide open space at the Property and to anticipate future development in the Poplar Point area. In early conversations regarding the Project, OP encouraged the Applicant to break up the Property to provide open space, reduce the massing of the development, and to anticipate development based on the Anacostia Park Management Plan and the Anacostia Waterfront Initiative. Therefore, the Applicant has provided significant open space at the Property, most importantly in the private streets the Applicant is committing to create off of Howard Road. These private streets occupy approximately 11,000 square feet at the Property. Given the FAR of the Project, this foregoes almost 100,000 square feet of development potential to provide open space and connecting points to future development in the area.

Additional Ground Floor Retail

In response to OP and the Commission's comments regarding retail use, the Applicant has revised the Project to incorporate retail use into each of the Project's buildings. This increase provides an additional 4,680 square feet of ground floor retail use at the Project. The Project will line Howard Road SE from the Anacostia Metrorail station with retail uses, increasing the vibrancy of this development and the pedestrian experience for visitors, residents, and employees at the Project.

WMATA Improvements

The Applicant has continued to work with WMATA regarding improvements to the Anacostia Metrorail station. As illustrated by the letter and concept drawings attached as Exhibit B, the Applicant is committed to providing improvements to the Metrorail station, and WMATA is in agreement with the general improvements. The Applicant will continue working with WMATA to finalize the design of the improvements, but anticipates station improvements to include:

- Facilitate the design of a new Metro Entrance plaza area by demolishing the parking deck vehicular ramp and moving the outdoor Kiss n' Ride parking lot;
- Pedestrian and bicycle pathway improvements to Metrorail station from Howard Road SE;
- Creation of a community pocket park adjacent to the Metrostation entrance and mixed-use residential building;
- Increased landscaping and hardscaping around the Metrorail entrance plaza area;

- Incorporate Metrostation amenities and features including DC Bikeshare;
- Station, bike racks, benches, trash receptacles, local art installations; and
- Integrate potential retail areas within the proposed metro entrance plaza area.

Affordable Housing and Workforce Development

The Applicant continues to proffer 10% 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, including three-bedroom affordable units. The Applicant has made this determination based on significant conversations with the community as well as government agencies, including the Department of Housing and Community Development (“DHCD”), who are supportive of this proffer.

The Applicant is also committed to providing workforce development and job opportunities at the Project for Ward 8 residents, including the following:

- Partnership with DMPED’s Ward 8 Works Program to connect Ward 8 residents with pre-construction and construction jobs on the Columbian Quarter development project in Ward 8.
- Professional workforce training, internship and/or apprenticeship in professional fields related to development, real estate and/or construction.
- Construction job creation during the 5-10 year predevelopment and construction period build-out.
- Permanent property management, retail and professional service job sector creation after the delivery of the mixed-use buildings.

LEED Gold Certification

Even with the redesign of the building and the smaller structure overall, the Project continues its commitment to the LEED v. 4 Gold certification, as discussed in the initial application.

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. It asks that the Commission schedule a public hearing at its earliest convenience.

Sincerely,

Handwritten signature of John T. Epting in blue ink.

John T. Epting

Handwritten signature of Meghan Hottel-Cox in blue ink.

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 July 5, 2017.

Matthew Jesick (2 copies)
Office of Planning
1100 4th Street, SW, Suite 650E
Washington, DC 20024

Jonathan Rogers (2 copies)
District Department of Transportation
55 M Street, SE, Fourth Floor
Washington, DC 20003

ANC 8A (6 copies)
2100-D Martin Luther King Jr. Avenue SE
Washington, DC 20020

Greta Fuller – ANC SMD 8A06
1352 Maple View Place SE
Washington, DC 20020

ANC 8C (6 copies)
3125 Martin Luther King Jr. Avenue SE
Washington, DC 20032

Karen Lucas – ANC SMD 8C01
252 Newcomb Street SE
Washington, DC 20032



Meghan Hottel-Cox