

2007 MAY 25 PM 4:20



Office of the Director

MEMORANDUM

TO: District of Columbia Zoning Commission
FROM: *XLS for*
Harriet Gregoning, Director
DATE: May 25, 2007
SUBJECT: **Public Hearing Report for ZC 02-38A**
Waterfront (Waterside Mall Redevelopment)
Zoning Map Amendment, First Stage PUD Modification and Second Stage PUD

I. SUMMARY RECOMMENDATION

The Office of Planning recommends approval of the application subject to:

- Additional pedestrian safety measures at the intersection of the public plazas and 4th Street
- Additional information regarding the percentage of affordable units available to households earning less than 80% of the Area Median Income
- Commitment to an even distribution of affordable units between the east and west towers and the northeast building
- Any change from a grocery use requires Zoning Commission approval as a PUD modification

II. APPLICATION-IN-BRIEF

Location: Square 542, Lot 89
Ward 6, ANC 6D

Applicants: Waterfront Associates and RLARC

Current Zoning: C-3-B, C-3-C

Property Size: 13.42 acres (584,655 square feet))

Proposed Development: Redevelop the Waterside Mall site with a total of eight new or reskinned buildings housing a mix of uses including residential, office and ground floor retail.

ZONING COMMISSION
District of Columbia
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CASE NO. 02-38A
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EXHIBIT NO. 33
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Relief and Zoning: Pursuant to 11 DCMR Chapter 24, the applicant is seeking:

1. A PUD-related map amendment from C-3-B to C-3-C
2. Flexibility to provide either office or residential use in the northwest building
3. Special exception from rooftop structure requirements (§770)
4. Flexibility to adjust design of 4th Street as approved by DDOT
5. Flexibility to provide additional retail floor area in lieu of office
6. Flexibility to provide 13 stories in lieu of 12 within the stated height
7. Flexibility to provide additional parking spaces

In this case, §2517, which would normally prevent multiple principal buildings on this lot, is superseded by §2521.1(h), which allows all structures on the Waterside Mall property to be considered one building.

III. Executive Summary

The following summarizes the three segments of this application. Following the summary is an abridgment of the Office of Planning's analysis.

Zoning Map Amendment

In 2003, the Zoning Commission approved a first stage PUD and related map amendment for the site. That remapping changed the zoning from C-3-B on the entire property to C-3-B and C-3-C, with the more intense zoning only at the corners of the subject site. The applicant is now seeking to rezone the entire site to C-3-C in order to allow taller building heights with additional stories in the center of the site.

First Stage PUD Modification

The applicant is seeking to modify the approved first stage PUD in three ways.

1. *Change the overall use program from seven office buildings and one residential building to four office buildings and four residential buildings* – This represents a decrease in the commercial FAR from 3.64 to 2.22 and an increase in the residential FAR from 0.69 to 2.11. The overall FAR will remain constant at 4.33, although the usable square footage increases because the parking is moved underground. A minimum of 110,000 square feet of retail will be provided. As described later in this report, the applicant is requesting flexibility to potentially convert one residential building to office use.
2. *Reconfigure buildings and redistribute floor area* – The applicant is seeking to break up the continuous mass of the buildings along 4th Street and create more public open space near the Metro entrance. Public open space will increase from 25,000 square feet in the original PUD to approximately 50,000 square feet in modified PUD (see sheet 2.4 of the stage one plans). As opposed to the approved

PUD, all parking in the modified PUD will be underground. Because of the change in use program, the proposed minimum number of spaces decreases from 1,335 to 1,087.

3. *Increase building heights* – The applicant proposes to increase the height of the east and west 4th Street buildings from 79 feet to 94 feet. The number of floors will go from six to eight and the retail height on the ground floor will increase from 12 to 14 feet. The height of the four corner buildings is also proposed to increase from 112 feet to 114.

Second Stage PUD

The applicant is seeking approval for the specific design of the four central buildings in the development and the associated private and public open spaces. Two of the buildings are the existing office towers that will be reskinned and converted to residential buildings. The other two buildings are new office and retail structures along 4th Street, referred to as the east and west 4th Street buildings. Major features of the second stage PUD proposal include a potential 55,000 square foot grocery store, landscaped public plazas near the metro entrance and east and west of 4th Street, private courtyards for the residential buildings and building façades of terra cotta, glass and metal panels.

Summary of Office of Planning Recommendation and Analysis

The Office of Planning recommends approval of the application subject to the provision of additional information or resolution of issues as detailed in this report. The proposal is consistent with the land use maps of the Comprehensive Plan and with numerous policies in the Plan, including one specifically calling for the redevelopment of Waterside Mall and the reopening of 4th Street. The proposal is also consistent with basic principals of the Comprehensive Plan such as redevelopment of underutilized sites, increased density near Metro stations, provision of affordable housing and environmental protection. OP has no objection to the requested zoning relief and design flexibility.

IV. SITE AND AREA DESCRIPTION AND HISTORY

The subject property is located north of and adjacent to M Street, S.W., south of Eye Street, S.W. and between 3rd and 6th Streets. Please refer to the Vicinity Map and Aerial Photo in Attachments 2 and 3. The site was formerly two lots – Square 499, Lot 60 and Square 542, Lot 88 – but they were combined into Lot 89 in Square 542. The property is essentially flat but slopes slightly from south down to north and from west down to east. The mostly vacant Waterside Mall, two office buildings and parking currently occupy the site. The mall varies from one to four stories tall and has both underground and surface parking totaling over 1,250 parking spaces. The total FAR on the site is 2.14. An existing conditions plan is shown on Sheets 6.0 and 6.1 of the applicant's stage one modification packet. The only three operating retail users left in the mall are a Safeway grocery, a Bank of America and a CVS Pharmacy. The entrance to the Waterfront/SEU Metro Station is on the property, near M Street in what was once

the 4th Street right-of-way. The Town Center apartments are located between the subject site and 3rd Street, and the Marina View apartments are located between the subject site and 6th Street. Two churches are located between the subject site and Eye Street. 4th Street approaches the property from the south but terminates at M Street, beginning again north of Eye Street.

To the south of M Street, which has a 120 foot right-of-way in this location, a number of rowhouses face internal courtyards that are framed by apartment towers. The towers generally reach 90 feet in height. The Town Center and Marina View apartments, to the east and west of the mall, respectively, reflect each other in layout and both reach nine stories and 90 feet in height. The Zoning Commission held a public hearing on February 15, 2007 on a proposed expansion of the Marina View development from two to four buildings (ZC #05-38), and on May 14 took final action to approve the project. The two new buildings in Marina View have a planned height of 112 feet. In addition to the two churches, three small parks under federal ownership are located to the north, northeast and northwest of the subject site. A branch of the DC Public Library is also located northeast of the property. The zoning in the area follows the building types; The apartment towers are zoned R-5-D and the rowhouses, churches and library are zoned R-3. A map showing the zoning and existing and proposed building layouts for the neighborhood can be found on Sheet 1.3 of the applicant's stage one modification packet.

Southwest was significantly redeveloped pursuant to an urban renewal plan in the 1960s. The current site of the mall was envisioned as the economic and social heart of the redeveloped neighborhood and a number of plans were proposed showing it as such. Most of the early plans included open-air pedestrian connections along the old 4th Street alignment, but these plans were never implemented. Instead, the mall was developed in stages over a few decades and in a traditional indoor shopping mall format. The associated office buildings were occupied primarily by the Environmental Protection Agency until 2002. After the urban renewal plan expired in 1996, the Zoning Commission adopted Final Order No. 807 that established C-3-B zoning on the subject property. This zoning remained intact until the Commission approved application #02-38, a first stage PUD that included a related map amendment to zone the four proposed corner buildings C-3-C. The subject site is currently owned by the Redevelopment Land Agency Revitalization Corporation (RLARC), a subsidiary of the National Capital Revitalization Corporation (NCRC), and Waterfront Associates is the lessee. Under an agreement between those two parties, Waterfront Associates will become the owner of most of the site and RLARC will own and develop the northeast building.

V. PROJECT DESCRIPTION AND OP ANALYSIS

First Stage PUD Modification and Related Zoning Map Amendment

The applicant is proposing to construct or redevelop eight buildings housing a mix of uses and the new development will reconnect 4th Street through the subject site. In the approved first stage PUD, the applicant planned to reuse sections of the mall building and mall parking. In the proposed PUD, the mall building will be completely demolished and new underground parking structures and new buildings constructed instead. The only buildings proposed to remain on the site are the 130 foot tall towers at the east and west side of the property.

The uses are also changing from the approved PUD. The original application called for one residential building – at the northwest corner of the subject site – and seven office buildings. In the modified PUD, the applicant's proposal calls for four residential buildings and four office buildings. The residential buildings include the east and west towers, which to date have been used as office buildings, and the northeast and northwest buildings. The office buildings will be the east and west 4th Street buildings and the two M Street buildings. The applicant is asking for flexibility to allow conversion of the northwest building to office use. The project will include a minimum of 110,000 square feet of retail space facing onto 4th Street and M Street.

Building heights are changed from the original PUD. The four corner buildings have marginally increased in height from 112 feet to 114 feet. This will allow higher retail ceilings in the ground floor. The east and west 4th Street buildings have increased in height by 15 feet and two stories. This change brings more FAR to the middle of the site but requires a zoning change. The proposed 94 foot height is achievable under the PUD regulations for the C-3-C district, so the applicant has requested a change in the zoning on the site from C-3-B and C-3-C to C-3-C in its entirety. The FAR remains unchanged from the original PUD at 4.33 or 2,526,500 square feet. This is below the matter of right density allowed in the C-3-B zone. Although the FAR remains the same in the modified PUD, the amount of usable floor area is increased because parking will now be placed entirely underground.

The face of the M Street buildings will be set back three feet from the southern property line. This is to match the Marina View property to the west, where the base of the building along M Street is also set back three feet. The distance from the curb to the property line in this location is just under 16 feet. The Commission took final action on Marina View (ZC #05-38) on May 14. As noted above, the project will re-open 4th Street through the site. The 90 foot wide corridor will bend to the west in order to avoid the existing Metro escalators. The applicant has stated that the road will be accessible to the public through a permanent easement, but will remain part of one record lot with the rest of the property.

Access

The primary pedestrian access point for the development will be the reopened 4th Street and the east-west transeptal plazas. At the time of setdown, pedestrian access was shown between 4th Street and the western private courtyard, north of the west 4th Street building. In the revised application it is not clear if that access is maintained.

Vehicular entrances to garages will be distributed around the development. Please refer to Sheet 2.3 of the first stage PUD plans. The residential garage for the west tower and northwest building will be accessed from the alley at the west side of the project while the east tower's garage will be accessed from the east plaza. The northeast building's garage will be accessed from the private drive at the north side of the development. The garage for the east 4th Street building will be accessed from 4th Street on the north side of the building. In response to Zoning Commission concerns, the garage entrance for the west 4th Street building has been moved from the west plaza to 4th Street opposite the other office garage entrance. The application provides the required number of loading docks and all loading will be from the private alleys on the east

and west side of the site. The applicant stated that they have reached an agreement with the developer of Marina View on joint use of that alley since it rests on both their properties.

The Office of Planning asked the applicant if the garage entrances for the M Street office buildings could be moved from that street to an alternate location. The applicant responded that there is not enough room for entrances on the side of the office buildings because of the loading docks. The applicant is also hesitant to put more vehicular traffic on the mixed mode plazas north of the M Street office buildings. The Office of Planning is willing to consider that M Street is the best location for garage entrances in this unique circumstance, but OP feels that this issue can be resolved, with input from other District agencies, when a second stage PUD is submitted for those buildings.

Phasing

The applicant proposes three phases of construction. Please refer to Sheet 5.0 of the stage one plans. The proposed phase one of development includes the four buildings contained in the present stage two submission, with the option to include the existing Safeway structure if the store cannot be relocated into the new buildings. If an agreement cannot be reached between the applicant and the grocer on a new lease, the existing Safeway building could continue to operate until their lease expires. In this case circulation patterns are adjusted but the four buildings would still be constructed at their proposed locations.

Phase two includes the northeast and northwest buildings and the west M Street building. The applicant's proposed phase three, which completes the project, is construction of the east M Street building. This building is last because it occupies the same location as the Safeway.

The applicant has asked that any approval of the First and Second Stage PUDs currently submitted be valid for a period of three years. They further propose that prior to five years after approval of this application they must submit another Second Stage PUD for another segment of the project. It is not clear whether that next submission would be for all three buildings shown in phase two. It is also unclear whether NCRC, who will develop the northeast building, will submit separately or in conjunction with the other applicants. The applicant further proposes that all structures within the project must receive second stage approval prior to December 31, 2020, the date that Safeway's lease expires.

Grocery Store

Retaining a full-service grocery store on-site is the primary issue voiced by community members. In the original PUD the applicant committed to provide a grocery store as long as no other grocery store located in the neighborhood, with "neighborhood" defined as the area south of Interstate 395 in southwest and near southeast. Since setdown, the Office of Planning has continued discussions with the applicant and the neighborhood in an effort to achieve a greater degree of certainty that a grocery store would be located on the site. The result is the following: The applicant will continue negotiations for a lease with Safeway to relocate into the new building north of their present location. If the negotiations are unsuccessful, the applicant will honor the existing lease until its expiration in 2020, and they will reserve the new grocery location and attempt to lease that space to another grocer. The applicant's commitment can be

found on pages 7 – 9 of their May 18th submission. OP feels that significant progress has been made on this issue from the previous approval. It remains unclear, however, how long the applicant will attempt to lease the space to a grocery store before looking for another type of tenant, or deciding not to put retail in that location at all and using it as open space or for some other use. The Waterside Mall site has long been planned as the neighborhood core for Southwest, and OP feels that it is the most appropriate location for a full-service grocery store for the community.

Office of Planning Analysis

Overall, OP does not object to the form, massing or use mix proposed in the first stage PUD modification and the related map amendment. The rezoning allows taller building heights at the center of the site and increased public open spaces. The revised design keeps the approved FAR but creates more usable floor area by moving parking underground. The greater balance of residential and office uses in the modified PUD is also an improvement over the original PUD. General pedestrian and vehicular access to the project is acceptable, though comments from DDOT are still outstanding. OP recommends that any change from the grocery store use require Zoning Commission approval as a modification.

Second Stage PUD

The partial second stage PUD includes the four “middle” buildings in the development: the two remaining 130 foot towers, retrofitted for residential use, and two new 94 foot office buildings. The Second Stage PUD also includes the reopened 4th Street, the Metro plaza, public plazas extending east and west from 4th Street and private courtyards adjacent to the towers. Approximate square feet of the proposed uses in the second stage PUD are shown in the table below:

Use	Square Feet
Commercial	564,900
(includes retail)	(21,000 min.)
Residential	438,000
Grocery	55,000
Private Open Space	49,000
Public Open Space	50,000

Because of the location of the Metro escalator, the new 4th Street alignment must bend to the west. This in turn displaces the west 4th Street office building. The east 4th Street building responds with its main wall following the original right-of-way while a six story bay follows the new angle of the street. The penthouses of both buildings are elliptical in shape. Primary entrances for the offices will be at the middle of the block. Materials for the buildings include metal panels, terra cotta and glass. The applicant has stated that these two buildings will achieve a LEED Silver designation. The two residential towers will be reskinned with glass and metal panels reflecting interior partitions. The massing of the towers will remain largely unchanged, with the exception of a new rooftop structure. The principal entrance for each building will be at its southern end.

The bend of 4th Street provides an opportunity to create a large public plaza on the east side of the Metro escalator. For this space and the east-west mixed mode plazas, the applicant proposes an array of landscaping, benches and lighting, and a hardscape of pavers or concrete with varied colors. The applicant's second stage plans contain a full set of elevations, renderings and precedent photos for both the buildings and plaza areas.

Retail uses will line the 4th Street façades of the buildings. The potential grocery store site is located partially underneath the east 4th Street building and would have its entrance near 4th Street facing into the public plaza. The bulk of the store would be underneath the private landscaped terrace serving the east residential tower.

Pedestrian movement will be accommodated through features built into the streetscape. Bulbouts will be used at intersections and between the entrances of the east and west 4th Street buildings. That location will also feature a raised crosswalk. Street trees will shade the sidewalk. OP suggested that the applicant include a crosswalk, bulbouts and perhaps pavement treatments where the plazas intersect 4th Street, as this will likely be the busiest pedestrian area in the development. The applicant has indicated that a crosswalk will be placed in that location, but it does not appear that significant pedestrian safety measures are being contemplated. OP recommends that further safety treatments be included in the design. The applicant has requested flexibility to make adjustments to the design of 4th Street as approved by DDOT. OP does not object to the requested flexibility as long as crosswalk, bulbouts, pavement treatments or similar measures are used to ensure pedestrian safety.

Automobile circulation will primarily use 4th Street. Cars can enter either of the two office garages directly from 4th Street or turn into the side plazas to access other garages or the front entrances of the residential towers. The plazas will accommodate different travel modes and different pavement colors will distinguish the areas meant primarily for pedestrian or auto traffic. On the eastern side, where greater pedestrian movement is anticipated, lit bollards separate the drive aisle from pedestrian areas.

OP is generally supportive of the architecture and design of the proposal. With benches, landscaping, innovative hardscapes and retail surrounding them, the public spaces have the chance to be very active focal points for not just this development but also the larger community. The architecture of the buildings is appropriate and attractive.

VI. COMPREHENSIVE PLAN

The proposal would further the following Guiding Principles of the Comprehensive Plan, as outlined and detailed in Chapter 2, the Framework Element:

- (1) Change in the District of Columbia is both inevitable and desirable. The key is to manage change in ways that protect the positive aspects of life in the city and reduce negatives such as poverty, crime, and homelessness. 217.1

- (4) The District needs both residential and non-residential growth to survive. Non-residential growth benefits residents by creating jobs and opportunities for less affluent households to increase their income. 217.4
- (6) Redevelopment and infill opportunities along corridors and near transit stations will be an important component of reinvigorating and enhancing our neighborhoods. Development on such sites must not compromise the integrity of stable neighborhoods and must be designed to respect the broader community context. Adequate infrastructure capacity should be ensured as growth occurs. 217.6
- (7) Growth in the District benefits not only District residents, but the region as well. By accommodating a larger number of jobs and residents, we can create the critical mass needed to support new services, sustain public transit, and improve regional environmental quality. 217.7
- (9) Many neighborhoods include commercial and institutional uses that contribute to their character. Neighborhood businesses, retail districts, schools, park and recreational facilities, houses of worship and other public facilities all make our communities more livable. These uses provide strong centers that reinforce neighborhood identity and provide destinations and services for residents. They too must be protected and stabilized. 218.2
- (10) The recent housing boom has triggered a crisis of affordability in the city, creating a hardship for many District residents and changing the character of neighborhoods. The preservation of existing affordable housing and the production of new affordable housing both are essential to avoid a deepening of racial and economic divides in the city. Affordable renter- and owner-occupied housing production and preservation is central to the idea of growing more inclusively. 218.3
- (26) Transportation facilities, including streets, bridges, transit, sidewalks, and paths, provide access to land and they provide mobility for residents and others. Investments in the transportation network must be balanced to serve local access needs for pedestrians, bicyclists, transit users, autos and delivery trucks as well as the needs of residents and others to move around and through the city. 220.2
- (30) Residents are connected by places of “common ground,” such as Union Station and Eastern Market. Such public gathering places should be protected, and should be created in all parts of the city as development and change occurs. 220.6
- (34) As the nation’s capital, the District should be a role model for environmental sustainability. Building construction and renovation should minimize the use of non-renewable resources, promote energy and water conservation, and reduce harmful effects on the natural environment. 221.3

The Comprehensive Plan also includes a number of specific policies of relevance to the application, including ones related to Land Use, Transportation, Housing, Environmental Protection and Economic Development. The proposal to develop this site also addresses the specific policy in the Lower Anacostia Waterfront / Near Southwest Area Element that calls for the redevelopment of the Waterside Mall site. The specific policies from the Comprehensive Plan can be found in Attachment 1. The proposed application is consistent with the guiding principles and policies of the Comprehensive Plan.

VII. COMPREHENSIVE PLAN LAND USE MAPS

The Generalized Policy Map designates Waterside Mall as a Land Use Change Area and an Enhanced / New Multi-Neighborhood Center. Land Use Change Areas are those areas anticipated to undergo redevelopment to a land use different from what exists today. Many of these areas should become mixed use communities. Multi-Neighborhood Centers are typically located at major intersections and along key transit routes. "These centers might include supermarkets, general merchandise stores, drug stores, restaurants, specialty shops, apparel stores, and a variety of service-oriented businesses" (Comprehensive Plan, §223.17). These centers usually have a small amount of office associated with them. The retail component of the proposed development is not inconsistent with those policies. While the amount of office proposed is greater than prescribed for a typical multi-neighborhood center, the location of this site near a Metro station and within close proximity to the central city makes the amount of office space appropriate.

The Future Land Use Map recommends the subject site for High Density Commercial and High Density Residential development. High Density Commercial "is used to define the central employment district of the city and other major office employment centers on the downtown perimeter" (§224.14). Buildings are often greater than eight stories tall and C-3-C is listed as one of the compatible zone districts. High Density Residential is also characterized by buildings of eight stories or more. The planned development is consistent with these designations and the Office of Planning supports a mix of uses on the site at the scale proposed by the applicant.

VIII. ZONING

Existing and Proposed Zoning

The subject site is currently zoned C-3-B and C-3-C, pursuant to Zoning Commission order #02-38. C-3 districts are "designed to accommodate major business and employment centers supplementary to the Central Business (C-4) District" and "provide substantial amounts of employment, housing and mixed uses" (§§740.1 and 740.2). C-3-B and C-3-C permit medium density and medium-high density development, respectively (§§740.6 and 740.8).

To allow additional height, the applicant proposes a PUD-related map amendment so that the entire site will be C-3-C. The change in zoning is not required because of a change in density for the project; The overall FAR for the project remains unchanged between the original PUD and the proposed PUD modification. The table below contains a comparison of the heights and

densities allowed in both districts and under both matter-of-right and planned unit development scenarios, as well as the applicant's proposed project parameters. The proposed map amendment is appropriate because it will allow greater public open spaces through the reallocation of FAR, and because it is not inconsistent with the land use designation of the Comprehensive Plan.

Zoning Regulations for Waterside Mall

A few unique zoning regulations apply to the subject site. Section 2521.1(e) states that a building conforming to the urban renewal plans for the area shall be considered a conforming structure under Zoning. Also, §2521.1(h) states that if part of the "Waterside Mall property" is demolished to "create a public right-of-way" for the reconstruction of 4th Street, the remaining parts of the building, although not connected above grade, shall be considered a single building.

The application states that these provisions allow all structures on the site to draw height, for the purposes of the Height Act, from M Street, which has a 120 foot right-of-way. The application also shows a single measuring point for the entire project at the midpoint of the subject property's M Street frontage.

The application also states that because of the referenced sections, the existing side and rear yards are not nonconforming. The Office of Planning agrees that the regulations allow this interpretation. It is also OP's position that any new construction must meet side and rear yard requirements. The applicant has stated that all new construction will meet the required yard setbacks.

Zoning Relief

The applicant is asking for the zoning changes and relief listed below. A summary of each item and analysis by the Office of Planning follows. OP notes that at the time of setdown, the applicant also sought flexibility to provide lot occupancy within a range of values. The applicant has since revised their application and states that the lot occupancy will be 63%, well below the 100% limit of the C-3-C district.

1. A PUD-related map amendment from C-3-B to C-3-C
2. Flexibility to provide either office or residential use in the northwest building
3. Special exception from rooftop structure requirements (§770)
4. Flexibility to adjust design of 4th Street as approved by DDOT
5. Flexibility to provide additional retail floor area in lieu of office
6. Flexibility to provide 13 stories in lieu of 12 within the stated height
7. Flexibility to provide additional parking spaces

1. Zoning Map Amendment

In conjunction with the original First Stage PUD, the corners of the property were rezoned from C-3-B to C-3-C in order to allow building heights of up to 112 feet. In that plan the part of the property remaining as C-3-B contained the existing 130 foot towers and the new east and west 4th Street buildings that were six stories with a height of 79 feet. In the C-3-B district, the height is limited to 90 feet under PUD regulations. In the proposed modification, however, the east and west 4th Street buildings are to be 94 feet in height and eight stories. The applicant requests, therefore, that the entire C-3-B portion of the property be rezoned to C-3-C.

Total FAR is not increasing as a result of the rezoning, and in fact the redesign has the effect of creating additional open space. By moving FAR from the ground to the two additional stories in the east and west 4th Street buildings, the lot occupancy decreases and more space is available for public plazas and private courtyards. The rezoning is appropriate because the Comprehensive Plan encourages denser development near Metro stations and calls for high density mixed use residential and commercial development on the site. The Office of Planning also welcomes the effort to create more public plaza space near the Metro.

2. Residential or Office Use Flexibility

The applicant has asked that flexibility be provided to allow either office or residential as the main use in the northwest building. In either scenario retail would be provided in the building along 4th Street. The applicant stated that the market will determine what use is ultimately chosen. The Office of Planning feels that either use in that location is acceptable. Residential uses will bring more evening and weekend activity to the neighborhood. But in this highly residential neighborhood it would also be beneficial to create additional employment opportunities and daytime activity.

3. Rooftop Structures

The applicant has requested relief from rooftop structure requirements. The mechanical penthouses on both the east and west 4th Street buildings do not have a uniform height. Both penthouses are 18.5 feet tall at their northern end and step down to 13.5 feet at their southern end. The applicant states that the step down reduces the appearance of mass of the penthouse and thereby improves the design. The structures exceed all setback requirements and the submitted perspective renderings indicate that the rooftop structures will not be very visible from ground level. Please refer to the renderings on sheets 2.1 – 2.5 of the 2nd Stage PUD plan set. OP does not object to this architectural expression or the requested relief.

The Office of Planning also notes that the retrofitted east and west towers will have new mechanical penthouses. Prior to setdown, the structures were proposed to extend to the northern wall of each building. Both OP and the Zoning Commission expressed concern at this design, and the applicant has revised the plans so that the rooftop structures meet or exceed the one-to-one setback requirement.

4. Design of 4th Street

In their May 18 submission, the applicant requested flexibility to alter the design of 4th Street “in consultation with and as approved by” DDOT. The applicant also requested flexibility to change streetscape design and components to comply with the standards of the Anacostia Waterfront Initiative. OP does not object to the requested relief as long as any potential changes are limited to the 4th Street right-of-way and do not extend into the public plazas, and as long as pedestrian safety measures such as bulbouts, crosswalks and pavement treatments are used at all vehicle / pedestrian conflict points from M Street to the northern edge of the site.

5. Flexibility to provide additional retail floor area in lieu of office

Note 1 on sheet 1.3 of the stage one PUD plans asks for flexibility to provide additional retail square footage in lieu of office space. The Office of Planning does not object to the requested relief. The minimum retail commitment of 110,000 square feet for the project is sufficient. If, however, the applicant determines that additional retail floor area is viable it would only serve to further activate the streetscape. While OP does not want to repeat the problems of the existing mall, which had too much retail space for the demand, the additional office and residential density proposed on the site the should make retail more viable.

6. Flexibility to provide 13 stories in lieu of 12 within the stated height

Note 2 on sheet 1.3 of the stage one PUD plans asks for flexibility to allow 13 stories in lieu of 12 within the approved maximum height. This request is made because it is unknown at this time whether the northwest and northeast buildings will be rental or condo. If condo, they would be 12 stories within the 114 foot proposed height. If apartments, they would be 13 stories within the 114 foot proposed height. OP does not object to the requested relief. The total floor area will remain the same regardless of the number of floors.

7. Flexibility to provide additional parking spaces

The applicant has committed to provide the minimum number of parking spaces required by the zoning regulations. While OP appreciates efforts to encourage alternate modes of travel and usually encourages lower parking ratios, we realize that market forces often demand levels of parking above those prescribed by the regulations. In this instance, OP does not object to potentially adding more parking in the future, as long as all the new parking is underground and no new garage entrances are added.

IX. PURPOSE OF A PLANNED UNIT DEVELOPMENT

The purpose and standards for Planned Unit Developments are outlined in 11 DCMR, Chapter 24. The PUD process is “designed to encourage high quality developments that provide public benefits.” Through the flexibility of the PUD process, a development that provides amenity to the surrounding neighborhood can be achieved.

The application exceeds the minimum site area requirements of Section 2401.1(c) to request a PUD. The applicant is requesting a First Stage PUD modification, Second Stage PUD review and a related map amendment. The PUD standards state that the “impact of the project on the surrounding area and upon the operations of city services and facilities shall not 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” (§2403.3). Based on the information provided, OP believes that the project will have an overall positive impact on the neighborhood and the District. The project’s impact on city services will not be unacceptable. The project will take advantage of the District’s investment in Metro, increase public safety in the area, improve the public space adjacent to the property and improve the surface transportation network by reconnecting 4th Street and improving the pedestrian and bicycling environment. Based on comments received by city agencies, the project will not have an undue impact on the services of those agencies.

X. PUBLIC BENEFITS AND AMENITIES

Sections 2403.5 - 2403.13 of the Zoning Regulations discuss the definition and evaluation of public benefits and amenities. In its review of a PUD application, §2403.8 states that “the Commission shall judge, balance, and reconcile the relative value of the project amenities and public benefits offered, the degree of development incentives requested, and any potential adverse effects according to the specific circumstances of the case.” Sections 2403.9 and 2403.10 state that a project must be acceptable in all the listed proffer categories, and must be superior in many. To assist in the evaluation, the applicant is required to describe amenities and benefits, and to “show how the public benefits offered are superior in quality and quantity to typical development of the type proposed...” (§2403.12).

Amenity package evaluation is partially based on an assessment of the additional development gained through the application process. In this case, the application is not approaching the PUD limits for FAR. In fact, the proposed total FAR of 4.33 is less than the 5.0 allowed in the C-3-B district as a matter of right and a PUD in the C-3-C district could theoretically go up to 8.0 FAR. The height allowed through a PUD is required for the proposed 114 foot maximum height proposed in this project. That is 44 feet above the maximum height allowed in the C-3-B district as a matter of right and 24 feet above the 90 foot maximum allowed in the C-3-C. The applicant has listed a number of areas which they feel contribute towards their amenity package:

1. *Reopening of 4th Street* – Following demolition of the existing mall, the applicant will provide a 90 foot easement so that 4th Street can be connected from north to south through the property. The roadway will be 55 feet wide and will include traffic calming measures such as on-street parking, a raised crosswalk and bulb-outs. According to the applicant the new street will allow for street-oriented retail, an active pedestrian environment, a safe passageway through the site and improved architecture. OP agrees with that assessment and values the assistance provided to the District’s overall transportation network by allowing the reconnection of a link in the street grid. OP defers to DDOT on the adequacy of the easement as a means to create a new street.

2. *Major Local Development Initiative* – The pre-hearing statement states that the revitalization of the Waterside Mall site is in itself an amenity item. But amenities are by definition greater in magnitude than what could be expected through matter-of-right development, and redevelopment could occur by-right. So while revitalizing the site is a major benefit to the community, it cannot be considered an amenity.
3. *Retail and Establishment of a Town Center* – The applicant is proposing a minimum of 110,000 square feet of retail in the development. This has the potential to create an active multi-neighborhood commercial center as called for by the Comprehensive Plan. The applicant’s stated goal, though not an absolute certainty, is to have a new, full-service grocery store in the development. The applicant has also committed to have neighborhood-serving retail establishments such as “restaurants, coffee shops, flower shops, video stores, grocery store, drug stores, banks electronic stores, bakeries, dry cleaners and the like” (May 18 submission, page 7). The combination of the grocery and neighborhood-serving retail will be an important amenity for the neighborhood. The applicant has also stated that they will use “best commercially reasonable efforts” to lease 12,500 square feet of retail space to local, small businesses (Pre-hearing Statement, pg. 7). The terms of the lease for those firms is not explicit in the applicant’s materials, but if leased at below-market rates it would be a valuable amenity for the community.
4. *Housing and Affordable Housing* – The project site will have a minimum of 800,000 square feet of residential development, and could have more than 1,200,000 square feet. 400,000 of that will be constructed as part of the first phase of development. The infusion of many residents will help ensure an active streetscape, will support neighborhood retail and will maximize the use of Metro and other infrastructure.

The applicant has committed that of the initial 800,000 square feet of residential – the east and west tower and the northeast building – 20% will be devoted to affordable or workforce housing. This is equal to 160,000 square feet. If the applicant chooses to build the northwest building as residential, it will not contain affordable units. If the affordable units are offered as rentals, they will be made affordable to households earning less than 50% of the AMI. If the units are offered for sale, they will be made affordable to households earning between 50% and 120% of the AMI. Details of the applicant’s affordable housing proposal can be found on pages 9 – 11 of the pre-hearing statement.

Location of Affordable Housing

Of the 160,000 square feet devoted to affordable housing, the applicant has indicated that the base scenario for distribution of the floor area is to have a total of 80,000 square feet contained in the east and west towers and 80,000 square feet contained in the northeast building. OP finds this scenario acceptable as three out of four residential buildings will have affordable units and they will not be overly concentrated in one or two buildings. The applicant has stated, however, that some of the affordable floor area could be transferred to the northeast, or NCRC, building. The Office of Planning objects to that scenario as it would unduly concentrate affordable units in one building. OP asks that the

applicant commit to provide, in the east and west towers, at least 80,000 total square feet of affordable housing.

Amount of Affordable Housing

OP finds the amount of affordable housing provided acceptable, as long as within the east and west towers at least 8% of the total floor area of those buildings is available to households earning less than 80% of the AMI. OP has asked the applicant to provide a more detailed breakdown of the for-sale program and the different levels of affordability. As of this writing the information has not been received.

Term of For-Sale Units

In the pre-hearing statement, the applicant indicated that for-sale units would be maintained as affordable for 10 years. OP asked the applicant to consider a 20 year term similar to other recent PUDs. The applicant has agreed to that change and the Office of Planning appreciates the increased duration of the program.

Administration of Affordable Housing

The applicant has indicated that their Land Disposition and Development Agreement with NCRC provides for the administration of the entire affordable housing program by NCRC. The Office of Planning agrees that NCRC can administer the program for the Waterside Mall site.

5. *Sustainable Design Features* – A number of sustainable features will be included in the design of the project. The applicant has stated that the east and west 4th Street office buildings will achieve a level of LEED Silver. The application does not specifically proffer the LEED accreditation, but instead proffers a number of sustainable features. The list of environmental features can be found in Exhibit A and Exhibit B of the applicant's May 18 submission.
6. *Urban Design* – The applicant claims as a public amenity the streetscape design, pedestrian amenities, public plazas, the introduction of vertical elements, connections to the community, the use of buildings to define public space and the deconstruction and refragmentation of a super block. The Office of Planning views the deconstruction of the super block and the inclusion of significant public plazas as legitimate amenities for the community.
7. *Maintenance of Public Park* – The applicant has agreed to maintain the Federal lands north of the PUD site in perpetuity. Maintenance will include items such as trash removal, mowing and planting. The Department of Parks and Recreation views this as a valuable amenity, though to date that agency has not been involved with planning for that park, as it is not yet District property.
8. *First Source Agreement and Use of LSDBE* – The applicant will enter into a First Source Agreement with the District Department of Employment Services and, through a

Memorandum of Understanding with the DC Department of Small and Local Business Development, will utilize LSDBE in the construction of this project.

The Office of Planning feels that with the changes noted above regarding affordable housing, the proposed amenity package is commensurate with the amount of relief requested for the application. The proffered amenities meet the requirement of §2403.10 that a project be acceptable in all proffer categories listed in §2403.9 and superior in many.

XI. AGENCY REFERRALS

The Office of Planning received comments on this application from the Department of Parks and Recreation (DPR), the DC Water and Sewer Authority (WASA), the Department of the Environment (DOE), and the Metropolitan Police Department (MPD). Those comments can be found in Attachment 4.

OP also sent unanswered requests for comments to the Department of Employment Services (DOES), the Department of Housing and Community Development (DHCD), the Department of Public Works (DPW), the Department of Transportation (DDOT), the DC Public Schools (DCPS), Fire and Emergency Medical Services Department (FEMS), the Historic Preservation Office (HPO), the Washington Metropolitan Area Transit Authority (WMATA) and the Anacostia Waterfront Corporation (AWC).

DPR stated in an email that the proposed open space areas will be a benefit to the area where public open space is lacking. DPR also encouraged the “developer and the Office of Planning to consult with DCPS concerning possible upkeep of fields at Amidon Elementary or with DPR for upkeep of field space at Jefferson Field, northwest of the proposed development.” OP contacted DPR for an estimate of improvement costs at the mentioned facilities, but as of this writing DPR has not returned the requested information.

The memo from DOE asked that the applicant consider a number of design enhancements to reduce the environmental footprint of the development. These suggestions included low-flow plumbing fixtures and appliances, water efficient irrigation, solar powered lighting and the use of low-impact development to reduce stormwater runoff. OP acknowledges the comments and will continue to work with the applicant to include as many sustainable features as possible, and define them as conditions in the PUD order.

In a phone conversation, WASA stated that the applicant should connect storm sewers to the existing 90” line running under the site, rather than direct flow to the north toward a smaller pipe. The applicant has corrected that error in the plans and WASA will review the plans again at the permit stage.

The memorandum from MPD states that that Department has no objections to the proposed development. MPD did acknowledge that the increased population would increase service requirements for the police, though they did not say that the increased demand would rise to unacceptable levels. The memo also asked that sufficient parking be provided and that the

applicant develop a security plan. OP notes that the applicant is providing the parking required by the zoning regulations and that they have completed a security plan for the construction site. Finally, MPD asked if there was a plan to deal with traffic congestion due to the baseball stadium, M Street, S.E. and South Capitol Street construction. OP notes that this project will likely not break ground until well after the stadium and South Capitol Street projects are completed.

XII. COMMUNITY COMMENTS

At its regularly scheduled May 14 meeting, ANC 6D voted to support the application. As of this writing, the Office of Planning has not received a report from the ANC. OP has had several meetings and phone conversations with members of the ANC, one meeting with a citizens group and one request for information from a citizen representing other residents.

XIII. RECOMMENDATION

The proposal is consistent with the land use maps of the Comprehensive Plan and with numerous policies in the Plan, including one specifically calling for the redevelopment of Waterside Mall and the reopening of 4th Street. The proposal is also consistent with basic principals of the Comprehensive Plan such as redevelopment of underutilized sites, increased density near Metro stations, provision of affordable housing and environmental protection. The Office of Planning, therefore, recommends approval of the application subject to the provision of additional information about or resolution of the issues listed below:

- Additional pedestrian safety measures at the intersection of the public plazas and 4th Street
- Additional information regarding the percentage of affordable units available to households earning less than 80% of the Area Median Income
- Commitment to an even distribution of affordable units between the east and west towers and the northeast building
- Any change from a grocery use requires Zoning Commission approval as a PUD modification

XIV. ATTACHMENTS

1. Applicable Comprehensive Plan Policy
2. Vicinity Map
3. Aerial Photo
4. Agency Comments

HT/mrj

ATTACHMENT 1
APPLICABLE COMPREHENSIVE PLAN POLICY

Chapter 3 Land Use Element

Policy LU-1.2.1: Reuse of Large Publicly-Owned Sites

Recognize the potential for large, government-owned properties to supply needed community services, create local housing and employment opportunities, remove barriers between neighborhoods, provide large and significant new parks, enhance waterfront access, and improve and stabilize the city's neighborhoods. 305.6

Policy LU-1.2.2: Mix of Uses on Large Sites

Ensure that the mix of new uses on large redeveloped sites is compatible with adjacent uses and provides benefits to surrounding neighborhoods and to the city as a whole. The particular mix of uses on any given site should be generally indicated on the Comprehensive Plan Future Land Use Map and more fully described in the Comprehensive Plan Area Elements. Zoning on such sites should be compatible with adjacent uses. 305.7

§306.4

The District's Metrorail stations include 15 stations within the Central Employment Area and 25 "neighborhood" stations (see Map 3.5). Looking forward, certain principles should be applied in the management of land around all of the District's neighborhood stations. These include:

- A preference for mixed residential and commercial uses rather than single purpose uses, particularly a preference for housing above ground floor retail uses
- A preference for diverse housing types, including both market-rate and affordable units and housing for seniors and others with mobility impairments
- A priority on attractive, pedestrian-friendly design and a de-emphasis on auto-oriented uses and surface parking
- Provision of well-designed, well-programmed, and well-maintained public open spaces
- A "stepping down" of densities with distance away from each station, protecting lower density uses in the vicinity
- Convenient and comfortable connections to the bus system, thereby expanding access to the stations and increasing Metro's ability to serve all parts of the city
- A high level of pedestrian and bicycle connectivity between the stations and the neighborhoods around them

§306.8

To avoid adverse effects on low and moderate density neighborhoods, most transit-oriented development should be accommodated on commercially zoned land. Possible rezoning of such land in a manner that is consistent with the Future Land Use Map and related corridor plans should be considered.

Policy LU-1.3.1: Station Areas as Neighborhood Centers

Encourage the development of Metro stations as anchors for economic and civic development in locations that currently lack adequate neighborhood shopping opportunities and employment. The establishment and growth of mixed use centers at Metrorail stations should be supported as a way to reduce automobile congestion, improve air quality, increase jobs, provide a range of retail goods and services, reduce reliance on the automobile, enhance neighborhood stability, create a stronger sense of place, provide civic gathering places, and capitalize on the development and public transportation opportunities which the stations

provide. This policy should not be interpreted to outweigh other land use policies which call for neighborhood conservation. Each Metro station area is unique and must be treated as such in planning and development decisions. The Future Land Use Map expresses the desired intensity and mix of uses around each station, and the Area Elements (and in some cases Small Area Plans) provide more detailed direction for each station area. 306.10

Policy LU-1.3.2: Development Around Metrorail Stations

Concentrate redevelopment efforts on those Metrorail station areas which offer the greatest opportunities for infill development and growth, particularly stations in areas with weak market demand, or with large amounts of vacant or poorly utilized land in the vicinity of the station entrance. Ensure that development above and around such stations emphasizes land uses and building forms which minimize the necessity of automobile use and maximize transit ridership while reflecting the design capacity of each station and respecting the character and needs of the surrounding areas. 306.11

Policy LU-1.4.2: Long-Term Vacant Sites

Facilitate the reuse of vacant lots that have historically been difficult to develop due to infrastructure or access problems, inadequate lot dimensions, fragmented or absentee ownership, or other constraints. 307.5

Chapter 4 Transportation Element

§403.1

...Coordinating transportation and land use decisions is critical to making the best use of infrastructure and finite land resources... The balance between housing and jobs plays a clear role in travel patterns. In general, the demands on our transportation system are reduced when homes are located close to places of employment and shopping. People spend less time traveling and overall quality of life may be improved. The transportation system as a whole benefits when more compact residential and employment areas are situated along major transit routes. Travel times are reduced and there is better use of public transportation investments.

Policy T-1.1.5: Joint Development

Attract new riders to the transit system by fostering transit-supportive commercial and residential joint development projects on Washington Metropolitan Area Transit Authority (WMATA) owned or controlled land and on private properties adjacent to Metrorail stations. 403.11

Policy T-1.2.3: Discouraging Auto-Oriented Uses

Discourage certain uses, like "drive-through" businesses or stores with large surface parking lots, along key boulevards and pedestrian streets, and minimize the number of curb cuts in new developments. Curb cuts and multiple vehicle access points break-up the sidewalk, reduce pedestrian safety, and detract from pedestrian-oriented retail and residential areas. 404.8

Policy T-2.4.1: Pedestrian Network

Develop, maintain, and improve pedestrian facilities. Improve the city's sidewalk system to form a network that links residents across the city. 410.5

Policy T-2.4.2: Pedestrian Safety

Improve safety and security at key pedestrian nodes throughout the city. Use a variety of techniques to improve pedestrian safety, including textured or clearly marked and raised

Chapter 7 Economic Development Element

Policy ED-2.2.3: Neighborhood Shopping

Create additional shopping opportunities in Washington's neighborhood commercial districts to better meet the demand for basic goods and services. Reuse of vacant buildings in these districts should be encouraged, along with appropriately-scaled retail infill development on vacant and underutilized sites. Promote the creation of locally-owned, non-chain establishments because of their role in creating unique shopping experiences. 708.7

Policy ED-3.1.1: Neighborhood Commercial Vitality

Promote the vitality and diversity of Washington's neighborhood commercial areas by retaining existing businesses, attracting new businesses, and improving the mix of goods and services available to residents. 713.5

Chapter 8 Parks, Recreation and Open Space Element

Policy PROS-4.3.1: Open Space in the Downtown Landscape

Sustain a high quality network of downtown pocket parks, courtyards, arcades, plazas, and rooftop gardens that provide space for recreation, scenic beauty, and outdoor activities for workers, visitors, and residents. 818.3

Policy PROS-4.3.2: Plazas in Commercial Districts

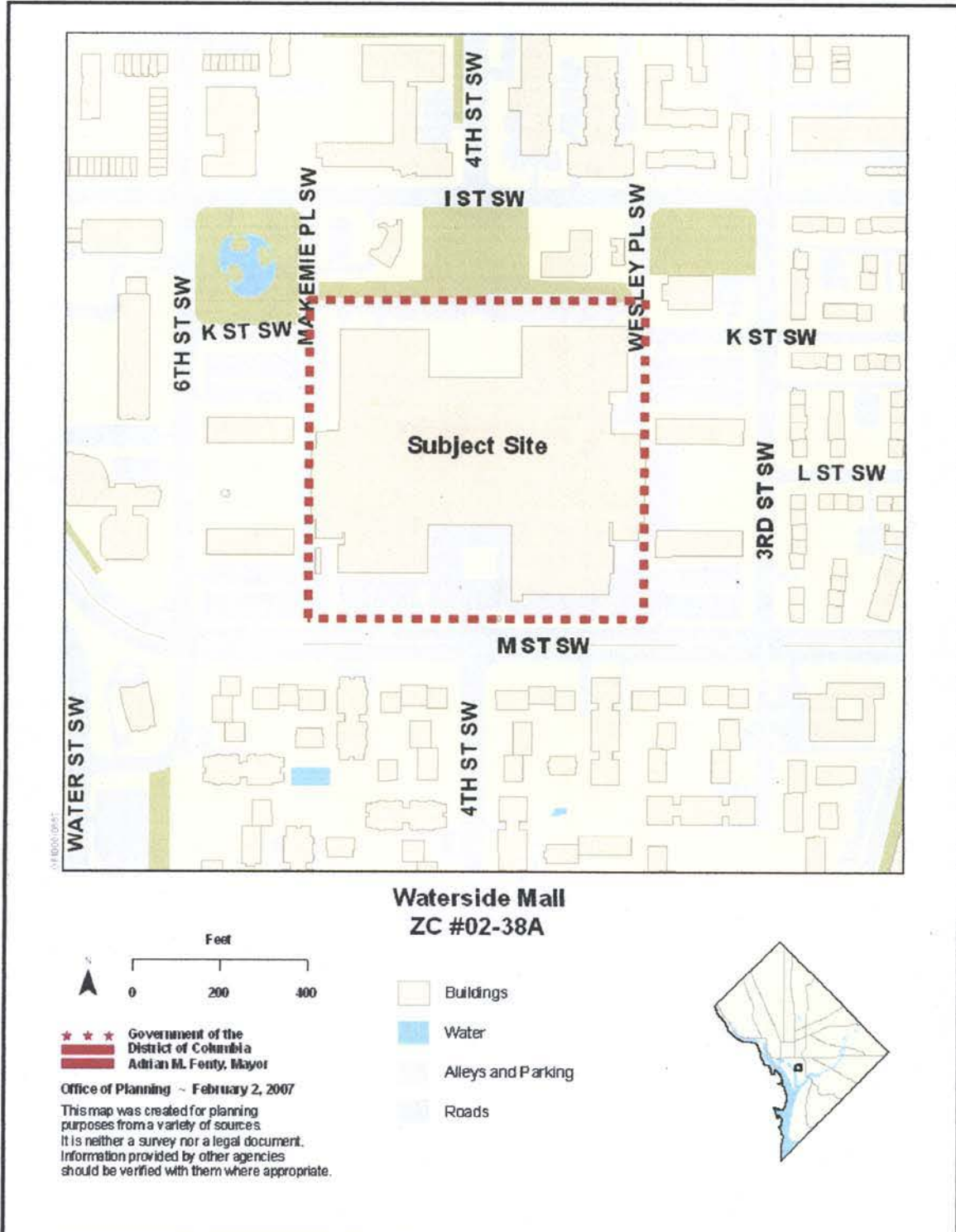
Encourage the development of outdoor plazas around Metro station entrances, in neighborhood business districts, around civic buildings, and in other areas with high volumes of pedestrian activity. Use the planned unit development process to promote such spaces for public benefit and to encourage tree planting, public art, sculpture, seating areas, and other amenities within such spaces. 818.4

Chapter 19 Lower Anacostia Waterfront / Near Southwest Area Element

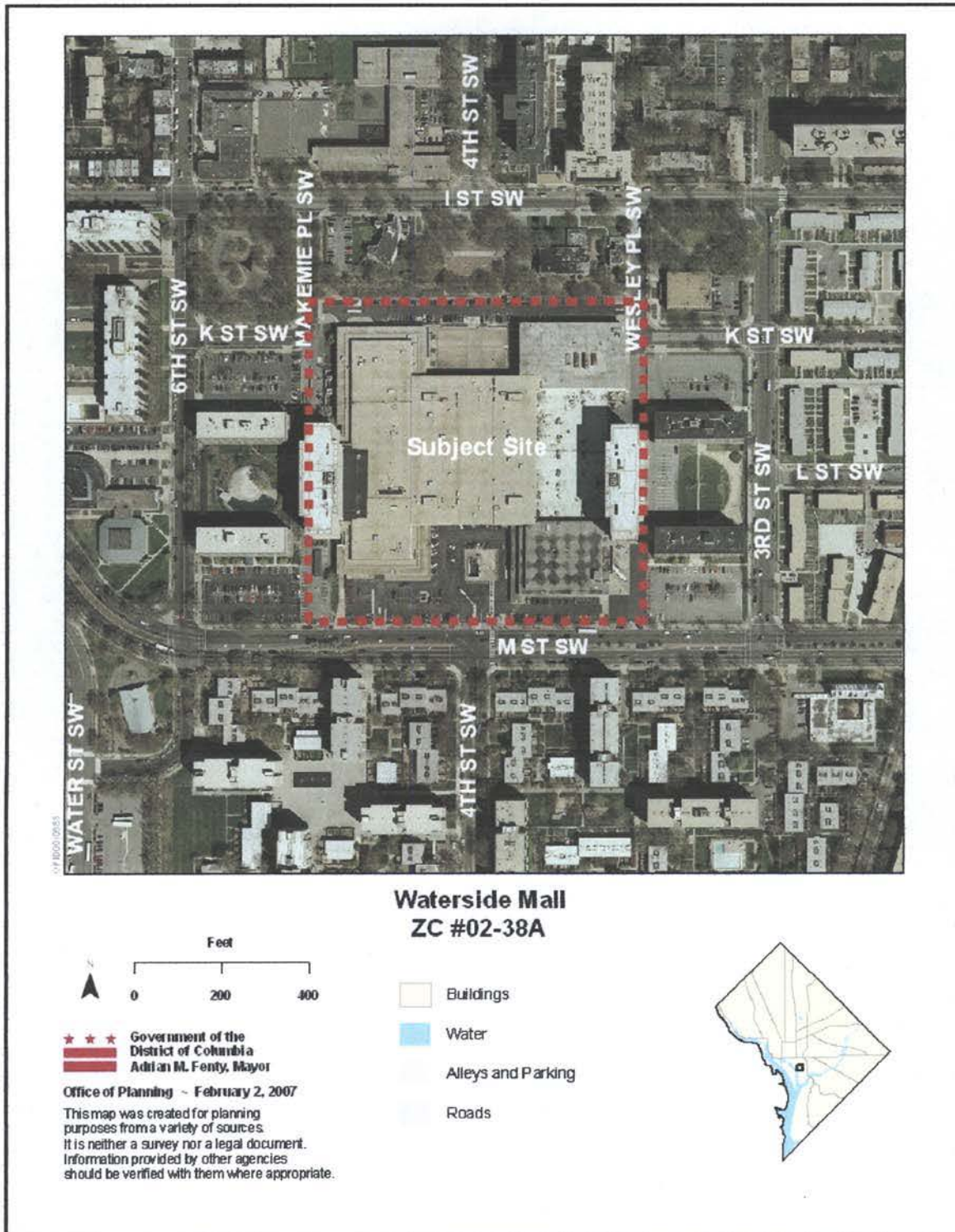
Policy AW-2.1.6: Waterside Mall

Support the redevelopment of Waterside Mall with residential, office, and local-serving retail uses. The site should be strengthened as a retail anchor for the surrounding Southwest community. Its redesign should restore 4th Street SW as part of the city street grid, and improve aesthetics, circulation, and connectivity to surrounding uses. 1511.12

**ATTACHMENT 2
 VICINITY MAP**



**ATTACHMENT 3
 AERIAL PHOTO**



Jesick, Matthew (OP)

From: Rounds, Jesse (DPR)
Sent: Wednesday, May 02, 2007 11:18 AM
To: Jesick, Matthew (OP)
Subject: RE: Waterside Mall - additional info

Matthew,

Thanks for letting me review this plan. Based on staff review we find that the open space areas provided as part of the proposal are adequate and the fact that public access is permitted is a boon to this area of the city which lacks large amounts of publicly accessible open space.

Where is the park they plan to maintain in perpetuity? If it is DPR property I am unaware of this plan. However, if it is National Park Service land the benefit to the community will be the same.

I do encourage the developer and the Office of Planning to consult with DCPS concerning possible upkeep of fields at Amidon Elementary or with DPR for upkeep of field space at Jefferson Field, northwest of the proposed development.

Thanks again and if you need a formal letter, I'll happily type one up.

Jesse

Metropolitan Police Department
Regional Operations Command-Central
First District



May 3, 2007

MEMORANDUM

TO: Assistant Chief of Police *[Signature]*
Regional Operations Command- Central

ATTN: Office of Planning Department

FROM: Commander *[Signature]*
First District

SUBJECT: Comments regarding Waterside Mall Redevelopment

On April 25, 2007, the undersigned received copies of the Waterside Project Development. It shall be noted that the undersigned has attended five public meetings in regards to the upcoming development and one walk thru in February 2007.

The undersigned has no objections to such construction but offer the following comments:

- Projection of number of residents to come – need to consider will increase calls for service for MPD
- Ensure private parking is allotted to these residents prior to approval – there is lack of off street parking there
- Ensure that the construction company adheres to permitting rules set forth by City and that security plan is developed during construction phase
- Is there projected plan how to deal with traffic congestion due Stadium project and SE construction at same time – M ST Corridor and South Capital bridge project

[Signature]
Diane C. Groomes
Commander

5/7/07
5/7/07
MAY 7 2007

DDOE Environmental Sustainable Committee

Waterside Mall Redevelopment First Stage PUD Modification and Second Stage PUD

Comments from WASA:

To enhance the water efficiency of the Water Side mall Southwest building site District or Columbia Water and Sewer Authority (WASA) recommends that the applicant if possible install cisterns for harvesting rain water reuse purpose i.e. landscaping or reuse for toilets.

Furthermore, WASA recommends that the applicant install low flow plumbing fixtures or system to include the following: (1)toilets 1.6 gallons per minute (gpm) (2) low flow shower heads 2.5gpm (3) low flow aerators for sinks kitchen 1.5gpm bathroom 1.0gpm (4) washer machines 18- 25 gallons per load (5) water efficient cooling towers (6) air cooled ice machine (7) air cooled walk-in boxes (8) electric system steamers (9) select water efficient dish washers and garbage disposals (9) Pre rinse spray nozzles 1.25gpm - 1.6gpm (10) irrigation system water efficient – closed loop soil moisture sensor (11) recirculation pumps for building

Comments from the DDOE Energy Office:

P. 1, Relief and Zoning

Will relief from rooftop structures prevent the future installation of photovoltaics and a green roof?

Zoning relief from recreation may minimize green space, which is not what we would like to see.

P. 2, First Stage PUD Modification, #2

Should include preferential parking for alternative fuel vehicles and above ground and underground space for bicycle parking. Perhaps even a bicycle center as per the new bicycle station being planned for Union Station.

P. 4, Section V.

Encourage as much reuse, salvaging, and recycling of material in the demolition of the mall and underground parking structure.

The remaining buildings should be redone to achieve LEED for Existing Buildings.

All office buildings should qualify for the ENERGY STAR, which states that they are among the top 25% of energy efficient buildings in the nation and use 35% less energy than a typical building.

P. 6 Second Stage PUD, paragraph 2

DDOE Environmental Sustainable Committee

Can the rooftop structure be required to utilize solar power and include a green roof?

P. 6 Second Stage PUD, paragraph 3

Can the lighting be solar powered?

P. 8 Chapter 4 Environmental Protection Element

The “other buildings” should include features and not simply “may have LEED features.” All buildings that will be retrofitted should achieve LEED for Existing Buildings.

All buildings should qualify as ENERGY STAR buildings, which states that they are among the top 25% of energy efficient buildings in the nation and use 35% less energy than a typical building. This helps to comply with the Applicable Comprehensive Plan Policy Section 403, Improving Air Quality and Section 1307.1 for the Ward 2 Plan to improve the air quality. This is in Attachment 1.

Parking should include both underground and above ground parking for bicycles for at least 15% of the occupancy with the capacity to increase in the future.

P.13, Rooftop Structures

The rooftop structures should allow for the use of photovoltaics or the installation of greenrooves.

P. 13 Residential Recreation Space

If the interior open space and the public plaza space are included, will the 10% recreation space be reached? It seems to me that every effort should be made to increase the green space in the area through both landscaping and greenroofing. So at least 10% should be green space.

Comments from DDOE Watershed Protection Division (WPD):

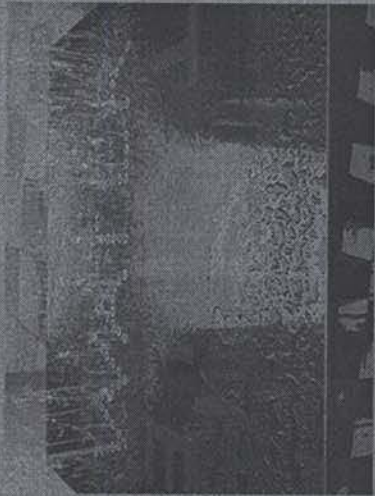
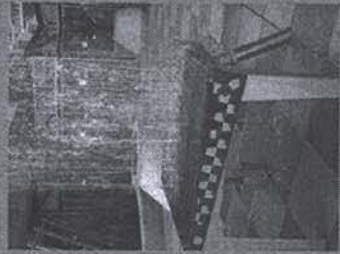
The applicants intention to meet LEED Silver rating for two of the proposed buildings is noteworthy. Unfortunately LEED doesn't assign many points for innovative storm water control, and as such it is not a priority for certification. We ask that the applicant consider Low Impact Development to meet all storm water management requirements for the structures and impervious public spaces. This might include green roofs for the buildings as well as impervious surfaces for public spaces/sidewalks and/or grading street-level impervious surfaces towards bioretention cells (rain gardens) with signage to indicate the function of these systems and educate the public to the environmental implications of hardscape and storm water generally.

Additionally, because this PUD includes significant public space in the form of a plaza, may we suggest that you take this opportunity to consider a “functional LID art piece”. See the example below from Seattle Washington by Buster Simpson. Not only would this add significant aesthetic value to the plaza, but it would showcase the storm water component of the new development in an innovative fashion.

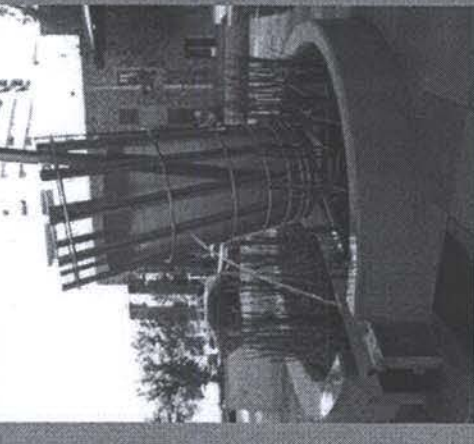
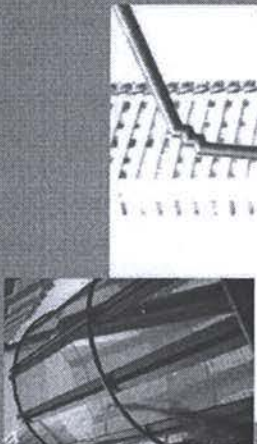
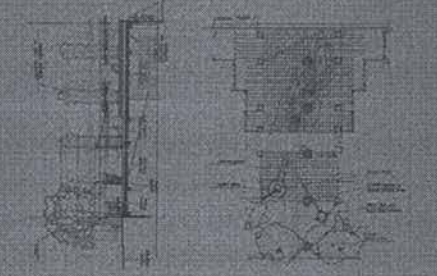
DDOE Environmental Sustainable Committee

WPD is happy to engage the architects and civil engineers in a discussion of options for to meet the storm water requirement. Please contact Alexi Boado at 202-535-1798 or alex.boado@dc.gov.

DDOE Environmental Sustainable Committee



Water Glass & Water Table joined by the City of Seattle's Department of Public Works to create a public art project in the heart of downtown Seattle. The project, titled "Water Table," is a public art project that features a large, multi-layered sculpture made of glass and water. The sculpture is designed to be a functional water feature, with water flowing through its various levels. The project was a collaborative effort between the artist, the city, and the community. The sculpture is located in the heart of downtown Seattle, near the waterfront. It is a public art project that is designed to be a functional water feature. The sculpture is made of glass and water, and it is designed to be a functional water feature. The project was a collaborative effort between the artist, the city, and the community. The sculpture is located in the heart of downtown Seattle, near the waterfront.



Beyond the sculpture, the Water Glass artwork serves the same structural purpose as the Water Table. It is a public art project that is designed to be a functional water feature. The sculpture is made of glass and water, and it is designed to be a functional water feature. The project was a collaborative effort between the artist, the city, and the community. The sculpture is located in the heart of downtown Seattle, near the waterfront.

The Water Table is a functional art project. It is a public art project that is designed to be a functional water feature. The sculpture is made of glass and water, and it is designed to be a functional water feature. The project was a collaborative effort between the artist, the city, and the community. The sculpture is located in the heart of downtown Seattle, near the waterfront.

WATER TABLE | WATER GLASS

Seattle, Washington