



ANC 6B

Capitol Hill / Southeast

September 9, 2020

921 Pennsylvania Avenue SE
Washington, DC 20003-2141
6B@anc.dc.gov

Anthony Hood, Chair
District of Columbia Zoning Commission
441 4th Street NW, Suite 200-S
Washington, DC 20024

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VIA E-MAIL: zcsubmissions@dc.gov

Re: Zoning Commission Case 20-06, Felice Development Group, 1333 M Street SE

Dear Chairperson Hood,

At a properly noticed virtual public meeting on September 8, 2020, with nine commissioners present (six constituting a quorum), Advisory Neighborhood Commission (“ANC”) 6B voted 7-1-1 to approve this report. **ANC 6B is opposed to approval of the case 20-06 as we find the proffered public benefits insufficient. We note that increasing the contribution to support senior programming, specifically for the cost of professional services related to securing a site for an adult day center, to \$250,000, combined with the previously proffered public benefits outlined in the Applicant’s Supplemental Prehearing Statement at Exhibit 30, would be sufficient in meeting the threshold of X-300.1(b) in offering “a commendable number or quality of meaningful public benefits”.**

For background, ANC 6B’s Planning and Zoning (P&Z) Committee formed the 1333 M Street SE PUD Subcommittee (the “Subcommittee”) at its regularly scheduled meeting on June 2. Since then, the Subcommittee has met four times and included representatives from the Office of Planning (“OP”) and District Department of Transportation (“DDOT”). We are grateful to the work and communication with Stephen Cochran and Aaron Zimmerman, who were willing to discuss items related to this application and ensuring the Subcommittee was able to do the best work possible. The P&Z committee further met on September 1 in advance of the September 8 full ANC meeting.

With proffers increased, ANC 6B believes the Zoning Commission should approve the project while also addressing the following issues and concerns through the public hearing and supplemental filings.

Affordable Housing Proffer. ANC 6B appreciates the increased proffer as detailed in exhibit 30 and believes that 2-bedroom Inclusionary Zoning units should be proffered in addition to increasing the Gross Floor Area allocated by the project. The applicant has agreed to include 4 two-bedroom IZ units at 50% MFI in the total project with three of those in the consolidated phase. Throughout the Comprehensive Plan revisions, previous PUDs, and in discussions with the applicant, ANC 6B has a long

history of pushing for deeper affordability levels and larger units in addition to increasing the gross floor area.

Senior Programming Proffer. ANC 6B believes the proffer for senior support services, specifically for professional services related to securing a site for an Adult Day Center, should be increased to \$250,000 to match the needs outlined by Capitol Hill Village in exhibit 33. Initial discussions with the applicant were targeted towards modalities for inclusion of an Adult Day Center on-site and were unsuccessful, leading to this alternate approach. We rely heavily on the justification and need provided by Capitol Hill Village in their report.

Unit Mix and Total Unit Flexibility. Echoing the Office of Planning, ANC 6B would request limiting the flexibility on residential area and number of units. Further, any flexibility in number of units should not result in fewer 2-bedroom units than currently proposed.

Water Street and Water Street Frontage. ANC 6B is enthusiastic about Water Street SE as a neighborhood greenway but we see obvious failure points if not done right. Accessible pedestrian movement from the site to the proposed 11th Street Bridge Park could be a major trip generator not just by bike but also on foot or in wheelchair. We are tremendously appreciative of the applicant and DDOT's insistence on the inclusion of ANC 6B in design processes. We would encourage the Zoning Commission and DDOT where possible to accelerate the timeline of installation of the DDOT approved plans to coincide with the issuance of the certificate of occupancy for the Consolidated PUD. And while not directly relevant to this approval, we further note the threat posed by the potential relocation of the private heliport serving MPD to the riverfront land adjacent to Eastern Power Boat Club. We want to note this trip generator would likely preclude a safe neighborhood greenway, noting we understand this is outside the purview of this case.

Bikeshare Station Location. Noting the isolated nature of the site and hoped-for success of the project, ANC 6B believes siting the required bikeshare station should require the capability to expand to 47 docks. When creating public space from scratch, it's incredibly important that we don't make short-sighted design decisions.

Virginia Avenue Design. ANC 6B notes that the stub of Virginia Avenue is designed to serve this project and potentially a project to the south, without playing a role in the larger transportation network. Given this design, ANC 6B continues to question the need for a 35-foot wide design and two-way operations of the street, bypassing the opportunity to include larger bioretention facilities, reduce impermeable surfaces, and make our public space reflect the goals of SustainableDC 2.0. We encourage the Zoning Commission to require more environmental facilities in this stretch of public space, consistent with options available in the DDOT Design and Engineering Manual.

Virginia Avenue View Corridor/Upper Retail Plaza Design. The Office of Planning Report in Exhibit 31 states "OP recommends that the applicant consider modifications to the proposed landscaping of the public plaza in Virginia Avenue, and its monumental stair extension in order to maintain a more clear, consistent view corridor to the Anacostia River." ANC 6B disagrees with this recommendation. The tree cover at this site is being significantly reduced with offsetting benefits of housing production and public space improvements. Given that, the project should seek to maximize the number of trees where possible, including the upper retail plaza and monumental stairs.

Architectural Design and Sound. ANC 6B finds that the 'cut out' in Building 1 is only partially successful in breaking up the mass of the building. An approach with two separate towers of the same total GFA would be more successful.

Public Space proffers. As part of the proffer and noted by OP, the applicant should provide hours of public accessibility. ANC 6B believes the great lawn, monumental stair, upper plaza, stairway connections at 14th Street extended, and the welcome plaza should always remain open. The area adjacent to the lower level retail and elevator lobbies should be open as long as possible, noting that for safety, operations, and cleaning needs there will be a period where these spaces will not be publicly accessible.

Public Accessibility of Lower Level Plaza Retail Restrooms. We note here one very positive impact of this project, the restrooms on the lower level that are open to the great lawn and lower level retail. Public access to these restrooms should be included in the final zoning order, noting that hours of course could be limited overnight for operational and safety reasons.

Memorandum of Understanding. ANC 6B has entered into a Memorandum of Understanding (“The MOU”) with Felice Development. This report does not go into detail on the items unrelated to the Zoning Code, but we want to note our thanks to the applicant for agreeing to terms with the community related to construction and operations. We request the inclusion of the items enforceable by zoning into the final order.

LEED Gold Design. ANC 6B appreciates the proffer of meeting LEED Gold standards but notes the lack of a scorecard denoting which items will be used to achieve this proffer. The applicant should be required to provide this scorecard in a supplemental filing which will be incorporated into the order, to ensure not just that the building is designed to a LEED Gold standard but built to those standards.

Please consider this report an updated ANC Report as provided for in Z-406. This report is further submitted with a motion to waive Z-406.3 requiring this report to be filed within seven days of the hearing.

Commissioner Corey Holman, Single Member District Commissioner for 6B06 and chair of ANC 6B’s Planning and Zoning Committee and 1333 M Street SE PUD Subcommittee, is authorized to present this report per Z-406.2(h) and to participate in the hearing representing ANC 6B. In addition to the above report, Commissioner Holman is authorized to detail the process and content of Subcommittee, P&Z Committee, and full Commission meetings to the best of his understanding. Further, he is authorized to testify on items related to the following project to the best of his recollection:

- Information on past PUDs in ANC 6B
- Proposed relocation of the Metropolitan Police Department to Boathouse Row
- ANC 6B’s pending rezoning application of the un-zoned land of Boathouse Row
- ANC 6B’s February 2020 resolution on amendments to the Comprehensive Plan
- ANC 6B’s involvement and understanding of the Southeast Boulevard and Barney Circle Project

We finally note for the Secretary’s ease, ANC 6B does not meet again until October 13. However, based on ANC 6B bylaws, a supplemental report or response can be approved by the Executive Committee of ANC 6B on Tuesday, September 29. *If the board requests supplemental filings from ANC 6B or allows a*



response to a supplemental filing from the applicant or government agency, we request that any supplemental filings or response from ANC 6B are due no earlier than Wednesday, September 30.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Ready", written over a horizontal line.

Brian Ready
Chair, ANC 6B

Cc:

Owner/Applicant:	Felice Development Group
Planning and Zoning Chair:	Corey Holman
SMD Commissioner:	Corey Holman



**BEFORE THE ZONING COMMISSION AND
BOARD OF ZONING ADJUSTMENT OF THE DISTRICT OF COLUMBIA**



FORM 129 – ADVISORY NEIGHBORHOOD COMMISSION (ANC) REPORT

Before completing this form, please review the instructions on the reverse side.

Pursuant to Subtitle Z § 406.2 and Subtitle Y § 406.2 of Title 11 DCMR Zoning Regulations, the written report of the Advisory Neighborhood Commission (ANC) shall contain the following information:

IDENTIFICATION OF APPEAL, PETITION, OR APPLICATION:

Case No.:		Case Name:	
Address or Square/Lot(s) of Property:			
Relief Requested:			

ANC MEETING INFORMATION

Date of ANC Public Meeting:	D	D	/	M	M	/	Y	Y	Was proper notice given?:	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	
Description of how notice was given:														
Number of members that constitutes a quorum:		Number of members present at the meeting:												

MATERIAL SUBSTANCE

The issues and concerns of the ANC about the appeal, petition, or application as related to the standards of the Zoning Regulations against which the appeal, petition, or application must be judged (*a separate sheet of paper may be used*):

The recommendation, if any, of the ANC as to the disposition of the appeal, petition, or application (*a separate sheet of paper may be used*):

AUTHORIZATION

ANC		Recorded vote on the motion to adopt the report (i.e. 4-1-1):	
Name of the person authorized by the ANC to present the report:			
Name of the Chairperson or Vice-Chairperson authorized to sign the report:			
Signature of Chairperson/ Vice-Chairperson:		Date:	

ANY APPLICATION THAT IS FOUND TO BE INCOMPLETE MAY NOT BE ACCORDED "GREAT WEIGHT" PURSUANT TO 11 DCMR SUBTITLE Z § 406 AND SUBTITLE Y § 406.

INSTRUCTIONS

Pursuant to 11 DCMR Subtitle Z § 406.2 and Subtitle Y § 406.2, the Zoning Commission (ZC) and Board of Zoning Adjustment (BZA) shall give “*great weight*” to the written report of the affected Advisory Neighborhood Commission (ANC), as required by the Comprehensive Advisory Neighborhood Commissions Reform Amendment Act of 2000.

1. All ANC reports shall be made pursuant to this form. If additional space is necessary, use separate sheets of 8½" x 11" paper to complete the form.
2. ANC reports and any accompanying documents must be submitted to the record by using:
 - a. The Interactive Zoning Information System (IZIS) at www.dcoz.dc.gov;
 - b. By email to zcsubmissions@dc.gov for the ZC or bzsubmissions@dc.gov for the BZA; or
 - c. In person or by U.S. mail addressed to 441 4th Street, NW, Suite 200-S, Washington, DC 20001.
3. Submission deadlines are as follows:
 - a. ANCs must file this form at least seven (7) calendar days in advance of the hearing, if they wish to participate in a public hearing under Subtitle Z § 406.3 and Subtitle Y § 406.3.
 - b. In all cases before the ZC or BZA, ANCs must file this form before the ZC or BZA makes a decision in order to receive great weight.

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If you need a reasonable accommodation for a disability under the Americans with Disabilities Act (ADA) or Fair Housing Act, please complete a Form 155 - Request for Reasonable Accommodation.

District of Columbia Office of Zoning

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