



## Memorandum

**TO:** District of Columbia Zoning Commission

**FROM:** *JS* Jennifer Steingasser, Deputy Director  
Development Review and Historic Preservation

**DATE:** January 19, 2015

**SUBJECT:** **ZC 14-09 – Hearing Report for Consolidated Planned Unit Development (PUD) with PUD-related Map Amendments for 9<sup>th</sup> and L Streets, N.W.**

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### I. RECOMMENDATION

The Office of Planning (OP) recommends **approval** of this Planned Unit Development (PUD) application with related Zoning Map Amendment as it conforms to the 2010 Comprehensive Plan's objectives for the area and to the Generalized Land Use and Policy Maps, and would contribute to the redevelopment of the Mount Vernon Square/Shaw neighborhood.

As a response to OP and Zoning Commission requests during the setdown meeting on July 28, 2014, the Applicant submitted additional information pertaining to the proposed building's palette of materials, (see Sheet A-450 of the Applicant's most recent submission, dated January 9, 2015), detailed street-level renderings depicting how the retained contributing historic buildings along 9th Street would interact with the street (Sheets A-501 – A-505; A-508 – A-517), a detailed rendering of the proposed building's north elevation (Sheet A-404), detailed roof diagrams (Sheets A-210-A-211), and loading diagrams (Sheets C 5.1 – C 5.7).

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### II. PROPOSAL

QC 369 LLC (the "Applicant") has submitted an application for a PUD and related map amendment from DD/C-2-A and DD/C-2-C to DD/C-3-C to permit construction of a mixed-use hotel and residential building with ground floor retail development at Square 369, Lots 40, 62, 65-67, 801-805, 838, 842, 848, 859, and 878 (the "Project"). The proposal consists of a new 12-story residential building, Marriott hotel, and retail and service uses. Portions of six buildings contributing to the Shaw Historic District along 9th Street NW, as well as the Lurgan, an historic apartment building on L Street NW, would be incorporated into the design. The Applicant proposes to demolish one historically contributing building, located at 913 L Street NW, while a historically contributing building at 911 L Street would be moved and partially retained.

Specifically, the overall development would include:

- A mixed use building with an FAR of 8.31 and combined gross floor area of 587,295 square feet, of which 362,615 square feet would be dedicated to hotel use and 224,680 square feet would be dedicated to residential uses;
- Retail uses along 9<sup>th</sup> Street; and
- A maximum height of 110 feet at the L Street frontage.

Phase 1 would include:

- A Residence Inn by Marriot, with 124 guest rooms designed for extended stay travelers; and
- A Courtyard Marriot, with 360 guest rooms.

Phase 2 would include:

- A residential portion of the building with approximately 201 units.

The overall development would also include approximately 255 parking spaces on two levels below grade; residential parking and loading would be accessed from the alley to the west of the site, and hotel parking would be accessed from 9<sup>th</sup> Street. The building would also include 66 bicycle parking spaces. Additionally, the new structure would have a rooftop recreation space and pool deck with a grill area, fire pit, and lounge seating.

In addition to the requested PUD-related map amendment from DD/C-2-A and DD/C-2-C to DD/C-3-C, the Applicant seeks zoning flexibility in the following areas:

1. Roof enclosures (§411)
2. Loading (§2201)
3. Compact Parking Spaces (§2115.4)

The Applicant worked with OP, the Historic Preservation Review Board (HPRB), and the community to address the height, massing, and design of the building prior to filing this application. Overall, the Project is respectful of the adjacent commercial and residential corridors along 9<sup>th</sup> and L Streets NW.

The Property is located within the Shaw Historic District. A concept plan was submitted to the Historic Preservation Office (HPO) and HPRB, who reviewed the proposed height, density, and the compatibility of the building with the adjacent neighborhood buildings, and the historic district. The Project was modified and refined in response to HPRB guidance and comments. The Historic Preservation Review Board conducted a public hearing in October 23rd, 2014, and found the concept plan compatible with the historic district. In addition, the Board commended the Applicants on the revised concept, finding it responsive to all of the Board's previous comments. The changes to the hotel and new residential building were found to substantially improve the proposal's compatibility and enliven the 9<sup>th</sup> and L Street streetscapes. The partial retention and inclusion of 911 L Street into the project was also commended, as it would retain a substantial portion of one of the earliest buildings in the historic district and retain more of an historic context for the project. The concept was approved.

On December 12, 2014, the Mayor's Agent for Historic Preservation held a hearing on the Applicant's request to demolish in its entirety the building at 913 L Street, N.W. A decision is expected in January 2015.

### **III. SITE and AREA DESCRIPTION**

The site is located at the northwest corner of 9<sup>th</sup> and L Streets, N.W. and is comprised of lots 40, 62, 65-67, 801-805, 838, 842, 848, 859, and 878 in Square 369. The site is 70,787 square feet. Square 369 is split zoned, with the existing historic buildings fronting on 9<sup>th</sup> Street located in the Downtown Development Overlay (DD)/C-2-A District, and the remaining western portion of the square located in the DD/C-2-C District. The historic buildings, located on lots 65, 66, 801, 802, 838, 839, 942, 879, and 881, date from the period of significance for the Shaw Historic District (1833-1932).

The remainder of Square 369 primarily includes multifamily houses and condominiums, two and three story row dwellings with ground floor retail, and surface parking lots. Square 369 is bisected by a 15-foot wide public alley that runs north-south between L and M Streets. The square also includes several other east-west and north-south alley segments. Portions of the alleys would be closed to facilitate the proposed Project.

Surrounding squares have some mixed-use, higher density structures. To the east of the Property, on the east side of 9<sup>th</sup> Street, N.W., between Massachusetts Avenue and N Street N.W., is the Washington Convention Center; to the north of the property, zoned DD/C-2-A, are low-density commercial structures and a multifamily building; to

the west of the Property is a multifamily building, zoned DD/C-2-C; and to the south of the property, across L Street, is the Marriot Marquis Hotel. The property is near four Metrorail stations (Mount Vernon Square-Convention Center, Gallery Place-Chinatown, Judiciary Square, and Union Station), and has access to Metrobus routes, the DC Circulator, and Capital Bikeshare.



#### IV. MAJOR CHANGES SINCE SETDOWN

##### 911 L Street NW

The Historic Preservation Review Board unanimously approved the revised concept based on its significant enhancements and its incorporation of 911 L Street NW, (which under an earlier proposal by the Applicant had been slated for demolition), into the design. HPRB delegated final approval of the design to staff. The new construction behind 911 L Street would be recessed so that no portion of the new hotel would rise above the historic building. Under the Applicant's revised proposal and consistent with the prior submission, the Applicant proposed to demolish the building at 913 L Street.

##### Design

The historic buildings on 9th Street have been more fully incorporated into the design and activated with uses that should help to enliven the streetscape. The hotel bar and restaurant areas would be accessible through the historic 9th Street entrances. The two-story volume spaces initially proposed for 1104 and 1106 9th Street have been eliminated and reconstructed upper floors have been reinserted in order to maintain the historic appearance from the street.

The overall exterior design of the new construction has been refined by (i) reducing the size of the hotel entrance marquee from four bays to three, (ii) reducing the terra cotta screen wall system on L Street and articulating it with greater change in plane and punched windows, (iii) refining the articulation and fenestration of the east and north elevations to break down the mass, and improving its ground level relationship to the historic district; and (iv) changing the corner glazed element of the apartment building and strengthening the entrance; and (v) restoring the entrance to the Lurgan apartment building.

## Public Benefits

The Applicant has also proposed to include a total of \$45,000 to the Friends of Gompers Park, Friends of 10<sup>th</sup> Street Park, and the Thomas Elementary Parent-Teacher Association, which is discussed in detail on page 13 of this report.

## **V. COMPREHENSIVE PLAN AND PUBLIC POLICIES**

The proposed PUD must be determined by the Zoning Commission to be not inconsistent with the Comprehensive Plan and with other adopted public policies (§ 2403.4). The development proposal would particularly further the Land Use, Housing, Economic Development, Environmental Protection, Historic Preservation, and Urban Design Citywide Elements, as well as the Near Northwest Area Elements and policies:

### **Land Use Element**

- *The city's aging building stock still requires refurbishment and replacement. The renewed popularity of city living generates the need for more housing and new amenities. 300.4*
- *Land use changes have the potential to make the city more vibrant, economically healthy, exciting, and even more environmentally sustainable than it is today. 300.5*
- *Fully capitalizing on the investment made in Metrorail requires better use of the land around transit stations and along transit corridors. 306.2*
- *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; 306.4*

**Policy LU-1.1.1 Sustaining a Strong City Center** *Provide for the continued vitality of Central Washington as a thriving business, government, retail, financial, hospitality, cultural, and residential center. Promote continued reinvestment in central city buildings, infrastructure, and public spaces; continued preservation and restoration of historic resources; and continued efforts to create safe, attractive, and pedestrian-friendly environments.*

**Policy LU-1.4.1 Infill Development** *Encourage infill development on vacant land within the city, particularly in areas where there are vacant lots that create "gaps" in the urban fabric and detract from the character of a commercial or residential street. Such development should complement the established character of the area and should not create sharp changes in the physical development pattern.*

**Policy LU-2.4.6 Scale and Design of New Commercial Uses** *Ensure that new uses within commercial districts are developed at a height, mass, scale and design that is appropriate and compatible with surrounding areas.*

**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.*

The proposed mixed use development would capitalize on the site's proximity to several transit options, and would help to address the District's housing demand. Further, the project would help to enliven and transform the area adjacent to the Convention Center. The Office of Planning historic preservation staff worked with the Applicant to refine the project's height and density so that the project's scale would be appropriate given its context.

## **Housing Element**

**Policy H-1.1.1: Private Sector Support** *Encourage the private sector to provide new housing to meet the needs of present and future District residents at locations consistent with District land use policies and objectives.*

**Policy H-1.1.3 Balanced Growth** *Strongly encourage the development of new housing on surplus, vacant and underutilized land in all parts of the city. Ensure that a sufficient supply of land is planned and zoned to enable the city to meet its long-term housing needs, including the need for low- and moderate-density single family homes as well as the need for higher-density housing.*

**Policy H-1.1.4: Mixed Use Development** *Promote mixed use development, including housing, on commercially zoned land, particularly in neighborhood commercial centers, along Main Street mixed use corridors, and around appropriate Metrorail stations.*

**Policy H-1.1.6: Housing in the Central City** *Absorb a substantial component of the demand for new high-density housing in Central Washington and along the Anacostia River. Absorbing the demand for higher density units within these areas is an effective way to meet housing demands, create mixed-use areas, and conserve single-family residential neighborhoods throughout the city. Mixed income, higher density downtown housing also provides the opportunity to create vibrant street life, and to support the restaurants, retail, entertainment, and other amenities that are desired and needed in the heart of the city.*

The development proposes to add 200 residential units, comprised of studios, one- and two- bedroom units, along a mixed use corridor consistent with the policies of the Housing Element.

## **Economic Development Element**

**Policy ED 2.3.1 Growing the Hospitality Industry** *Develop an increasingly robust tourism and convention industry, which is underpinned by a broad base of arts, entertainment, restaurant, lodging, cultural and government amenities. Strive to increase: (a) the total number of visitors to Washington; (b) the number of visitors staying in the District (rather than in suburban hotels); and (c) longer visitor stays in Washington. Promote the District not only as the preferred base for exploring the city's attractions but also the preferred overnight base for visiting regional attractions.*

**Policy ED-2.3.4: Lodging and Accommodation** *Support the development of a diverse range of hotel types, serving travelers with varying needs, tastes, and budgets. New hotels should be encouraged both within Central Washington and in outlying commercial areas of the city, particularly in areas which presently lack quality accommodation.*

The Project would include two hotels, supporting the development of a range of hotel types adjacent to the Convention Center. Further, the proposed Project would include ground-floor retail which could help the Convention Center corridor better meet the demand for basic goods and services.

## **Historic Preservation Element**

**Policy HP-2.2.2: Neighborhood Preservation Planning** Give full consideration to preservation concerns in neighborhood plans, small area plans, major revitalization projects, and where appropriate, applications for planned unit developments and special exceptions. Promote internal coordination among District agencies and the HPO at the earliest possible stage of planning efforts and continue coordination throughout. Involve Advisory Neighborhood Commissions and community preservation groups in planning matters affecting preservation.

### **Policy HP-2.4.1: Rehabilitation of Historic Structures**

Promote appropriate preservation of historic buildings through an effective design review process. Apply design guidelines without stifling creativity, and strive for an appropriate balance between restoration and adaptation as suitable for the particular historic environment.

**Policy HP-2.4.3: Compatible Development** Preserve the important historic features of the District while permitting compatible new infill development. Within historic districts, preserve the established form of development as evidenced by lot coverage limitations, yard requirements open space, and other standards that contribute to the character and attractiveness of those areas. Ensure that new construction, repair, maintenance, and improvements are in scale with and respect historic context through sensitive siting and design and the appropriate use of materials and architectural detail.

### **Policy HP-2.4.5: Protecting Historic Building Integrity**

Protect historic buildings from demolition whenever possible, and protect the integrity of whole buildings. Discourage treatments like facadism or relocation of historic buildings, allowing them only when there is no feasible alternative for preservation, and only after a finding that the treatment is necessary in the public interest. Waivers or administrative flexibility should be provided in the application of building and related codes to permit maximum preservation and protection of historic resources while ensuring the health and safety of the public.

The Project would enhance the form and identity of the Mount Vernon Square/Convention Center area and would be respectful of its historic context. Buildings of similar height and scale currently exist in the immediate vicinity. In addition, the treatment of the façade would not be out of character with the surrounding historic neighborhood. The Project would preserve portions of eight contributing historic structures along 9<sup>th</sup> and L Streets NW, (demolishing the rear portions of the buildings), as well as the retention of the exterior masonry walls of the Lurgan, a historic multifamily building along L Street NW. The Project would demolish one contributing historic building along L Street NW (913 L Street NW).

As noted above, HPRB reviewed the proposal and indicated support for the current design.

## **Environmental Protection Element**

**Policy E-1.1.1: Street Tree Planting and Maintenance** Encourages the planting and maintenance of street trees in all parts of the city;

**Policy E-1.1.3: Landscaping** Encourage the use of landscaping to beautify the city, enhance streets and public spaces, reduce stormwater runoff, and create a stronger sense of character and identity.

**Policy E-2.2.1: Energy Efficiency** Promotes the efficient use of energy, additional use of renewable energy, and a reduction of unnecessary energy expenses;

**Policy E-3.1.2: Using Landscaping and Green Roofs to Reduce Runoff:** Promotes an increase in tree planting and landscaping to reduce stormwater runoff, including the expanded use of green roofs in new construction;

**Policy E-3.1.3: Green Engineering:** *Promotes green engineering practices for water and wastewater systems; The proposed project would include street tree planting, landscaping (including a green roof), energy efficiency, methods to reduce stormwater runoff, and green engineering practices. The Applicant has committed to not constructing the Project below the LEED Silver rating. OP supports the inclusion of these environmental benefits into the proposed Project. In addition, the Project would comply with the District's Green Area Ratio (GAR) requirements.*

### **Urban Design Element**

**Policy UD-2.2.4: Transitions in Building Intensity** *Establish gradual transitions between large-scale and small-scale development. The relationship between taller, more visually prominent buildings and lower, smaller buildings (such as single family or row houses) can be made more pleasing when the transition is gradual rather than abrupt. The relationship can be further improved by designing larger buildings to reduce their apparent size and recessing the upper floors of the building to relate to the lower scale of the surrounding neighborhood.*

**Policy UD-2.2.5: Creating Attractive Facades** *Create visual interest through well-designed building facades, storefront windows, and attractive signage and lighting. Avoid monolithic or box-like building forms, or long blank walls which detract from the human quality of the street.*

**Policy UD-2.2.7: Infill Development** *Regardless of neighborhood identity, avoid overpowering contrasts of scale, height and density as infill development occurs.*

**Policy UD-3.1.11: Private Sector Streetscape Improvements** *As appropriate and necessary, require streetscape improvements by the private sector in conjunction with development or renovation of adjacent properties.*

Since setdown, the Applicant provided additional street-level renderings which provide more realistic detail as to the Project's proposed materials and signage along 9th Street (Sheets A-501, A-503-A-505; A-511, A-513, A-515-A517). The Office of Planning supports the Applicant's design modifications along 9<sup>th</sup> Street, which would remove the internally-oriented meeting rooms in the first floors of the historic buildings. The renderings show transparent windows for much of the ground-level on the 9th Street historic façades allowing complete visual access to activated interior spaces through the existing windows, resulting in an experience that would encourage pedestrian activity and significant interaction between the indoor private space and outdoor public space. in addition, the 9<sup>th</sup> street portion of the hotel would include a ground-level restaurant, lounge and retail uses, all of which should help to create an architecturally interesting and active streetscape.

In addition to the historic Lurgan and the relocated 911 L Street, the rendering of the L Street façade at ground level shows that the base of the hotel has been revised to include masonry piers with inset storefront glazing rather than a sheer glass wall (Sheets A-502-503, A-508-510, A-512, A-514). The piers mimic the rhythm of the historic structures while 'grounding' the upper levels of the building. The new construction behind 911 L Street would be recessed so that no portion of the new hotel would rise above the historic building.

Further, the entrance with the corner tower has been made more prominent and a second, smaller projecting canopy added. The opening within the masonry portion of the ground floor on 9<sup>th</sup> Street (immediately adjacent to 1104) has been redesigned with proportions more similar to that of the historic buildings.

The Applicant is committed to streetscape improvements consistent with current District standards.

Overall, the proposal would provide a mixed-use, transit-oriented development near the Mt. Vernon Square Metro Station, and provide vibrancy and an active streetscape along 9<sup>th</sup> Street that would interact with the new hotel to the south and the Convention Center to the east. The façade would be articulated through setbacks, projections, and other design elements consistent with the character of the neighborhood. The Project would enhance the vibrancy of the 9th Street and L Street corridors through infill development and ground floor retail on 9th Street.

## Near Northwest Element

**Policy NNW-1.1.4: Neighborhood Commercial Revitalization** Improve the neighborhood shopping areas along 7th, 9th, and 11th Streets NW. The success of the established businesses on these streets should be strongly encouraged, and new businesses that provide needed goods and services to area residents should be attracted.

**Policy NNW-2.1.5: 7th and 9th Street Corridors** Locate retail development within the Shaw/Convention Center Area in a manner that best serves residents, creates the best environment for businesses to succeed, and uses land already zoned for commercial uses. Continuous ground floor retail uses should be encouraged along sections of 7th and 9th Streets as designated in the 2005 Strategic Development Plan to create a traditional pedestrian-oriented Main Street pattern and establish a unified identity for the community. These corridors should attract convention-goers, residents, and visitors, and should include both new and existing businesses.

The Project would include residential, hotel, and retail space, consistent with the goals of the Near Northwest Element. The reuse of the historic row structures provides the opportunity for active ground floor uses at a pedestrian scale.

## Central Washington Area Element

**Policy CW-1.1.10: Central Washington Hotels and Hospitality Services** Encourage the development of additional hotels in Central Washington, especially in the areas around the new Convention Center and Gallery Place, along Pennsylvania Avenue NW and Massachusetts Avenue NW, in the Thomas Circle area, and in the area east of Third Street NW. A range of hotel types, including moderately priced hotels, and hotels oriented to family travelers as well as business travelers, should be encouraged. Hotels generate jobs for District residents and revenues for the general fund and should be granted incentives when necessary. 1608.11

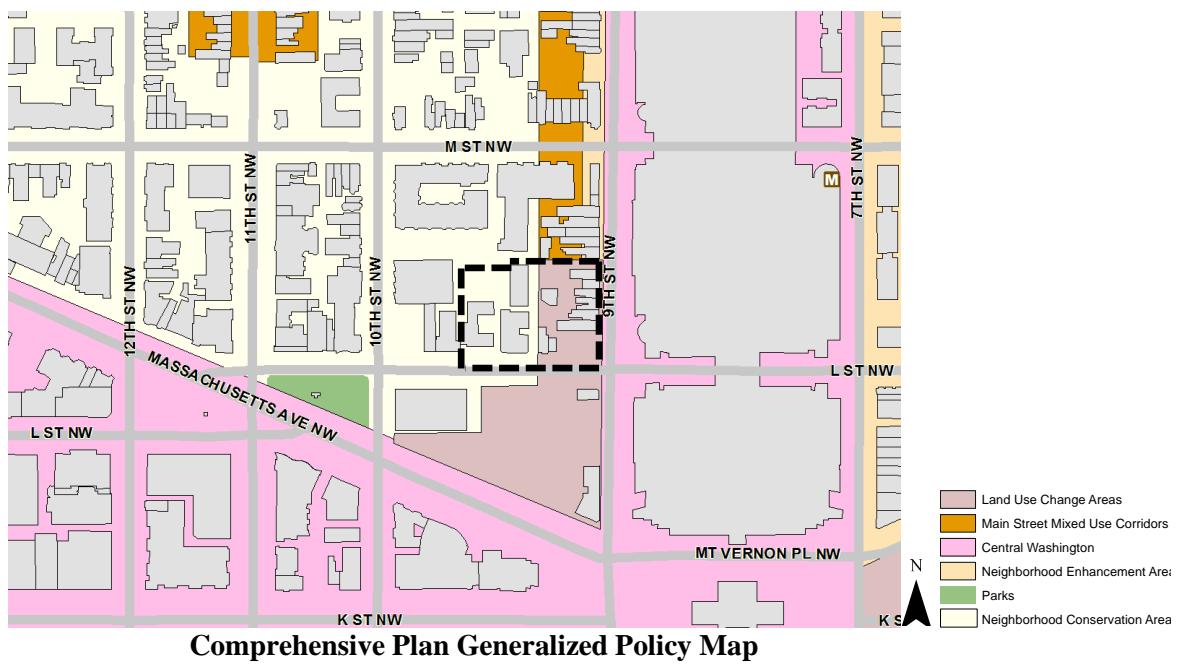
**Policy CW-2.4.3: Convention Center Area Land Uses** Encourage land uses around Mount Vernon Square which capitalize on the presence of the Washington Convention Center. Such uses include hotels, restaurants, retail, and entertainment uses. Convention-related hotel construction should be focused on vacant or underutilized land immediately adjacent to the Convention Center to minimize impacts on the surrounding neighborhood. 1614.8

**Action CW-2.4.B: Convention Center Hotel** Develop a major convention center hotel in close proximity to the Washington Convention Center. The hotel should be sited and designed to complement adjacent uses and add activity and aesthetic value to the Mount Vernon Square neighborhood. 1614.14

The Project would include a hotel uses, including a Residence Inn by Marriot with 124 guest rooms designed for extended stay travelers, and a Courtyard Marriot with 360 guest rooms, both of which would capitalize on the adjacent Convention Center. The hotel's overall design, including the preservation of several historic structures, would add activity and aesthetic value to the Mount Vernon Square neighborhood.

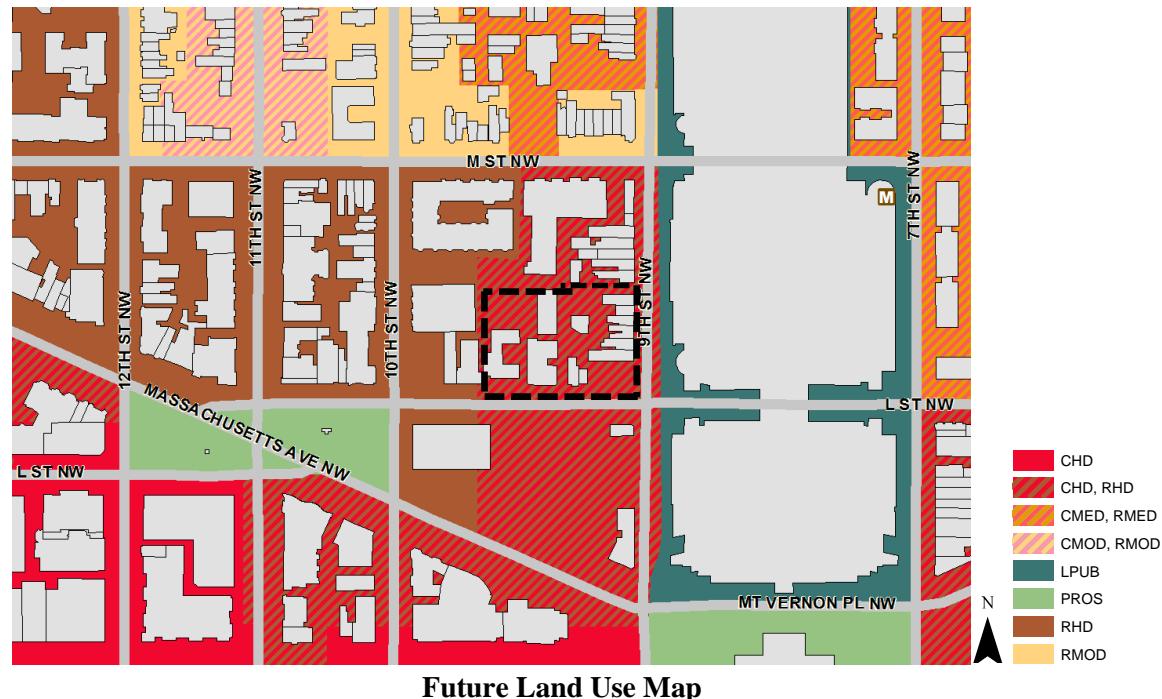
## B. Comprehensive Plan Generalized Policy Map

The Generalized Policy Map designates the site as a Land Use Change Area and a Neighborhood Conservation Area. Conservation and enhancement of these corridors is desired to foster economic and housing opportunities and serve neighborhood needs. Any development or redevelopment that occurs should support transit use and enhance the pedestrian environment.



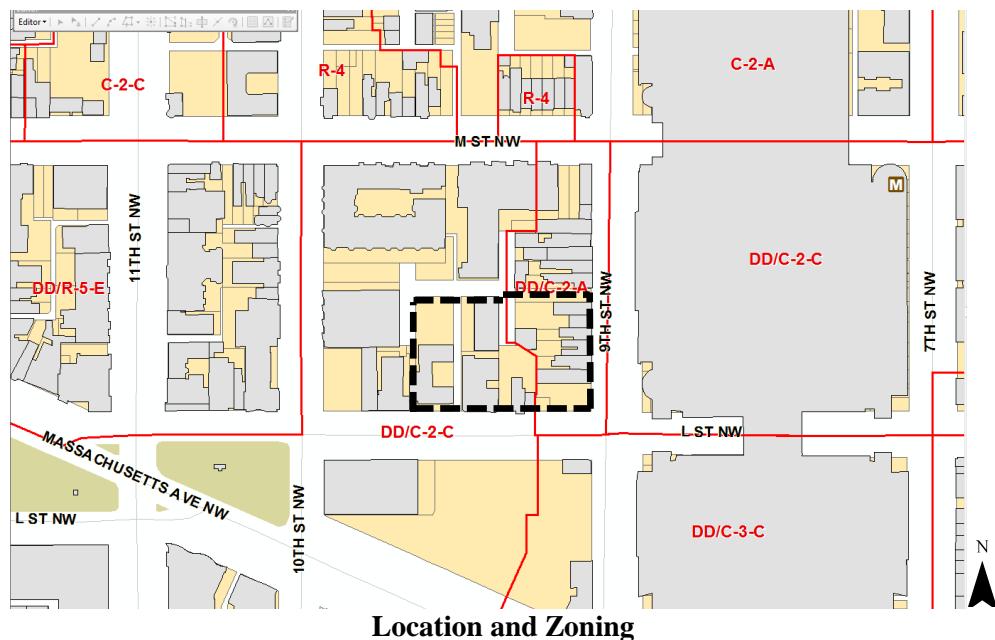
### C. Future Land Use Map

The Future Land Use Map designates the subject site for High Density Commercial and High Density Residential Uses. The proposed development is not inconsistent with the land use designation.



## VI. ZONING

The site is currently split-zoned between the DD/C-2-A and DD/C-2-C zones. The C-2-A District is designed to provide facilities for shopping and business needs, housing, and mixed uses for large segments of the District outside the central core. The C-2-C District is designed to serve commercial and residential functions with relatively high densities and mixed uses. The general purposes of the DD Overlay District are to create a balanced mix of uses; to guide office development, which is favored by market forces, so as to further the land use objectives for retail, hotel, residential, entertainment, arts and cultural uses; and to protect historic buildings and places while permitting sensitive and compatible new developments. The Applicant is proposing the DD/C-3-C zone, characterized by medium/high density development, including office, retail, housing, and mixed uses. A small portion of the site, totaling 7,370 square feet and comprised of the historic buildings along 9<sup>th</sup> Street, would remain zoned C-2-A.



The following table compares the existing matter of right and requested DD/C-3-C zone.

Standard	DD/C-2-A MOR	DD/C-2-C MOR	DD/C-3-C	Proposal
<b>Height (ft.)</b>	50 ft.	110 ft.	110 ft.	110 ft.
<b>Lot Occupancy %</b>	60% residential 100% non-residential 75% with IZ Bonus	80% residential 100% non-residential 90% with IZ Bonus	80% residential 100% non-residential 90% with IZ Bonus	100%
<b>FAR</b>	2.5 max 1.5 non-residential 3.0 with IZ bonus	8.0 max 4.5 min. residential	9.5 max 3.5 min. residential	8.31 (Building) 0.25 (Mechanical)
<b>Rear Yard</b>	15 ft.	15 ft.	15 ft.	Complies
<b>Side Yard</b>	None required; if provided, 3 in/ft. of ht. but not less than 8 ft.	None required; if provided, 3 in/ft. of ht. but not less than 8 ft.	None required; if provided, 3 in/ft. of ht. but not less than 8 ft.	NA
<b>Parking (spaces)</b>	Apts = 1 per 2 units;  Hotel = 1 per 2 sleeping rooms;  +1 per 150 sf in largest function room or exhibit space	Apts = 1 per 2 units;  Hotel = 1 per 2 sleeping rooms;  +1 per 150 sf in largest function room or exhibit space	Apts = 1 per 2 units;  Hotel = 1 per 2 sleeping rooms;  +1 per 150 sf in largest function room or exhibit space	Hotel Self-Parking: 123 spaces  Hotel Valet: 149  Apartments: 106
<b>Loading</b>	Apt House > 50 units 1 berth @ 55 ft. 1 platform @ 200 sf. 1 svc space @ 20 ft.  Hotel > 200 rooms 1 berth @ 30 ft. 1 platform @ 100 ft. 1 svc space @ 20 ft. >10,000 sf function space = 1 berth @ 30 ft. + platform @ 100 sf.	Apt House > 50 units 1 berth @ 55 ft. 1 platform @ 200 sf. 1 svc space @ 20 ft.  Hotel > 200 rooms 1 berth @ 30 ft. 1 platform @ 100 ft. 1 svc space @ 20 ft. >10,000 sf function space = 1 berth @ 30 ft. + platform @ 100 sf.	Apt House > 50 units 1 berth @ 55 ft. 1 platform @ 200 sf. 1 svc space @ 20 ft.  Hotel > 200 rooms 1 berth @ 30 ft. 1 platform @ 100 ft. 1 svc space @ 20 ft. >10,000 sf function space = 1 berth @ 30 ft. + platform @ 100 sf.	Apt House: 1 berth @ 30 ft. 1 berth @ 24 ft.  Retail/Hotel: 2 berths @ 30 ft.

## VII. FLEXIBILITY

In addition to the PUD-related map amendment from DD/C-2-A and DD/C-2-B to DD/C-2-C, the following zoning flexibility is requested:

- Multiple Roof Structures (§ 411.11)  
The Applicant requests flexibility for multiple roof structure enclosures for the residential portion of the building. According to the Applicant, new construction would need to be set back considerably from the street frontages because of the historic buildings along 9th Street and L St. Flexibility is also needed for multiple roof structures because of the separate elevator cores for the three different uses. OP has no concerns with this request.
- Compact Parking Spaces (§ 2115.4)  
The Applicant seeks flexibility from the compact parking space requirements of § 2115.4. The Applicant requests flexibility from the requirement that compact parking spaces be placed in groupings of at least five contiguous spaces with access from the same aisle. According to the Applicant, flexibility is needed because of the footprint of the historic buildings, which disrupts the layout of the parking garage. OP has no concerns with this request.
- Loading (§ 2201.1)  
§ 2201.1 requires that structures include loading facilities for each proposed use. Loading facilities are planned in the northern edge of the site via a new alley from 9<sup>th</sup> Street. The new alley easement would

connect with the existing alley which provides access to L Street, M Street, and 10<sup>th</sup> Street. The proposed hotel is required to provide one loading berth at 55 feet deep, one loading berth at 30 feet deep, one service platform at 100 square feet, and a service/delivery space at 20 feet deep. In addition, the function space requires one berth at 30 feet deep and one platform at 100 square feet. As proposed, the hotel would provide two loading berths at 30 feet deep, and a service delivery space at 24 feet deep. For the residential portion of the Project, the Applicant is required to provide one loading berth at 55 feet deep, one service platform at 200 square feet, and one service/delivery space at 20 feet deep. As proposed, the residential space would include two loading berths at 30 feet.

This program of loading facilities would be less than prescribed by the regulations, but according to the transportation study should be sufficient for the building's use ("Transportation Impact Study", December 12, 2014). The study indicates that the number of expected trips should be adequately handled by the number of berths. OP has no concerns with this request.

## **VIII. PUD EVALUATION STANDARDS AND 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 be compatible with the surrounding community, the application requests that the proposal be reviewed as a consolidated PUD. This will allow the use of the flexibility stated in § 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 or quality of public benefits and that it protects and advances the public health, safety, welfare, and convenience.*

The application requests a PUD-related map amendment, which is not inconsistent with the Comprehensive Plan, to allow approximately 15 feet of additional building height above DD/C-2-A limits.<sup>1</sup> The Project proposes an FAR of 8.31; the net gain in density, compared to the DD/C-2-A and DD-C-2-C by-right amount, would be close to 62,213 square feet.

The PUD standards further provide 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."

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." 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 the typical development of the type proposed..." (§ 2403.12). The application has offered the following amenities and benefits as an offset to the additional development gained through the application process:

(a) *Urban design, architecture, landscaping, or creation or preservation of open spaces - § 2403.9(a)*

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<sup>1</sup> For the portion of the site currently zoned DD/C-2-A and proposed to remain DD/C-2-A, (which includes the contributing buildings along 9<sup>th</sup> Street to be preserved to a depth of 41.5 feet), the maximum building heights would be no greater than 65 feet.

The Applicant has worked closely with OP Development Review and historic preservation staff on the massing and design of the building. The design attempts to address the neighborhood's character through the building's materials and its articulation along both L and 9th Streets. The design makes extensive use of setbacks, projections, and other elements to articulate the massing. The design has received concept approval from HPRB as being compatible with the Shaw Historic District. The Project's proposed materials augment the character of the Mt. Vernon Square/Shaw neighborhood and are in context with the surrounding historic neighborhood.

*(b) Site planning, and efficient and economical land utilization - § 2403.9(b)*

The proposal would enhance a currently underused site located within close proximity to a Metro station and several Metrobus lines. The Project would activate the surrounding street network with a combination of active retail uses, additional residents, and streetscape improvements. Access to the parking garage and loading facilities would be located from public alleys to the north and west of the Site. Hotel drop off and pick up, including buses and taxis, would be accommodated in a layby located on L Street.

*(c) Historic preservation of private or public structures, places, or parks - § 2403.9(d)*

The proposed design and street orientation is consistent with the historic character of the Shaw Historic District. The design has been reviewed by the HPRB and has received concept approval. The Project incorporates the historic rowhouses along 9<sup>th</sup> Street, 911 L Street, and the historic Lurgan apartment building facing L Street. The design team worked extensively with the HPO staff to preserve and reuse these contributing buildings.

*(d) Housing - § 2403.9(f)*

The Applicant proposes to provide 222,027 square feet of gross floor area devoted to residential uses comprised of 200 new residential units, including studios, one- and two- bedroom apartments. The Project would be located in the Mount Vernon Square neighborhood, which is a Housing Priority Area as provided by § 1706.8. The Project's residential component would help accomplish the balanced mixture of uses essential to a "Living Downtown". Further, the historic Lurgan apartment building would be retained and used for residential units.

*(e) Environmental benefits- § 2403.9(h)*

The proposed development provides a number of environmental benefits and includes street tree planting and maintenance, landscaping, energy efficiency, stormwater mitigation methods, green engineering practices and an emphasis on transit and pedestrian and bike access. The Applicant has not yet indicated a targeted LEED standard, but anticipates that the project would not be designed or constructed below the LEED Silver rating equivalent.

*(f) Uses of special value to the neighborhood or the District of Columbia as a whole § 2403.9 (i)*

Events DC, who owns and manages the Convention Center, has relayed to OP the need for additional hotel rooms at various price points to meet the demands of the Convention Center. The Applicant has worked with Advisory Neighborhood Commission ("ANC") 2F, to develop additional benefits and amenities and has agreed to further enhance the public benefits associated with the project by making financial contributions to three community groups. The Applicant would donate a total of \$45,000 to the following organizations, as follows:

- 1) Friends of Gompers Park (10<sup>th</sup> and L Streets NW): \$20,000 – includes refurbishment of the grass turf and refurbishment of the flower beds.
- 2) Friends of 10<sup>th</sup> Street Park (Square 369): \$20,000 – includes park maintenance and new plantings, community bulletin board, additional seating, repair/replacement of light bollard, additional seating, and improvements to soft-play surface.
- 3) Thomas Elementary Parent-Teacher Association (12<sup>th</sup> & L Streets NW): \$5,000 – includes purchase of Imagination Playground Blocks.

## **IX. AGENCY REFERRALS AND COMMENTS**

The District Department of the Environment (DDOE) and District Department of Transportation (DDOT) will submit comments under separate cover.

## **X. COMMUNITY COMMENTS**

The application received the unanimous endorsement of the Community Development Committee of ANC 2F on December 17, 2014, and the full ANC adopted the CDC recommendation at its regular meeting on January 7, 2015.

## **XI. SUMMARY OF ZONING COMMISSION AND OP REQUESTS FOR ADDITIONAL INFORMATION**

The following summarizes Zoning Commission and OP requests for additional information relating to the Applicant's setdown submission. The Applicant has addressed all of these requests prior to the public hearing.

<b>Zoning Commission Comment</b>	<b>Applicant Response</b>	<b>OP Analysis</b>
The Applicant should re-evaluate the proposed hotel awning.	The Applicant's most recent submission, dated January 9, 2015, depicts a slightly smaller hotel awning.	OP supports the redesign of the hotel awning.
The Applicant should provide additional and more detailed street-level renderings which depict the proposed streetscape and canopy.	The Applicant provided detailed street level renderings (Sheets A-501-A517).	OP supports the proposed design of the building at street level, which would create an architecturally interesting streetscape and engage pedestrians along the street.
The Applicant should provide additional rooftop diagrams which more clearly show the heights and setbacks.	The Applicant provided additional rooftop diagrams (Sheets A-210-A-211).	The additional diagrams clearly show the proposed heights and setbacks.
The Applicant should consider minimizing or reconfiguring the rooftop communal space.	The Applicant reduced the size of the rooftop communal space (Sheets A-210-A-211).	OP supports the design of the redesigned rooftop communal space.
The Applicant should explain why the hotel is included in the first phase of the project when the site is located in a housing priority area.	The terms "Phase 1" and "Phase 2" are used to distinguish between the residential and hotel components, and does not relate to the timing of construction.	Both the hotel and residential uses would be not inconsistent with the Comprehensive Plan's Land Use and Policy Maps.
The Applicant should provide diagrams which clearly depict loading access and circulation through the alley.	The Applicant provided drawings which clearly depict loading access and circulation in the alley.	OP has no objections to the loading and circulation plan.

The Applicant should provide information concerning the results of the Mayor's Agent hearing.	On December 12, 2014, the Mayor's Agent for Historic Preservation held a hearing on the Applicant's request to demolish in its entirety the building at 913 L Street, N.W. A decision is expected in January 2015.	OP supports the inclusion of 911 L Street into the Project.
The Applicant should provide more information about the reuse of the historic Lurgan multi-family building on L Street.	The Lurgan would be utilized as a multifamily building and its entrance would be restored.	OP supports the reuse of the historic building and the restoration of its entrance.

In addition to the comments above, the Applicant's responses to OP's comments are below:

<b>OP Comment</b>	<b>Applicant Response</b>	<b>OP Analysis</b>
The Applicant should provide more information about the proposed palette of materials.	The Applicant provided more information about the proposed palette of materials (Sheets A-450).	OP supports the proposed palette of materials.
The Applicant should more detailed street-level renderings depicting how the retained contributing historic buildings along 9th Street would interact with the street.	The Applicant provided detailed street level renderings (Sheets A-501, A-503-A-505; A-511, A-513, A-515-A517).	OP supports the proposed design of the building at street level, which would create an architecturally interesting streetscape and engage pedestrians along the street.
The Applicant should provide a detailed rendering of the proposed building's north elevation	The Applicant provided a detailed rendering of the proposed building's north elevation (Sheets A-404).	OP supports the proposed design of the north elevation.