

## MEMORANDUM

**TO:** District of Columbia Zoning Commission

**FROM:** *JL for* Jennifer Steingasser, Deputy Director Development Review & Historic Preservation

**DATE:** December 7, 2015

**SUBJECT:** Hearing Report - ZC #13-14A (McMillan, Parcel 2)  
Second Stage PUD

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### I. SUMMARY AND RECOMMENDATION

Jair Lynch Development Partners, on behalf of Vision McMillan Partners, LLC and the District of Columbia (Co-Applicants) requests Second Stage PUD approval to construct a mixed use development on Parcel 2 on the property known as “McMillan Reservoir” at 2501 First Street, NW (Square 3128, Lot 800). Parcel 2 would include residential and ground floor retail uses and would complement the many historic elements which exist on the site as well as the overall development of the entire McMillan property as approved by Zoning Commission Order 13-14. The proposal would not be inconsistent with the Comprehensive Plan Future Land Use and Policy maps, and would further many important Citywide Elements, and specifically those providing guidance for the development of the McMillan Reservoir property.

The Second Stage PUD review for Parcel 2 was set down by the Zoning Commission on July 27, 2015. At the set down, the Zoning Commission expressed concerns relating to the portion of the building that bridges over Three Quarter Street and the requested flexibility from the elevator enclosure that would not have a 1:1 setback from the open court. The Applicant has retained the bridge over Three Quarter Street with the main explanation being to address the efficiency of the building. OP understands the need for building efficiency but believes that it could be retained and the span made less intrusive by eliminating the residences and retaining the connection via glazed passageways between the east and west portions of the building.

The Applicant has committed to providing a 1:1 setback for the roof structure. OP is not opposed to meeting the 1:1 setback requirement by having a system that has a lower override or making adjustments to the elevator core.

The application requests flexibility to the exact design of PUD elements. The Applicant needs elaborate on which PUD elements would be included,

**OP recommends approval** of the Second Stage PUD with the following conditions if the proposed changes are addressed:

1. If there is a reduction in the total number of units, the number of affordable units at 80% of AMI would remain at 25.
2. The distribution pattern of the affordable units would be of a similar pattern and proportion to that shown on Exhibit 12C4, Sheet 12, Page 53.
3. Flexibility to make changes to the internal parking and loading areas would not extend to external changes or the relocation of parking and loading entrances.
4. The roof structure on the western portion of the building will meet the a 1:1 setback requirement, through one or a combination of the following:
  - (a) Selection of a system that has an override that is no taller than the smallest setback dimension shown on the roof plan; and/or
  - (b) Making minor adjustments to the configuration, footprint and location of the elevator core/stairway enclosures.

**II. PLAN CHANGES SINCE SETDOWN**

In response the Zoning Commission’s and OP’s comments at the public meeting on March 9, 2015, the Applicant has revised the plans and submitted additional information, as noted in a table, Exhibit 12A and summarized below.

<b>ZC and OP Comments</b>	<b>Applicant’s Response</b>	<b>OP Comments</b>
<p>Provide information regarding the portion of the building over Three-Quarter Street and its planning implications, impacts on the livability of the site, views, and continuity of north-south access, and vistas. Address the overall benefit of the span, why it is necessary and appropriate for this development.</p> <p>The Commission also requested additional rendered perspectives of the bridge.</p> <p>OP also requested that the applicant provide further information on its design, materials and views from Parcel 2 and the North Service Court.</p>	<p>Studies of a 2 building scheme without the span resulted in a design that was inwardly focused, and would have each of the individual buildings providing its own amenities. Each building would also have back of house elements along Half and First Streets which would not be consistent with the urban design strategy for McMillan.</p> <p>The proposed single building would allow for more efficiencies and the design would minimize visual impacts. The design has been modified by removing the units on the north side of the bridge resulting in a single loaded corridor with units only on the south side. This resulted in a reduction in the width of the span to 33 feet. The angled form of the north façade allows the building to further recede from the North Service Court. The upward angle of the underside of the bridge gives greater volume of space under the bridge and allows for clear views south and north to the historic resources along the North Service Court. The span would be primarily glass, giving it a light and</p>	<p>HPRB approved the proposed span across Three Quarter Street as an acceptable solution to having a more efficient building but had concerns about it as an architectural feature of the building; the design was modified in response to those concerns by pulling the bridge further to the south to provide a stronger visual break between the two towers.</p> <p>OP supports recent design changes to the bridge element and understands the need for building efficiency. However, the span could be retained but made less intrusive by eliminating the residences and retaining the connection via glazed passageways between the east and west portions of the building.</p>

ZC and OP Comments	Applicant's Response	OP Comments
	<p>transparent quality. The north side of the span presents the opportunity for an art feature to be placed on the corridor wall and ceiling and could be viewed from the North Service Court.</p> <p>Additional perspectives were provided to show views of the building and the span from various locations.</p>	
<p>The plan should be modified to make all roof structures comply with the setback requirement. OP suggested that the applicant utilize a mechanical system that would allow the height of the enclosure to be as low as possible.</p>	<p>The Applicant has committed to providing a 1:1 roof structure setback requirement. They have requested flexibility to meet the requirement through one or a combination of the following:</p> <ul style="list-style-type: none"> <li>• Selection of a system that has an override that is no taller than the smallest setback dimension shown on the roof plan;</li> <li>• Providing roof structure walls of unequal height</li> <li>• Making minor adjustments to the configuration, footprint, and location of the elevator cores / stairway enclosures</li> </ul>	<p>OP would support meeting the requirement by having buildings of unequal heights only if consistent with the intent of the new penthouse regulations, which allow additional flexibility in this regard.</p> <p>OP is supportive of meeting the requirement by having a system that has a lower override or making adjustments to the elevator core.</p>
<p>OP noted that the applicant needs to seek flexibility from § 411.3 for having multiple enclosures since this is a single building.</p>	<p>This flexibility is not required as separate penthouse enclosures for separate elevator cores are allowed by Section 411.4.</p>	<p>The Applicant provided the information requested.</p>
<p>OP requested that the applicant provide information regarding the required 20-foot loading space.</p>	<p>A 20-foot service/delivery space would not be provided. The 30-foot loading berth would be utilized for this service.</p>	<p>OP is satisfied that with a loading manager the parking for service/delivery parking can be accommodated in the 30-foot loading berth.</p>
<p>OP requested clarification regarding the commitment to the overall pattern of distribution of the affordable units.</p>	<p>The Applicant has committed to a distribution pattern that does not cluster the affordable units. The Applicant also committed to having the distribution of unit types across affordable and market-rate to remain consistent with the proportions described in the submission.</p>	<p>OP is not opposed to the flexibility and recommends a condition of approval that the distribution of unit types across affordable and market-rate remain consistent with the proportions described in the submission.</p>
<p>Provide a discussion and analysis of transportation specifically as it relates to parking and loading and the</p>	<p>The Applicant is working with DDOT and has provided a Traffic Statement to address site access, loading and loading management and the number of parking</p>	<p>The Applicant has provided the requested information which is being analyzed by DDOT.</p>

ZC and OP Comments	Applicant's Response	OP Comments
design of elements to promote effective and safe vehicular and pedestrian access, and transportation management measures.	spaces	

**III. SITE and SURROUNDING AREA**

The 68 acre McMillan Reservoir and Sand Filtration complex is comprised of two parcels located in the southwestern quadrant of the intersection of First Street, NW and Michigan Avenue, NW. The area of the McMillan PUD is located at 2501 First Street, NW (Square 3128, Lot 800) and is surrounded by a mixture of uses. To the north, across Michigan Avenue are institutional uses: the Veterans Affairs Hospital, Washington Hospital Center and Children's Hospital. To the east is the Stronghold neighborhood while the south while to the south is the Bloomingdale neighborhood. To the west, is the McMillan Reservoir and Sand Filtration complex.

The McMillan PUD site is divided into seven parcels and the subject of this application, Parcel 2, is located along First Street to the west, the North Service Court to the north; Half Street and Parcel 3 to the east; and Parcel 5 (approved for townhouses) to the south. Three Quarter Street, a private street, bisects the property in a north to south direction. The squared shaped Parcel 2 has a land area of approximately 1.53 acres (66,654 square feet) and slopes gently from Half Street up to First Street.



Aerial Showing McMillan Site and Surrounding Area





Site Location

#### IV. BACKGROUND

The PUD site is divided into seven (7) parcels. On November 10, 2014 the Commission approved the First Stage PUD for the Master Plan for the entire McMillan site and Parcels 2 and 3 and Consolidated Review for Parcels 1, 4, 5, 6, and 7. PUD-related map amendment, C-3-C for Parcel 1 and CR for the remainder of the site was also established (ZC 13-14).

This application, a Second Stage PUD, is made in order to review the proposed architecture of the buildings, uses within the buildings, design of open spaces, specific circulation impacts, and compliance with the intent and purposes of the PUD process, the Regulations and the First Stage PUD (§§ 2402.2(b), 2406.12 and 2408).

#### ***Historic Preservation***

The entire McMillan property is a designated historic site and its proposed redevelopment has undergone extensive review by the Historic Preservation Office (HPO) and the Historic Preservation Review Board (HPRB) through a series of public hearings over several years. The reviews informed a Master Plan based on preservation and design principles on which the PUD is based. On October 31, 2013, HPRB found the “revised concept designs to represent an architecturally coordinated and

*cohesive approach that specifically relates to the character of the McMillan Site.”* Subsequent to the ZC approval of the PUD, a demolition permit to accommodate the Master Plan development was also reviewed and approved by the Mayor’s Agent<sup>1</sup>. The subdivision of the parcels on the Master Plan to create six separate parcels is currently being reviewed by the Mayor’s Agent and the DC Surveyors office. Although there are seven parcels shown on the Master Plan, Parcels 2 and 3 will be created as a single record lot with two theoretical building lots.

In regards to the proposed development of Parcel 2, HPRB at its April 30, 2015 found that, “. . . *the revised concept’s height, massing, material palate, and detailing to be compatible with the previously-approved McMillan redevelopment master plan. The Board approved the reduced size of the bridge, but asked that it continue to be studied to relate more to the building it connects.*” (Exhibit 2F)

## V. PROPOSAL

Parcel 2 is within the Central Sector of the Master Plan and has a lot area of 66,654 square feet. It is proposed to be developed with a seven-story (82.5 feet high), mid-rise structure joined together below grade (parking) and above grade at floors 3 to 7<sup>2</sup>. The building would have an area of 243,050 gross square feet (5.04 FAR<sup>3</sup>), including 224,278 gross square feet of residential use (236 units) and 18,772 gross square feet of ground floor retail uses.

The residential use would consist of 41 studio units; 16 one-bedroom Jr. units, 118 one-bedroom units; 11 one bedroom + den units and 50 two-bedroom units. Of the 236 units, 50 would be affordable at up to 80% of AMI. The retail and residences would be supported by 222 below grade parking spaces.

The Site Plan generally responds to the guiding preservation principles, connectivity with the surroundings, design, and the architectural treatments. The building has two “wings” which are joined beginning at the third level. This accommodates the new street grid on the property and allows for Three Quarter Street and ground level views between the North Court and the South Court. The main retail entrance for the building would be along the North Service Court while the main residential entryways would be from Half Street. Secondary entrances as well as access to parking and loading would be along the central Three Quarter Street. The first floor of both wings of the building would have retail uses, residential amenities and residential units. The upper floors would have all residential units. Residential amenities would include a pool on the second floor of the west wing and an open, passive recreation space on the second floor of the east wing.

The height, massing, and architectural design are compatible with the Master Plan and First Stage PUD, although the bridge feature spanning the street was not clearly shown on all drawings. The retail frontage has been designed to have the same canted masonry wall and setback for the upper floors as other projects approved in the Consolidated PUD and as called for in the design guidelines of the Master Plan. The building’s base would be clad in gray stone; the upper floors would be finished with white metal panels, charcoal brick and metal trim and wood accents at the balconies and windows.

The portion of the building spanning over the north-south street (Three Quarter Street) interrupts one of the open north-south views through the McMillan site envisioned by the Master Plan. While the connection results in a more efficient building, it increases the apparent size and footprint of the building and spans this envisioned

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<sup>1</sup>HPA No. 14-393, Decision and Order, April 13, 2015

<sup>2</sup> Considered to be a single building for zoning purposes.

<sup>3</sup> 3.64 FAR when streets and easements are excluded. 5.04 FAR when street and easements are included.

view. Both the Zoning Commission and OP expressed concerns about the need for the span, its view and impact on the North Service Court.

The Applicant states that an alternate two separate building scenario (with no connection above the street) would result in buildings that would be inwardly focused along Three Quarter Street, thus taking the focus of the building from First and Half Streets as envisioned by the McMillan Master Plan. It would also result in the individual buildings having to provide its own amenities and having back of house elements along Half and First Streets.

The applicant further states that the proposed single building, as submitted, would allow for more building efficiencies and the revised design would minimize visual impacts. The design of the span has been modified by removing the units on the north side of the bridge resulting in a single loaded corridor with units only on the south side. This also resulted in a reduction in the width of the span to 33 feet. The angled form of the north façade allows the building to further recede from the North Service Court and is setback 40 feet from the North Service Court. The underside of the bridge would be angled upward to give a greater volume of space under the bridge and to allow for clear views south and north to the historic resources along the North Service Court (Exhibit 12C3, Sheet 2, Page 30). As noted above, OP has consulted with Historic Preservation staff, and have suggested that eliminating the residential units within the portion of the building spanning the street, allowing the bridge to be a connecting element between the two buildings with no requirement for solid walls, would be preferable.

To continue the showcasing of artistic expression throughout the development as viewed from the North Service Court, the interior walls and ceiling, behind the glass, would have a yet to be determined imagery and special treatment (Exhibit 12C3, Sheet 2, Page 28 and 29). The features would be changed from time to time. OP is, in general, supportive of this artistic element on the building if the connecting element as currently proposed is retained. The Applicant has provided views to and from Parcel 2 demonstrating the effect of the building span.

The design of all building facades provides fully developed and articulated architectural detail, which is important as all sides of the building would be exposed and visible. Access to the parking, loading and trash facilities are provided on both wings of the building to better facilitate vehicular circulation. Public space improvements would include new street trees, bicycle racks, streetlight enhancements, and widened sidewalks as envisioned in the Master Plan.

## VI. ZONING

Under ZC 13-14, the CR zone was established for the subject property. The purpose of the CR district is to “encourage a diversity of compatible land uses that may include a mixture of residential, office, retail, recreational, light industrial, and other miscellaneous uses.” The proposed residential and retail development would be consistent with objectives for the CR zone.

The table below shows a comparison of the CR/PUD standards, ~~the, the~~ approved 1<sup>st</sup> Stage PUD and the development proposal for Parcel 2.

	CR PUD	Approved 1 <sup>st</sup> Stage CR PUD	Proposal
Area	15,000 sq. ft.	66,989 sq. ft.	66,654 sf. 48,179 sf (without streets and easements)
Height	110 ft. (no limit on stories)	110 ft. (8 stories)	82.5 ft.

FAR	8.0 (4.0 for non-residential)	8.0 (4.0 for non-residential)	<u>With Streets:</u> 3.64 Overall 3.36 Residential 0.28 Non-residential  <u>Without Streets:</u> 5.04 Overall 4.66 Residential 0.39 Non-residential
Lot Occupancy	100% 75% for residential	100% 75% for residential	<u>With Streets:</u> Level 1: 61% Level 2: 46% Levels 3-7: 50%  <u>Without Streets:</u> Level 1: 84% Level 2: 63% Levels 3-7: 69%
Rear Yard	For Residential at or below grade: 3 in./ft. of height or 12 ft. whichever is greater.	For Residential at or below grade: 3 in./ft. of height or 12 ft. whichever is greater.	27.93 ft.
Side Yard	If provided, must be a min. of 2 in./ft. of height or 8 feet, whichever is greater	If provided, must be a min. of 2 in./ft. of height or 8 feet, whichever is greater	Along the north property Line: 2.42 ft.  Along the south property Line: 7.25 ft.
Parking	Residential: 1 space per 3 units  Retail: In excess of 3,000 sf, 1 space per 750 sf. of GFA	Residential: 1 space per 3 units = 218  Retail: In excess of 3,000 sf, 1 space per 750 sf. of GFA = 95	Residential: 155  Retail: 67
Bicycle Parking	Residential: 1 space per 3 units  Retail: 5% of vehicular spaces provided	Residential: 1 space per 3 units = 79  Retail: 5% of vehicular spaces provided = 4	Residential: 79  Retail: 8
Loading <sup>4</sup>	Residential: 1-55 ft. berth 1-200 sf. platform 1-20 ft. loading space  Retail: 2-30 ft. berth 2-100 sf. platform 1-20 ft. loading space	Shared: 3 berths 1 platform	1-40 ft. berth 1-200 sf. platform  1-30 ft. berth 1-100 sf. platform

<sup>4</sup> Per § 2201.2, any use that occupies 90% or more of the gross floor area and cellar floor area of a building (residential use is 92.3% in this case), the loading requirement shall be calculated based on the entire gross floor area and cellar floor area of the building as if the greater use occupies the entire building.



Roof Structure Setback	1:1 setback from exterior wall – 18.5 ft.	1:1 setback from exterior wall – 18.5 ft.	1:1 setback from exterior wall through various means.
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## **VII. FLEXIBILITY**

Subsequent to the approval of the First Stage PUD the Applicant undertook more detailed studies and designs for the building which resulted in a small reduction in the land area. The Applicant also provided more definition to the height and FAR of the building. Generally, the proposal is consistent with the approved First Stage PUD but has requested flexibility in the following areas.

### ***Lot Occupancy***

When the streets are included, the development meets both the residential and nonresidential lot occupancy. However, when the streets are excluded, the residential lot occupancy on the first floor would be at 84% or 9% above the 75% maximum allowed. OP is supportive of this flexibility as it allows the retail on the ground floor to meet the property line along the North Service Court. The additional lot occupancy would not affect the light and air to adjacent buildings.

### ***Side Yard***

Within the CR zone, side yards are not required, but if they are provided, a minimum of eight feet is required. A 2.42 foot side yard is provided along the northern property line while an average of 7.25 feet is provided along the southern property line. OP is supportive of the proposal to provide the small side yard along the northern property line in order to better accommodate outdoor seating for the proposed retail uses and a wider sidewalk for pedestrians. Along the southern property line the setback allows for space between the building and the lower height row houses, as well as for the provision of small patio and balconies on this portion of the building (Exhibit 2A5, Sheet 2, Page 39).

### ***Roof Structure***

The building would have two elevator cores; however, at this time, the type of elevator, its mechanical system and the resultant penthouse height have not been determined. At set down, the Applicant proposed an enclosure of 18.5 feet and a setback of 11.08 feet from the southern wall of the open court. The ZC was not supportive of the request and instructed that it be redesigned to meet the setback requirement. The Applicant states that they are committed to providing the 1:1 setback, but they have requested the setback requirement be met through one or a combination of the following:

- (1) Selection of a system that has an override that is no taller than the smallest setback dimension shown on the roof plan;
- (2) Providing roof structure walls of unequal height; and
- (3) Making minor adjustments to the configuration, footprint and location of the elevator core/stairway enclosures.

OP is supportive of a system that would allow the required setback to be met or by making adjustments to the configuration or location of the elevator core and stair enclosure in order to meet the setback requirements. As shown on Exhibit 12C2, Sheet 2, Page 17, the roof structure would be fairly small. OP is supportive of roof structures with walls of unequal heights to meet the 1:1 setback requirement only if it is consistent with the newly adopted penthouse provisions.

### ***Loading***

Based on the requirements of § 2201, there is not a loading requirement for the 18,772 square feet of retail space. However, the residential use would require a 55-foot berth, a 200-square foot platform and

a 20-foot loading space. Due to the 50-foot width of Three Quarter Street, maneuvering into a 55-foot berth would be difficult. The Applicant proposes to provide a 30-foot berth with a 100-foot platform on the east portion of the building and a 40-foot berth with a 200-foot platform on the west side of Three Quarter Street each serving both the retail and residential uses (Exhibit 12C1, Sheet 12, Page 12). The 30-foot loading berth would also serve as the service/delivery space. Operations and use of the loading dock would be managed by a loading dock manager.

Subject to DDOT concurrence, OP is not opposed to the requested flexibility as it would provide an appropriate number of berths to better serve the loading and service delivery needs of the mixed use building. The appointment of a loading manager would help to eliminate conflicts in the use of the spaces.

***Inclusionary Zoning***

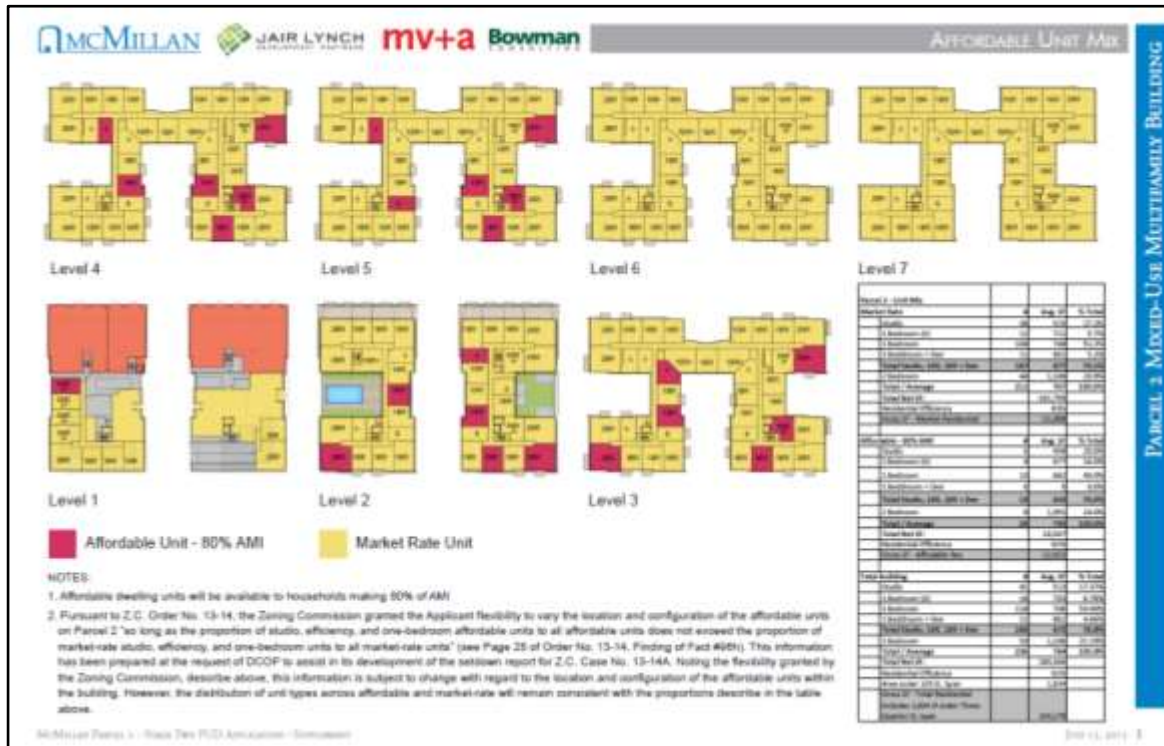
The Stage 1 ZC Order, Condition C.6., Affordable Housing, states that Parcel 2 is required to provide “. . . 25 units, or approximately 21,341 square feet of total gross floor area devoted to housing, shall be set aside on Parcel 2 for households earning 80% of the AMI.” The proposal would provide 23,314 gross square feet or approximately 10% of the total residential square footage or 25 units for households earning up to 80% of the AMI for the life of the development which is consistent with the Order. The development would have a variety of unit types and sizes as shown on the table below.

Unit Types	Number of Units	Market Rate Units	Affordable Units
Studio	41	36	5
1-Bedroom Jr.	16	12	4
1-Bedroom	118	108	10
1-Bedroom+Den	11	11	0
2-Bedrooms	50	44	6
TOTAL	236	211	25

The table below summarizes the affordable units proposed within the development:

Residential Unit Type	GFA & Percentage of Total	Units	Income Type	Affordable Control Period	Affordable Unit Type
Total	224,278/100%	236	-	-	-
Market Rate	199,522/90%	211	-	-	-
IZ	22,922/10%	25	80% AMI	For so long as project exists	Rental

As part of the Stage 1 approval, the Zoning Commission granted flexibility to vary the location and the configuration of the affordable units provided that the proportion of affordable units for each unit types does not exceed that of the market rate units. The Applicant states that based on this flexibility, the locations and configurations of the units shown on the plan below are subject to change. OP does not object to the flexibility in the exact location of individual affordable units, and the Applicant has committed to an overall distribution pattern (Exhibit 12C4, Sheet 12, Page 53), so that affordable units do not become overly clustered.



**Other Flexibility**

The Applicant has requested flexibility in the number of units, a range of  $\pm$  five percent (5%), ( $\pm 12$  units) to account for changes in market conditions. Corresponding to this flexibility, the Applicant is also requesting flexibility to the number of parking spaces provided and any required refinements to the garage configurations associated with a reduction in the number of spaces and other elements provided the number of spaces does not fall below that required by the Zoning Regulations.

OP is not opposed to granting flexibility for the number of units provided the number of affordable units remain at 25, and the unit mix stays constant. OP is also not opposed to a corresponding reduction in the number of parking spaces and any internal garage reconfiguration. However, OP would not support flexibility regarding the location or other change to the loading and parking entrances. Issues related to transportation would be further addressed by DDOT. Any external design changes would require additional review by HPO and possibly HPRB.

The application requests flexibility to the exact design of PUD elements but did not elaborate on which elements would be included, OP is not opposed to flexibility for internal elements provided they do not affect exterior design elements. Similarly, Op is not opposed to flexibility for the location of retail entrances, signage, and streetscape within public space in conjunction with DDOT requirements.

**VIII. PUD EVALUATION STANDARDS PUBLIC BENEFITS AND AMENITIES**

The purpose and standards for Planned Unit Developments are outlined in 11 DCMR, Chapter 24. Section 2400.1 states that a PUD is “designed to encourage high quality developments that provide public benefits.” In order to maximize the use of the site consistent with the zoning regulations and to

enhance and preserve the historic nature of the site the Applicant is requesting that the proposal be reviewed as a PUD. This would allow the utilization of the flexibility stated in Section 2400.2.

*The overall goal is to permit flexibility of development and other incentives, such as increased building height and density; provided, that the project offers a commendable number of quality public benefits and that it protects and advances the public health, safety, welfare, and convenience.”*

A PUD related map amendment from Unzoned to the CR zone was approved along with the First Stage PUD, and is not inconsistent with the Comprehensive Plan. As outlined in the section above, the Applicant has requested some areas of flexibility along with those granted in the First Stage PUD. The proposed flexibility would not make the development inconsistent with the Comprehensive Plan, the CR zone or the overall concept of the Master Plan and First Stage PUD. Section 2403 further outlines the standards under which the application is evaluated.

*2403.3 The impact of the project on the surrounding area and the operation of city services and facilities shall not be found to be unacceptable, but shall instead be found to be either favorable, capable of being mitigated, or acceptable given the quality of public benefits in the project.*

The goal of a PUD is to permit flexibility of development provided a project is determined to provide superior public benefits, provided the PUD process is not used to circumvent the intent and purposes of the Zoning Regulations, or results in an action inconsistent with the Comprehensive Plan.

Public amenities are defined in Section 2407.3 as including “*one type of public benefit, specifically a functional or aesthetic feature of the proposed development that adds to the attractiveness, convenience or comfort of the project for occupants and immediate neighbors*”.

The McMillan Master Plan and First Stage PUD included a number of benefits covering the entire development such as historic preservation, restoration of iconic features, provision of a community center, the recreation of the including public space improvements, transportation benefits, affordable housing, a medical offices, CBE participation and training and employment opportunities among others. While some of these benefits are not specific to Parcel 2, the benefits proffered with the current application are consistent with the first stage approval.

***Urban design, architecture, landscaping, or creation or preservation of open spaces***

The height, massing, materials are generally compatible with directions and standards outlined in the Master Plan. Although OP has raised concerns about the impact of the bridge element on both the Urban Design and the overall site planning for McMillan, generally the design makes use of setbacks, projections, balconies and other elements to articulate the massing. The proposed height and form of the building on Parcel 2 would be a transition between the medical office building on Parcel 1 and the row houses on Parcel 5. Landscaping would be consistent with that approved on the Master Plan and would span all sides of the building.

***Site planning, and efficient and economical land utilization***

Parcel 2 is a portion of the McMillan site which is governed by a comprehensive Master Plan with a plan for a unified mixed use development which preserved many of the existing historic resources which will be complemented by the new development.

### ***Green Elements***

McMillan development will include various environmentally sensitive elements including alternative energy sources, green roofs, bioretention facilities and permeable pavers to reduce stormwater runoff, and green engineering. The overall development would be developed at LEED for New Construction (NC) and would be certified. The Master Plan and First Stage approval envisioned that the individual parcels would be LEED Silver or Green Communities compliant. Parcel 2 would be Green Communities compliant and has provided a checklist indicating the sustainable features of the project (Exhibit 12C4, Sheet 12, page 52).

### ***Retail***

The proposal would provide approximately 18,772 gross square feet of ground floor retail fronting on the North Service Corridor and turning the corners onto Half Street, Three Quarters Street and First Street. The Level 1 Plan (Exhibit 12C1, Sheet 12, Page 12) shows outdoor seating for eating establishments. The retail within this building along the North Service Court is consistent with the Master Plan to activate and provide for pedestrian activity along the North Service Court.

### ***Connectivity***

As part of the Master Plan and First Stage PUD, an extensive transportation plan was developed and approved. It would introduce new streets on the property; provide adequate internal connections as well as connections to the adjacent community; distribute traffic through the site and through various access points; have a multimodal system to accommodate vehicles and encourages the use of public transit, bicycle and foot travel; and implement strategies to help reduce the reliance on car ownership and automobile use. All internal streets would be private and privately maintained but open to public traffic and pedestrians at all times.

Parcel 2 fronts on three street; First Street, the North Service Court and Half Street and is bisected by Three Quarter Street. The Applicant submitted a Traffic Statement which provided an analysis specifically relating to parking and loading and the design of elements to promote effective and safe vehicular and pedestrian access, and transportation management measures. Comments on these issues would be provided in the DDOT Report.

### ***Local Business Opportunities and First Source Agreement***

The Order for the Master Plan and First Stage PUD, notes that prior to the building permit the Applicant will execute a CBE agreement with the Department of Small and Local Business Development (DSLBD) to achieve at a minimum 35% participation by certified business enterprise in the contracted development cost for design, development, construction, maintenance and security for the project.

The Applicant has committed to executing a First Source Agreement with the District Department of Employment Services to utilize District residents for at least 51% of the new jobs with preferences given to Wards 1 and 5 residents if possible.

## **IX. COMPREHENSIVE PLAN**

The Commission found during its review of the First Stage PUD that the McMillan development is not inconsistent with the Comprehensive Plan's Generalized Land Use Map or the Future Land Use Map. The current Second Stage PUD application is generally consistent with the First Stage as approved and does not detract from project's correlation with major tenets of the Plan. As noted in the OP setdown report, the proposal would further a number of the McMillan Master Plan's Guiding Principles and



major policies from the Comprehensive Plan elements such as the Land Use; Transportation; Economic Development; Parks, Recreation and Open Space; Urban Design; and Mid City Area Element.



**Future Land Use Map**



**Generalized Policy Map**

The Future Land Use Map designates the site for mix of uses: medium density residential, moderate density commercial and Parks, Recreation and Open Space.

The Generalized Policy Map identifies the site as a Land Use Change Area intended to “to encourage and facilitate new development and promote the adaptive reuse of existing structures. Many of these areas have the capacity to become mixed-use communities containing housing, retail shops, services, workplaces, parks and civic facilities. The Comprehensive Plan’s Area Elements provide additional policies to guide development and redevelopment within the Land Use Change Areas, including the desired mix of uses in each area.” 223.11

**X. AGENCY COMMENTS**

The Department of Transportation (DDOT) report would address the transportation, parking and loading issues under separate cover.

**XI. COMMUNITY COMMENTS**

The property is within the area governed by ANC-5E. As part of the review the Applicant has had meetings with and made presentations to the ANC and other community groups regarding the development of Parcel 2.