

# Holland & Knight

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January 25, 2022

## **VIA ELECTRONIC MAIL**

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Advisory Neighborhood Commission 6D  
c/o Edward Daniels, Chair  
1101 4<sup>th</sup> Street, SW  
Suite W-130  
Washington, DC 20024

**Re: Proposed PUD at 899 Maine Avenue, SW  
Follow-up to ANC 6D Meeting on January 10, 2022**

Dear Commissioners:

This letter is a follow-up to the ANC 6D meeting held on January 10, 2022, related to the PUD proposed for the above-referenced property. We appreciate the ANC's willingness to engage the development team early in the entitlement process and look forward to working with Commissioner Lightman and the other commissioners who will serve on the special committee for the proposed PUD once the application has been filed with the Zoning Commission. Following is information responding to the questions and comments raised by the ANC related to affordable housing, vehicular access from G Street, the shadow study findings for the proposed development, and the developer's outreach efforts.

### **Affordable Housing Proffer**

As part of its PUD benefits and amenities package, the Applicant will set aside 15% of the project's residential density to affordable housing for households with incomes not exceeding 60% MFI. The ANC stated that this proffer was insufficient and that the Applicant should devote 20% to 30% of the residential density to affordable housing, comparable to the District's requirement for the land disposition in connection with the redevelopment of The Wharf.

The Applicant's affordable housing proffer will result in approximately 65,500 square feet of gross floor area ("GFA") of new affordable housing on a site where (i) no housing currently exists and (ii) within proximity to transit and numerous amenities. In addition, the Applicant's

15% affordable housing proffer is considerably more than what would be required under the site’s existing MU-12 zoning, and is among the highest of the recent PUDs that do not involve a public subsidy, public financing, and/or public land disposition or ground lease. Specifically, a matter-of-right redevelopment of the site under the existing MU-12 zoning would require approximately 21,500 square feet of the residential floor area devoted to affordable housing. Thus, the proposed development will provide over three times more affordable housing than under existing zoning, in addition to numerous other public benefits.

The following table demonstrates that the Applicant’s affordable housing proffer far exceeds all other recently approved, unsubsidized PUDs:

Z.C. Case No. / Applicant	Affordable Housing
Z.C. 20-06 - Felice Development Group	12%
Z.C. 19-29 - UM 1348 4 <sup>th</sup> Street NE, LLC	13%
Z.C. 19-16 - MCF WALP Phase 1, LLC	12%
Z.C. 19-10 - Valor Development, LLC	12%
Z.C. 18-21 - Hanover R.S. Limited Partnership	12%
Z.C. 18-03 - Dancing Crab Properties, LLC	12.7%
Z.C. 17-21 - As You Like It, LLC	8%
Z.C. 17-09 - FP Eckington Holdings, LLC	10.7%

The proposed PUD will bring a substantial amount of new housing, including dedicated affordable housing, to the Lower Anacostia Waterfront and Near Southwest Planning Area that will greatly assist the District in achieving the overall and affordable housing goals established for this particular area in the 2019 Housing Equity Report. The only regulatory mechanisms that would yield greater affordable housing would be if the site was subject to a District or Federal mandatory affordable housing requirement, or if the developer sought and obtained a substantial public subsidy. Absent these mechanisms, greater affordable housing could also be realized on the site by having the developer forego a PUD and instead pursue a map amendment that would be subject to the recently adopted IZ+ regulations. However, the ANC previously told the developer that it was not supportive of a map amendment on the site and instead wanted the developer to pursue a PUD.

**G Street Truck Access**

The development team met with Aaron Zimmerman and Emma Blondon at DDOT to discuss vehicular access and circulation for the proposed PUD. Currently, the project is designed with car and truck access from G Street, between 7<sup>th</sup> and 9<sup>th</sup> Streets. Although truck access is restricted on the block of G Street east of 7<sup>th</sup> Street, truck access is not restricted on the portion of G Street between 7<sup>th</sup> and 9<sup>th</sup>. A screen shot of DDOT’s truck/bus routes in proximity to the site is attached as Exhibit A. The map can be accessed directly at <https://godcgo.com/motorcoach/>.

The site does not have any public alley access. As such, vehicular access for the project is proposed on G Street because it is the street adjacent to the site with the lowest amount of traffic and, therefore, the lowest amount of conflicts. This is consistent with DDOT's Design and Engineering Manual and is the safest alternative for vehicular access to the project.

### **Shadow Study Findings**

A comparative shadow study was completed and shared during the ANC meeting in order to understand the impact of shadows resulting from the proposed development compared to the shadows resulting from existing development on and surrounding the site. A composite study overlaying the shadows resulting from the proposed development and the existing shadows is attached as Exhibit B. The geographic extent of the study includes:

- the Capitol Square townhomes located on G Street, between 9th Street SW and 7th Street;
- Thomas Jefferson Middle School Academy;
- the Jefferson Field located north of the school;
- a portion of The Wharf along Maine Avenue; and
- the Town Square Condominiums high-rise development at 700 7th Street, SW.

For the existing and proposed conditions, the study examined the shadows during four astronomically significant periods in a typical calendar year to represent the full range of shadows that would be generated based on the altitude and azimuth of the sun, fall/spring equinoxes, winter solstice, and summer solstice. For each of the four periods, shadows were examined at four intervals during the day -- 9:00 a.m., 12:00 p.m., 3:00 p.m., and 5:00 p.m.

### **Shadows from Existing Development**

The shadow studies of the existing development on and surrounding the site show the following during the spring and fall equinox:

- The existing development on and surrounding the site casts shadows on the southern portion of the pickleball and tennis courts located immediately east of the site during most of the day with shadows covering the extent of the pickleball courts during the 5:00 p.m. study period.
- At 5:00 p.m., the shadows from the high-rise development at The Wharf extend to the Jefferson Middle School building.

- During the 9:00 a.m. study period, the Town Square Condominiums cast shadows along the eastern edge of the Jefferson Field.

The shadow studies of the existing development on and surrounding the site show the following during the summer solstice:

- The existing development on and surrounding the site casts minor shadows due to the high altitude of the sun.
- During the 5:00 p.m. study period, the existing structure on the site partially shades the pickleball courts located to the east.

The shadow studies of the existing development on and surrounding the site show the following during the winter solstice:

- The existing development on and surrounding the site casts shadows on a portion of the pickleball and tennis courts throughout the day.
- During the 9:00 a.m. study interval, the Town Square Condominiums cast shadows on the eastern half of Jefferson Field, including a portion of the areas programmed for football, soccer and baseball/softball.
- During the 3:00 p.m. study period, shadows from The Wharf extend to the Jefferson Middle School building. The sun has already set by the 5:00 pm study period.

### Proposed Development

The shadow studies of the proposed development on and surrounding the site show the following during the spring and fall equinox:

- The shadows resulting from the proposed development do not impact the townhouse development to the north, Jefferson Middle School, or the Jefferson Field during the 9:00 a.m. and 12:00 p.m. study period.
- During the 3:00 p.m. study period, the shadows from the proposed development cover the extent of the pickleball courts and tennis courts located east of the site, but do not extend to the open areas of Jefferson Field, including the areas programmed for football, soccer and baseball/softball. After the regular school session has already been dismissed, the shadows extend to the northwest corner of Jefferson Middle School.
- During the 5:00 p.m. study period, shadows from the proposed development extend farther across the open areas of Jefferson Field.

The shadow studies of the proposed development on and surrounding the site show the following during the summer solstice:

- The shadows resulting from the proposed development do not impact the Capitol Square townhomes to the north, Jefferson Middle School, or Jefferson Field during the 9:00 a.m. or 12:00 p.m. study periods.
- During the 3:00 p.m. study period, the proposed development provides shade for the pickleball courts and partially shade the tennis court to the east.
- During the 5:00 p.m. study period, the pickleball and tennis courts are fully shaded. The west side of Jefferson Middle School is minimally shaded during the 5:00 p.m. study period after the regular school session has already been dismissed.

The shadow studies of the existing development on and surrounding the site show the following during the winter solstice:

- The shadows resulting from the proposed development do not impact the townhouse development to the north, Jefferson Middle School, or Jefferson Field during the 9:00 a.m. study period.
- During the 12:00 p.m. study period, the shadows minimally extend to the southwest corner of the townhouse development, but do not impact Jefferson Middle School or Jefferson Field.
- During the 3:00 p.m. study period, the shadows resulting from the proposed development will fully shade the pickleball courts, tennis court, and a small portion of Jefferson Field, including the southwest corner of the area programmed for football and soccer. Also, during this study period, the shadows from the proposed development extend to a small portion of the front yard area of the Capitol Square townhomes to the north.

Shadow Study Summary

The existing structures on and surrounding the proposed site cast shadows on the existing townhouse development, Jefferson Middle School, and Jefferson Field to varying degrees depending on the time of day and year. Any development on the site that is taller and has a larger footprint than the existing structure will unavoidably change the existing shadow patterns. The developer has reduced the proposed building by two stories at 9th and G Streets, which minimizes the shadows on the Capitol Square townhomes and Jefferson Field. The additional shading on the courts and a portion of the open field areas during the hot summer months should be considered as favorable as it will provide relief from direct sun. Finally, any direct impact on the Jefferson Middle School building is generally limited to times of the day when school is not in session.

ANC 6D  
899 Maine Avenue, SW  
January 25, 2022

### **Community Outreach**

To date, the developer has met with the Capitol Square Homeowners Association and the Jefferson Middle School Parent Teacher Organization. After the PUD application is filed with the Zoning Commission, the developer will schedule follow-up meetings with these neighboring stakeholders as well as the Town Square Condominiums to go over the proposed plans and respond to any questions or concerns about the proposed development. As requested by the ANC, the developer will also coordinate with representatives of The Wharf development team.

### **Conclusion**

We trust that the foregoing information about the affordable housing proffer, vehicular access from G Street, the shadow studies and the developer's outreach efforts is helpful. Once the PUD application has been filed, we will forward a copy of the application to the ANC and coordinate a meeting with the application committee through Commissioner Lightman.

Thank you for your considerate attention to this matter.

Very truly yours,

HOLLAND & KNIGHT, LLP



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Leila M. Jackson Batties

cc: Zoning Commission for  
the District of Columbia (w/ attachments)

# **EXHIBIT A**





# **EXHIBIT B**



9:00 AM



12:00 PM

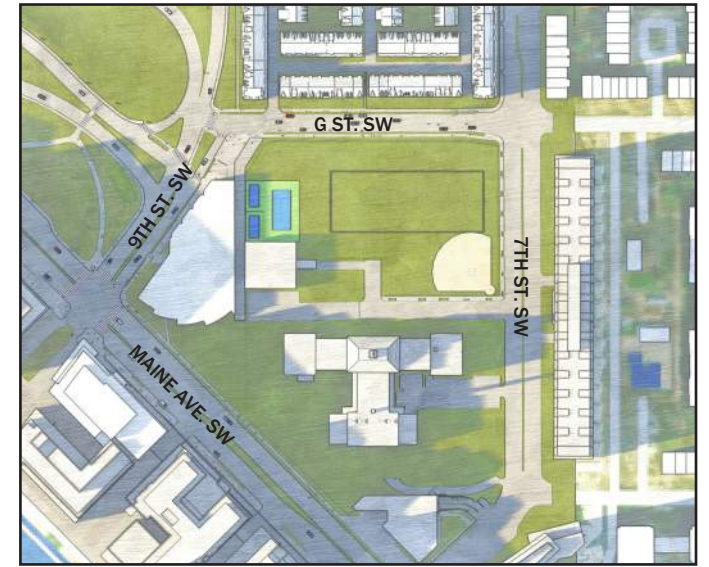
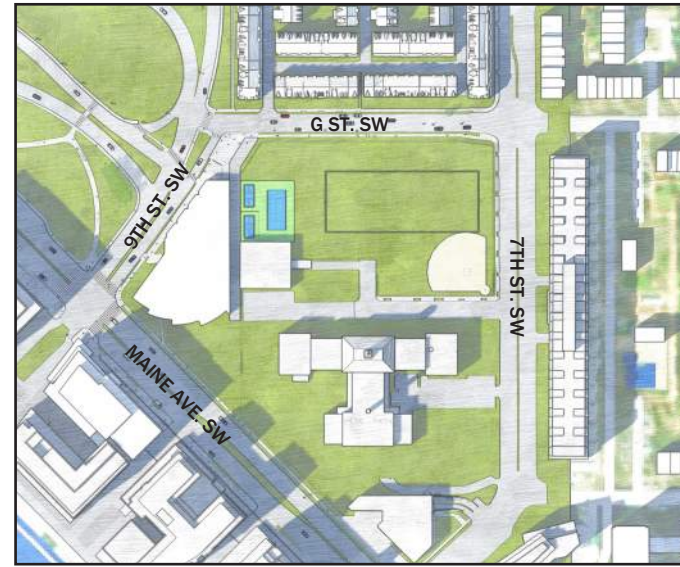
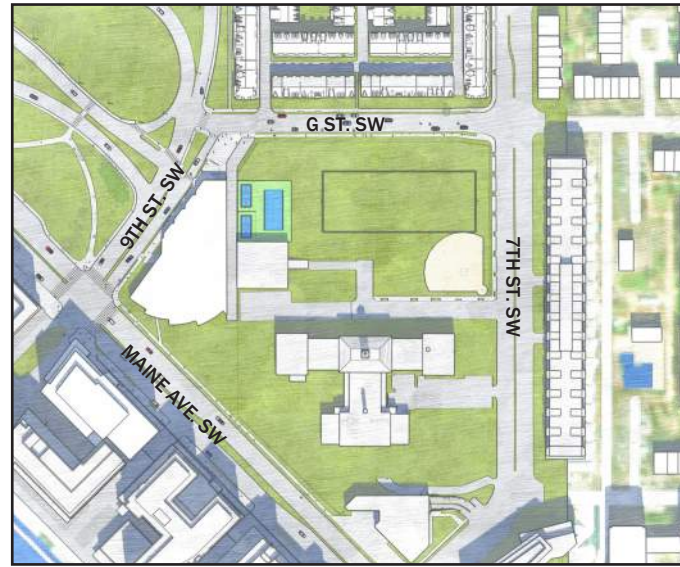
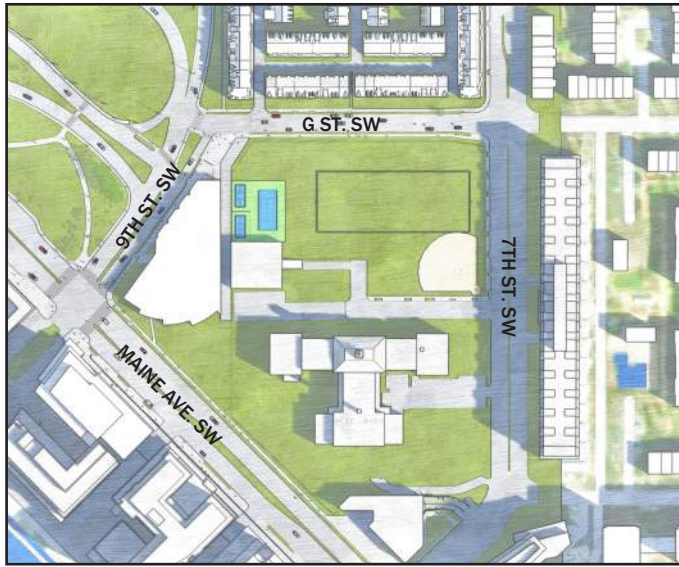


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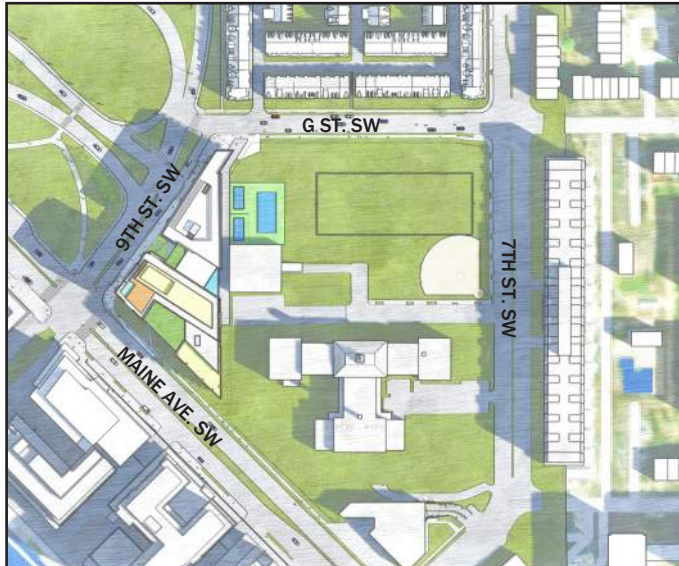


5:00 PM

EXISTING



PROPOSED



COMPOSITE



9:00 AM

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12:00 PM

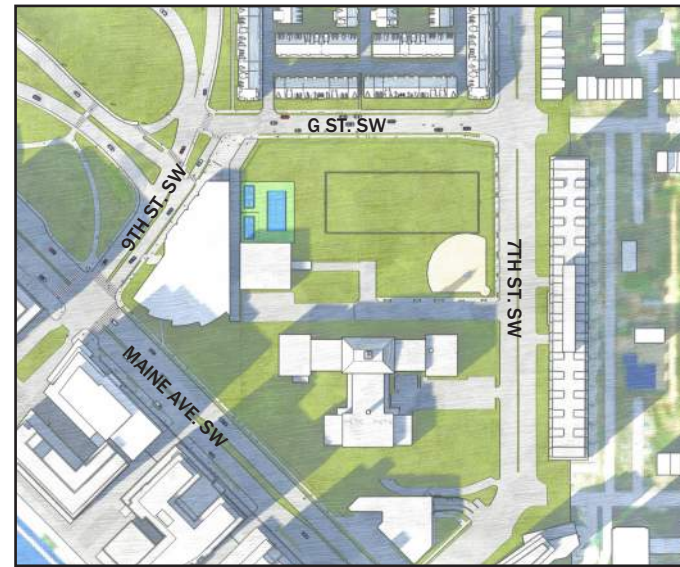
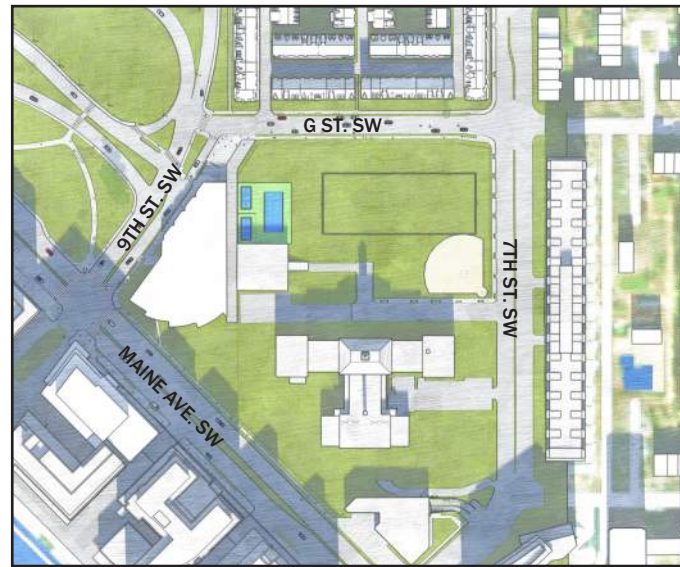


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