

May 21, 2019

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VIA IZIS

Anthony Hood, Chairperson
D.C. Zoning Commission
441 4th Street, NW, Suite 200S
Washington, DC 20001

**RE: ZC Case No. 19-01
Applicant's Second Revised Prehearing Statement**

Chairperson Hood and Honorable Members of the Commission:

The following constitutes the prehearing statement of Applicant Wesley Hawaii LLC (the "Applicant") regarding the subject application. On March 25, 2019, the Zoning Commission (the "Commission") voted to set down the application for a public hearing. In accordance with Subtitle Z § 401 of Zoning Regulations, this submission provides additional information and responds to issues raised by the Commission during the set down meeting. The Applicant respectfully requests that the Commission schedule a public hearing on this application.

I. Additional Information Requested by Commission

During the set down meeting, the Commission requested limited additional information in connection with the application. Below is a chart indicating the Applicant's response to the Zoning Commission's comments on the application.

Comments from the Zoning Commission	Applicant's Response
Explain the location and "clustering" of the designated IZ units near the proposed building's loading area and elevator bay. (Ex. 2D4, Sheet A6.02).	The Applicant has revised the IZ unit plan to avoid any clustering of IZ units. The Applicant has attached updated Sheets A6.01 and A6.02 at Tab A .
Regarding Applicant's requested flexibility for vertical clearance of the loading area, explain how loading access could be provided with a 6-foot clearance.	The Applicant proposes a loading clearance of 10.5 feet, not 6 feet. (Ex. 2, pgs. 12-13; Ex. 2D3, Sheet A3.01). The Applicant requested flexibility of 3.5 feet from the

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Comments from the Zoning Commission	Applicant's Response
	<p>required 14-foot loading clearance under Subtitle C § 905.2. Even with the lower vertical clearance, the Applicant has confirmed, through its traffic expert, that a standard, 26-foot Uhaul truck could still access the proposed loading area. (Ex. 2, pg. 13). Given that the proposed building is all-residential, the building will not need to accommodate larger trucks.</p>

Additionally, the Applicant will continue to work with OP in regard to any requests for follow-up information in OP's set down report. As required, the Applicant will supplement the case record by the 20-day filing deadline set forth under Subtitle Z § 401.5. Below is a chart indicating the Applicant's response to the comments raised in the OP setdown report.

Comments from the Office of Planning	Applicant's Response
<p>The applicant should work closely with OP to further discuss the parameters of the affordable housing component, such as (but not limited to):</p> <ul style="list-style-type: none"> a) Units anticipated to be set aside for returning tenants. b) The anticipated MFI level for apartment type (i.e. 5 one bedrooms at 60% MFI) c) The bedroom count of apartments in the existing building compared to the proposed building. 	<p>On May 13, 2019, the Applicant and counsel spoke with OP regarding its request for information on the affordable housing component of the Project. At the request of OP, the Applicant has attached at Tab B a chart detailing the affordability parameters of the Project. In sum:</p> <ul style="list-style-type: none"> a) To date, 19 residents residing in the existing building are entitled to protections under the development agreement with the Applicant. These 19 residents are guaranteed to return to the Property after the Project is constructed. Assuming those residents wish to be tenants in the Project, and that they wish to have the same unit type as today, the Project will reserve five studios, 11 one-bedrooms, and three two-bedroom units for returning tenants. b) See chart at Tab B. c) The existing building is composed of 10 studios, 20 one-bedrooms, and four two-bedrooms. The proposed building is composed of nine studios, 41 one-bedrooms, 10 two-bedrooms, and 18

Comments from the Office of Planning	Applicant's Response
	<p>three-bedrooms. The share of family-sized (i.e. two- and three-bedroom) units in the Project is three times the share of family-sized units in the existing building.</p>
<p>Provide additional information for the comments provided in the benefits and amenities section for:</p> <ul style="list-style-type: none"> a) Environmental and sustainable benefits b) Social services and facilities; and c) Superior landscaping, or creation or preservation of open spaces. 	<ul style="list-style-type: none"> a) In regard to environmental and sustainable benefits, the Applicant has confirmed that the Project will be meet LEED Gold certification. This would constitute a benefit compared to a matter-of-right building. The Applicant had previously only committed to Enterprise Green Building standards. b) In regard to social services and facilities benefits, the on-site residential services proposed by the Applicant will be available only to building residents. Additional specificity as to the proposed programming is dependent on the specific needs of the building's residents. c) In regard to landscaping and open spaces, the landscape design for the Project will elevate the daily life of residents in numerous ways. Perhaps most simply, it will allow those living in the building to have an experience with nature on a regular basis. The massing and selection of plant species around the common areas of the building will soften the structure, and also create beautiful views looking out from the units, allowing residents the opportunity to see the passing of the seasons, be it in the bare branches of an oak in the winter, the spring blooms of the serviceberry, the summer shade from a honey locust or the fall color from a red maple. <p>Aside from passive beauty, the amenity and entry terraces create new social and personal spaces for residents to commingle, relax and recharge. The amenity terrace is designed for small groups to do yoga or tai chi as well as to</p>

Comments from the Office of Planning	Applicant's Response
	<p>gather for meals or simply conversation. The selection of paving materials and furnishings will be welcoming and further the idea that the space is part of each resident's home, rather than an antiseptic, commercial landscape.</p> <p>Finally, the plant selection will be environmentally responsible, attracting beneficial wildlife like butterflies and songbirds and be selected for their ability to thrive with minimal maintenance.</p>
<p>Provide additional information about why the bioretention area would need to be located along the driveway instead of the opposite side of the building, south of the amenity terrace.</p>	<p>The Applicant's stormwater and bioretention plans are shown in the architectural plans at Sheet C.02 at Z.C. Exhibit 2D4. The Property is restricted on all sides by building restriction lines ("BRL"). See Sheet A1.02 at Z.C. Exhibit 2D2. Specifically, the BRL on Rock Creek Church Rd is set back 20 ft. and the BRLs on Allison Street and Hawaii Avenue are set back 15 ft., resulting in constrained locations for bioretention. The current plans provide for all stormwater and bioretention on the Property and not within the BRL area. The portion of the Property south of the proposed amenity terrace is primarily outside of the BRL.</p>
<p>The following should be provided on the architectural plans:</p> <ul style="list-style-type: none"> a) Clarify how many bicycle spaces will be provided. b) Additional information about the type of plantings and pavement materials that would be used in the proposed outdoor spaces and areas. Key proposed materials to a site plan. c) Additional information about the type of building materials that would be used, including proposed metal trim for windows and doors. 	<ul style="list-style-type: none"> a) In regard to the bicycle spaces, the Applicant proposes 48 long-term spaces and 12 short-term spaces. The bicycle spaces are depicted on Sheet A1.00 at Z.C. Exhibit 2D2 and Sheet L1.01 at Z.C. Exhibit 2D5. Pursuant to the plan set, there will be two racks of six short-term bicycle spaces at the Property. One rack is located near the building entrance at the corner of Hawaii Avenue and Rock Creek Church Road, and the second rack is located at the corner of Hawaii Avenue and Allison Street. The Applicant has provided at Tab C an updated Sheet A0.03 with the correct zoning tabulation data for the short-term parking spaces.

Comments from the Office of Planning	Applicant's Response
	<p>b) In regard to the plantings and pavement materials, the Applicant provides updated Sheets L1.01, L1.02, L1.04 and L109 attached at Tab D. The updated landscaping plans provide detail as to proposed plantings and pavement materials.</p> <p>c) In regard to building materials, the Applicant provides updated Sheets A2.01 and A2.02 attached at Tab E. These updated plans include identification of specific exterior building materials. This detail is in addition to the building material plan sheet at Z.C. Exhibit 2D3 on Sheet A4.01.</p>
<p>Information on any participation in a First Source Employment Agreement with the Department of Employment Services or Certified Business Agreement with the Department of Small and Local Business Development or other employment related proposal to provide job opportunity for DC residents.</p>	<p>The project seeks to be financed by the District Department of Housing and Community Development (“DHCD”). Under DHCD guidelines, the Applicant will be required to enter into a First Source Employment Agreement with the Department of Employment Services. Such an agreement will be in a form substantially similar to the agreement attached at Tab F.</p>

II. Pre-hearing Filing Requirements

The Applicant hereby certifies that this statement complies with the requirements of Subtitle Z § 401, as follows:

Z-401.1(a)	Information Requested by the Commission; Updated Materials Reflecting Changes by Commission	Prehearing Statement (filed herein)
Z-401.1(b)	Applicant's Witnesses	To be submitted no later than 20 days prior to the hearing
Z-401.1(c)	Summary of Witness Testimony with	To be submitted no

	Expert Witness Resumes	later than 20 days prior to the hearing
Z-401.1(d)	Additional Information, Reports or Other Materials from the Applicant	Prehearing Statement (filed herein)
Z-401.1(e)	Reduced plans no larger than 11x17	Application (Ex. 2D1-D6)
Z-401.1(f)	List of maps, plans or other documents that will be offered into evidence	Application (Ex. 2F, 2G, 2I)
Z-401.1(g)	Estimate of time for Applicant's presentation	45 Minutes
Z-401.3(a)	Names and addresses of owners of property within 200 feet	Application (Ex. 2C)
Z-401.3(b)	Names and addresses of each person having a lease with the owner	Enclosed, <u>Tab G</u>
Z-401.7	Comprehensive Transportation Review	To be submitted no later than 30 days prior to the hearing
Z-1601.1	Hearing Fee	Enclosed

III. Conclusion

Based on the information herein and in the case record, the Applicant respectfully requests that the Commission schedule a public hearing on this application.

Sincerely,
COZEN O'CONNOR



Meridith Moldenhauer



Eric J. DeBear

Certificate of Service

I HEREBY CERTIFY that on this 21st day of May, 2019, a copy of this Prehearing Statement was served, via email, on the following:

District of Columbia Office of Planning
c/o Jonathan Kirschenbaum
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