

**BEFORE THE ZONING COMMISSION
OF THE DISTRICT OF COLUMBIA**

Capitol Place

ZONING COMMISSION CASE NO. 05-37

**MODIFIED PREHEARING STATEMENT IN SUPPORT
OF THE APPLICATION FOR CONSOLIDATED REVIEW
OF A PLANNED UNIT DEVELOPMENT
AND ZONING MAP AMENDMENT**

January 12, 2007

**ZONING COMMISSION
District of Columbia**

CASE NO. 05-37

EXHIBIT NO. 31

**ZONING COMMISSION
District of Columbia
CASE NO.05-37
EXHIBIT NO.37**

PREFACE

This statement and attached documents are submitted by Station Holdings LLC (the "Applicant") in support of its application for consolidated approval of a planned unit development ("PUD") in conformity with Chapter 24 of the District of Columbia Zoning Regulations and related Zoning Map Amendment before the Zoning Commission for the District of Columbia. The subject property is located between 2nd and 3rd Streets, N.E., and G and H Streets, N.E. The subject property consists of Lots 30, 39, 40, 41, 45, 48, 801, 804, 805, 806, 811, 813, 814, 856, 857, 2001, 2002 and 2003 in Square 752 (the "Site"). The Site is split zoned C-2-A and C-2-B. Lot 45, located along H Street, N.E., was rezoned to C-2-B as part of the H Street, N.E. Neighborhood Commercial Overlay District; the remainder of the Property is zoned C-2-A.

The Applicant originally sought consolidated review and approval of a PUD and a rezoning of the Site to the C-2-B District in order to construct a mixed use development. The details of the proposed development, project design, public benefits and project amenities, and consistency with the Comprehensive Plan and the Ward 6 Plan were set forth in the Applicant's PUD Submission, filed on November 22, 2005, and in its supplemental materials filed on March 22, 2006. The Applicant further supplemented its application in its Prehearing Submission, which was filed with the Zoning Commission on May 15, 2006, and responded to comments from the Zoning Commission and the Office of Planning.

Since that time, the Applicant has continued to work with the community and the Office of Planning to further refine the project and application. The project

continues to be a mixed-use project with ground-floor retail. The requested zoning change has been modified to maintain the C-2-A zoning along G Street while rezoning the corner of 2nd and H Streets, abutting the H Street Overpass, to C-3-C. This Modified Prehearing Submission sets forth the details of these changes and the basis for the same.

As set forth below, this Modified Prehearing Submission along with the Applicant's previous submissions meet the filing requirements for a PUD and Map Amendment application under Chapters 24 and 30 of the District of Columbia Zoning Regulations

DEVELOPMENT TEAM

Applicant and Owner:	Station Holdings LLC c/o Louis Dreyfus Property Group 2001 K Street, N.W., Suite 202 Washington, DC 20004
Developer:	Louis Dreyfus Property Group 2001 K Street, N.W., Suite 202 Washington, DC 20004
Architects:	Cook + Fox Architects, LLP 641 6 th Avenue New York, NY 10011
Economic Benefits Consultant:	Bolan Smart Associates Suite 600 900 19 th Street, N.W. Washington, D.C. 20036
Traffic Consultant:	Wells & Associates, LLC 1420 Spring Hill Road, Suite 600 McLean, VA 22102
Land Use Counsel:	Holland & Knight LLP 2099 Pennsylvania Avenue, N.W. Suite 100 Washington, D.C. 20006

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**CERTIFICATION OF COMPLIANCE
WITH SECTION 3013 OF THE ZONING REGULATIONS**

The Applicant hereby certifies that this application, twenty copies of which were filed with the Zoning Commission on November 22, 2005, complies with the provisions of Section 3013 of the Zoning Regulations as set forth below, that the application is complete.

Christine Sher

<u>Subsection</u>	<u>Description</u>	<u>Page</u>
3013.1(a)	Information Requested by Commission	Pre-Hearing Statement
3013.1(b)	List of Witnesses	Exhibit A to Prehearing Submission
3013.1(c)	Summary of Testimony of Applicant's Witnesses and Reports for Record: <ul style="list-style-type: none">• Robert Braunohler, Applicant's Representative• Martin Wells, Wells & Associates, Traffic Consultant• Richard Cook, Cook & Fox, Architect• Eric Smart, Bolan Smart Associates• Steven E. Sher, Holland & Knight LLP, Land Planner	Exhibit A to Prehearing Submission
3013.1(d)	Additional Information	Herein or with previous submissions
3013.1(e)	Reduced Plans	Submitted herewith

<u>Subsection</u>	<u>Description</u>	<u>Page</u>
3013.1(g)	Estimated Time Required for Presentation of Applicant's Case (60 minutes)	Exhibit A to Prehearing Submission
3013.6(a)	List of Names and Addresses of All Owners of Property Within 200 Feet of the Subject Property	Exhibit C
3013.6(b)	List of Names and Addresses of Each Person having a Lease with the Owner for All or Part of Any Building Located on the Property Involved in the Application	None

LIST OF EXHIBITS

<u>Description</u>	<u>Exhibit</u>
Revised Architectural Plans	Submitted Separately
Revised Transportation Impact Study	A
Updated Economic Benefits Report	B
List of Property Owners within 200 Feet of Project	C

I.
INTRODUCTION

This modified prehearing statement and attached documents are submitted by Station Holdings LLC (the "Applicant") in support of its application for consolidated approval of a planned unit development ("PUD") in conformity with Chapter 24 of the District of Columbia Zoning Regulations and related Zoning Map Amendment before the Zoning Commission for the District of Columbia. The subject property is located between 2nd and 3rd Streets, N.E., and G and H Streets, N.E. The subject property consists of Lots 30, 39, 40, 41, 45, 48, 801, 804, 805, 806, 811, 813, 814, 856, 857, 2001, 2002 and 2003 in Square 752 (the "Site"). The Site is split zoned C-2-A and C-2-B. Lot 45, located along H Street, N.E., was rezoned to C-2-B as part of the H Street, N.E. Neighborhood Commercial Overlay District; the remainder of the Site is zoned C-2-A.

The Applicant originally sought consolidated review and approval of a PUD and a rezoning of the Site to the C-2-B District in order to construct a mixed use development. The details of the proposed development, project design, public benefits and project amenities, and consistency with the Comprehensive Plan and the Ward 6 Plan were set forth in the Applicant's PUD Submission, filed on November 22, 2005, and in its supplemental materials filed on March 22, 2006. The Applicant further supplemented its application in its Prehearing Submission, which was filed with the Zoning Commission on May 15, 2006, and responded to comments from the Zoning Commission and the Office of Planning.

Since that time, the Applicant has continued to work with the community and the Office of Planning to further refine the project and application. The project continues to be a mixed-use project with ground-floor retail. The requested zoning change has been modified to maintain the C-2-A zoning along G Street while rezoning the corner of 2nd and H Streets, abutting the H Street Overpass, to C-3-C. This Modified Prehearing Submission sets forth the details of these changes and the basis for the same.

II.
MODIFICATIONS TO DESIGN OF THE PROJECT

The Applicant has been working with the community and the Office of Planning over the past seven months and, as a result, the Capitol Place project has gone through an extensive redesign to address the issues and comments received. Modifications to the originally proposed design were made at the time of the Prehearing Submission in May. More extensive modifications have been made at this time.

A. Design of the Project

The design of Capitol Place has been modified in an effort to respond to the special design challenges that arise from the project's prominent location within the H Street Overlay District as well as its role as a mediator between the larger developments to the west – including Station Place and Union Station – and the smaller scale townhouse context to the east. The design is also shaped by the project's goal of attaining LEED certification from the U.S. Green Building Council.

With an emphasis on open space, stormwater control, and healthy living, Capitol Place will be on the leading edge of new legislative changes that bring green building practices fully into the mainstream in Washington, DC. Capitol Place will be a champion of “green” sustainable residential design, which along with its public amenities and streetscape improvements will enhance the entire community and set new standards for residential developments.

The revised design gives Capitol Place strong emphasis as a gateway to the new H Street Overlay District. Along with the new Senate Square development to the north, the project will anchor the west end of the H Street commercial corridor. An increased residential population will help revive pedestrian traffic and street life in this neighborhood, which currently are adversely affected by the nature of the H Street overpass. Ground floor retail will increase neighborhood economic activity along 2nd Street, and a stairway connecting 2nd and H Streets will encourage a link with future retail development in the Overlay District.

The new development conveys a sense of place within a very diverse urban context and creates a buffer between the commercial and industrial elements to the west and the small-scale townhouses to the east. At the northwest corner of the Site, facing Station Place and the rail yards beyond it, a 110-foot tower steps down to nine stories along H Street at a height of eight-five feet and again to seven stories at sixty-five feet at 3rd street to make the transition to the neighborhood-scale and existing townhouses located at 3rd Street.

Along 2nd Street, the project has been modified as a result of community input to have a maximum height of sixty-five feet. This masonry façade is broken up by recesses and projecting metal and glass bays, and framed by an overhanging planted trellis. At the corner of G and 2nd Streets, the top two floors of the project are set back by six feet, increasing privacy for the units and reducing the building's overall presence on the street.

Along G Street, the scale of Capitol Place decreases further in order to create a transition to the adjacent residential buildings, with the height stepping down to five stories at forty-five feet. This step in height reduces the scale of the building and creates a transition to the historic row houses along the eastern portion of the block. Three glass bays project from the façade, echoing the prominent bays of the existing masonry townhouses in a resonant but contemporary key. Street entries, stoops, and front yards encourage social connection among neighbors and a healthy street dynamic.

The character of the project's H Street component is quite different, acknowledging the scale of the boulevard and its industrial context. Along this frontage, the project incorporates small professional offices with entrances located directly off H Street. From the masonry base, a prominent glass and metal element cantilevers over the street, stepping out at varied depths and heights. The articulation of the façade mimics the highly recessed form of the former Children's Museum, across H Street to the north. The choice of materials, on the other hand, expresses an industrial aesthetic relating to the nearby rail yard and suited to the

exposure of the streetwall. At its eastern boundary, a two-story glass bay is a modernist infill structure marking the transition to low-rise townhouses along the rest of 3rd Street.

On the interior of the block, a large, landscaped courtyard provides generous open space for residents. This gated, protected area will include an eco-pond, gardens and native landscaping, creating natural gathering areas. The off-street residential entry will make this courtyard a private yet active part of the development. By including plentiful green space, Capitol Place also creates positive impacts on the urban ecology. Vegetation will offer habitat for birds and other local fauna, create a cooling microclimate in summer, and help address the District of Columbia's stormwater management issues. A minimum of fifty-percent of the roof area will be green roofs, planted with hardy sedum species. The green roofs will further serve to retain stormwater, support local ecosystems, and provide natural cooling effects.

B. Parking, Loading, and Circulation

Parking, loading, and circulation for the project remain largely unchanged from previous submittals. The below-grade parking garage is accessed from 2nd Street and contains 323 parking spaces plus an additional 60 tandem spaces. The project devotes 40 of the 323 spaces for the commercial uses; the remaining spaces are devoted to the residential use. Loading is located off 2nd Street at the north end of the project near the H Street underpass and is provided in accordance with the Zoning Regulations.

III.
MODIFICATIONS TO ZONING MAP APPLICATION

The Site is currently split-zoned C-2-A and C-2-B. The Applicant originally requested an amendment to the zoning map to rezone the entire Site to C-2-B. The community raised concerns that this rezoning would allow for further encroachment of height and density into the neighborhood areas and might serve as a precedent for further rezoning to the south. Accordingly, the Applicant submits herewith a revised application for a zoning map amendment to rezone a portion of the Site at the corner of 2nd and H Streets, NE, to C-3-C.

The C-3-C zone district is compatible with the zoning of other properties along the H Street Overpass and is fully consistent with the Comprehensive Plan. The zone district would also allow for a tower element which would match the height of the Senate Square tower across H Street from the project. These taller heights will create a gateway to the H Street corridor that reinforces the goals of the H Street Overlay. In addition, this proposed rezoning preserves the zone transitions into the neighborhood area, maintaining the C-2-A district closest to that community.

A. Matter of Right Development Under Existing Zoning

Approximately 55% (42,263 square feet) of the Site is now zoned C-2-A. The C-2-A District is designed to provide facilities for shopping and business needs, housing and mixed uses. 11 DCMR § 720.2. The C-2-A District permits development to medium proportions, a maximum height of 50 feet, with no limit on

the number of stories, and a maximum FAR of 2.5, of which up to 1.5 FAR can be devoted to commercial use. 11 DCMR §§ 770.1, 771.2. A PUD in the C-2-A District may have a maximum height of sixty-five feet, with no limit on the number of stories, and a maximum FAR of 3.0, of which 2.0 FAR can be devoted to commercial use. 11 DCMR §§ 2405.1, 2405.2. A mixed-use commercial/residential building in the C-2-A District is permitted as a matter of right. Parking is required at a rate of one space for each additional 600 square feet of gross floor area and cellar floor area in excess of 2,000 square feet for general office use; one space for each additional 300 square feet of gross floor area in excess of 3,000 square feet for retail use; and one space for every two residential units. 11 DCMR § 2101.1.

Approximately 45% (34,450 sq. ft.) of the Site is now zoned C-2-B. The C-2-B District is designed to serve commercial and residential functions similar to the C-2-A District but with high-density residential and mixed uses. 11 DCMR § 720.6. It permits a maximum height of sixty-five feet, and a maximum FAR of 3.5, of which up to 1.5 FAR can be devoted to commercial use. 11 DCMR §§ 770.1, 771.2. A PUD in the C-2-B District may have a maximum height of ninety feet, and a maximum FAR of 6.0, of which 2.0 FAR can be devoted to commercial use. 11 DCMR §§ 2405.1, 2405.2. A mixed-use commercial/residential building in the C-2-B District is permitted as a matter of right. Parking is required at a rate of one space for each additional 1,800 square feet of gross floor area and cellar floor area in excess of 2,000 square feet for general office use; one space for each additional 750

square feet of gross floor area in excess of 3,000 square feet for retail use; and one space for every three residential units. 11 DCMR § 2101.1.

As a matter of right, commercial development of approximately 63,395 square feet is permitted on the C-2-A portion of the Site, and commercial development of approximately 51,675 square feet is permitted on the C-2-B portion of the Site. As a matter of right, residential development of approximately 105,658 square feet is permitted as a matter of right on the C-2-A portion of the Site, and residential development of approximately 120,575 square feet is permitted on the C-2-B portion of the Site. Therefore, a total of 226,233 square feet is permitted as a matter-of-right on the Site, with up to a total of 115,070 square feet being permitted for commercial development.

B. Matter of Right Development Under Proposed Zoning

Under the proposed PUD, the zoning of only a portion of the Site (approximately 27,897 square feet at the corner of H and 2nd Streets, NE) would become C-3-C. The C-3-C permits medium-high density development, including office, retail, housing, and mixed-use development. 11 DCMR § 740.8. It permits a maximum height of ninety feet, with no limit on the number of stories, and a maximum FAR of 6.5. 11 DCMR §§ 770.1, 771.2. Under the PUD guidelines for the C-3-C District, the maximum height is 130 feet and the maximum FAR is 8.0. 11 DCMR §§ 2405.1, 2405.2. Parking is required in the C-3-C District at a rate of one space for each additional 1,800 square feet of gross floor area and cellar floor area in excess of 2,000 square feet for general office use; one space for each additional

750 square feet of gross floor area in excess of 3,000 square feet for retail use; and one space for every four apartment house or multiple dwelling units. 11 DCMR § 2101.1.

Commercial development of approximately 223,176 square feet is permitted as a matter of right in the C-3-C zoned portion of the Site which can be devoted to commercial or residential uses. Overall, the Site will permit development of approximately 403,194 square feet on the Site with the rezoning. The Applicant proposes to construct that total amount on the Site, with 23,748 square feet devoted to commercial use.

C. Tabulation of Development Data

A detailed tabulation of development data can be found in the architectural plans submitted herewith.

**IV.
PUBLIC BENEFITS AND PROJECT AMENITIES**

The Applicant continues to offer an exceptional amenities package, including the following public benefits and project amenities:

- Housing (315 units) and affordable housing (approximately 22 units, 15% of the increase).
- LEED Silver Certification for Capitol Place including sustainable design features such as green roofs, green façades at the rear of the property, a storm water capture system, recycling of construction debris, reduced energy consumption, and improved indoor air quality.

- Neighborhood serving retail.
- Dedication of easements as needed to create a straight, twenty-foot wide alley to serve the rear of the townhouses along G and 3rd Streets.
- Pay for and install sewer infrastructure in the alley to allow connection to future alley structures built by the residents of the 3rd Street townhouses.
- In coordination with Senate Square, pay for and install improved, more aesthetic fencing along the H Street overpass in front of Capitol Place.
- Provide a public stairway and sidewalk from the H Street overpass to 2nd Street on Capitol Place property.
- Fund a micro-grant program with up to \$150,000 whereby neighboring property owners within Square 752 could apply for low interest loans from the program for the purpose of making repairs and improvements to the portions of their homes which are within public space or viewed from public space. The purpose of the program is to help fund home improvements which will benefit the aesthetic appearance of Square 752.
- Fund an historic survey of the properties for inclusion in a possible future extension of the Capitol Hill Historic District, such properties being located within the twenty-four blocks comprised of 2nd to 14th

Streets, NE, and F to H Streets, NE, not including the Site or properties within the H Street Overlay.

- Survey and document those potentially eligible structures to be demolished within the Site.
- Replace the sidewalk, curb and gutter along the west side of 3rd Street between H and G Streets (Station Place Building 3 has already committed to replace the sidewalks along G Street between 2nd and 3rd Streets).
- Replace the chain link fencing around the Senior Citizens' Community Center parking lot on Square 753.
- Install brick and granite pavers and improved lighting under the H Street overpass on the east side of 2nd Street.
- Construction management plan.
- LSDBE and First Source agreements.

V.
UPDATED REPORTS

The Applicant submits herewith a revised Transportation Impact Study, attached as Exhibit A, and an updated Economic Benefits Report, attached as Exhibit B. These revised and updated reports reflect modifications resulting from the revised design and attendant changes to the project.

VI.
WORK WITH COMMUNITY

The Applicant is continuing to work closely with the community to review and refine the project and proposed amenities package. The Applicant will present the project to the community-at-large at a meeting to be held on February 1, 2007. The Applicant will also present the project at various meetings to specific community groups, including Advisory Neighborhood Commission 6C, the Capitol Hill Restoration Society, and the Stanton Park Neighborhood Association.

VII.
CONCLUSION

For the foregoing reasons, the Applicant submits that the PUD plan meets the standards of Chapter 24 of the Zoning Regulations; is consistent with the purposes and intent of the Zoning Regulations and Zoning Map; is consistent with the land use objectives of the District of Columbia; will enhance the health, welfare, safety and convenience of the citizens of the District of Columbia; is consistent with the H Street Plan; satisfies the requirements for approval of a consolidated PUD; provides significant public benefits and project amenities; advances important goals and policies of the District of Columbia and, therefore, should be adopted by the Zoning Commission. Accordingly, the Applicant requests that the Zoning Commission approve the PUD application with relief from the roof structure regulations, loading regulations and the residential recreation space requirements and the concurrent change in zoning for a portion of the project to C-3-C.

Respectfully submitted,

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