

501 I STREET SW

By As You Like It LLC



APPLICATION TO THE DISTRICT OF COLUMBIA ZONING COMMISSION FOR
REVIEW AND APPROVAL OF A CONSOLIDATED PLANNED UNIT DEVELOPMENT
AND AMENDMENT TO THE ZONING MAP

November 8, 2017

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PREFACE

This statement and the attached documents support the application of As You Like It LLC to the Zoning Commission for consolidated approval of a Planned Unit Development and Zoning Map Amendment for the property known as Square 498, Lot 52. The property is located at 501 I Street SW in Ward 6. The proposed project will result in a mixed-use development with both rental apartments and uses related to the Shakespeare Theatre Company, including production, rehearsal, and administrative offices as well as housing for actors and staff.

This PUD application is consistent with the District of Columbia Comprehensive Plan, D.C. Law 16-300, 10A DCMR (Planning and Development) § 100 et seq. (2006), the Southwest Small Area Plan, and numerous goals and policies of the District of Columbia. This Project will benefit the District through exemplary architecture, sustainable design, affordable housing, and attractive, place-making development. The Project will also benefit the surrounding neighborhoods through streetscape improvements, uses of special value, and other new benefits and amenities to be provided, commensurate with the increase in height and density resulting from the PUD process.

Submitted in support of this application are completed application forms, a copy of the notice of intent to file a PUD that was mailed to surrounding property owners and parties (with the certification of mailing and list of property owners), architectural drawings, plans, and elevations of the proposed project, and a map depicting the Zone Districts for the Property and surrounding area. As set forth below, this statement and the attached documents meet the filing requirements for a PUD application under Chapter 3 of Subtitle X and Chapter 3 of Subtitle Z of the District of Columbia Zoning Regulations.

I. INTRODUCTION

A. *Summary of Requested Action*

This statement and the attached documents support the application of As You Like It LLC (the “Applicant”) to the Zoning Commission for consolidated approval of a Planned Unit Development and Zoning Map Amendment (“PUD”) for the property known as Square 498, Lot 52 (the “Property”). The Property is located at 501 I Street NW in the Southwest neighborhood of Ward 6, within the jurisdiction of Advisory Neighborhood Commission (“ANC”) 6D.

The Property is located at the intersection of 6th Street SW and I Street SW, approximately four blocks from the Waterfront Metrorail station. The Property is irregularly shaped and consists of approximately 36,476 square feet, or approximately 0.84 acres, of land area. The Property is currently located in the R-3 Zone District; as part of this application, the Applicant seeks to rezone the property to the MU-4 Zone District.

The Property is currently vacant. It was previously improved with a building that was used for a variety of educational uses, including most recently the Southeastern University (later Graduate School USA). The Applicant proposes to develop the property with (a) a four-story building with a habitable penthouse that fronts on both I Street SW and 6th Street SW and (b) a 5-story “annex” that is located behind the primary building (“Project”). The two buildings will be connected through a below-grade level access corridor. Together, the Project will include approximately 29,425 square feet devoted to STC production, rehearsal, education, and administrative uses, 25 units for STC actors and staff, and 85 rental apartments. The Project will also include approximately 39 on-site parking spaces and 15 off-site parking spaces. On-site parking and service for the Project will be located off 6th Street SW. The total gross floor area included in the Project is approximately 105,029 square feet, for a total Floor Area Ratio

(“FAR”) of 2.88. The Project will occupy approximately 75% of the Property at ground level. The main building in the Project will be constructed to a building height of 48’9” feet¹, with a habitable penthouse located above the roof. The annex building will be constructed to a height of approximately 50 feet.

The Future Land Use Map of the Comprehensive Plan locates the Property in the Institutional land use category, and the Southwest Small Area Plan calls for the adaptive reuse of the Property with a cultural use to further the development of I Street for a “cultural corridor” for the Southwest neighborhood. The Applicant will use the PUD process and the Zoning Map Amendment to rezone the Property to the MU-4 Zone District, a moderate-density zone category that is consistent with surrounding land uses yet also permits the proposed cultural use on the Property. The Project is within the matter-of-right height and density limitations for the MU-4 Zone. As a part of the PUD, the Applicant also requests flexibility from the rear yard and side yard requirements of the Zoning Regulations in order to best orient the buildings on the Property.

B. The Applicant

As You Like It LLC is a joint venture entity between the Shakespeare Theatre Company (“STC”) and Erkiletian Development Company (“EDC”). The STC is a major theater production company in Washington, D.C., focusing on high-quality, classic theater productions across genres, with the plays of Shakespeare as its core. Since its first production in 1986 of *Romeo and Juliet*, the STC has been expanding both in productions and size. The STC has two theaters currently—a the Lansburgh Theatre and Sidney Harman Hall, which are both located in Penn Quarter—as well as production, rehearsal, and administrative office space located on Capitol Hill

¹ This reflects height as measured to the top of the parapet. Height to the main roof is 47’.

near Barracks Row. The Project will provide STC with an opportunity to relocate and consolidate its current support spaces to a permanent home at the Property.

EDC is a real estate development company that specializes in working in communities to provide innovative urban planning, focusing on limiting sprawl and creating value in already developed areas. EDC has sourced, developed, constructed, and owned over 8,000 residential units, two million square feet of office space, and nearly one million square feet of commercial space in the Washington, DC, market.

C. Project Goals and Objectives and the Benefits of Using the PUD Process

Consistent with the goals of the District as outlined in the Land Use Element of the Comprehensive Plan as well as the Southwest Small Area Plan, the Applicant intends to redevelop the Property with a mixed-use building on the Property with residential units and production, rehearsal, education, and administration space for STC. The Project will provide premier arts use and living space near a major Metrorail station in an attractive and sustainable building that is compatible with surrounding buildings and uses.

The PUD process outlined in Chapter 3 of Subtitle X of the Zoning Regulations serves as the appropriate means of achieving the above objectives, because the PUD process provides the community and District agencies with the tools needed to ensure that the Project is well-designed and best meets the needs of the community while making sure that the density and uses are appropriate and the architecture is compatible with the surrounding neighborhood.

D. Development Timetable

The Applicant intends to begin construction of the Project in 2018 and will take approximately 18 months. The Project is expected to be completed in 2020.

II. THE PROPOSED PUD PROJECT

A. Site Location

The Property consists of approximately 36,476 square feet of land located on an irregularly-shaped parcel at the intersection of 6th Street SW and I Street SW. The Property is located within the Southwest neighborhood, approximately four blocks from the Waterfront Metrorail Station. The Property is currently vacant. It was previously improved with a building that was used for educational uses.

The Property is located at the intersection of a variety of uses and densities. Immediately to the east of the Property are playing fields and a playground associated with the Amidon-Bowen Elementary School as well as the school itself. To the north and west of the Property are three- and some four-story townhouses that are part of the Town House Management One (“THM 1”) development as well as a three- and four-story apartment building. To the south, across I Street, is the Southwest Duck Pond, followed by medium- and high-density residential and commercial development surrounding the Waterfront Metrorail station. To the southwest, across the 6th and I Street intersection, is the 10-story Waterside Towers apartment complex. Additional medium- and high-density development related to the Wharf development is located further to the southwest.

B. Zoning and Planning History

The surrounding area features a variety of uses and zone categories that reflect both the neighborhood’s initial development under the Southwest Urban Renewal Plan as well as more recent development pursuant to public and private development initiatives. The original Southwest Urban Renewal Plan called for a mixture of high-density apartment buildings and moderate-density townhouses in the immediate area and throughout the Southwest

neighborhood. During this urban renewal period, the existing Metropolitan Boys' Club Building on the Property was adaptively reused and expanded into a private high school. Within a decade, the high school closed and the Property was converted to use by Southeastern University (SEU). Before it ceased operation in 2009, SEU had an enrollment of approximately 870 students and 140 faculty and staff.

When the Urban Renewal Plan expired in 1996, the Zoning Commission adopted zoning that reflected the existing uses. Accordingly, the Property was mapped with the R-3 Zone District, similar to the townhouses to the north and west, the school to the east, and the Duck Pond and churches to the south. Property to the north that is developed with a 3-4 story apartment building was mapped with the RA-2 Zone District, and property to the southwest was mapped with the RA-4 Zone District, reflecting the taller apartment buildings located caddy-corner from the Property.

Over the past two decades, the Zoning Commission has continued to shape the development character of Southwest, often through PUDs and related rezonings. These PUDs have rezoned both large sites (like the Wharf and Waterfront Station) as well as smaller strategic parcels to higher densities to reflect the District's planning goals for the Southwest neighborhood as set forth in the Comprehensive Plan, the Anacostia Waterfront Initiative, and, most recently, the Southwest Small Area Plan. Within this context, one common development pattern within Southwest has been the redevelopment and adaptive reuse of institutional properties with a mix of institutional or cultural as well as new residential uses, based on guidance in District planning documents. On this basis, the Riverside Baptist Church site one block west of the Property was rezoned to the medium-density MU-7 Zone District; similar rezonings and redevelopment have

occurred at St. Augustine's Church, St. Matthew's Church, and the former Randall Junior High School.

C. *Project Description*

The Project will redevelop the existing vacant property into a moderate-density mix of cultural and residential uses. As shown on the architectural plans, elevations, and drawings attached as Exhibit J, the Project has been designed to complement the scale and character of surrounding uses within the immediate neighborhood.

The Project will consist of two buildings: a U-shaped building that fronts on I Street SW and 6th Street SW, and an annex structure located behind the primary building. The primary building consists of four stories and a fifth level that is a habitable penthouse. The ground floor of the primary building will contain the residential lobby, approximately 11,218 square feet of STC administrative office space, and five actor housing units. In the basement level, the building will contain an additional 18,207 square feet of STC space, with four STC rehearsal spaces (including two spaces that have been dimensioned to mimic the Lansburgh and Harman stages), a costume shop, and space for educational activities. The upper stories of the primary building will contain the 85 rental apartment units, which will contain a mix of studio, one-bedroom, two-bedroom, and three-bedroom units.

The annex consists of a five-story structure featuring 5 two-story duplex units on the lower floors and 15 additional housing units on the upper floors. The duplex units will each contain four beds and are designed to provide housing for STC fellows; the remaining units in the annex will provide housing for STC actors. The annex connects to the primary building through the below-grade level.

The use and design of both structures focuses the bulk of activity to the south and east, away from the residential townhouses to the north and west. Overall, the primary building is massed to place the ends of the U on 6th Street, which reduces the overall mass on 6th Street and allows the central courtyard to serve as a visual amenity not only to the Project but also to pedestrians along 6th Street. On the ground floor of the primary building, the STC administrative uses have been sited on the eastern side of the building, with entrances to the STC space located both through the courtyard on 6th Street SW and directly from I Street SW. Similarly, the residential lobby is located on I Street SW. Residential amenity space and actor housing units with walk-out entrances have been located along the Project's 6th Street frontage, which will help maintain a residential character similar to the adjacent townhouses. Specific design features at the northern end of the building, including a grey blend of textured pre-cast panels along the ground level and natural wood panels on the upper stories, knit the Project together with the red brick character of the surrounding townhouses.

Similarly, the design and orientation of the annex within the “dogleg” of the Property respects the surrounding context. The narrow annex is designed as a single-loaded corridor with the units oriented to the south. This orients the windowed articulated façade to the south, where it is visible from I Street across the playground and playing fields. By contrast, the more solid corridor side is oriented to the north, where it minimizes windows and other openings facing the townhouses to the north. Further, having the annex face south preserves the privacy of the balconies on the adjacent building to the north. Much like the main building, the annex uses specific design features, such as a darker brick material, to fit the Project within the surrounding residential character.

The Project will also include approximately 39 on-site parking spaces, including some tandem spaces and also including a minimum of two spaces that include electric vehicle charging stations. In addition, the Applicant will secure a minimum of 15 off-site parking spaces to accommodate STC parking needs. The Project will also contain 70 bicycle parking spaces within the garage, which significantly exceeds the minimum requirement, as well as one loading berth and one service/delivery space, which are located at ground level. Parking and loading is accessed from a driveway on 6th Street. The driveway is located in approximately the same location as the driveway for the previous school; however, the Applicant has shifted the driveway further south, which creates a vegetative buffer from the adjacent townhouses and increases the separation and distance between the Project and the properties to the north.

The height and mass of the Project is consistent with and sensitive to the surrounding context. The primary building will read as a four-story building from the street, which corresponds to the surrounding townhouses, as shown on the context drawings included in Exhibit J (pages 2.16 and 2.17). Furthermore, 6th Street is 100 feet wide, which creates ample distance and separation between the Project and the townhouses across 6th Street and further mitigates the scale of the Project. Shadow studies included in Exhibit J (pages 2.18 and 2.19) further demonstrate that the Project will not result in adverse impacts on light and air when compared to matter of right development. The primary building is 47 feet tall as measured to the top of the main roof and 48'9" as measured to the top of parapet, which is less than what is permitted as a matter of right in the moderate-density MU-4 Zone District. The habitable penthouse is 11 feet tall and, in accordance with the Regulations, is set back 1:1 from the edge of the roof. The annex is 50 feet tall, which is within the matter-of-right limits for the MU-4 Zone

District and is not inconsistent with the nearby three- to four-story apartment building to its north.

In total, the Project will feature approximately 29,425 square feet of STC production, rehearsal, and administrative uses, 25 units of STC housing (including 5 duplexes for fellows and 20 apartments for actors) and approximately 85 rental apartment units. The total gross floor area of the Project is 105,029 square feet (2.88 FAR), with a total nonresidential gross floor area of 11,218 square feet (0.31 FAR). As with height, the density of the Project is under the matter-of-right limits for the moderate-density MU-4 Zone District. The Zoning Tabulations in Exhibit J as well as the summary of development data attached as Exhibit A compare the Project to the relevant standards under existing R-3 and proposed MU-4 Zone Districts.

D. Community Outreach and Response

The development of the Property has been the subject of extensive community discussions for a number of years. An earlier iteration of the Project contained approximately 149,298 square feet of STC uses and 136 housing units in a single connected structure that reached a height of 73 feet, 2 inches and a density of 4.09 FAR. After multiple community and ANC meetings, an application for a PUD and rezoning to the SP-1 Zone District was filed for this version of the Project in early 2016. However, the PUD was later withdrawn after the Office of Planning expressed concerns about the consistency of the proposed height, density, and zoning with the requirements of the Comprehensive Plan.

Following the withdrawal of the previous iteration of the Project, the Applicant worked with the Office of Planning to determine more appropriate height, density, and zoning parameters for the Project, and proceeded to redesign the Project to fit within these standards. As the Project was redesigned, the Applicant continued to meet with representatives of ANC 6D

and neighborhood stakeholders to provide updates and receive feedback on the design direction of the Project. Following the mailing of the notice of intent to file this PUD, the Applicant held a well-attended community forum in June 2017 to discuss and gather feedback on the revised Project and also met with ANC 6D representatives directly regarding the Project. The Applicant continued to refine the design of the Project and presented the Project to ANC 6D at its September 2017 public meeting. During this time, the Applicant also met with representatives of both OP and DDOT and received additional helpful feedback.

The Project reflects significant changes based on community and agency feedback. In addition to the significant reductions in height and density, the Applicant has made the following changes:

- Removed a multi-story “bridge” that connected the main building and annex above grade.
- Removed bay windows and other projections of the building into public space.
- Reoriented the annex so that the fenestrated, articulated façade faces south.
- Moved three actor housing units to the 6th Street frontage, which fits better with the residential character of 6th Street.
- Added a second entrance to the STC space on I Street.
- Committed to 15 off-site parking spaces in addition to the 39 on-site parking spaces.
- Revise building materials.
- Incorporated solar panels onto the roof of the Project.

The Applicant will continue to work with District agencies, ANC 6D, and neighborhood stakeholders to address issues and concerns regarding the Project.

E. Flexibility Under the PUD Guidelines

The PUD process was created to allow greater flexibility in planning and design than is possible under conventional zoning procedures. Subtitle X § 303.1 specifically allows the

Zoning Commission to grant relief from any building development standards as a part of the PUD process.

As a part of the PUD, the Applicant requests flexibility from the rear yard requirements. Under the Zoning Regulations, a rear yard of 15 feet is required in the MU-4 Zone. Here, the rear yard is located along the north property line, opposite I Street. The main building complies with the rear yard requirement. The annex, however, is located within the rear yard. This is because of the southern, public-facing orientation of the annex. Code requirements mandate that residential units have windows, but also require that facades with windows be set back from the property line so that they cannot be later “blocked in” by adjacent construction. From a planning perspective, the most appropriate place for the residential units in the annex is on the southern façade—it orients the more articulated façade toward the street and away from adjacent residential properties. However, it also requires that the annex be sited flush with the northern property line, within the rear yard. Therefore, flexibility from the rear yard requirement is requested to accommodate the preferred site plan orientation for the annex.

The Applicant also requests flexibility from the side yard requirements. Under the 2016 Zoning Regulations, any setback of a building from a side lot line is considered to be a side yard. No side yard is required in the MU-4 Zone; however, if one is provided, it must meet a certain minimum width based on the height of the building. Here, portions of the main building set back from the eastern property line, triggering a requirement for a 7.83’ side yard. The side yard is approximately 5’ wide at the ground level, which requires flexibility. (The side yard then increases in width to over 15’ starting at the second floor.) The requested flexibility is minor and has no impact on adjacent residential property, since it faces the Amidon-Bowen playfields.

Finally, the Applicant expects to request flexibility to modify the details of the Project, such as interior arrangements, façade material colors, exterior design details, and building signage, which is typical for PUDs. Specific areas of flexibility will be enumerated in a pre-hearing submission, should the Commission choose to set down the Project for a public hearing.

III. PLANNING ANALYSIS

A. *Land Use Impact*

As detailed in Section V, the proposed PUD project is fully consistent with the goals and policies of the Comprehensive Plan for the District of Columbia. Specifically, the Project will create a variety of housing and affordable housing types as well as arts-supporting uses in a strategic, transit-oriented location along an arts corridor. The height and density of the Project are appropriate given the proximity to transit, the height and mass of surrounding buildings, and the avoidance of adverse impacts on nearby residential areas. The Project will also improve the streetscape around the site perimeter. The Project will have a positive land use impact that is consistent with the Comprehensive Plan and other planning goals of the District of Columbia.

B. *Zoning Impact*

As shown on the Proposed Zone District Plan included in Exhibit J, the Applicant requests a Zoning Map Amendment for the Property from the R-3 Zone District to the MU-4 Zone District. This proposed zone plan is not inconsistent with the Comprehensive Plan, as supplemented by guidance in the Southwest Small Area Plan.

As discussed more fully in Section V, both the Future Land Use Map and the Generalized Policy Map of the Comprehensive Plan locate the Property in the Institutional land use category, which represents its historic use as an educational facility. The Plan anticipates change and infill on Institutional sites, and it states that when the use of an Institutional land use site is changed,

the new uses should be comparable in density or intensity to surrounding uses. The Southwest Small Area Plan generally calls for I Street SW to be strengthened as the cultural “hub” of the Southwest neighborhood and specifically identifies the Property as a “preferred” location for an institutional or cultural use that can help bookend the I Street corridor.

Here, the STC is exactly the type of cultural use envisioned in the Southwest Small Area Plan, but the proposed cultural uses require commercial zoning. At the same time, many of the immediate neighboring properties to the west and north are within the Moderate Density Residential designation. The proposed MU-4 Zone District, a mixed-use, moderate-density zone district, balances the guidance of the Comprehensive Plan and the Small Area Plan. It matches the density of surrounding moderate density residential uses with a zone designation that enables the cultural use envisioned by the Southwest Small Area Plan.

C. Environmental Impact

As more specifically detailed in Exhibit G, no adverse environmental impact will result from the construction of the Project. The Project is committed to achieving Gold certification for the Project under the LEED 2009 standards, which exceeds minimum code requirements. The Project will also meet or exceed the Green Area Ratio and stormwater management requirements. The Applicant will also incorporate solar panels onto the penthouse roof, which is the most suitable location for such features, and include a minimum of two electric vehicle charging stations in the garage.

D. Facilities Impact

The proposed Project will not have an adverse impact on the facilities that it will rely on for service. The Waterfront Metrorail station is approximately four blocks from the Property, and it is expected that many of the Project’s occupants and visitors will use public transit. The

Project also contains 39 on-site and 15 off-site parking spaces to accommodate the parking demand of residents, employees, and visitors who may choose to drive to the Project. Bicycle usage will also be coherently integrated into the design of the Project, including 70 long term spaces and 16 short term spaces. The Applicant has engaged Gorove/Slade Associates to conduct a Comprehensive Transportation Review for the Project.

IV. PUD EVALUATION STANDARDS

A. Public Benefits and Project Amenities

Section 305 of Subtitle X provides categories of public benefits and project amenities for review by the Zoning Commission. The objective of the PUD process is to encourage high-quality development that provides public benefits and project amenities by allowing applications greater flexibility in planning and design than may be possible under matter-of-right zoning. The proposed Project will achieve the goals of the PUD process by providing new housing and arts uses in a well-designed project that enhances the surrounding public space. This furthers several goals set forth by the District of Columbia.

1. Housing

Pursuant to Section 305.5(f) of Subtitle X of the Zoning Regulations, the PUD guidelines state that the production of housing is a public benefit that the PUD process is designed to encourage. The Project will create approximately 85 rental apartment units, which significantly exceeds the amount of housing that could be provided in the R-3 Zone District as a matter of right. (Based on the available amount of street frontage and the need to accommodate a driveway to access required parking, the Property would likely yield approximately 12 rowhouses if developed as a matter of right.) Furthermore, the housing created by the PUD will not replace or displace any existing housing and it is an entirely net new contribution to the

District's housing stock. Finally, the market housing will contain a mix of housing types, including studios, one-bedroom, two-bedroom, and three-bedroom housing units. Three-bedroom housing units are specifically enumerated as a public benefit.

The Project will also create approximately 20 actor housing units and 5 fellows housing units. The actor housing units will contain a mix of housing types, with five units located on the ground floor of the main building and remaining units located on the upper floors of the annex. Such actor housing allows STC to attract top talent for stage productions that typically run for two to three months, including rehearsal and performance time. The fellows housing units will be designed as two-story duplex units on the lower floors of the annex; each unit will contain three or four bedrooms organized around common living facilities. The fellows housing units will provide convenient and affordable housing for STC's professional fellowship positions, which are nearly year-long, full-time competitive opportunities for young men and women to experience all aspects of theater production.

2. Affordable Housing

Pursuant to Section 305.3(g) of Subtitle X, the production of affordable housing above what is required under the Inclusionary Zoning ("IZ") regulations is considered a public benefit of a PUD project. The Project will create approximately 11,383 square feet of affordable housing, with approximately 10,396 square feet of gross floor area (which represents 75% of the achievable bonus density for the buildings) set aside at 60% of the Area Median Income and approximately 987 square feet of gross floor area (or 10% of the penthouse floor area) set aside at 50% of the Area Median Income. This is over three times as much affordable housing as would be produced by a matter of right development (assuming the matter of right development is not configured to produce only nine rowhouses and avoid an IZ requirement altogether).

501 I Street SW – IZ Chart

	<u>Existing Zoning (R-3)</u>	<u>Proposed Project (MU-4)</u>
<i>Base Building</i>	10% of residential gross floor area (3,456 SF) ²	75% of achievable bonus density (10,396 SF)
<i>Penthouse</i>	None	10% of habitable penthouse floor area (1,075 SF)
<i>Total</i>	3,456 SF at 60% MFI None at 50% MFI	10,396 SF at 60% MFI 987 SF at 50% MFI 11,383 SF total

The Applicant further commits that one of its affordable units will be a three-bedroom unit, which will provide an affordable larger unit within the Project. Finally, the Applicant also commits to offer an additional two units at 40% below market rate for the initial ten years of the Project. These units will be reserved for teachers or staff at nearby Amidon Bowen and Jefferson Academy public schools in order to help the schools attract and retain top talent.

3. Superior Urban Design and Architecture

Section 305.5(a) of Subtitle X lists urban design and architecture as categories of public benefits and project amenities for a PUD. As shown on the detailed plans, elevations, and renderings included in Exhibit J, the proposed Project exhibits many characteristics of exemplary urban design. Specific features include the use of well-designed sidewalks and interactive pedestrian spaces as well as massing that is shaped to flow within the existing density of the surrounding properties. The Project also features exceptional architectural design that modulates

² Based on an estimate of 12 three-story townhouses that each occupy the maximum 60% of a 1,600 square-foot lot.

the height and mass of the building through differing building height, materiality, and other design elements.

4. Site Planning and Efficient and Economical Land Utilization

Pursuant to Section 305.5(c) of Subtitle X of the Zoning Regulations, “site planning and efficient and economical land utilization” are public benefits and project amenities to be evaluated by the Zoning Commission. The site is currently vacant and fails to capitalize on its prominent location near the Waterfront Metrorail station. The site currently contains no active use, which discourages pedestrian activity. The proposed Project has been designed to provide residents, customers, employees, and visitors with open and inviting public and private spaces for arts, entertainment, and relaxation as detailed above. The Project transforms a vacant and underutilized site into an attractive 21st century mixed-use development.

5. Public Art

Section 305.5(d) of Subtitle X includes public art as a public benefit of a PUD. Here, the Project will include multiple components of public art such as transparent etched panels located within the streetscape planting beds, art panels incorporated into the ground-floor façade of the building along I Street, and murals located on public-facing areas of the Project, all as shown on the landscape plans included in the application. These features, all of which evoke the relationship of the Project to William Shakespeare, are focused on the I Street frontage of the Project and will help to enhance the character of I Street as an “arts” corridor.

6. Building Space for Special Uses

Under Section 305.5(j), building spaces for special uses, such as educational uses or promotion of the arts, are considered to be public benefits. Here, the Project will include rehearsal, production, and administrative space as well as housing for actors and fellows, all of

which directly serve the Shakespeare Theatre Company and its arts-focused mission. These spaces will also be used to further STC's educational initiatives, which are described in greater detail below.

7. Environmental and Sustainability Benefits

Section 305.5(k) of Subtitle X states that environmental benefits are considered to be public benefits and project amenities of a PUD. The Project will provide a number of environmental benefits that improve sustainability of the site and contribute to the sustainability of the neighborhood. These sustainability features include a commitment to achieve Gold certification as well as the incorporation of approximately 900 square feet of solar panels on the penthouse of the Project and the inclusion of a minimum of two electric vehicle charging stations in the garage.

8. Streetscape Plans

Section 305.5(l) of Subtitle X states that streetscape plans are considered to be public benefits and project amenities of a PUD. In order to capitalize on the pedestrian activity generated by the features of the Project, the Applicant has proposed streetscape improvements as a benefit and amenity of the Project. Combined with specific building features, these streetscape features will further enliven the public realm, and include ground-floor walk-out access and small-scale parterre gardens for the housing units along 6th Street as well as entry courtyard with special paving, plantings, and a water feature.

9. Uses of Special Value

Subtitle X, Section 303.5(q) lists uses of special value to the neighborhood or the District of Columbia as a whole as public benefits and project amenities of a PUD. The Applicant has formulated a significant potential public benefits package and will work with ANC 6D to further

develop the public benefits related to the Project. Proposed benefits are detailed in Exhibit A and include educational, theatre, and community-wide benefits such as: free performances aimed at young audiences and development of long-term curriculum for Amidon-Bowen and Jefferson Academy Schools; free performance tickets and scholarships and tuition discounts to Camp Shakespeare and Adult Master Acting classes; support for community arts programming; and public access to use assembly spaces/conference rooms within the Project for community meetings. The Applicant will continue to engage with ANC 6D and other important stakeholders regarding these benefits.

10. Comprehensive Plan

According to Section 305.5(r) of Subtitle X, public benefits and project amenities include “other ways in which the proposed planned development substantially advances the major themes and other policies and objectives of any of the elements of the Comprehensive Plan.” As described in greater detail in Section V, the Project is consistent with and furthers many goals and policies of the Comprehensive Plan and the related Southwest Small Area Plan.

B. Public Benefits of the Project

Section 305.3 of Subtitle X requires the Applicant to demonstrate how the public benefits offered are superior in quantity and quality to typical developments of the type proposed. This application achieves the requirement of this provision by offering:

- Housing in excess of what would be provided as a matter of right in the existing R-3 zone,
- Three-bedroom housing units, which are not required and are typically not provided in multifamily residential development,
- Affordable housing in excess of what would be provided as a matter of right in the existing R-3 zone,
- Affordable housing units for teachers/staff at local public schools.

- Superior urban design and architecture and exemplary site planning,
- Public art and building space for the Shakespeare Theatre Company that support its arts- and education-focused work and strengthen the I Street arts corridor,
- Sustainable development features including a commitment to LEED Gold certification and integration of solar panels, both of which exceed current code requirements, as well as two electric vehicle charging stations,
- Streetscape improvements, and
- Uses of special value that include educational, arts, and other community-focused benefits.

The above benefits all exceed what would be provided in typical matter-of-right development and otherwise represent significant commitments of significant value. For the reasons set forth above, the Project contains numerous public benefits and project amenities that are superior to typical developments.

V. COMPLIANCE WITH THE COMPREHENSIVE PLAN

The proposed PUD is consistent with and fosters numerous goals and policies of the Comprehensive Plan.

The purposes of the District elements of the Comprehensive Plan for the National Capital are to: (1) Define the requirements and aspirations of District residents, and accordingly influence social, economic and physical development; (2) Guide executive and legislative decisions on matters affecting the District and its citizens; (3) Promote economic growth and jobs for District residents; (4) Guide private and public development in order to achieve District and community goals; (5) Maintain and enhance the natural and architectural assets of the District; and (6) Assist in the conservation, stabilization, and improvement of each neighborhood and community in the District.

D.C. Code § 1-306.01(b) (2006). The proposed Project significantly advances these purposes by furthering the social, physical, and economic development of the District through the development of a mixed-use residential and arts-focused complex on the Property that activates the public realm in close proximity to a Metrorail station.

A. *Citywide Elements*

1. Framework Elements and Maps

The Framework Element provides guidelines for using the Future Land Use Map. This Element states that the Future Land Use Map should be interpreted “broadly” and notes that the zoning for an area should be guided by the Future Land Use Map interpreted in conjunction with the text of the entire Comprehensive Plan as well as approved Small Area Plans. The Framework Element also clearly provides that density and height gained through the PUD process are bonuses that may exceed the typical ranges cited for each category. Comprehensive Plan § 226(c).

The Property is designated for Institutional Use on the Future Land Use Map, which is reflective of the Property’s previous ownership and use. The Comprehensive Plan states that when the use of an Institutional land use site is changed, the new uses should be comparable in density or intensity to surrounding uses. Many of the immediate neighboring properties are within the Moderate Density Residential designation. At the same time, the Southwest Small Area Plan specifically calls for the development of the Property with a cultural or institutional use that can strengthen and enhance the Southwest I Street arts corridor.³ The proposed MU-4 Zone District is a zone that permits “moderate-density mixed-use development” (11-G DCMR § 400.3(a)) and is therefore consistent with the twin goals of comparable overall density to surrounding uses yet also accommodating the cultural use called for in the Small Area Plan.

³ The Southwest Small Area Plan does not make a specific land use recommendation for the Property. However, no such land use recommendation is a prerequisite for rezoning of the Property. The Commission has previously approved the rezoning of land in the Institutional land use category based on the consistency of the proposed zoning with surrounding uses and other goals of the Plan. See, e.g. Z.C. Order No. 06-27 (approving the rezoning of the former GW Hospital site to the C-3-C Zone District).

Accordingly, the proposed rezoning of the Property to the MU-4 Zone District is consistent with the Future Land Use Map, as informed by the Framework Element of the Plan and the Southwest Small Area Plan.⁴

On the Generalized Policy Map, the bulk of the Property is designated as Institutional, again in recognition of its previous ownership and use. For such Institutional use areas, the Plan notes “change and infill can be expected” in these areas. §223.22. The panhandle portion of the Property is shown as in the Neighborhood Conservation Area. The Neighborhood Conservation Areas notes that “change . . . will consist primarily of scattered site infill.” § 223.4. The Project is not inconsistent with these designations, as it provides an infill redevelopment of an institutional site that respects and transitions from the scale of the adjacent residential neighborhood to more high-density commercial developments at the Wharf and Waterfront Station.

2. Land Use Element

The proposed Project advances several policies of the Land Use Element. First, the Land Use Element encourages development of Metro stations as “anchors,” § 306.10 (LU-1.3.1 Station Areas as Neighborhood Centers), as the best opportunities for infill development, § 306.11 (LU-1.3.2 Development around Metrorail Stations), and as pedestrian-oriented nodes, § 312.9 (LU-2.4.5 Encouraging Nodal Development). Here, the Project’s proximity to the Waterfront Metrorail station and the Project’s focus on creating a pedestrian-friendly, inviting

⁴ The Project generally represents a Mixed Use Moderate Density Residential / Low Density Commercial land use for the Property, which is consistent with surrounding uses and the guidance in the Small Area Plan. Note that other nearby redevelopment sites along the south side of I Street were changed in the Small Area Plan to Mixed Use Medium Density Residential / Low Density Commercial land use; here, the lower Moderate Density use for the Property is reflective of its location on the north side of I Street closer to the residential neighborhood.

environment, furthers the Land Use Element’s focus on transit-oriented development. The Project also represents the sort of pedestrian-oriented infill development promoted by the Land Use Element.

Second, the residential use at the Project meets the goals of “maintain[ing] a variety of residential” unit types by providing multiple sizes of residential units as part of the Project, ranging from studio to three-bedroom units, as well as the mix of residential unit types and sizes associated with the STC actor housing component. § 309.5 (LU-2.1.1 Variety of Neighborhood Types).

Third and finally, the Land Use Element encourages creative parking management to respond to the level of demand and mitigate congestion. §§ 306.15, 309.16, and 312.12 (LU-1.3.6 Parking near Metro Stations, LU-2.1.11 Residential Parking Requirements, and LU-2.4.8 Addressing Commercial Parking Impacts). The Element focuses developments on placing “a priority on attractive, pedestrian-friendly design and a de-emphasis on auto-oriented uses and surface parking.” §306.4 (LU-1.3 Transit-Oriented and Corridor Development). Here, the Project meets the objectives of the Land Use Element by offering an appropriate amount of below-grade parking for residents, visitors, and employees of the Project.

3. Other Elements

This PUD application is also consistent with policies in the Transportation, Housing, Economic Development, and Arts and Culture Elements of the Comprehensive Plan. The Transportation Element encourages pedestrian-oriented development around transit stations, § 403.1 (T-1.1.4 Transit-Oriented Development) and discourages auto-oriented uses such as “drive-through” business, and large surface parking lots, § 404.8 (T-1.2.3 Discouraging Auto-Oriented Uses). The Project is a model transit-oriented development and adds none of the auto-

oriented features the Comprehensive Plan seeks to discourage. As discussed, the Project is located in close proximity to the Waterfront Metrorail station and multiple bus lines on M Street SW. Therefore, the site encourages residents, visitors, and employees to take public transit based on the convenient location and opportunity to do so. Further, the Project will provide below-grade parking at the Property, but will not employ any auto-oriented uses such as large surface parking lots. This enables the Project to account for traffic generated by the Project, while still encouraging pedestrian access to the site, thus furthering the Transportation Element's policies.

The mixed-use development in the Project promotes both the Housing Element and the Economic Development Element. By having multiple kinds of residential units, the Project "provide[s] new housing to meet the needs of present and future District residents at locations consistent with District land use policies and objectives." § 503.2 (H-1.1.1 Private Sector Support). The specific location of the Project along I Street SW in close proximity to the Waterfront Metrorail station fulfills the Housing Element's goal of "promot[ing] mixed use development, including housing . . . particularly in neighborhood commercial centers, along Main Street mixed use corridors, and around appropriate Metrorail stations." § 503.5 (H-1.1.4 Mixed Use Development). The theater use at the Project "develop[s] an increasingly robust tourism and convention industry, which is underpinned by a broad base of arts [and] entertainment" uses. §709.5 (ED-2.3.1 Growing the Hospitality Industry). This mixed-use development will "promote the vitality and diversity of Washington's neighborhood commercial areas." § 713.5 (ED-3.1.1 Neighborhood Commercial Vitality).

Finally, the Project also supports the Arts and Culture Element of the Comprehensive Plan. The overarching goal of the Arts and Culture Element is to support and encourage arts and cultural venues, programs, and learning experiences in the District that inspire a vibrant cultural

life. The Arts Element specifically acknowledges the importance of providing not only performance venues but also locations for production and rehearsal space. The Project “assists in the improvement of arts organizations’ facilities to enhance the quality and quantity of arts offerings,” §1403.2 (AC-1.1.1 Enhancement of Existing Facilities), while also “develop[ing] new neighborhood cultural facilities across the District.” §1403.3 (AC-1.1.2 Development of New Cultural Facilities). The Element also specifically encourages the development of Arts Districts where arts and culture uses are clustered, §1404.7 (AC-1.2.2 Designate Arts Districts); as discussed in greater detail below, the Southwest Neighborhood Small Area Plan identifies I Street SW as one such potential arts district. The Project also provides housing opportunities for the creative workforce, as encouraged by the Arts and Culture Element. *See* §§1409.1-1409.3 (AC-3.1 Housing for the Creative Workforce). Finally, the Project exemplifies a private sector partnership that “encourage[s] monetary and non-monetary support for the arts. §1413.4 (AC-4.2.1 Private Sector Partnerships).

B. Compliance with the Area Element and Small Area Plan

The Property is within the Lower Anacostia Waterfront/Near Southwest Area Element. This Element encourages the exact kind of mixed-use development contemplated by the Project near the Waterfront Metrorail station, including space for “private sector activities” focused along key corridors and “near the Waterfront/SEU and Navy Yard metrorail stations.” §1908.4 (AW-1.1.3 Waterfront Area Commercial Development). The Project also provides the quintessential “mixed use development” including residential and “cultural uses” with “improved open space and parking” in the Southwest Waterfront area. §1911.7 (AW-2.1.1 Mixed Use Development). Therefore, the Project is consistent with the Area Element’s focus on increased mixed use development near the Metrorail station.

The Project is also consistent with the Southwest Neighborhood Small Area Plan (the “SAP”). The SAP calls for the establishment of a cultural hub in Southwest, focusing along I Street for a “cultural corridor” for the Southwest neighborhood. SAP, pg. 95. The Property is located on I Street and the Small Area Plan specifically endorses a preference to include a cultural use within the redevelopment of the Property as a bookend for the I Street cultural corridor. SAP, pg. 97. The Project supports these goals by providing for those specific cultural uses at the Property.

The Project is also consistent with the Design Guidelines set forth on pages 81-83 of the SAP, which meets Goal MG.7:

Principle 1: Encourage a mix of building heights. The height of the Project has been specifically selected to complement the height of the nearby three- and four-story rowhouses and apartments, and the Project’s height is distinct from the higher-density apartments and commercial buildings across I Street to the south.

Principle 2: Achieve design excellence for high quality and timeless development. The Project provides exemplary design, which is evaluated as part of the PUD process. As shown on the Plans attached as Exhibit J, the Project utilizes high-quality materials and architectural design features that create a signature building yet knit the building into the surrounding context.

Principle 3: Promote variation in building frontages along streets with continuous massing. The Project’s massing is broken up along 6th Street with a central courtyard, and the Project uses façade articulation and pedestrian-scaled streetscape design elements to further enhance variation along both its 6th Street and I Street frontage.

Principle 4: Enhance green space through landscaped perimeters and internal green or amenity spaces. The Project incorporates streetscape improvements with significant landscaping

along the building perimeter and a central landscape courtyard. Above the ground level, the Project includes a green roof as well as rooftop amenity space.

Principle 5: Incorporate sustainable building and site design. The Project has been designed with sustainable features as a focus, including a commitment to Gold certification for the Project and the incorporation of solar panels on top of the penthouse.

Principle 6: Ensure parking is not a detractor. The Project incorporates underground parking that is located at the rear of the building and away from public view, so there is no visual detractor from the parking at the Property.

Principle 7: Maximize transparency and viability of ground floor uses along key commercial corridors. The Project has been designed to locate the STC space primarily along its I Street frontage, which is the appropriate location to transition to the commercial “town center” at Waterfront Station. This is balanced with a focus on a more residential scale and ground-floor design along the Project’s 6th Street frontage.

Principle 8: Encourage connectivity for pedestrians, bicycles, and vehicular access, including transit where feasible. The Project has been designed to locate both the residential lobby and an STC entrance along I Street, oriented toward the Southwest Metrorail station, which furthers connectivity to the overall street network and in particular to transit.

As a result, the Project represents the desired goals for development as shown on page 84 of the SAP and meets the intent of Goal MG.7: it provides a variety of architectural character that provides for views through and around the main building and annex, with a mix of housing types and open spaces to break up the building mass. The Project also furthers other goals of the SAP such as larger affordable units (Goal MC.6), additional tree planting opportunities (Goal

GO.8), maximized open spaces and sustainable practices (GO.13), and electric vehicle-charging stations (GO.14).

VI. CONCLUSION

For the foregoing reasons, the Applicant submits that the enclosed applications meet the standards of Chapter 3 of Subtitle X and Chapter 3 of Subtitle Z of the Zoning Regulations; are consistent with the purposes and intent of the Zoning Regulations and Map; will enhance the health, welfare, safety, and convenience of the citizens of the District of Columbia; satisfy the requirements for approval of the included applications; provide significant public benefits; and advance important goals and policies of the District of Columbia. Therefore, the PUD application and the related Zoning Map Amendment should be approved and adopted by the Zoning Commission.

Accordingly, the Applicant respectfully requests that the Zoning Commission set the PUD applications down for a public hearing at the earliest possible date.

Respectfully submitted,

GOULSTON & STORRS, PC

_____/s/_____

David Avitabile

_____/s/_____

Meghan Hottel-Cox

_____/s/_____

Lawrence Ferris

Date: November 8, 2017