GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

MEMORANDUM

TO: Zoning Commission

FROM: Andrew Altman, Director
Office of Planning

DATE: January 7, 2004

SUBJECT: Waiver of Rules for Late Submittal of a Final Report on Zoning Commission Case Number 03-26, a Proposed Planned Unit Development on Properties Generally Located at 2101-2125 14th Street, N.W.

The attached report concerning the proposed planned unit development application is submitted less than 10 days prior to the Zoning Commission Public Hearing. The Office of Planning respectfully requests that the Board waive its rule and accept the report into the record.

ZONING COMMISSION
District of Columbia
Case 03-26
Exhibit 27

ZONING COMMISSION
District of Columbia
CASE NO.03-26
EXHIBIT NO.27

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

MEMORANDUM

TO: D. C. Zoning Commission

FROM: Andrew Altman
Director

DATE: January 8, 2004

SUBJECT: Final Report on Zoning Commission Case Number 03-26, a Proposed Planned Unit Development on Properties Generally Located at 2101-2125 14th Street, N.W. (Square 225 Lots 59, 60, 178, 203, 801, 815, 817, 818, 821 and 822)

APPLICATION

The Washington Metropolitan Transit Authority and Square 235 LLP (PN Hoffman, Inc. et al), the Applicants, request consolidated review of this application to establish a planned unit development (PUD) on the subject property for construction of a mixed-use residential project with neighborhood-serving retail and services on the ground floor along the frontage of 14th Street, N.W., that incorporates historic laundry complex buildings located on lots interior to Square 225.

In Pre-Hearing Statements dated October 6 and December 23, 2003 (hereafter referred to as "Pre-Hearing Statement #1" and "Pre-Hearing Statement #2", respectively), the Applicants amended as follows the list of relief requested from the Zoning Regulations as part of this PUD application:

- Eliminating relief from the limitation under Section 411.7 that roof structures not exceed a floor area ratio (FAR) of 0.37;
- Eliminating relief from Section 402.5 to exclude enclosed parking areas on the ground floors of the historic laundry complex buildings from FAR calculations (pending review by the Historic Preservation Review Board); and
- Eliminating relief from Section 2408.9 requiring PUD construction to begin within three years of date of final PUD approval.

Refinement of architectural plans, action by the Historic Preservation Review Board (HPRB) to approve a change to the laundry complex building exterior, and revision of the construction schedule have eliminated the need for the above-listed relief. The following relief was added to the list:

- Relief from Section 776.3 to reduce the width requirements for several open courts; and
- Relief from the requirement under Section 2301.2 (b)(1) to allow proposed parking garages less than 12 feet from the centerline of an alley.

The Applicants subsequently agreed with the Office of Planning that relief would also be required from Section 404.1 to reduce the required rear yard setback to (the current) 0 feet, but did not agree that specific relief would be required from: Section 1902.1 (a) to allow the height of roof structures in the Urban Arts-Mixed Use Overlay District to exceed 83.5 feet above grade; and Section 2001.3 to increase the allowable lot occupancy of the expanded laundry buildings on the R-5-B portion of the site from 60% to 80%. Staff continues to think that this relief is required for this proposed development.

RECOMMENDATION

The Office of Planning (OP) finds that the project will make an important contribution to its neighborhood, providing an innovative design solution and needed ground floor retail. However, OP cannot make a recommendation at this time due to some concerns about the adequacy of the amenity package.

OP may revise its recommendation and submit a supplemental report if additional information is provided that addresses staff concerns.

If the Zoning Commission determines proposed benefits and amenities are adequate, then approval should be subject to the following conditions:

- Residential floor area totals will depend on the final decision by the D.C. Office of the Surveyor on land survey data for individual lots that compose the development site;
- A copy of the draft streetscape design guidelines developed for the U Street Initiative shall be filed into the public record; and
- The applicant shall participate in the Department of Employment Services' First Source Employment Program, sign a Memorandum of Understanding with the Office of Business Development to participate in the Local, Small, Disadvantaged Business Enterprise Program, and that signed agreements shall be added to the public record prior to the proposed action.

AREA DESCRIPTION

The site encompasses lots 59, 60, 178, 203, 801, 815, 817, 818 and 820 (now 821 and 822) on Square 225 and would occupy the entire 14th Street frontage as well as portions of the V and W Street frontages. Based on public land records, these combined properties total 77,338 square foot (1.78 acres). Two north-south alleys 12-feet wide cross the square from V to W Streets, N.W. The western alley also divides the proposed development site.

The western portion of the site, between one north-south alley and 14th Street, is partially developed with one and two story masonry commercial buildings, an automobile dealership

storage lot, and two-story masonry row dwelling in the northwest corner. The portion of the site east of the alley consists of three lots bordered on four sides by paved alleys 10-12 feet wide. Properties north and south are developed with two-story masonry buildings circa 1913 and 1939, approximately 25,500 square feet and 33,700 square feet in area, that were formerly used for a commercial laundry. The western end of the building on southernmost property actually reaches three stories. The middle paved lot occupies former Chester Court alley right-of-way.

Development in the vicinity consists of: two- and three-story masonry row dwellings north of the adjacent alley, and the Anthony Bowen YMCA further north across W Street; three-story masonry row dwellings to the south across the alley, and the Harrison Recreation Center and park further south across V Street; the Children's Studio School (formerly the Harrison School) to the east across the other north-south alley; and one- to three- story masonry commercial buildings across 14th Street to the west.

Properties between 14th Street and western north-south alley are zoned Major Business and Employment Center (C-3-A) and Uptown Arts Use (Arts) Overlay Districts. The eastern portion of the site and the balance of the square are zoned Residential (R-5-B) District. Square 235 is also located within The Greater U Street Historic District. The Historic Preservation Office (HPO) determined that both former laundry buildings contribute to the integrity of this historic district. HPO staff and the Historic Preservation Review Board (HPRB) have also imposed limits on development of these properties in order to preserve said integrity.

BACKGROUND

Square 235 LLP proposes to redevelop the site by:

- Replacing existing commercial buildings along 14th Street with two nine-story residential buildings with 24,000 square feet of ground floor retail and 234 parking spaces in a two-level garage below grade;
- Renovating the existing dwelling along W Street for residential use; and
- Renovating the two-story warehouses north and south of the former Chester Court for residential use with interior parking for a total of 40 vehicles on the ground floors, and adding two additional floors for residential use.

The proposed project would encompass approximately 315,000 gross square feet, and provide 240 to 300 dwelling units (although the zoning tabulation submitted as part of the architectural plans reflects 218 units). New buildings on the western portion of the site would be designed to appear to be three separate structures, and be aligned to continue the 26-foot wide spacing between the laundry buildings along the former Chester Court to 14th Street. This "promenade" space would be maintained solely for pedestrian use. Note that the proximity of the western portion of this site to the Washington Metropolitan Transit Authority (WMATA) underground railway tunnel causes the curvature of the proposed building façade immediately north of the V Street intersection.

The applicant is requesting closure of 215 linear feet of the intervening north-south alley to create a continuous development site. The southern 14th Street building would setback along the west side of the former right-of-way, expanding the vehicular travel lane to 20 feet to allow better ingress/egress between V Street and a two-level below-grade parking garage. As a condition of the closure, the Applicants promise to record a public access easement covering the expanded travel way. One loading/service bay 30 feet long and a 100 square foot loading dock would be provided behind each of the 14th Street buildings. These loading docks would be accessed directly from the vehicular access easement and remaining portion of the north-south alley.

The Applicants now request Zoning Commission approval of a planned unit development (PUD) in order to gain additionally flexibility allowed under the Zoning Regulations. The proposed development site is "split zoned" with the western portion (between 14th Street and the western north-south alley) zoned C-3-A and Arts Overlay districts, and the eastern portion zoned R-5-B (Exhibit 1).

PUD RELIEF AND FLEXIBILITY

The R-5-B zone district allows a maximum 1.8 FAR for residential uses and maximum height of 50 feet as a matter-of-right. The C-3-A/Arts district allows a maximum 4.0 FAR of residential development, including up to 2.5 FAR of commercial uses, and a maximum height of 75 feet. As explained in the "Statement of P.N.Hoffman, Inc., in Support of an Application for Consolidated Review of a Planned Unit Development," dated July 21, 2003 (hereafter referred to as the "Statement"), approval of this PUD request would yield the following overall benefits to the applicant:

- For the western portion of the site zoned C-3-A/Arts district:
  - Increase the allowable residential FAR from 4.0 to 4.5; and
  - Increase the allowable height from 75 to 90 feet (with no limit on the number of stories); and
- For the eastern portion of the site zoned R-5-B district:
  - Increase the allowable residential FAR from 1.8 to 3.0; and
  - Increase the allowable building height from 50 to 60 feet.

Section 2405.3 of the Zoning Regulations allows the Commission to increase the allowable height or floor area ratio above the PUD guidelines by 5% to 4.73 in C-3-A and 3.15 in R-5-B. The Applicants' proposal seeks to include this additional FAR, so while the desired mix of uses is allowed in each zone district as a matter of right, the requested density can only be achieved through a PUD.

Below is a detailed overview of the additional zoning relief required. Table 1 compares the R-5-B portion of the site (east of the north south-alley) that would provide 40 residential units and 50 ground-level parking spaces (1.24 spaces per unit) with other R-5-B zoning provisions:

Table 1:

Standard	R-5-B PUD Requirement	Existing	Proposed	Required Relief
Minimum Area for PUD	43,560 s.f.	33,708 s.f. [1]	34,488 s.f. [2]	Yes
Floor Area Ratio (residential)	3.0 FAR (103,464 s.f.)	--	109,033 s.f. [3]	Yes **(3.16)**
Lot Occupancy	60%	80%	80% [3]	Yes
Height	60 feet	--	60 feet [3]	No
Side Yard	None	N/A	None [4]	No
Rear Yard	4 inches/vertical ft., not less than 15 feet (20 ft.)	0 feet	0 feet	Yes
Parking (on-site)	1 space/2 units (20)	N/A	50 spaces	No
Loading	None	N/A	None	No
Courts	4 in./vertical ft., not less than 10 ft. (20 ft.)	N/A	26 feet	No
Penthouse Height	18.6 feet	N/A	18.6 feet	No
Penthouse FAR	.37 FAR (12,761 s.f. [3])	N/A	12,761 s.f. [3]	No
Penthouse Number	1	--	Multiple	Yes

Table 2 compares the C-3-A/Arts portion of the proposed development (between 14th Street and the north-south alley) with pertinent requirements of C-3-A/Arts zone district. New construction would provide a minimum 218 dwelling units, 24,000 square feet at the ground level for neighborhood- serving retail and services uses, and supply 184 parking spaces in a below-grade garage:

Table 2:

Standard	C-3-A/PUD Arts Overlay	Existing	Proposed	Required Relief
Minimum Area for PUD	15,000 sf	41,560 s.f. [5]	42,850 sf [6]	No
Floor Area Ratio (res./commercial)	4.5/3.0 (max.) FAR (192,825/128,550 sf)	--	4.25/.56 FAR (181,934/24,000 sf) [3]	Yes **(4.81)**
Lot Occupancy	75%	--	75% [3]	No
Height	90 feet	--	90 feet [3]	No
Side Yard	None	N/A	None [4]	Yes
Rear Yard	2.5 inches/vertical ft., not less than 12 ft.	N/A	20 feet [7]	No

[1] Total area of existing lots 815, 816 and 818 on Square 235 based on District land records
[2] Above consolidation with half of the alley right-of-way requested for closure (less the 85' x 6" alley portion that would revert to the abutting property to the east or remain public alley that is not included in this application)
[3] As per Sheet D01 Development Data and Zoning Tabulation in PUD plan set
[4] No side yard required under Section 405.6
[5] Total area of existing lots 59, 60, 178, 203, 801, 817, 821 & 822 on Square 235 based on District land records
[6] Above consolidation with half the alley right-of-way requested for closure

[7] Distance between buildings and eastern edge of abutting alley between V and W Streets

	=18.75 ft.			
Standard	**C-3-A/PUD Arts Overlay**	**Existing**	**Proposed**	**Required Relief**
Parking	Res: 1 space/2 units = 109 spaces Comm: 1 space/300 gsf & cellar over 3,000 sf = 70 spaces[3]	N/A	Res: 184 spaces Comm: 50 spaces[3]	Yes
Loading	Res: None Comm: • 1 space @ 55 ft. deep, • 1 platform @ 200 sf • 1 space @ 20 ft. deep	N/A	Res: None Comm: • 2 spaces @ 30 ft. deep • 2 platforms @ 100 sf • 1 space @ 20 ft. deep	Yes
Courts	4 in./vertical ft., not less than 15 ft. = 26.8 feet[3]	N/A	One: 26.8 ft[3] Others: < 26 ft[3]	Yes
Recreation space	15% of FAR[8]	N/A	12%	Yes
Penthouse Height above Grade	18.6 feet	N/A	18.6 feet (varied)	Yes
Penthouse FAR	.37 FAR[3] = 15,610 sf	N/A	10,057 sf[3]	No
Penthouse Number	1	--	Multiple	Yes
Street wall % along front property line	75%	N/A	66%	Yes

Changes in Requested Relief

Some relief previously requested in the Statement has been deleted. Based on the revised construction schedule in Pre-Hearing Statement #1, final Stage III construction would begin in January 2007. Assuming final approval of this application in early 2004, final construction would commence within three years of final application approval. Since this would meet the requirement under Section 2408.9 that PUD construction "... start within three (3) years of the date of final approval," relief from this provision would no longer be needed.

On November 20, 2003, the Historic Preservation Review Board (HPRB) gave conceptual approval of a proposal to "punch" window openings into brick walls surrounding proposed ground level parking areas in the rehabilitated warehouse buildings. In Pre-Hearing Statement #2 the Applicants estimate that 50% of the parking space wall perimeter would then be open, meeting the standard necessary under Section 402.5 for "First floor, ... areas designed and used for parking space. ... not (to) be counted in the floor area ratio; ..." As result, no zoning relief is required from this regulation.

The Applicants and Planning staff agree additional relief is needed from:

- Section 2301.2 (b)(1) requiring that parking garages less than 12 feet from the centerline of an alley because ground floor parking areas in the rehabilitated buildings (expanded vertically by two floors) would continue to be located immediately adjacent to existing alleys;

[8] Based on the 181,934 residential square footage listed in Sheet D01 in the PUD plan set

- Section 776.3 because several open courts formed by proposed new construction would not meet minimum width requirements; and
- Section 404.1 to reduce the required rear yard setback in R-5-B from 20 feet to 0 feet (continuing the existing condition).

Staff also thinks relief is required from Section 2001.3 for the consolidated R-5-B portion of the site to allow the lot occupancy of the rehabilitated laundry buildings to increase from 60% to 80%.

Based on this analysis, the proposed development requires the following relief:

- Increase of the allowable FAR under Section 2405.2:
  - for the western portion of the site zoned C-3-A/Arts district from 4.0 to 4.5; and
  - for the eastern portion of the site zoned R-5-B district from 1.8 to 3.0:
- Increase of the allowable building height under Section 2405.1:
  - for the western portion of the site from 75 to 90 feet; and
  - for the western portion of the site from 50 to 60 feet;
- Further increase of the allowable PUD FAR by 5% to 4.73 and 3.15 in C-3-A and R-5-B districts, respectively, per Section 2405.3;
- Increase of the allowable lot occupancy under Section 2001.3 in the portion of the site zoned R-5-B from 60% to 80%;
- Reduction of the required rear yard setback under Section 404.1 from 20 to 0 feet;
- Waiver of the requirement under Section 2301.2 (b)(1) that a parking garage be a least 12 feet from the centerline of an alley;
- Reduction of the total retail parking requirement per Section 2101.1 from 70 to 50 spaces;
- Waiver of the requirement under Section 2201.1 for one loading berth 55-feet in length and one loading platform with an area of 200 square feet;
- Waiver of Section 1902.1 (a) to allow the height of roof structures to exceed 83.5 feet above grade;
- Reduction of the width requirements under Section 776.3 for two open courts;
- Reduction of the residential recreation space requirement under Section 773.3 from 15% of the total residential floor area to 12%;
- Waiver of limitations on the number and height of roof structures under Section 411; and
- Reduction of the required percentage of street wall along the front property line under Section 1903.3 from 75% to 66%;

Given the variety of relief and flexibility requested for this proposal, the PUD is the most efficient mechanism for securing said relief. This application does not include a related amendment to the underlying Zoning Map.

Development Phasing

The revised stages of development are as follows (per Pre-Hearing Statement #1):

- Stage I, April 2005-February 2007: Construction of south residential tower on 14th Street with ground floor retail space and underground garage, and alley closing construction.

- Stage II, March 2006-August 2007: Construction of northern residential tower and associated retail space.
- Stage III, January 2007-February 2008: Renovation of existing warehouses and associated new construction.

Related Issues

Alley Closing: As mentioned in the Preliminary Report to the Commission, a companion alley-closing request has been submitted for agency review under separate Surveyor Order Application No. 03-2526.

Floor Area: There continues to be a discrepancy between the proposed total floor area and FAR under this application, and the above FAR calculations based on public land records due to the Applicants' reliance on land survey data. Based on discussions with the Office of the D.C. Surveyor, surveyed information can only supplant land areas recorded in the public record once the new data is prepared by a land surveyor registered with the Office of the D.C. Surveyor, the Surveyor Office and the registered surveyor preparing the data agree about variances between the survey data and official land records, and the approved data is recorded with D.C. Office of the Surveyor for zoning purposes only. Based on this information, staff calculations and analysis are based on the public land record area because survey data prepared for the Applicants does not meet these standards.

Further discussions with the Applicants clarified that they do not anticipate requiring overall FARs in excess of the maximum allowed under a PUD in C-3-A and R-5-B per Section 2405.2, with the additional 5% allowed per Section 2405.3. With this in mind, staff notes that total *residential* floor areas in the PUD may change if the new survey data is approved for zoning purposes. Table 3 details the differences:

Table 3

Portion of Site (proposed maximum FAR)	**Land Record Land Area**	**Survey Land Area**	**Development Potential based on ...** (Land Area x FAR)		
			Record Data	**Survey Data**	**Difference**
Zoned R-5-B (3.15)	34,488 s.f.	34,614 s.f.	108,637 s.f. (3.15 res.[9])	109,034 s.f. (3.15 res.)	- 397 s.f.
Zoned C-3-A/ Arts Overlay (4.73)	42,850 s.f.	43,584 s.f.	178,681s.f. (4.17 res.) 24,000 s.f. (0.56 ncom.[10])	182,152 s.f. (4.18 res.) 24,000 s.f. (0.56 ncomm.)	- 3,472 s.f.
TOTALS	77,338 s.f.	78,198 s.f.	311,318 s.f.	315,186 s.f.	-3,869 s.f.
Overall FAR	--	--	4.03	4.03	--

[9] Maximum total residential floor area
[10] Neighborhood – serving commercial and services

ZONING COMMISSION SETDOWN ISSUES

On September 8, 2003, the Zoning Commission set down the application for a public hearing. In doing so, the Commission raised a number of questions. The Applicants were requested to:

1. Provide more detailed information about "extraordinary" cost impacts of development proposal to support the requested 5% increase allowed under Section 2405.3 over the floor are ratio (FAR) limits prescribed for C-3-A and R-5-B Zone Districts in 2505.2 of the Zoning Regulations;
2. Secure concurrence from the District Department of Transportation (DDOT) to substitute two loading bays 30-feet long and two loading platforms each with an area of 100 square feet for the loading bay 55-feet long and a 200 square foot platform required for the residential component of the proposed development under Section 2201.1;
3. Provide more specific information about proposed project phasing (in the above Development Phasing section);
4. Justify not counting interior parking in FAR calculation and exceeding the PUD FAR limitation under the Zoning Regulations (this zoning relief request has since been withdrawn);
5. Indicate whether the one-year paid membership in the Cardozo-Shaw Neighborhood Association applies to the initial residents or all new residents (over a period of time);
6. Further explain why environmental clean-up costs should be considered a PUD amenity;
7. Further examine the anticipated traffic impacts of proposed development on the existing and expanded north-south alley, particularly the remaining 12 ft.-wide section; and
8. Indicate whether the proposed easement that would replace the portion of the western north-south alley should be expanded to 30 ft. wide in accordance with Section 2507.3.

The Applicants and OP were requested to provide:

9. A detailed explanation of proposed PUD amenities and benefits; and
10. Discourse on how Historic Preservation Review Board (HPRB) requirements can be counted as a benefit for the purposes of the instant Zoning Commission PUD application.

Staff was requested to provide a complete list of all the relief required that would result under the proposed lot consolidation, and a summary of what is being proposed (refer to the above tables and list under the "PUD RELEIF AND FLEXIBILITY " section).

Staff also requested the Applicants resolve the inconsistency between the land records and the surveyed land area data, but this has not been resolved. Responses to other requests are incorporated into the discussion that follows.

ANALYSIS

OP's review of this proposal first considered whether it is generally consistent with the Comprehensive Plan, the intent of the Zoning Regulations and with specific PUD criteria in the Zoning Regulations with regard to Sections 2403 and 2405.3.

Consistency with Section 2403
The Commission's evaluation of this application shall be based on the following standards:

- *The impact of the project on the surrounding area and upon the operation of city services and facilities shall not be found to be unacceptable, but shall instead be found to be either favorable, capable of being mitigated, or acceptable given the quality of public benefits in the project.*

OP believes that overall this project has merit and will not have an adverse impact on the neighboring property or city services. This site was previously used for commercial purposes and there has been no indication from the public agencies that utilities or public services in the area are inadequate to support the anticipated development. District Department of Transportation (DDOT) verbally indicated concurrence with the two transportation impact analyses prepared for the Applicants by transportation consultants Wells & Associates, LLC (in the Statement and Pre-Hearing Statement #1). The analyses found that traffic generation, proposed modifications to residential loading and service requirements, and retail parking requirements associated with the PUD "will not have any significant impact." A third study in Pre-Hearing Statement #2 has been referred to DDOT for comment. Based on this information, the anticipated traffic impacts would be minimal.

- *The Zoning Commission shall find that the proposed planned unit development is not inconsistent with the Comprehensive Plan and with other adopted public policies and active programs related to the subject site.*

The Comprehensive Plan Generalized Land Use Map designates this area for a mixture of Medium-Density Residential development characterized by multiple-unit housing and mid-rise apartment buildings, and Medium-Density Commercial characterized by shopping and service areas that generally offer a large concentration and variety of goods ands services outside of the Central Employment Area, as predominant uses.

The Comprehensive Plan Generalized Land Use Policies Map identifies the development site in the Uptown Arts Special Treatment Area:

> 1130.1 The Uptown Arts special treatment area, extending along 14th Street, N.W., from M Street, N.W. to Florida Avenue, N.W. and along U Street, N.W. from 7th Street, N.W. to 16th Street, N.W. is designated a special treatment area.

Section 1130.2 of the Plan includes the following policies:

> "(a) Promote the historic character of the area, and develop design criteria toward the achievement of that character; ...
> (c) Encourage, promote, preserve, protect, and display the area's entertainment, arts, and architectural history; ...

(k) Address the many narrow commercial sites that exist in the area to encourage suitable scale and massing;
(l) Encourage and provide the development of adequate parking facilities to support other development policies; ...
(n) Assist in the retention of existing housing stock and provide new housing opportunities; and
(o) Encourage the retention of historic buildings."

The Comprehensive Plan states, as its first principle, the importance of stability for residential neighborhoods. District Elements of the Plan provides that the residential character of neighborhoods be maintained and improved, in fact:

> "Promoting and ensuring good quality neighborhoods is of utmost importance to the District." (§102.4 of 10 DCMR)

The Land Use Element, Chapter 11 of the Plan gets quite specific. Section 1103, Objectives for Residential Neighborhoods, states:

> "The residential neighborhood objectives are to conserve the essentially satisfactory qualities of the District's many stable residential neighborhoods, to enhance other neighborhoods to improve and achieve stability, to redirect public and private initiatives to neighborhoods most in need of improvement and stability, to encourage development of adequate neighborhood shopping and support services in all sections of the District, to protect residential neighborhoods from disruptive uses and to prevent concentrations of non-residential uses in residential neighborhoods."

Policies in support of these objectives include "(1) Promote the conservation, enhancement and revitalization of the residential neighborhoods of the District for housing and neighborhood-related uses; ..."

Policies in support of economic development outside of the Central Employment Area objective under Section 206.2 include:

"(b) Support appropriate development of ... the 14th Street ... corridors, including making these redevelopment efforts priority items on the working agenda for the economic development entity;
(c) Implement update plans for the longstanding urban renewal corridors that are consistent with the Plan's objectives and policies ..."

The Housing Element of the Plan also includes the following major policy, which recognizes the importance of providing affordable housing through public-private partnerships:

300.1 The District recognizes its obligation to facilitate the availability of adequate, affordable housing to meet the needs of current and future residents. However, government alone cannot provide affordable housing for all District citizens.

(a) Partnerships between the private sector, nonprofit housing providers, and the District government are necessary to meet the growing housing needs of District residents; and
(b) Community participation in the planning process is also essential to ensure that programs and actions are effective in meeting community needs, including a desired sense of community cohesion.

300.2 A central theme of the Housing Element is that the District must stimulate a wider range of housing choices and strategies through the preservation of sound older stock and the production of new units for a wide variety of household types. The District will continue to use all available public and private resources to support a variety of programs designed to do the following: ...

(d) Stimulate the construction and rehabilitation of affordable housing by private for- profit and non-profit housing providers."

The Comprehensive Plan also encourages the protection and enhancement of historic properties:

805.1 Every effort should be made to provide for the continued, appropriate use of all historic properties. If the original use or a reasonable intensification of the original use is no longer feasible, appropriate adaptive uses consistent with applicable land use regulations should be encouraged.

805.13 When possible, deteriorated historic landmarks or buildings that contribute to historic districts should be repaired rather than demolished.

805.16 New construction on historic landmarks or in historic districts should be compatible with the historical architectural character and cultural heritage of the landmark or district. In design, height, proportion, mass, configuration, building materials, texture, color, and location, new construction should complement these valuable features of the landmark or district, particularly features in the immediate vicinity to which the new construction will be visually related.

Based on this information, OP finds that the development proposal is not inconsistent with the Comprehensive Plan.

- *Public benefits are superior features of a proposed planned unit development 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.* Refer to the Public Benefits analysis below.

- *Public benefits and project amenities of the proposed PUD may be exhibited and documented in any of the following, or additional, categories:*

  (a) Urban design, architecture, landscaping, or creation or preservation of open spaces;
  Working with HPRB, the Application secured approval for revised plans that preserve the contributing laundry buildings, and extend suitable characteristics of their industrial architecture to the high-rise building along 14th Street. According to Pre-Hearing Statement #1, proposed development will result in creation of a unique urban space, and create a pedestrian gallery by extending the existing open space between the former laundry buildings from the interior of the square to the 14th Street frontage. The resulting promenade would be reserved for pedestrian use only. A description of the architecture is attached in the HPO staff report (Exhibit 2). HPRB unanimously approved the height, massing and scale of the conceptual plans during its meetings on June 26, 2003 and November 20, 2003.

  The Applicant has agreed to implement draft streetscape design guidelines developed for the 14th & U Main Street Initiative. OP is concerned about how the referenced streetscape guidelines would be implemented. When contacted to determine the status of these guidelines, DDOT and the Main Street Program in the Office of the Deputy Mayor for Planning & Economic Development informed OP staff that these standards have been adopted informally on an interim basis until the final set of streetscape standards currently being developed for DDOT is complete. This project is anticipated to be the first installation.

  The adopted standards could differ and DDOT may not approve the draft standards because of maintenance concerns or inconsistency with the adopted standards. At a minimum, a copy for the draft guidelines should be entered into the public record so Commission and community are aware of what is proposed.

  (b) Site planning, and efficient and economical land utilization;
  Pre-Hearing Statement #1 touts redevelopment of vacant lots as the significant benefit in this category. Since any development eliminates vacant lots, OP generally does not recognize that as a public benefit. However, staff does find that the design breaks up the massing along 14th Street to appear as separate structures, and introduces development density while maintaining the historic integrity of the existing contributing laundry building which does constitute good site planning. In addition, it also provides increased housing density in close proximity to a Metro stop which promotes transit usage.

  (c) Effective and safe vehicular and pedestrian access; transportation management measures, connections to public transit service, and other measures to mitigate adverse traffic impacts;
  DDOT verbally indicated concurrence with previous analyses by transportation consultants Wells & Associates, LLC which conclude that traffic generation, proposed modifications to residential loading and service requirements, and retail parking requirements associated with the PUD "will not have any significant impact."

In response to the Commission's question at setdown about the width of the alley and §2507.3, DDOT concluded that § 2507.3 applies to one-family dwellings on alley lots. The applicant expects to close the alley. The associated alley closing and dedication of the easement for a 20-foot public access easement would also improve ingress/egress between 14th and V Street and the alley system interior to the Square 235.

OP has requested a report from DDOT regarding the adequacy of the 20-foot public access easement width, and specifically their recommendation on whether the width is sufficient for two-way traffic between V Street and the underground parking garages and loading docks on-site.

The Applicants also state the proposed development furthers the District goals of transit-oriented development by:

(1.) Providing high-density residential development near the Shaw-African-American Civil War Memorial Metro station with reduced parking for neighborhood-serving retail and services uses, and overall residential parking at a rate less that one (0.90) parking space unit; and

(2.) Reserving 2-4 spaces of on-site parking for commuter vehicles operated under the Zip Car and/or Flex Car programs.

(d) Historic preservation of private or public structures, places or parks;
During the scheduling of the application for hearing, the Commission asked for a discussion about how HPRB requirements can be counted as a benefit. The key consideration is whether said benefit meets the standard in Section 2403.12 that it be "... superior in *quality and quantity* to typical development of the type proposed ..." Construction involving any landmark or contributing property requires HPRB review and approval. Simply retaining the integrity of the historic district does not qualify as a "superior" public benefit as this level of preservation is mandated and would be achieved even in a matter of right development. To be counted as a significant benefit, the quality and extent of the preservation effort proposed under a PUD application must be significantly greater than would normally be achieved.

This proposal would preserve, adaptively reuse and expand vacant historic buildings to create more home-ownership opportunities in a manner consistent with preservation regulations while "creating a unique urban environment." OP finds that the most unique characteristic of that environment was required by HPRB.

OP encourages the Applicant to provide additional documentation that the historic preservation efforts are significantly greater than would likely result from a matter-of-right project and thereby qualify as a public benefit or amenity as anticipated by §2403.6 OP has suggested that the Applicants consider additional preservation efforts outside the PUD, such as at Howard Theater.

(e) Employment and training opportunities;
According to the economic impact analysis in Pre-hearing Statement #2 by Bolan Smart Associates, Inc., and dated April 2003, the proposed development would result in the creation of 226 temporary jobs (74 for District residents) over a two year period, 63 permanent jobs, and investment of approximately $100 million in the Cardozo/Shaw neighborhood. The Applicant is negotiating an agreement to participate in the Department of Employment Services' First Source Employment Program.

OP suggested that the Applicants also participate in the Local, Small, Disadvantaged Business Enterprise ("LSDBE") program of the Department of Employment Services to involve local small businesses in every aspect of the development. Although the Applicants declined, OP thinks participation in both programs should be a condition of approval, and both signed agreements should be added to the public record prior to the proposed action.

(f) Housing and affordable housing;
This development would provide approximately 291,000 square feet of new housing opportunities (287,300 square feet based on current land records) consisting of one and two-bedroom condominium units. Of that total amount, the Applicant offers up to 7,500 square feet of affordable housing. The community was offered two scenarios for providing a $1.1 million subsidy for these units: either ten 750 square foot units (totaling 7,500 square feet) for households earning up to $50,000 annually, or seven 750 square foot units (totaling 5,250 square feet) for households earning $36,000 annually. The Summary of the Affordable Housing Program in Pre-Hearing Statement #2 identifies public service professionals such as D.C. teachers and fire personnel as the target population for this affordable housing benefit.

The U.S. Department of Housing and Urban Development (HUD) qualifies as low income family of three in the DC area (80% AMI as capped by HUD regulations) at $50,800 and very low income (50% AMI as capped by HUD regulations) at $39,150. OP recommends that the Applicant use the established HUD thresholds.

The Office of Planning requested the additional analysis in Pre-Hearing Statement #2 to clarify the value of this benefit under the different scenarios. Based on this analysis, the "lost opportunity" cost would range from $1.1 to $1.3 million, meaning the profit per square foot would be reduced for the 5-10 affordable units out of the 210-300 dwelling under this proposal (as opposed to unit being marketed at or below construction cost).

To further examine this benefit, OP developed the following table comparing the total additional floor area allowed under this PUD with the requested increase permitted under PUD guidelines and the additional 5% requested above those guidelines.

Zoning District	Additional Floor Area Allowed under PUD		
	Floor Area	+ 5% Increase	5% Increase Only
R-5-B (+1.2 FAR)	41,386 s.f.	46,559 s.f. (+0.15 FAR)	5,173 s.f. (0.15 FAR)
C-3-A (+0.5 FAR)	21,425 s.f.	31,281 s.f. (+0.23 FAR)	9,856 s.f. (0.23 FAR)
TOTAL	62,811 s.f.	77,840 s.f.	15,029 s.f.
Comparison of Affordable Housing to Additional Square Footage			
Proposed Affordable Housing	7,500 s.f. (maximum offered)		
% of Total Additional Square Footage	12%	10%	50%

While 7,500 square feet of affordable units would equal 50% of the 5% increase requested under Section 2405.3 (based on current land records), it only amounts to 12% of additional floor area requested by the Applicant under the PUD guidelines, and 10% of the total additional area inclusive of the 5% increase. The Applicant indicated that the average dwelling floor area would be 880 square feet, although typical unit floor plans have not been developed. However, the affordable units would only be 750 square feet in size with two bedrooms and one bath (based on a similar two-bath unit in another development).

The provisions of affordable housing under this project is a significant benefit, however OP is concerned about the level of contribution because:

- the area and number of affordable housing units is relatively small - equaling only 10% of the floor area increase requested, and 3-5% of the unit-count in this application;
- the $1.1 million subsidy would cover the opportunity cost of providing 10 affordable dwellings out of 218 to 300 units in project representing a $100 million investment; and
- affordable housing options are limited to units smaller than the (anticipated) average dwelling size in the overall project.

The provision of affordable housing is a primary amenity cited by the Applicant. OP has encouraged the Applicant to considered additional contributions in this regard and is still working with the Applicant as the issue is weighed against the relief and flexibility requested.

(g) Social services/facilities;

The Applicant would support the creation at some point in the future of an employment program for homeless men and women. OP has asked for more information on this program and timing.

(h) Environmental benefits, sich as stormwater runoff controls and preservation of open space or trees;
The Applicant list "site remediation" as the principal environmental benefit of this proposal. Since site remediation would be required for any development on this site and the benefit does not extend beyond the site boundaries, local remediation is not considered a community benefit. Staff suggested that the Application provide information about efforts to have this project certified as being "environmentally friendly", however no information has been provided to date.

As a result, no community environmental benefit is associated with this development.

(i) Uses of special value to the neighborhood or the District of Columbia as a whole;

The Applicant would reserve 24,000 square feet on the ground floor of neighborhood-serving retail and service uses, contribute $10,000 annually for five years to the 14th & U Main Street Initiative (a total of $50,000) to support implementation of neighborhood streetscape improvements, support the creation at some point in the future of an employment program for homeless men and women, and pay the initial one-year membership fee in the Cardozo/Shaw Neighborhood Association for every dwelling unit purchaser to encourage resident participation in this community organization.

Since Section 1901.1 requires that 50% of the ground floor of every building fronting 14th be reserved for retail and service use, and this development would essentially be one building when completed, the provision of neighborhood serving commercial appears to meet the zoning requirement. OP estimates that the 24,000 square feet reserved by the Applicants is approximately 75% of the ground floor. OP has asked the Applicants for detailed figures to confirm this calculation. OP notes that Chapter 19 (11 DCMR) establishes the use provisions and type of commercial uses required within the Arts overlay and that are applicable to this development.

The Applicant indicates that the initial $10,000 payment has been made, so the remaining contribution made to the Initiative under the PUD would be $40,000. Finally, staff was informed that the fee for annual membership in the Cardozo/Shaw Neighborhood Association is $15, so the paid membership for 218 to 300 families would range from $3,270 to $4,500.

Based on this information, OP considers only the $40,000 contribution to Main Streets and the approximately $4,000 to the Cardozo/Shaw Neighborhood Association public benefits.

(j) Other public benefits and project amenities and other ways in which the proposed planned unit development substantially advances the major themes and other policies and objectives of any of the elements of the Comprehensive Plan;
The Applicant indicates that provision of parking beyond that required for residential uses is such benefit. Planning staff does not agree.

Based on this review, OP finds that the relative value of the project amenities and public benefits does not outweigh the FAR, bulk and area relief requested; the affordable home-ownership opportunities (the only other major benefit) are not sufficient and additional information is needed.

Compliance with Section 2405.3

Section 2405.3 provides that the Commission may increase of the allowable PUD floor area ratio up to five percent (5%) provided, "... that the increase is essential to the successful functioning of the project and is consistent with the purpose and evaluation standards of the planned unit development regulations." The Statement indicates the additional 5% increase is essential due to:

- Extra engineering costs related to construction next to the WMATA rail tunnel;
- The unusual "T" configuration and split zoning of the site; and
- Costs associated with environmental remediation.

It also references the HPRB requirement to retain the existing laundry complex and create a design compatible with the Greater U Street Historic District, and the fact that enclosed ground floor parking in the historic buildings will reduce the available FAR for residential uses. Pre-Hearing Statement #1 further explains that additional engineering costs of cantilevered construction across the Metro tunnel and easement areas (including location survey of tunnels, installation of crack monitors and routine monitoring during non-revenue hours, soil removal and compaction analysis and monitoring, use of more expensive sheeting, shoring and excavation methods, drilled piers between and around Metro tunnels, transfer girders to span the tunnel, and other exceptional costs not associated with standard construction) could amount to $2 million. As indicated above, the parking is no longer counted in the FAR, and OP does not find environmental remediation of the site or retaining the historic structure justification for the request FAR increase, however, the site configuration and engineering costs are sufficient justification.

The Statement and Pre-Hearing Statement #1 provide the following justification for the other required relief:

- Reduction in the required rear yard: Assuming the requested alley closing is approved, the rear property boundary of the development site would coincide with the eastern north-south alley.

- Reduction of required retail parking spaces: The PUD application includes a reduction in the number of required retail spaces allowed under Section 2405.6. The Statement justifies granting the 29% reduction based on neighborhood orientation of planned retail uses, and the fact this site is within 1,200 feet of an entrance to the WMATA Cardozo-African American Civil War Memorial-Cardozo Metro rail station.

- Reduction in the required recreation space: This proposal provides residential recreation space equivalent to 12% of the residential gross floor area in the C-3-A district instead of the required 15%. The Statement indicates that a 3% reduction in total recreation space is

justified due to site constraints resulting from the presence of the WMATA railway tunnel and easement; the HPRB requirement to preserve the contributing buildings; and the proximity to other recreation opportunities such as the Anthony Bowen YMCA to the north, and the Harrison Recreation Center and park to the south. OP finds this is to be supportable, based on these facts.

- Increase the allowable number and individual height of roof structures: The Applicant requests waiver of several provisions under Section 411 pertaining to the number of roof enclosures and heights of enclosure walls for said enclosures. The Statement indicates that number and variety of different penthouses is the result of the "broken barrel vault" roof design that spans the contributing historic structures, and the number and location of elevator and service towers that serve the projects. Planning staff supports this relief.

- Reduce the amount of 14th Street streetwall required along the front property line in the Art Overlay District: Section 1903.3 requires that the 75% of the street wall, up to a height of 15 feet, be constructed to the front property line. The proximity of the WMATA easement and underground rail tunnel cause the planned corner façade of one new building to curve away from the 14th Street frontage at the V Street intersection. Extension of the 26-foot wide pedestrian way between the former laundry buildings and across the alley to 14th Street also divides the façade, so only 66% of the streetwall would extend to the property line. In light of these circumstances, Planning staff supports this relief.

- Reduction in required loading berths: The Applicant desires to eliminate the requirement for one loading bay, 55 feet in length, and a loading platform of 200 square feet, and provide two loading bays 30-feet long and two loading platforms each with an area of 100 square feet. The stated justification is that targeted homebuyers would not use larger vehicles to move into units averaging approximately 880 square feet in size. DDOT verbally concurred with the conclusion in the traffic consultant's report that this change would have little traffic impact.

The Applicants have not addressed the additional relief from Section 1902.1 (a) and 2001.3 identified by the Office of Planning.

COMMUNITY COMMENT

Advisory Neighborhood Commission (ANC) 1B considered this proposal during a scheduled meeting on April 3, 2003. The ANC voted to support the application. ANC Chairperson Deborah Thomas submitted a letter to the record outlining the ANC's discussion about the amenity package.

AGENCY REVIEW

This proposal was distributed to the District of Columbia Metropolitan Police Department, Fire Department, HPO, DDOT, and the Departments of Housing & Community Development (DHCD) and Public Works.

HPRB unanimously approved the height, massing and scale of the conceptual plans during its meeting on June 26, 2003. During a public hearing on November 20, 2003, HPRB gave conceptual approval to install window openings into brick walls surrounding the proposed ground level parking areas in the rehabilitated historic buildings. In both actions, approval of actual development plans was delegated to Historic Preservation staff.

The D.C. Fire and EMS Department expressed no objection as long as the Applicants agree "to install a fire sprinkler system in the new and renovated buildings and provide adequate fire department access to the front and rear of the building" (memo attached). DHCD also expressed support for this proposal (memo attached). No other agency comments have been received.

RECOMMENDATION

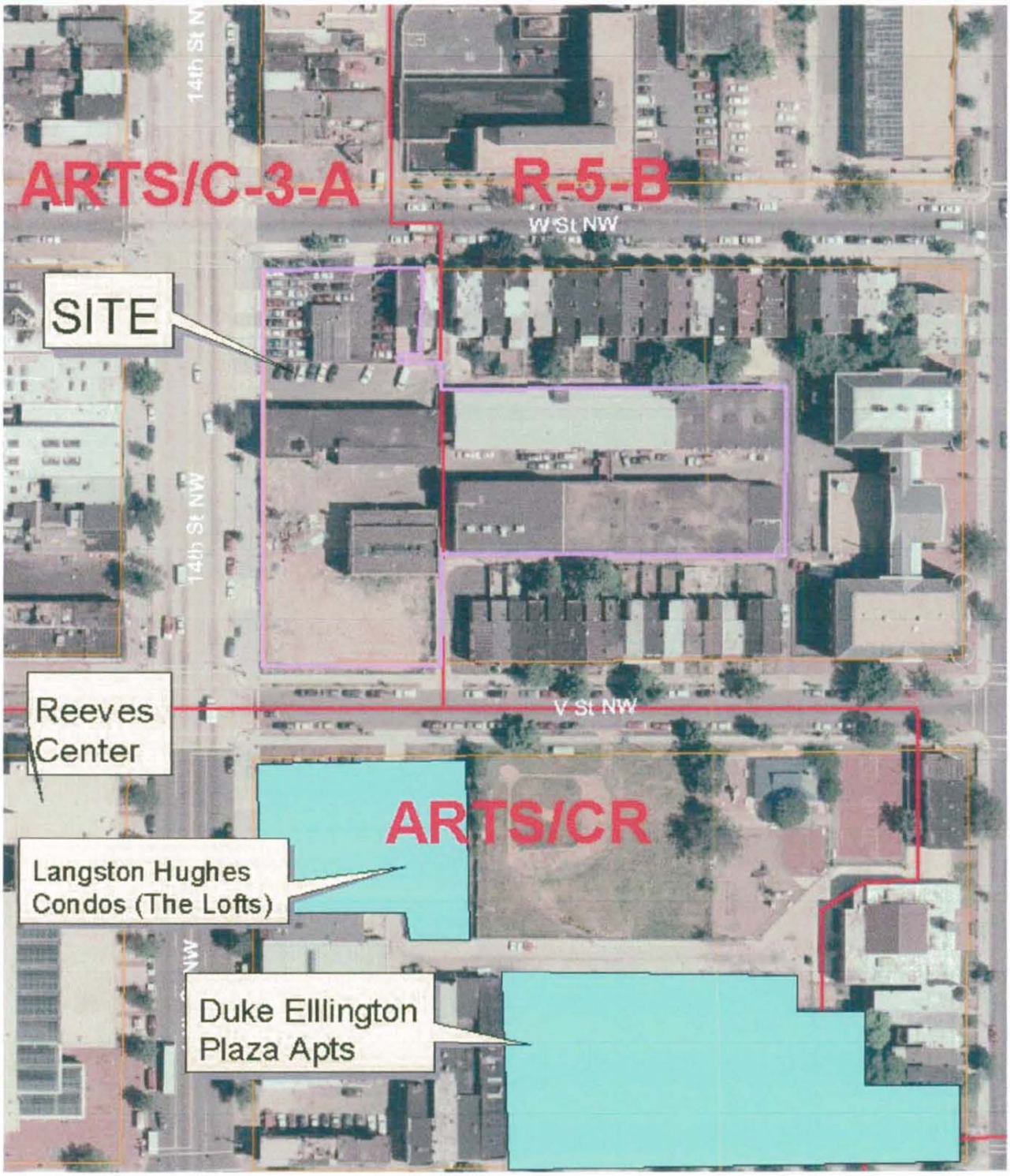
The Office of Planning (OP) cannot make a recommendation at this time. OP has requested and received additional information regarding the valuation of the amenities and benefits. OP is continuing to work with the developer to analyze the information and determine if the associated amenities and benefits are commensurate with the relief, flexibility and development incentives requested by the application.

However, if the Zoning Commission determines these benefits and amenities are adequate, then the approval should be subject to the following conditions:

- That residential floor area totals will depend on the final decision by the D.C. Office of the Surveyor on land survey data for individual lots that compose the development site;
- That a copy of the draft streetscape design guidelines developed for the U Street Initiative shall be filed into the public record;
- That the Applicant shall pay the first one-year membership in the Cardozo-Shaw Neighborhood Association for the initial purchaser of every dwelling unit in this development; and
- That the applicant shall participate in the Department of Employment Services' First Source Employment Program, and sign a Memorandum of Understanding with the Office of Business Development to participate in the Local, Small, Disadvantaged Business Enterprise Program, and that signed agreements shall be added to the public record prior to the proposed action.

AA/afj

Attachment:	Exhibit 1	Aerial Map with Zoning
	Exhibit 2	Staff Report to the Historic Preservation Review Board: November 20, 2003
	Exhibit 3	Memorandum from Richard Fleming, Acting Battalion Fire Chief, to Andrew Altman, Director, Office of Planning: August 19, 2003
	Exhibit 4	Memorandum from Stanley Jackson, Director, Department of Housing and Community Development to Andrew Altman, Director, Office of Planning: August 27, 2003



Feature Key

Zoning Boundaries

Square Index

Ortho-Photography was taken in 1999.

Zoning Commission
Case No. #03-26

DC Office of Planning
April 17, 2003

Scale 1:3237

50 0 50 Feet

Exhibit 2

HISTORIC PRESERVATION REVIEW BOARD
STAFF REPORT AND RECOMMENDATION

Property Address:	**2101 14th Street, NW**		Agenda
Landmark/District:	**U Street Historic District**	X	Consent Calendar
		X	Concept Review
Meeting Date:	**November 20, 2003**	X	Alteration
H.P.A. Number:	**03-288**	X	New Construction
Staff Reviewer:	**Steve Callcott**		Demolition
			Subdivision

The applicants, SK& I Architects for PN Hoffman, seek on-going conceptual design review for construction of two apartment buildings on vacant land on 14th Street between V and W Streets. The conceptual plans for renovations of and additions to the laundry complex located along the mid-block alley were approved at a previous meeting. As the Board will remember, the design of the new construction is organized to break down the block-long frontage along 14th Street into three separate elevations; the Board's most recent comments and suggestions were made with the intension of sharpening the distinction between these three elevations, and to strengthen the appearance of the middle building so that it appeared as more than simply a bridge connecting the contemporary styled building to the south and the traditional building to the north.

As suggested, the tripartite organization of the elevation on the traditional (north) building has been made more pronounced, with coursed brick on the first two floors, and further development of the top of the building with decorative pergolas at the eighth floor. The bays – previously proposed as oriels – have been brought down to the ground and made more solid, now with punched windows in a brick bay rather than as metal bays. The proportions of the corner tower have been improved, with oriels used on each of its two sides.

The middle building has been developed to provide it with a more solid, rectilinear base, and the bridge element redesigned as a large elliptically-shaped bay projection anchored by solid masonry elements on each side. The differentiation between the vocabulary of the bay and the masonry elements on each side gives this center building a stronger, more traditional organization that helps it read as its own building rather than simply as a hyphen between the other two buildings. The sloped roof element has been scaled down in size, relating to the narrower proportions of the tower. As recommended by the Board, the void at the 8th and 9th floor levels above the bridge has been in-filled in order to gain slightly greater setbacks for the upper floors elsewhere in the project. However, as some differentiation in height between the three elevations would maintain some variety at the roof line, the staff has suggested the applicants also look at an option that would add only a single story above the bridge element, rather than two.

The submission also includes further development of the building skin, with blow-up sketches of each of the three buildings to show general materials use and detailing, as

well as differentiation between the buildings. One area that might warrant further differentiation is in the use of fenestration on the three buildings; with the increasingly traditional character of the northern building, traditional double hung sash windows might be worthy of consideration.

The staff recommends that the Review Board approve the revised concept design as consistent with the purposes of the preservation law.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
FIRE AND EMERGENCY MEDICAL SERVICES DEPARTMENT
WASHINGTON, D.C. 20001

MEMORANDUM

TO: Andrew Altman
Director
Office of Planning

FROM: Richard Fleming
Acting Battalion Fire Chief RF

DATE: August 19, 2003

SUBJECT: Zoning Commission Case No. 03-26 - Planned Unit Development
at 14th and V Streets, N.W., Square 235

The D.C. Fire and EMS Department has reviewed the above request.

This application is submitted in conjunction with a permanent alley closing (S.O. 03-2526) and was approved on July 7, 2003. The approval was based on the applicant's agreement to maintain this alley for emergency access.

We have no objection to this request provided the applicant agrees to install a fire sprinkler system in the new and renovated buildings and provide adequate fire department access to the front and rear of the building.

If you have any questions regarding this review, please contact my office at 727-3659.

Exhibit 3

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

Office of the Director

MEMORANDUM

TO: Andrew Altman
Director
Office of Planning

08-28-03 P03:33 IN

FROM: Stanley Jackson
Director

DATE: August 27, 2003

SUBJECT: Zoning Commission Case No. 03-26 – Planned Unit Development (PUD) Located at 14th and V Streets NW (Square 235)

As requested in an Office of Planning memorandum of August 9, 2003, the Department of Housing and Community Development (DHCD) has reviewed the above referenced Zoning Commission Case, supports approval of the Planned Unit Development (PUD), and offers the following reasons in support based upon the specific information presented in the application:

1. The proposed PUD will advance neighborhood and historic preservation by adaptively reusing two warehouses that the State Historic Preservation Office has determined contribute to the Greater U Street Historic District. The Historic Preservation Review Board has approved the project building and massing plans.
2. The PUD will assure development of a Washington Metropolitan Area Transit Authority (WMATA) Joint Development that has the involvement of WMATA (the owner of the 14th Street fronting property), George Galich (the owner of the two warehouses) and P.N. Hoffman, Inc.(the contract developer for the project).
3. The proposed PUD will advance the economic development and revitalization of the U Street/14th Street NW area and will have approximately 292,000 square feet of residential space, approximately 24,000 square feet of retail fronting on 14th Street and approximately 250 parking spaces above grade and below grade.
4. The PUD provides as much below grade parking as is possible given the underground constraints that are imposed by the fact that the WMATA Metro tunnels run under a portion of the south end of the WMATA 14th Street property. The fact that the PUD provides 50 of the required 70 retail parking

spaces is mitigated by the project's location just two blocks from the 13th and U Street entrance of the U Street Metro Station.

5. The Metro tunnels under the southern end of the 14th Street property also limit the ability of the developer to construct the proposed PUD 14th Street building front façade to the front property line. Because of the tunnels, only 66% of front building façade can be constructed on the front property line – short of the 75% minimum required in the Zoning Code.
6. The proposed 14th Street building has more roof top penthouse enclosures because it is actually two apartment buildings with two separate service cores that require two roof top penthouse enclosures to accommodate the two staircases and elevator machine room that each building must have.
7. The proposed two phase construction build-out for the PUD is a reasonable construction schedule that takes into account the variable cyclical nature of market demand for rental and condominium apartments in the Washington DC market.
8. DHCD has previously reviewed and supported the developer's request for the alley closing associated with the PUD.