

May 13, 2022

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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. 22-08
Applicant's Response to Office of Planning Report**

Chairperson Hood and Honorable Members of the Commission:

On May 12, 2022, the Office of Planning ("OP") submitted its report recommending approval of Applicant NRP Properties, LLC's (the "Applicant") application. However, the OP report identifies additional information for the Applicant to file in the record. In light of OP's request, the Applicant wishes to supplement the record prior to the Commission's hearing on May 16, 2022. The Applicant believes the additional information will assist the Commission in holding an efficient hearing by ensuring the record is complete. Accordingly, in response to OP's request, the Applicant provides the following:

I. Design Flexibility Language

OP requested the Applicant to clarify the requested design-related flexibility in this application. Accordingly, the Applicant has enclosed the proposed design flexibility language at **Tab A**.

II. Proposed Plan For Public Art

In its prehearing statement, the Applicant provided a more-detailed Landscape Plan, including identifying a public art sculpture in the project's front setback area. OP requests more information on the public art, including efforts to secure a local DC artist to create the sculpture. The Applicant accepts the following language to be incorporated into an Order or Finding of Facts and Conclusions of Law for this Application:

The design calls for a public art piece that will act as a focal point on the Benning Road corridor in front of the building. The Applicant envisions a sculpture of a scale and materiality that is appropriate to the setting. The Applicant will work with the DC Commission on the Arts and Humanities to secure the services of a local artist, providing information to guide the process. As part of this process, the

Applicant might also assist with the “Call to Artists” and serve on the selection committee.

III. Proposed Signage for Pick-Up/Drop-Off Spaces

The Applicant is proposing two parking spaces within the front setback area that will be designed as “pick-up/drop-off” spaces. Accordingly, OP requests proposed signage that will be utilized to distinguish the pick-up/drop-off spaces from a standard un-restricted parking space. The Applicant’s transportation consultants from Gorove Slade have provided signage that can be used for the pick-up/drop-off spaces, which is enclosed at **Tab B**. The proposed signage is subject to DDOT review and approval.

IV. Penthouse Height

OP’s report notes a discrepancy in the proposed height of the penthouse and that OP would not recommend approval of relief for penthouse height. OP’s note on penthouse height arises from a mistaken reference to a 19-foot penthouse in the Applicant’s prehearing statement. However, the architectural plans filed with the prehearing statement show a total penthouse height of 18’4”, comprised of an 11’4” habitable penthouse with a 7’ mechanical penthouse above. *See* Exhibit 13A1, Sheet A-15A, A-15B. The total penthouse height of 18’4” complies with the MU-7B maximum penthouse height of 18’6” under Subtitle G § 403.3.

While the architectural plans (Sheet A-15A) also depict a 12’ measurement to the top of a small parapet on the penthouse, this measurement is intended to properly illustrate the required 1:1 setback, not the height that is measured to the roof of the penthouse. Accordingly, the Applicant is not requesting flexibility or relief from the penthouse height requirement.

V. Material Board

Finally, OP requested a color and material board for the project’s exterior. The Applicant previously supplemented the record with an additional material palette that focuses on the proposed Nichiha cement exterior material. *See* Ex. 15A2. The Applicant’s prior submission is responsive to OP’s request.

We thank the Commission for its consideration of this filing and look forward to the hearing on May 16, 2022.

Sincerely,
COZEN O’CONNOR



Meridith Moldenhauer



Eric J. DeBear

Certificate of Service

I HEREBY CERTIFY that on this 13th day of May, 2022, a copy of the Applicant's Response to OP report was served, via email, on the following:

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