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September 30, 2020

Anthony Hood, Chair  
District of Columbia Zoning Commission  
441 4<sup>th</sup> Street NW, Suite 200-S  
Washington, DC 20024  
VIA E-MAIL: [zcsubmissions@dc.gov](mailto:zcsubmissions@dc.gov)

#### **Re: Zoning Commission Case 20-06, Felice Development Group, 1333 M Street SE; ANC 6B Post-Hearing Response**

Dear Chairperson Hood,

At a properly noticed virtual special call meeting on September 29, 2020 with a quorum of six commissioners present (six commissioners constituting a quorum), Advisory Neighborhood Commission (“ANC”) 6B voted 6-0-0 to approve this response to the supplemental filing by the applicant in Zoning Case 20-06.

#### **Condition of Support**

As stated at the hearing and in our ANC report in Exhibit 54, the increased proffer made at the hearing met, in principle, the ANC’s condition of support for this case. The follow-up proffer in the post-hearing statement further aligns, clarified, and addressed our concerns outlined in the *Senior Programming Proffer* section in our ANC report. Based on this increased proffer, ANC 6B is prepared to withdraw our objection and support approval of the Consolidated and First-Stage PUD in Zoning Case 20-06.

#### **Issues and Concerns**

As you are aware, ANC 6B raised several issues and concerns at the hearing and in our ANC Report and welcome the Zoning Commission continuing to give Great Weight to these items before taking proposed action. These issues and concerns are addressed below in order of the ANC report

##### *Affordable Housing Proffer*

ANC 6B appreciates the increased Inclusionary Zoning Proffer to include four two-bedroom units at 50% Median Family Income

##### *Senior Programming Proffer*

As discussed in our ANC Report and above, ANC 6B appreciates the changes in the post-Hearing ADC proffer.

### *Unit Mix and Total Unit Flexibility*

ANC 6B appreciates maintaining the baseline number of two-bedroom units even with the requested flexibility of 5% more units or 10% fewer units.

### *Water Street and Water Street Frontage*

ANC 6B continues to seek assurance regarding the design of Water Street SE. Accessibility for those walking or using mobility devices between the project and the 11th Street bridge should be a condition of approval for this project, rather than being left to DDOT's public space progress. As designed, the project does not provide accessibility either on public or private space with promises of a design to be done later (noting out appreciation of the items included in the MOU). Where possible, ANC 6B continues to encourage the Zoning Commission to require DDOT and OP to accurately address the impacts and necessity of impact mitigation along Water Street SE, including the installation of a neighborhood greenway by the time of issuance of the Certificate of Occupancy.

We also want to take this opportunity to brief the Zoning Commission, Office of Planning, DDOT, and the public on the continued threat to this scheme and other waterfront uses by the relocation of the Metropolitan Police Department heliport to the unzoned land south of Water Street SE. Earlier this year, an Unsolicited Proposal was submitted to the Deputy Mayor of Planning and Economic Development and the Office of the City Administrator by the current owner, Congressional Aviation. The lease for the current private heliport providing these services to MPD (and regional hospitals) along South Capitol Street SW expires in Summer of 2022 and the heliport owner has been engaged in a years-long process with the City Administrator's Office to relocate these services to Water Street SE. The current scheme involves one helipad and a support building, including gas storage facilities, directly downstream of Eastern Power Boat Club and upstream of the Army Corps of Engineers barge facility, between Water Street SE and the Anacostia River.

Related to land use of Boathouse Row which was a topic of discussion between the Zoning Commission and Office of Planning, ANC 6B reiterates the statements made at the hearing that the Generalized Policy Map submitted to the DC Council in the current round of changes to the Comprehensive Plan includes this area as a "Future Planning Analysis Area" meaning OP plans to do a Small Area Plan or other planning efforts after approval by the Council, subject to funding availability of course. However, ANC 6B continues to be dismayed at the lack of holistic planning for Boathouse Row, along with the potential for nuisance uses in the current unzoned land south of Water Street and the PDR-zoned land north of Water Street. In the Fall of 2019, ANC 6B sent Notices of Intent to File a Map Amendment to the landowners for the land *north* of Water Street to MU-13 (Medium-Density Waterfront Residential) but decided not to move forward with a map amendment in light of the Comprehensive Plan changes (which designate this land as High-Density Residential) and proposed Expanded Inclusionary Zoning in Case 20-02. In July of 2020, sensing the land use threats posed to the long-term plans for Boathouse Row, ANC 6B sent a different round of Notices of Intent to File a Map Amendment for the unzoned District-owned land *south* of Water Street to MU-11 (Waterfront Open Space and Marina) and intends to file that map amendment with the Zoning Commission after our October 13, 2020 meeting.

### *Bikeshare Station Location*

We note that the applicant has not included a bikeshare station location in their plans, instead deferring to DDOT. Again, the promises of “handing this at public space” do not instill confidence and we would encourage siting the location with expansion capability as a condition in the zoning order but we understand there are limits of the zoning process and DDOT processes.

### *Virginia Avenue Design*

The revised plans do not incorporate any changes to the public space along the road portion of Virginia Avenue. Again, where possible, we encourage the Zoning Commission to require expanded environmental facilities, consistent with the DDOT Design and Engineering Manual, as a condition of approval.

### *Architectural Design and Sound*

ANC 6B notes the changes in the design of the cutout and is deferential to the Zoning Commission and other public testimony in explaining the failure to break up the massing along M Street SE.

### *Public Space Proffers*

ANC 6B appreciates agreement in the MOU and expects incorporation of public accessibility hours of the great lawn, monumental stair, elevator lobbies, and areas adjacent to retail operations included in the final order.

### *Public Restrooms*

As stated at the hearing, the presence of public restrooms along the lower retail corridor is an important component of the community benefits of this planned unit development. We expected incorporation of this into the final zoning order but take the time here to highlight this for perpetuity. Public restrooms are vitally important to the success of a city.

### *Memorandum of Understanding*

As stated at the hearing, ANC 6B has signed an MOU with the applicant for a series of zoning and non-zoning issues and welcomes a productive relationship through construction and into operations.

### *LEED Gold Design*

ANC 6B acknowledges in the LEED Gold checklist as requested.

While not expected, if the ANC is allowed a further supplemental filing, our next Executive Committee meeting is on Tuesday, October 27, the earliest time at which we will be able to vote on a report. Otherwise, our meeting schedule is Tuesday, November 10 (Full Commission), Tuesday, November 24 (Executive Committee), then Tuesday, December 8 (Full Commission). We would request the supplemental filing by the applicant be provided by Friday before the above meeting dates.

We take this opportunity again to give our sincere thanks to the applicant, Office of Zoning staff, Zoning Commission, Office of Planning staff, DDOT staff, and especially the volunteer residents



who serve on ANC 6B committees who provided so much expertise and local knowledge which allowed ANC 6B to write a better ANC Report, provide better testimony, and whose efforts resulted in a better project.

Please contact Commissioner Corey Holman, ANC 6B's Planning and Zoning (P&Z) Committee Chair, at 301-664-4132 or [6b06@anc.dc.gov](mailto:6b06@anc.dc.gov) if you have questions or need further information.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Ready".

Brian Ready  
Chair, ANC 6B

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