

MEMORANDUM

TO: District of Columbia Zoning Commission

FROM: Stephen J. Mordfin, Project Manager
JLS
Jennifer Steingasser, Deputy Director, Development Review and Historic Preservation

DATE: January 22, 2019

SUBJECT: Public Hearing Report for Zoning Commission Case No. 02-38J, Stage-Two Planned Unit Development and Related Map Amendment from C-3-B to C-3-C (ZR58) at 1000 4th Street, S.W./Square 542, Lot 822

I. BACKGROUND

The original stage-one (ZC Case 02-38) was approved in 2003 and modified (ZC Case 02-38A) in 2007. At that time, the Commission determined the original and the modified stage-one planned unit developments (PUDs) would be not inconsistent with the Comprehensive Plan maps and text. The modified stage-one approval included a PUD-related map amendment from C-3-B to C-3-C (ZR58) for this stage-two site, and established the general building massing (height, density, lot occupancy) and mix of uses for this building. The Zoning Regulations define the second stage of a two stage PUD review as:

“... a detailed site plan review to determine transportation management and mitigation, final building and landscape materials and compliance with the intent and purposes of the first-stage approval, and this title”. (Subtitle X § 302.2 (b))

At its July 30, 2018 public meeting, the Zoning Commission set down this application for a second stage PUD (Case (02-38J)) for a public hearing. The application would allow the construction of mixed-use building as anticipated in the stage-one approval.

II. RECOMMENDATION

The Office of Planning (OP) recommends the Commission **approve** this second-stage PUD application, subject to the following:

- The applicant designs the garage to accommodate electric vehicle charging stations, as proposed by the applicant in its Pre-Hearing Statement and as recommended by DOEE; and
- Inclusion of all the Draft Proffers and Conditions (Exhibit A) with clarification to flexibility items d. and l. as noted on page 9 below.

III. RESPONSES TO COMMENTS FROM SETDOWN

The following summarizes OP’s comments from setdown and the status of those comments. At the time of setdown the Commission had no comments on the application.

	Comment	Applicant Response	OP Analysis
OP 1	Provide a description of the rooftop materials.	The mechanical penthouse would be faced with a grey metal screen wall darker in color than the ceramic rainscreen panels that would face the 12 th floor penthouse. Material samples will be provided at the hearing.	OP finds the materials proposed to be acceptable, subject to review of the materials board by the Commission.
OP 2	Provide a breakdown of the affordable units and how they compare to all the units in the buildings.	Exhibit 22G6 provides a breakdown of the affordable units by size and floor for the entire building.	OP finds the breakdown of the affordable units as compared to the number of units provided to be similar and therefore acceptable.
OP 3	Identify the materials for the private drive to match those used on the private drive on the west side of 4 th Street.	The private drive is proposed to be paved with permeable concrete unit pavers laid out in linear rows, like the those installed on the west side of 4 th Street for the private drive north of The Eliot on 4th building (ZC 02-38D).	OP finds the similar materials give the appearance of the continuation and extension of that drive through the subject property, without the duplication of that pattern.

IV. PROJECT DESCRIPTION

The proposal is essentially the same as proposed at setdown. However, since setdown the applicant made minor modifications to the proposal, including:

1. The number of dwelling units has been reduced by five to 450;
2. Retail space reduced by 65 square feet and arts/culture space increased by 64 square feet so that amount provided for each would be 9,000 square feet;
3. Residential parking spaces increased by five; and
4. Long term bicycle racks reduced by five.

A more complete description of the site and proposal are provided in the OP preliminary report dated July 20, 2018 (Exhibit 11) and applicant submissions.

V. PLANNING CONTEXT

Title 11 Subtitle X § 304.4(a) requires that a PUD, inclusive of a map amendment, be not inconsistent with the Comprehensive Plan. As noted above, the Commission previously determined that the Stage One PUD was not inconsistent with the Comprehensive Plan. A full description of the Comprehensive Plan, and analysis of the proposal against its maps and policies, can be found in the OP preliminary report (Exhibit 11).

OP continues to conclude that, on balance, the proposal is not inconsistent with the Comprehensive Plan as a whole, including the maps and the policy statements. Primarily, the proposal would further policy

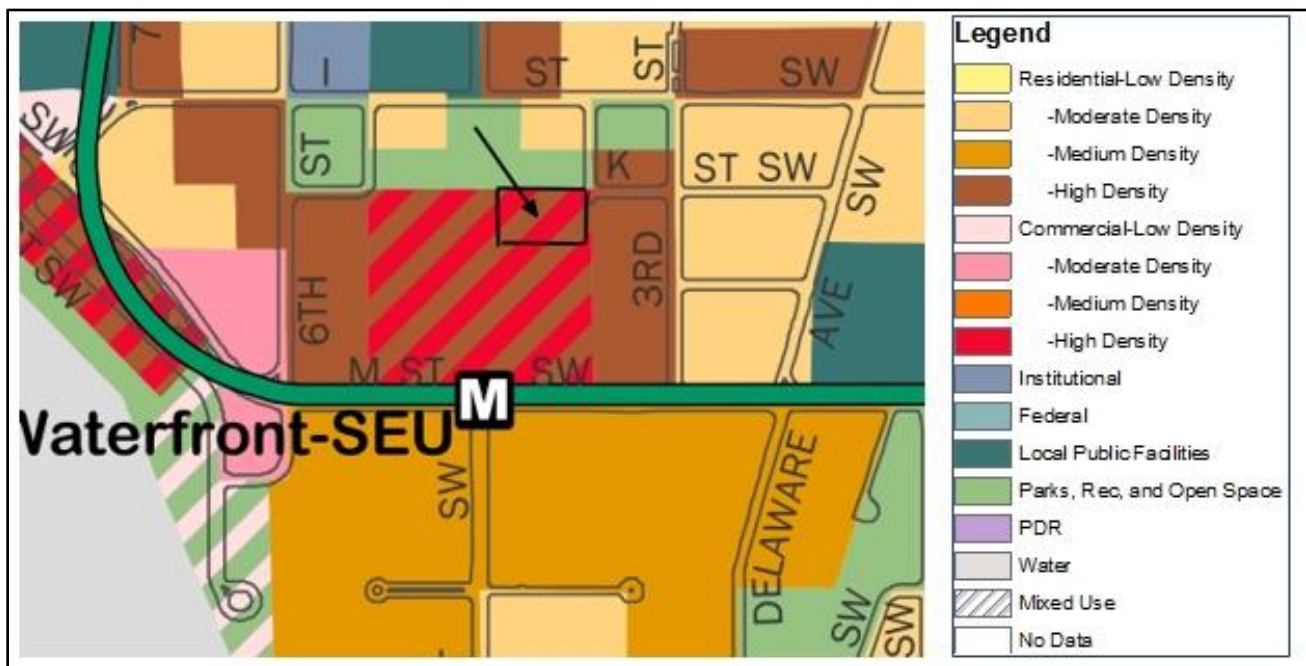
statements contained in the Land Use; Transportation; Housing, Environmental Protection; Economic Development; Parks, Recreation and Open Space; Urban Design; Community Services and Facilities; and Arts and Culture Citywide Elements, and the Lower Anacostia Waterfront/Near Southwest Area Element.

In addition, the following change to the proposal since setdown further addresses Comprehensive Plan policies as described below.

Amendment	Comprehensive Plan Policy	OP Analysis
Agreement with DOEE to design the garage to accommodate electric vehicle charging stations.	<p>Policy E-4.1.6: Clean Fuels <i>Encourage the use of clean fuel vehicles and enhance efforts to place refueling and recharging equipment at facilities accessible for public use. Where feasible, provide financial incentives for District residents and business to use clean vehicles, such as reduced motor vehicle tax and license fees. 618.11</i></p>	The provision of electric charging stations within the building would make recharging equipment for electric vehicles available to users of the building. To ensure that this equipment is provided the applicant should revise the application to indicate the provision of this equipment and indicate the number of vehicles that could be accommodated at a time.

Generalized Future Land Use Map (FLUM)

The Future Land Use Map (FLUM) indicates the site is appropriate for mixed use, a combination of high density residential and high density commercial.



High Density Residential: Defines neighborhoods and corridors where high-rise (8 stories or more) apartment buildings are the predominant use. Pockets of less dense housing may exist within these areas.

High Density Commercial: Defines the central employment district of the city and other major office employment centers on the downtown perimeter. Characterized by office and mixed office/retail buildings greater than eight stories in height, although many lower scale buildings (including historic buildings) are interspersed.

Mixed Use Categories: The Future Land Use Map indicates areas where the mixing of two or more land uses is encouraged. The particular combination of uses desired in a given area is depicted in striped patterns, with stripe colors corresponding to the categories defined on the previous pages. The Mixed Use category generally applies in the following three circumstances:

- a. Established, pedestrian-oriented commercial areas which also include substantial amounts of housing, typically on the upper stories of buildings with ground floor retail or office uses;
- b. Commercial corridors or districts which may not contain substantial amounts of housing today, but where more housing is desired in the future. The pattern envisioned for such areas is typically one of pedestrian-oriented streets, with ground floor retail or office uses and upper story housing; and
- c. Large sites (generally greater than 10 acres in size), where opportunities for multiple uses exist but a plan dictating the precise location of these uses has yet to be prepared. 225.18

Generalized Policy Map

The Generalized Policy Map indicates that the site is located within a land use change area identified as Enhanced/New Multi-Neighborhood Centers.



Land Use Change Areas: Areas where change to a different land use is anticipated. The guiding philosophy in the Land Use Change Areas is to encourage and facilitate new development and to promote the adaptive reuse of existing structures. Many of these areas have the capacity to become mixed-use communities containing housing, retail shops, services, workplaces, parks and civic facilities. The Comprehensive Plan’s Area Elements provide additional policies to guide development and redevelopment within the Land Use Change Areas, including the desired mix of uses in each area. Land Use Change Areas include: ... Waterside Mall

Enhanced/New Multi-Neighborhood Centers: Multi-neighborhood centers contain many of the same activities as neighborhood centers but in greater depth and variety. Their service area is typically one to three miles. These centers are generally found at major intersections and along key transit routes. These centers also may include office space for small businesses, although their primary function remains retail trade. Mixed-use infill development at these centers should be encouraged to provide new retail and service uses, and additional housing and job opportunities. Transit improvements to these centers are also desirable.

The proposal would further goals and objectives of the Land Use; Transportation; Housing, Environmental Protection; Economic Development; Parks, Recreation and Open Space; Urban Design; Community Services and Facilities; and Arts and Culture Citywide Elements and the Lower Anacostia Waterfront/Near Southwest Area Plan.

Specifically, the Southwest Neighborhood Plan, approved by the City Council in 2015, explicitly calls for 4th Street, SW between I and M streets to be the commercial heart of the neighborhood as a town center, and that an increase in population within this town center to enhance its vitality. A goal of the plan is to “Promote key corner parcels to serve as anchors and create a vibrant mix of neighborhood town center uses along 4th Street SW.” Located at the intersection of the private drive connecting Wesley Place Mackemie Place and 4th Street, S.W., the proposed mixed use building would increase the population, and add retail, cultural and childcare uses to serve and anchor this neighborhood town center.

VI. ZONING ANALYSIS

The Commission approved a PUD-related zoning map amendment from the C-3-B zone to the C-3-C (ZR58) zone for this site, which is not inconsistent with the Comprehensive Plan. Below is a table describing the proposal, with any changes from setdown and any relief required noted:

Zoning Table (ZR58)	Proposed at Setdown	Change from Setdown	Flexibility
Lot Area	59,044 square feet (1.36 acres)	None	None Required
Height	114 feet ¹	None	None Required
Penthouse			

¹ Building height permitted pursuant to Order 02-38A

Zoning Table (ZR58)	Proposed at Setdown	Change from Setdown	Flexibility
-Height	20 feet	None	None Required
-Area	23,618 sq. ft.	None	None Required
Residential	456 units	-6 units	None Required
FAR § 771			
-Residential	0.63	None	None Required
-Non-Residential	0.05	None	None Required
-TOTAL	0.68	None	None Required
GFA			
-Residential	370,257 sq. ft.	None	None Required
-Retail/Service	11,807 sq. ft.	-65 sq. ft.	None Required
-Arts/Cultural	8,936 sq. ft.	+64 sq. ft.	None Required
-Educational/Daycare	9,000 sq. ft.	None	None Required
-TOTAL	400,000 sq. t.		
Lot Occupancy § 772	70%	None	None Required
Rear Yard § 774²	24 feet	None	REQUIRED
Side Yard § 775³	Between 0 and 12 ft.	None	REQUIRED
Parking C § 701.5⁴			
-Residential	179 spaces	+5 spaces	None Required
-Retail	35 spaces	None	None Required
-TOTAL	214 spaces	+5 spaces	None Required
Bicycle Parking C § 802			
-Long Term	161 spaces	-5 spaces	None Required
-Short Term	28 spaces	None	None Required
Loading C § 901	2-12 ft. x 30 ft. loading spaces	None	None Required

The 1958 Zoning regulations recognized the unique circumstance in redeveloping this site previously developed as Waterside Mall and part of the Southwest Urban Renewal Area. Section 2521 of the 1958 regulations provided exceptions to the development controls and 2521 (h) states:

If part of the Waterside Mall property, comprising Lot 88 in Square 542 and Lot 60 in Square 499, is demolished so as to create a public right-of-way generally along the former right-of-way of 4th Street, S.W., so that the parts of the building to the east and west of right-of-way are no longer physically connected above grade, for zoning purposes all such improvements shall be deemed to be a single building.

This regulation has influenced how the yards are determined for this application.

² A rear yard of 28.02 feet is required.

³ A side yard of 2 inches per foot of building height, but not less than 6 feet, is required, or 19 feet for the subject application

⁴ Order 02-38A requires a minimum of 1,087 off-street parking for the entire Waterfront Station PUD. Including the number of spaces proposed by this application, a total of 1,575 parking spaces would be provided.

In addition to the proposed PUD-related map amendment, the applicant requests the following zoning flexibility through this PUD:

1. Rear Yard: The rear yard for the proposed building is on the north, or toward the private drive to be constructed between the proposed building and the adjacent church. The front yard for the entire PUD faces south, or towards M Street. The application requests to reduce the required rear yard from 28.02 feet to 24 feet to accommodate the articulation of the north façade, accommodating balconies on the fourth through the tenth floors. These balconies would add visual interest and outdoor space for the residents of those units. As the church to the north is separated from the subject property by a 45-foot wide strip improved with mature trees and a pedestrian walkway, OP does not find that the reduced rear yard width would negatively impact the use of either the church or the pedestrian path.
2. Side Yard: The proposed building has two side yards, each facing a street. Those streets are 4th Street and Wesley Place.

The Wesley Place side yard, which extends south along the existing private alley, is proposed to be 4 feet, less than the minimum required 19 feet. This side yard would appear more as a front yard and the four-foot width would allow for the development to create a street wall along this frontage within this urban setting concentrated around the Waterfront Metrorail station.

The 4th Street side yard would vary in width between zero and twelve feet, also less than the minimum 9 feet required. The building, as designed, would allow for the continuation of the street wall along 4th Street as it extends northward toward I Street, but allowing for outdoor space for the placement of street furniture, such as short-term bicycle racks.

3. 4th Street Retail Use: The Applicant proposes to reserve 11,000 square feet of the ground floor for the following neighborhood-serving uses: retail, general service, financial service and eating or drinking establishments.
 - a. For a minimum of two years after the date of issuance of the first certificate of occupancy for the project, the Applicant will reserve a minimum of 1,200 square feet of the ground floor for a restaurant use serving three meals a day with typical hours of operation beginning not later than 7:00 a.m. (e.g. a “diner” or similar establishment), or other use as approved by ANC 6D. The Applicant will ensure that the project is designed to accommodate kitchen equipment functions for the “diner” space (e.g. exhaust systems and grease traps). After expiration of this period the “diner” space may be used for any other use in the retail, service, financial service, or eating/drinking establishment use categories.
 - b. Following the issuance of a building permit for the Project, the Applicant will provide ANC 6D representatives with quarterly updates on retail marketing and leasing efforts for the “diner” space as well as other retail space.

The requested flexibility for the retail space would enable the applicant to work with the applicable ANC in locating appropriate tenants acceptable to the ANC.

4. Theater/Cultural Use: For a minimum of five years after the date of issuance of the first certificate of occupancy for the project, the Applicant will reserve a minimum of 9,000 square

feet of the project's ground floor for a theater or similar performing arts venue, in the area that was originally proposed to be occupied by the Forum Theatre, which is no longer in existence. After the expiration of this period, the space will be reserved for any use in the entertainment/assembly/performing arts, arts/design/creation, and arts-related educational use categories.

Prior to the issuance of a building permit for the Project, the Applicant will issue solicitations for a potential theater operator through a "request for proposals" or similar process. The Applicant will request that respondents address neighborhood engagement and inclusivity in their responses and include them as evaluation criteria within such request for proposals. The Applicant will provide ANC 6D representatives with an opportunity to review and advise on proposals that are received.

Although the applicant had a user for this space, that user has since declared bankruptcy and will not be available to occupy the space. This flexibility would give the applicant leeway in finding an appropriate arts user while working with the ANC on the selection of possible users.

5. Retail/Educational Use: The Applicant will reserve 9,000 square feet of the Project's ground floor for neighborhood-serving uses in the retail, general service, financial service, eating/drinking establishment, education, or daytime care use categories. This flexibility is requested for the reuse of the space should educational provider move out of the space during the life of the project.

Although the applicant has an educational user for the space, this flexibility would give the applicant the ability to reuse the space with a use that would serve to benefit the community, should the initial user vacate the property.

6. Design Flexibility: The applicant requests the following:
 - a. To vary the location and design of all interior components, including partitions, structural slabs, doors, hallways, columns, stairways, mechanical rooms, and toilet rooms, provided that the variations do not change the exterior configuration or appearance of the structure;
 - b. To vary the colors of the exterior materials based on availability at the time of construction, provided such colors are within the color ranges proposed in the Final Plans;
 - c. To make minor refinements to the locations and dimensions of exterior details that do not substantially alter the exterior design shown on the Final Plans. Examples of exterior details would include, but are not limited to, doorways, canopies, railings, and skylights;
 - d. To vary the final number of residential units by plus or minus 10 percent, and accordingly adjust the type and location of affordable units to reflect the final unit mix of the Project;
 - e. To vary the interior design and layout of the parking garage as well as the final number of parking spaces within a range of 205 to 233 parking spaces;
 - f. To vary the final streetscape design and materials in the public right-of-way, in response to direction received from District public space permitting authorities;
 - g. To vary the final streetscaping and landscaping materials of the Project based on availability and suitability at the time of construction or otherwise in order to satisfy any

- permitting requirements of DC Water, DDOT, DOEE, DCRA, or other applicable regulatory bodies;
- h. To vary the amount, location and type of green roof, solar panels, and paver areas to meet stormwater requirements and sustainability goals or otherwise satisfy permitting requirements, so long as the Project achieves a minimum GAR of 0.2 and installs solar panels on a minimum of 3,000 square feet of roof area;
 - i. To vary the final design and layout of the mechanical penthouse to accommodate changes to comply with Construction Codes or address the structural, mechanical, or operational needs of the building uses or systems, so long as such changes do not substantially alter the exterior dimensions shown on the Plans and remain compliant with all applicable penthouse setback requirements;
 - j. To vary the final design and layout of the indoor and outdoor residential amenity spaces to reflect their final design and programming;
 - k. To vary the location, layout, and type of play equipment within the Play Area;
 - l. To vary the location of the residential lobby entrance on 4th Street, SW and/or relocate the entrance to the Private Drive to accommodate the final retail demising plan;
 - m. To vary the size and location of the theater/cultural use entrance to accommodate the final plans for the theater use, provided that the entrance will remain on the Private Drive; and
 - n. To vary the final design of the ground floor frontage, including the number, size, design, and location of windows and entrances, signage, awnings, canopies, and similar storefront design features, to accommodate the needs of the specific tenants within the parameters set forth in the Storefront and Signage Plans.

This flexibility would allow the applicant to make changes as may be necessary required due to minor changes to the building design without requiring additional flexibility to any zoning provisions applicable to the site. It would not allow the applicant to switch out materials but would allow for color changes within the color ranges approved by the Commission, should the Commission approve this application.

OP recommends that item l. be refined to make clear that the flexibility is limited to building entrances.

OP recommends that item d. be refined to clarify that the flexibility to vary the final number of residential units shall not change the type or size of the affordable units unless the flexibility results in more or larger units.

VII. PUD EVALUATION STANDARDS

The purpose and standards for Planned Unit Developments are outlined in 11 DCMR, Subtitle X, Chapter 3. The PUD process is intended to:

“provide for higher quality development through flexibility in building controls, including building height and density, provided that a PUD:

- (a) Results in a project superior to what would result from the matter-of-right standards;*
- (b) Offers a commendable number or quality of meaningful public benefits; and*
- (c) Protects and advances the public health, safety, welfare, and convenience, and is not inconsistent with the Comprehensive Plan” (§ 300.1).*

The applicant is requesting Second-Stage PUD approval. To approve the project the Commission must find that it would not be inconsistent with the Comprehensive Plan, would not result in unacceptable impacts on the area or on city services, and include public benefits and project amenities that would balance the flexibility requested with any potential adverse effects of the development (Subtitle X §§ 304.3 and 304.4).

In the Order for the existing First-Stage approval the Commission found that the PUD would meet these approval requirements. OP continues to find that the standards for approval would be met because the building would be of an architectural design that would complement the prevalent architectural style of the neighborhood without duplicating any of the existing neighborhood architecture, provide a daycare use that would be available to not only the residents of the building but to the community as a whole, add to the 4th Street commercial district, and provide for vehicular connectivity within the neighborhood through the completion of the private drive that was proposed to run from Mackemie Place to Wesley Place.

Public Benefits and Amenities

Subtitle X Section 305 of the Zoning Regulations discuss the definition and evaluation of public benefits and amenities. *“Public benefits are superior features of a proposed PUD that benefit the surrounding neighborhood or the public in general to a significantly greater extent than would likely result from development of the site under the matter-of-right provisions of this title” (§ 305.2).* *“A project amenity is one (1) type of public benefit, specifically a functional or aesthetic feature of the proposed development that adds to the attractiveness, convenience, or comfort of the project for occupants and immediate neighbors” (§ 305.10).* Section 305.5 lists several potential categories of benefit proffers, and states that *“(a) project may qualify for approval by being particularly strong in only one (1) or a few of the categories in [that] section, but must be acceptable in all proffered categories and superior in many” (§ 305.12).* The Commission *“shall deny a PUD application if the proffered benefits do not justify the degree of development incentives requested (including any requested map amendment)” (§ 305.11).*

In this case, the benefits and amenities were largely defined during the First-Stage PUD approval. The applicant’s most recent summary of project benefits and amenities (Exhibit 22A) provides additional detail. OP’s analysis of the proffer is summarized in the table and detailed below. Where noted, additional refinement of the proffer prior to a Zoning Commission final decision is needed.

ITEM	MITI-GATION	PUBLIC BENEFIT	PROJECT AMENITY	REQUIRED	PROFFER
Urban Design, Architecture <i>X § 305.5(a)</i>			X		Superior design palette and massing, inclusion of residential balconies compatible with much of the mid-century modern architecture that was constructed in much of Southwest.
Housing and Affordable Housing <i>X §§ 305.5 (f) and (g)</i>			X		Provision of 450 units in a transit-oriented location, including affordable units. For 1 st 50 years, 50% of affordable units would be affordable at 30% MFI & 50% at 50% AMI. For remainder of ground lease 25% at 30% MFI and 75% at 50% AMI. No family sized units (3+ bedrooms) are proposed.
Employment and Training Opportunities <i>X § 305.5 (h)</i>		X			Enter into a First Source Agreement with the Department of Employment Services (DOES) (Exhibit 2K)
Social Services <i>X § 305.5 (i)</i>		X			9,000 square feet of daytime care use
Building Space for Special Uses <i>X § 305.5 (j)</i>		X			9,000 square feet of space for a black box theater
Environmental and sustainable benefits <i>X § 305.5 (k)</i>		X			1. LEED Gold 2009 Standard; 2. Rooftop solar panels; 3. Green roof; and 4. Permeable pavers for private drive
Outdoor Children's Play Area <i>X § 305.5 (m)</i>		X			3,000 SF outdoor play area for preschoolers outside of day care hours
Uses of Special Value to the Neighborhood <i>X § 305.5 (q)</i>	X				Construction Management Plan

(a) Superior urban design and architecture

The architectural design of the building is reminiscent of the mid-century modern architectural prevalent throughout much of Southwest. On-third of the units would include balconies or be improved with a terrace, providing tenants with private outdoor space and contributing to a residential feel to the façade. The applicant did increase the size of the courtyard on the south side of the building to increase the amount of light and air into the units facing the courtyard. The private courtyard would still be available to all building tenants.

(f) Housing

The development would provide housing in excess of a matter-of-right development, as provided by the first-stage approval.

(g) Affordable housing

The first-stage PUD predates IZ, but this building is proposing to include affordable units, as shown in the following table. It includes an affordable control period up to 99 years, equal to the length of the applicant’s ground lease of the site.

The figures in the following table are based on information provided in the application.

Residential Units	Floor Area (SF)	Percentage of Total	Units	Affordable Control Period	Affordable Unit Type
Total Res. Floor Area (Net SF)	390,311	92.6	450		
Market Rate (Net SF)	273,217	70	314		
Affordable / Non IZ: 30% MFI (Net SF) Years 1-50	58,547	15	68	50 years	Rental
Affordable / Non IZ 50% MFI (Net SF) Years 1-50	58,547	15	68	50 years	Rental
Affordable / Non IZ 30% MFI (Net SF) Years 51-99	29,000	7.5	34	49 years	Rental
Affordable / Non IZ 50% MFI (Net SF) Years 51-99	88,000	22.5	102	49 years	Rental
Large Family-Size (3 BR+)	0	0	0	N/A	N/A
Affordable Large Family-Size (3 BR+)	0	0	0	N/A	N/A

(h) Employment and training opportunities

The applicant entered into a First Source Employment Agreement with the Department of Employment Services. Pursuant to an agreement with DMPED, the applicant is also subject to certain small business enterprise requirements.

(j) Building space for special uses

Approximately 9,000 square feet of floor area is proposed to be devoted to an entertainment/assembly/performing arts use. This use was not contemplated in the first-stage PUD. At the time of the filing of the application the applicant proposed the Forum Theatre would relocate to the proposed building and operate a black box theater. Since then that provider has filed for bankruptcy and is no longer available to occupy the space. In lieu of that the applicant

proposes to find another provider. However, if after five years no replacement is found, the applicant would then make the space available to a different type of entertainment/assembly/performing arts, arts/design/creation or arts-related education use. OP finds these to be acceptable alternatives.

(k) Environmental and sustainable benefits

A LEED 2009 for New Construction and Major Renovations checklist was submitted as a part of the application. The proposal scored a total of 60 out of 110 possible points, or Gold. The Green Area Ratio Scoresheet indicates that the proposal scores 0.313, with a minimum requirement of 0.2. However, the application indicates that final design changes could alter this score, but that in no way would it be reduced to less than 0.2.

Other public benefits and project amenities: Outdoor children's play area

An outdoor children's play area would be constructed for pre-school aged children for the child development center proposed to be located on the first floor of the building. This play area would be available to the public during off-hours.

OP concludes the benefits, amenities and proffers would **appear to be** consistent with that approved as part of the First-Stage PUD and would be commensurate with the requested flexibility through the PUD.

VIII. AGENCY COMMENTS

OP circulated project information to District agencies. Additionally, OP had a discussion with the Historic Preservation Office archaeologist, who had no comments on the application.

On November 28, 2018, OP hosted an interagency agency meeting at the Office of Planning. In addition to representatives of the applicant, the following District agencies were in attendance:

- Office of Planning, Development Review Division
- Office of Planning, Neighborhood Planning Division
- District Department of Transportation, Planning and Sustainability Division
- Department of Energy and the Environment
- Department of Housing and Community Development, Inclusionary Zoning Program

Representatives from the following District agencies participated via teleconference:

- District Office of Energy and the Environment
- District of Columbia Public Library
- District of Columbia Office on Aging

In addition, comments were received from the following agencies:

- Department of Housing and Community Development, Inclusionary Zoning Program, in an email to OP dated December 19, 2018, stated that it had no objections to the application provided the commitment to affordable housing meets or exceeds thirty percent of the units to be affordable as follows:

1. For the first fifty years, one-half of the affordable units to be set aside at 30% median family income (MFI) and fifty percent at 50% AMI; and
 2. For the remainder of the ground lease, one-quarter of the affordable units to be set aside at 30% MFI and three-quarters at 50% at MFI.
- District of Columbia Public Library, in an email to OP dated January 10, 2019, made the following comments:
 1. The applicant assists with way-finding for the Southwest Library, through signage or other means, during and after construction; and
 2. That DDOT and OP review the project's transportation/traffic and public space plans consider the impact of the development on the access and use of the library.
 - District Department of Transportation informed OP that it would submit its comments separately to the case record at OZ, and would work with DCPL regarding its comments, and would work with the libraries on their comments and concerns.

No other agencies filed a report to the Office of Zoning record as of the date OP completed this report.

The applicant's pre-hearing statement indicates that they met separately with MPD regarding the placement of cameras and fencing for the outdoor play area, and DDOT's Safe Routes to School program regarding student safety during and after construction.

IX. COMMUNITY COMMENTS

One letter in support with qualifications was submitted to the file by the Waterfront Tower Condominium Association. (Exhibit 23)

No other community comments were submitted to the file as of the date of this report.

JLS/sjm