

September 28, 2021

**VIA IZIS**

Anthony J. Hood, Chairman  
Zoning Commission for the District of Columbia  
441 Fourth Street, NW, Suite 200S  
Washington, DC 20001

Re: Z.C. Case No. 19-29: Application of UM 1348 4<sup>th</sup> Street NE, LLC and 1250 4<sup>th</sup> ST NE LLC (the “**Applicant**”) for a new Consolidated PUD and related Zoning Map Amendment (the “**Application**”) for 1346-1348 4<sup>th</sup> Street, NE (Square 3587, Lots 3 and 7) (collectively, the “**Property**”) –  
**Summary of Further Enhanced Public Benefits and Design Revisions**

Dear Chairman Hood and Commissioners:

On behalf of the Applicant, this letter further enhances the proffered public benefits for the Application to allow the development of a residential building with ground floor retail, PDR/maker, below-grade parking, and other neighborhood-serving uses (the “**Project**”), along with describing design revisions made in response to the Zoning Commission’s comments on June 10, 2021 and comments from the Office of Planning (“**OP**”).

**I. Increased Affordable Housing and PDR/Maker Space Proffers**

1. **Increased Affordable Housing Commitment**: As the result of discussions with OP, the Applicant now proposes to reserve **13% of the Project’s residential gross floor area (“GFA”)** as affordable housing, with 11% of the residential GFA affordable at 60% MFI and 2% at 50% MFI. This proffer is an increase from the initial proffer of 10% and the June 4, 2021 proffer of 12%. As a result, the Project would add approximately **50 new affordable units** as part of a total of approximately 379 new rental units, where none currently exist, which will significantly assist in achieving the Mayor’s Order on Housing of May 10, 2019. In addition, the Applicant still proffers that **10-15 of the new units will be three-bedroom units**. In addition, the Project will contribute additional affordable space at 50% MFI as a result of habitable penthouse space within the Project as required under the Zoning Regulations.
2. **Increased PDR/Maker Use Space Commitment**: The Applicant proposes to reserve **10% of the non-residential floor area of the Project’s ground floor—approximately 3,000-4,000 square feet—for PDR/Maker uses for 5 years**. This doubles the initial

proffer of 5% of such floor area. A range of floor area is stated above because the final amount of PDR/Maker use will depend on whether portions of the ground floor contain a mezzanine. The Project's final commitment of PDR/Maker use space will include any mezzanine in the non-residential ground floor area that triggers the 10% requirement. In addition and even more importantly for the creation of a PDR/Maker ecosystem in the District, **half of the non-residential floor area of the project's ground floor will be constructed to the significantly enhanced specifications to support PDR/Maker uses.**

The Applicant's June 4, 2021 letter to the Zoning Commission summarized the context for the Project's affordable housing and PDR/Maker use benefits, which, based on the above, are even more significant and impactful. *See* Exhibit 15. In sum, the proffers provided here are the highest for any PUDs within the Union Market district and significantly advance the District's affordable housing and economic development and job creation goals. They are consistent with the recently amended Comprehensive Plan, particularly for both the Plan's affordable and industrial considerations.

## **II. Design Changes**

In response to comments from the Commission and OP, the Applicant also proposes changes to the western façade of the Project as shown on **Exhibit A** to this letter. Namely, the Project now (1) includes 20 additional balconies on that façade, such that approximately 25 percent of the units in the Project have direct access to private outdoor space, and (2) includes a much greater degree of articulation on that façade.

We note that the Project also no longer includes the architectural signage and lighting elements previously proposed for the western façade. Those elements have been removed from the Project.

## **III. Summary of Public Benefits**

As a result of the above, the updated, complete package of public benefits for the Project is as follows:

1. 13% of residential GFA (approximately 50 units total) as affordable housing (2% at 50% MFI and 11% at 60% MFI);
2. 10-15 three-bedroom units, including 3 affordable three-bedroom units;
3. 379 new residential units where none are permitted today;
4. 10% of ground floor and mezzanine commercial space reserved for PDR/maker uses for 5 years;
5. 50% of ground floor and mezzanine commercial space constructed to PDR/maker use specifications;
6. Conversion of 4<sup>th</sup> Street, NE to a European-style shared street between Morse and Penn Streets, NE (This was a new proffer described in the record in Exhibit 15 for the first time and results from ongoing discussions with DDOT relating to the concept.);
7. Extensive streetscaping along New York Avenue, NE and 4th Street, NE;
8. Superior architecture and urban design;
9. LEED v.4 Gold-level of sustainable building design;

10. Applicant-funded study to add bicycle infrastructure along Mt. Olivet Road, NE from 9th Street, NE into the Carver-Langston neighborhood as requested by ANC 5D; and
11. \$25,000 contribution in kind for specific community projects requested by ANC 5D:
  - o \$10,000 for lighting, landscaping, cleanup, and related improvements at Lewis Crowe Park (located nearby to the Property);
  - o \$10,000 for establishing a seasonal farmers' market at Lewis Crowe Park;
  - o \$2,500 for murals and public art in Lewis Crowe Park; and
  - o \$2,500 for an ANC 5D neighborhood art project to design and install flags for the Single Member Districts within ANC 5D.

Particularly when taken in its totality, the Project's benefits and amenities are robust and are both commensurate with the amount of density and flexibility requested through the application and are consistent with the Comprehensive Plan, as amended.

#### **IV. Pre-hearing Filing**

The Applicant continues to study the additional considerations raised by OP in its June 1, 2021 supplemental report to the Zoning Commission. The Applicant has also continued to advance the Project in light of comments made by the Commissioners at the June 10 public meeting. The Applicant will have a more fulsome response to these comments in its pre-hearing filing.

#### **V. Conclusion**

The Applicant appreciates the Commission's and OP's review of this application and, based on these significant enhancements to the benefits and amenities package and design updates, respectfully requests that the Commission set down this Application for a public hearing at the Commission's October 14, 2021 public meeting.

Thank you for your attention to this Application.

Respectfully submitted,

/s/ Jeffrey C. Utz

/s/ David A. Lewis

Enclosures

## Certificate of Service

I certify that on or before September 29, 2021 (except as noted below), I delivered a copy of the foregoing document and attachments via e-mail or first-class mail to the addresses listed below.

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