

July 11, 2016

NOTICE OF INTENT TO FILE A ZONING APPLICATION

**Application to the
Zoning Commission of the District of Columbia for
Voluntary Design Review**

(Square 1499, Lots 802, 803, and 807)

Valor Development, LLC (the "Applicant"), on behalf of FW DC-Spring Valley Shopping Center LLC and Apex Real Estate Company, hereby gives notice of its intent to file an application with the Zoning Commission of the District of Columbia pursuant to Subtitle X Section 601.2 of the 2016 District of Columbia Zoning Regulations ("ZR16") (11 DCMR Subtitle X § 600) for voluntary design review of a new mixed-use development project located on the property consisting of Lots 802, 803, and 807 in Square 1499 (the "Subject Property"). The lots comprising the Subject Property are existing assessment and taxation ("A&T") lots, with A&T Lots 802 and 803 currently owned by FW DC-Spring Valley Shopping Center LLC, and A&T Lot 807 currently owned by Apex Real Estate Company. The Applicant is currently the contract holder of A&T Lot 807.

The Subject Property is located in Northwest Washington and contains an overall land area of approximately 119,138 square feet bounded by Yuma Street on the north; Massachusetts Avenue, the former American University Law School building, and a PNC Bank on the south; 48th Street on the east; and the Spring Valley Exxon station on the west. An existing 20-foot north-south public alley separates A&T Lot 807 from A&T Lots 802 and 803. The portion of the Subject Property comprising Lots 802 and 803 is improved with the historic Spring Valley Shopping Center (the "SVSC") which contains retail uses encompassing approximately 16,922 square feet of gross floor area ("GFA"). The portion of the Subject Property comprising Lot 807 is currently improved with a vacant grocery store building and other retail uses that encompass approximately 53,632 GFA, as well as a large surface parking lot. The Subject Property is located within the boundaries of Advisory Neighborhood Commission 3E, and is also located on a street that serves as a boundary line with Advisory Neighborhood Commission 3D (collectively the "affected ANC").

The subject application for voluntary design review is being submitted pursuant to ZR16 since the public hearing on the application will occur after ZR16 goes into effect on September 6, 2016. Under ZR16, the Subject Property will become zoned MU-4. The purpose of the MU (Mixed Use) Zones is, among other things, to provide for mixed-use developments that permit a broad range of commercial, institutional, and multiple dwelling unit residential uses at varying densities. Specifically, the MU-4 Zone is intended to permit mixed-use development in low- and moderate-density residential areas with access to main roadways or transit stops, and include uses that provide facilities for shopping and business needs, housing, and mixed-uses for large areas outside of the District's central core. As a matter-of-right, the MU-4 Zone permits a maximum height of 50 feet, and a maximum floor area ratio (FAR) of 3.0, of which no more than 1.5 FAR can be devoted to non-residential uses.

The proposed development retains the existing SVSC and consists of two new buildings on Lot 807. The existing SVSC contains approximately 16,922 square feet of gross floor area (GFA), and has a height of approximately 25 feet. The main building proposed on Lot 807 will have a maximum height of approximately 50 feet, plus a penthouse that will have a maximum height of 15 feet above the roof level and be setback as required. The lower-level of the main building will contain a residential lobby, a new full-service grocery store and potential additional retail/amenity space, and access to loading and below-grade parking from the existing public alley. The remainder of the building, including the penthouse, will contain residential dwelling units and amenity space. The second building proposed on Lot 807 will have a maximum height of approximately 46 feet, and will also contain a penthouse with a maximum height of 15 feet above the roof level that is setback as required. The second building will contain residential dwelling units and amenity space.

Collectively, the two buildings proposed on Lot 807 will contain approximately 282,000 GFA, consisting of approximately 255,000 GFA of residential use, and approximately 27,000 GFA of grocery store and other potential retail/amenity uses. Including penthouse habitable space, below-grade/cellar areas, and permitted projections into public space, the two proposed buildings will result in approximately 230 dwelling units and approximately 60,000 total square feet of grocery store and other potential retail/amenity uses.

Other significant aspects of the proposed project include substantial building setbacks, landscaped courtyards, and streetscape improvements; paving, landscape, and other improvements to surrounding alleys; a landscaped pedestrian extension of Windom Place through the Subject Property; approximately 18 - 23 affordable dwelling units; and a below-grade garage containing approximately 330 – 500 parking spaces.

Pursuant to Subtitle Z Section 301.6 of ZR16 (11 DCMR Subtitle Z § 301.6), the application will be filed with the Zoning Commission not less than forty-five (45) days from the date of this notice. In accordance with 11 DCMR Subtitle Z § 301.8, the Applicant is required to make all reasonable efforts to attend a duly noticed meeting of the affected ANC during the 45-day notice period to discuss the project. The Applicant will attend the July 14, 2016, meeting of ANC 3E, and will also appear before ANC 3D on August 15, 2016.

Additionally, should you need information or wish to discuss the proposed project, you may contact Christopher H. Collins of Holland & Knight LLP, land use counsel to the Applicant, at (202) 457-7841 or chris.collins@hklaw.com.