

May 26, 2022

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. 21-18: Dance Loft Ventures LLC (“**Applicant**”) Application for a Consolidated PUD and related Zoning Map Amendment (collectively, the “**Application**”) for 4608-4618 14th Street, NW – **Post-Hearing Statement**

Dear Chairman Hood and Commissioners:

On behalf of the Applicant, we submit this post-hearing statement for the consolidated PUD and related amendment to the Zoning Map from the MU-3A zone to the MU-5A zone to allow the development of a mixed-use multifamily residential building with ground floor retail/commercial and performing arts/entertainment/assembly uses (the “**Project**”). The Commission conducted a public hearing on the Application on May 5, 2022 and May 12, 2022.

The Project has tremendous public benefits: **67 affordable units** (out of 101 total), including **22 units at 30% MFI**, **24 three-bedroom units** (16 affordable), preservation of the Dance Loft, an arts use, and sustainable design at the Enterprise Green Communities Plus level. ANC 4C voted to support of the Project at a public meeting on April 13.

The following page summarizes the information provided in this statement in response to requests by the Commission at the hearing and includes the following exhibits:


Exhibit A – Additional Sheets to the Project’s Plans and Drawings

Exhibit B – Draft Construction Management Plan

Exhibit C – Information regarding Dance Loft’s Public School Programs

Further details regarding the exhibits and responses to questions asked by the Zoning Commission are summarized in the following chart:

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Views from Alley	Exhibit A Sheets A.40.1-A.40.5 contain new views of the Project from vantage points at the rear of the existing residences to the north, west, and south of the Project.
Sections	Exhibit A Sheet A.23.1 contains sections through the entirety of Square 2704, which is the block containing the Project and surrounding residences.
EFIS/Brick Details	Exhibit A Sheet A.29.4 contains additional detailing showing the Project’s brick façade wrapping onto the north side of the Project.
Vent Details	Exhibit A Sheet A.46.1 contains detailing on the Project’s proposed vents and clarifies that the vents are able to be color-matched to the Project’s primary façade materials.
Parking Details	Exhibit A Sheets A.46.2-A.46.3 contain additional information regarding the mechanical stacked parking system in the Project’s garage. The Project’s garage includes 3-unit stacked spaces. Sheet A.46.2 also includes a link to a YouTube video showing simulated operations of the stacked system.
Green Roof Access	Exhibit A Sheets A.11, A.12, A.16, and A.17 contain updated plans depicting maintenance access to the Project’s green roof areas.
Construction Management Plan	Exhibit B contains a draft Construction Management Plan in the form that the Applicant would be willing to provide to supporters, members of the party in opposition, and other owners of the residential property within Square 2704, as may be reasonably modified to address particular circumstances of the Project’s construction at the time of construction.
Construction Pricing Information	<p>As a predominantly-affordable building seeking DHCD subsidy, construction costs impose considerable restrictions on the massing and design of the Project.</p> <p>In sum and as discussed at the hearing, revising the Project to exceed five stories on 14th Street, NW would require the entire building, including portions less than five stories, to comply with high-rise construction and fire code requirements. The result is that the building’s construction costs would increase by approximately 20-30% (i.e., by as much as \$10 million in the aggregate).</p> <p>Project opponents have suggested that reducing the “rear” of the Project to three stories above grade and moving that density to the portion of the Property closer to 14th Street NW. That is, the opponents propose to move density from the red box below to the green box. The density currently proposed on the top story within the “red box” is approximately 13,092 sf. The area of the green box is approximately 7,805 sf, so the opponents’ proposal would require adding two to three stories to the existing five story proposal, resulting in a need for a seven- or eight-story (plus penthouse) building along 14th Street NW.</p>  <p>For reference, as described in Exhibit 525E and at the hearing, the Project as currently proposed is expected to have a construction cost of \$338/sf. DHCD’s maximum construction costs per square foot for a subsidy for a wood frame or light gauge steel construction for a building in excess of five stories is \$351/sf. A seven- or eight-story plus penthouse design exceeds DHCD’s construction cost limit by a substantial margin even if only a portion of the Project is seven or eight stories.</p> <p>Increasing the height of the Project on 14th Street, NW and reducing it elsewhere creates other problems. For instance, such a configuration drastically reduces the efficiency of the Project’s penthouse, which would no longer be a single mass. Recovering the lost penthouse requires ever</p>

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	<p>more height on 14th Street, NW to maintain a constant aggregate gross floor area. The greater height on 14th Street, NW arguably reduces the Project’s consistency with the Small Area Plan and potentially the Comprehensive Plan as well.</p> <p>The inability to shift density from the rear to the front of the Project is not linked to “profit” motives as many neighbors incorrectly assert. The construction cost limitations fundamentally bear on the Project’s ability to be eligible for DHCD subsidy, without which the Project would not be able to achieve its lofty affordable housing targets.</p> <p>Although the Commission is not required as part of the PUD process to evaluate alternative massing scenarios, the Applicant has in good faith studies ways to modify the Project to satisfy neighbors’ concerns. The Applicant’s study of alternatives goes above and beyond the typical PUD process and is in the spirit of community engagement and responsiveness that has been the hallmark of the Applicant’s approach to its relationship with nearby residents. The conclusion of that study resulted in the currently-proposed design, which balances minimizing impacts on neighbors and providing an extraordinary affordable housing commitment. That balancing act is the purpose of the PUD process.</p> <p>Any potential adverse impact on nearby properties, whether commercial or residential, is more than justified by the Project’s affordable housing, arts, and other public benefits, particularly when considered in light of the Project’s mitigation of potential impacts.</p>
<p>Dance Loft Information</p>	<p>Exhibit C contains additional information regarding Dance Loft’s programming for District public school students. In sum, Dance Loft served an estimated 550 DPCS students in 2022 through:</p> <ul style="list-style-type: none"> • at-school bilingual, dance education for approximately 150 pre-K and kindergarten students at Spanish Educational Development Center, EL Haynes Public Charter, Powell Elementary, and John Lewis Elementary; and • on-site (i.e., at Dance Loft’s facilities) performance and workshop programs for approximately 200 kindergarten through second grade students at Center City Petworth Public Charter Schools, EL Haynes Public Charter, and John Lewis Elementary.
<p>Affordable Unit Count Flexibility</p>	<p>At the hearing there was discussion about requiring the Project to provide no fewer than 67 affordable units notwithstanding a reduction in the overall number of units.</p> <p>The Applicant has requested the standard flexibility to change the unit count by plus or minus 10% (i.e., adding or removing 10 units here). The proposed unit mix is intended to maximize the Project’s likelihood of obtaining DHCD funding and to react to DCHD’s funding priorities. In the event DHCD’s priorities change the Applicant requires this 10% flexibility to be nimble enough to address those priorities.</p> <p>As a result, the Applicant requests the flexibility to reduce the affordable unit count proportional to the number of units in the building (i.e., 67% of all units), making every effort to retain 67 affordable units on an absolute basis without exceeding 70% of the units being affordable.</p> <p>This flexibility is necessary because DHCD prioritizes market rate units intermixed with affordable units, and if the Project’s overall number of units is reduced (e.g., to increase the number of 3-bedroom units) the number of market rate units needs to adjust proportionately, which would not be possible with a fixed “floor” of 67 affordable units.</p>
<p>WMATA Electrification</p>	<p>According to information provided by WMATA:</p> <ul style="list-style-type: none"> • The Northern Bus Garage, which is located opposite 14th Street NW from the Property will be WMATA’s first all-electric bus garage, with infrastructure and equipment needed to run 100% electric vehicles, and will open with a mix of the current Metrobus fleet and new battery-electric vehicles, transitioning to 100% electric as Metrobus’ electric bus fleet expands; • This garage reconstruction effort will provide a modern bus facility that is capable of operating a 100% electric bus fleet and when it reopens, will feature modern air filtration systems, solar panels and additional LEED characteristics, providing an environmentally responsible building for employees and community. WMATA has adopted a goal of a 100% zero-emission bus fleet by 2045, with a full transition to battery-electric or other zero-

	<p>emission bus purchases by 2030; and</p> <ul style="list-style-type: none">• Original facility designs for the Northern Bus Garage included full interior air filtration; however, to mitigate community concerns, the air filtration system was upgraded from minimum efficiency reporting value (“MERV”) 14 to MERV 16 filtration. MERV 16 is the highest level residential/commercial filter available. MERV is an industry standard rating that indicates the worst-case performance of the filter in terms of preventing pollutants from passing through. Performance must meet this minimum and can be better in usage. MERV 16 filtration will prevent the release of 95 percent of all pollutants, including 95 percent of the smallest/most harmful particle sizes of 0.3 – 1.0 micrometers. These particles include dust, pollen, mold spores, bacteria, auto fumes, pet dander, coal dust, and more. <p>See wmata.com/about/news/First-all-electric-bus-garage-to-be-built-at-Northern-bus-facility.cfm and https://www.wmata.com/initiatives/plans/northern-bus-garage/upload/DCE-Northern-Bus-Garage-FINAL.pdf</p>
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Respectfully submitted,

/s/ Jeffrey C. Utz

/s/ David A. Lewis

Enclosures

Certificate of Service

I certify that on or before May 26, 2022 (except as noted below), I delivered a copy of the foregoing document and attachments via e-mail, hand delivery, or first-class mail to the addresses listed below.

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