

TO: District of Columbia Zoning Commission

DATE: May 4, 2015

SUBJECT: ZC 14-14 – Final Report Consolidated PUD and Related Map Amendment
501 H Street NE (Square 833, Lot 47).

OP recommends approval of the consolidated PUD and PUD-related map amendment from HS-H/C-2-A to HS-H/C-2-B to permit redevelopment of the site located in Square 833, Lot 47. The proposal would be not inconsistent with the Comprehensive Plan’s policy objectives for the Capitol Hill Policy Focus Area, including the H Street corridor’s “urban living” district between 2nd Street and 7th Street NE. The Generalized Policy Map’s Main Street Mixed Use Corridor, designation anticipates redevelopment, which support transit use and enhance the pedestrian environment, as proposed with this project.

The site, located on the southeast corner of the intersection of H and 5th Street NE, is currently developed with a single story commercial office building, with six surface parking spaces at the rear. The site is the former location of the H Street Community Development Corporation (H Street CDC). The property is within the Housing District of the H Street Neighborhood Overlay. A vibrant mix of residential, retail, service and arts uses line the H Street corridor, supported by an accessible transportation network of several bus routes and in the near future, the H Street/Benning Road Streetcar line will be operational.

Union Station, which is the hub of Amtrak, the Circulator Bus and interstate bus lines is within walking distance to the west. The site is among several large-scaled PUDs to the east and west, shown in dashed lines in the map below. The majority of these PUDs are mixed-use developments with neighborhood serving retail either existing or under construction within the ground floor, which would increase the number of neighborhood amenities within walking distance of the site, reducing the need for multiple car trips within the neighborhood. (See attachment – Location and Zoning Map)

The redevelopment of a site, currently developed with a existing one-story office building at the corner lot at 5th and H Street NE would consist of a six-story above grade, mixed-use building with four floors of residential above two floors (and a cellar) devoted to retail. The overall development data would include:

- A contemporary mixed-use building with exteriors of brick masonry and cast stone, with aluminum and cast stone trim detailing. (*Exhibit 26A: Plans¹ – pg. 23*);
- A combined gross floor area of 47,971 sf (cellar included) or 4.89 FAR, of which,
 - 32,560 square feet (3.32 FAR) - residential;
 - 15,411 sf at ground and first floor (1.57 FAR) - retail;
 - 9,737 sf would be located in the cellar (residential and retail combined);
- 97% lot occupancy (retail) and 74% (residential); (*Exhibit 26A: Zoning Data, pg. 4*);
- Varied building height - The building's maximum height of 77 feet 5 inches is expressed at the corner of 5th and H Street, where its facade is primarily clad in cast stone and glass with aluminum trim. (*Exhibit 26A: Plans – pgs.8, 16, 20, 21*) The west and south elevations are set back above a height of 35 feet to respect the lower scale of the residential row homes beyond the alley to the south of the site. At the rear, from the 3rd through 6th floor, the building's façade steps back approximately 13 feet from the property line, separated first by a 10-foot wide bio-retention area (on the 3rd floor) and then a wood tile-surfaced floor, which wraps around the building at the third level for approximately 40 feet along the 5th Street frontage.
- 28 apartment units (+/- 3) with no less than 8% gross floor area (2,296 sf) devoted to low income residents at 50% AMI or lower, exceeding the Inclusionary Zoning requirements, with a mix as follows: (*Exhibit 26A: Plans – pg. 17*)

Unit Type	Number / Floor	% of Total	IZ Units
Studio	4 /3,4,5, 6 th Floor	14%	1 - 3rd Floor -618 sf.
One-Bedroom	12 /3,4,5, 6 th Floors	43%	1- 5th Floor -757 sf.
One-Bed. + Den	4 /3,4,5, 6 th Floors	14%	1- 4th Floor-921 sf.
Two-Bedroom	8 /3, 4, 5, 6 th Floors	29%	None proposed
Total	28	100%	3 IZ units, 2,296 sf. provided

Table I

- Four compact, angled surface parking spaces would be provided at the rear and 24 bicycle spaces would be located inside the cellar area of the building (*Exhibit 26A: Plans -pgs. 13,14*).
- Retail trash would be stored and collected from the southwest curb/corner at 5th Street. Residential trash and loading would be from the east side of the building via the alley, and should provide ample space for turning movements for a 24' truck.
- The project would provide 3,813 sf. of green roof area, satisfy the minimum GAR score for the C-2-B District (0.30) and would be a LEED Gold-equivalent rated building (*Exhibit 26A:Plan- pgs. 5, 6*).

¹ All references to "Plans" include the Applicant's submitted plans dated April 24, 2015, Exhibit 26A of the record.

IV. PLAN CHANGES SINCE SETDOWN

Design and Materials



Proposed at Setdown (July 31, 2014)



Current (Exhibit 26A - April 24, 2015)

The building has been redesigned with a more cohesive retail frontage and facade, which is clearly defined from its residential component. The corner is now anchored by the tower element of glass and cast stone. Stone trim above the second story creates a visible separation between the brick-faced residential floors, which now have balconies. The residential floors are appropriately set back from the street frontages of 5th and H Street, respecting the retail character of H Street, as well as the residential homes to the rear, along 5th Street. The current plan as depicted above shows the proposed view from the street and an alley perspective, as requested by the Commission (Exhibit 26 A- pgs. 8-11).

FAR and Lot Occupancy: The FAR has been increased from 4.40 FAR to 4.89 FAR overall, reflected in the individual increases to the retail and residential FAR. The retail lot occupancy increased from 85% to 97%.

Residential Units: The unit types have changed:

Former Unit Type	Proposed
Jr. One-bedroom (1)	Studio (4)
One Bedroom (21)	One-Bedroom (12)
One Bed + Den (0)	One Bed + Den (4)
Two bedroom (3)	Two-Bedroom (8)
Three bedroom (1)	Three-bedroom, (0)
Total (26)	Total (28)

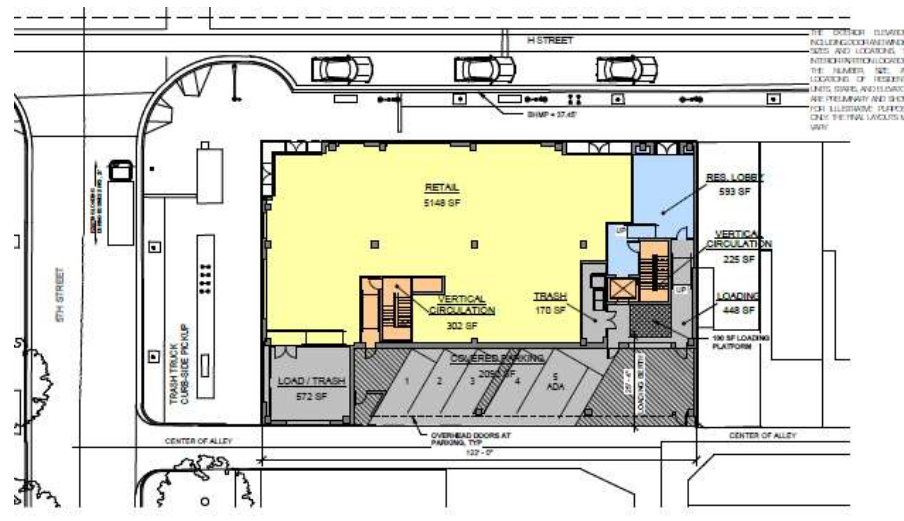
At setdown, 26 units were proposed. Current plans now show **28 units**, with 3 units assigned as affordable units for residents at 50% AMI. This is a deeper level of affordability than previously proposed.

Table II

Ground Floor Plan:



Ground Floor Plan at Setdown



Ground Floor Plan - Revised

The ground floor plan has been simplified over its initial concept. A more orderly and efficient layout is presented in the current design, including clearly defined areas for residential and retail trash and loading functions and circulation within the building. The inclusion of angled parking off the rear alley would facilitate ingress and egress given the alley's narrow width. It also negates the need to utilize parking spaces for truck turning movements, as previously proposed (*Exhibit 26A: pgs. 14 & 37*). A parking space was removed to include a handicapped space and all spaces would be compact, with a space assigned to a car share company.

Site Sustainability:

Previously, a green screen was proposed at the rear, but was replaced to facilitate covered parking at grade level, at the ANC's request. The area of the green roof has been increased from 3,614 sf. to 3,813 sf. and a 1,044 sf. bio-retention facility has been included, where none previously existed. The applicant was also encouraged to revise its LEED certification and LEED Gold-equivalent is now proposed.

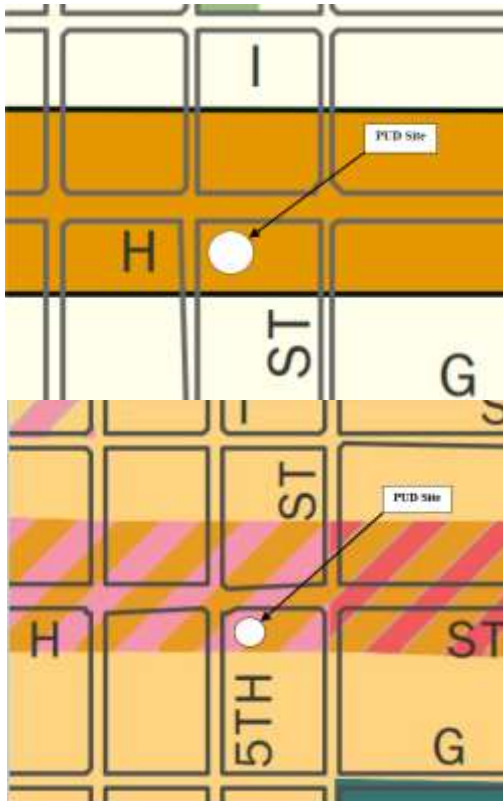
Additional Changes:

At the regularly scheduled meeting of ANC 6C, held on April 8, 2015, the Applicant agreed to the following changes that are not included in the February 23, 2015 plan submission or prehearing statement of February 27, 2015. The applicant supplemented the record on April 24, 2015 to address the ZC's, OP's and the ANC's concerns (*Exhibit 26*), as follows:

- **Architectural drawings** - At-risk windows from the 4th through 6th floors are now shown on an all brick east elevation;
- **Parking** – four angled parking spaces would now be provided, not six as submitted, in order to accommodate a full handicap accessible space;
 - spaces would now be dedicated to residential use only;
 - one of the four parking spaces would be dedicated as a car-share space;
 - a new access/entranceway and hallway from the rear of the building would now be included to accommodate handicap access;
 - The parking area would now be secured with garage doors, and would not be open to the public. (The car share company would be provided access into the parking area);
 - Extensive Transportation Demand Management measures.
- **Loading** - The applicant has committed that the on-site loading berth accessed from the public alley and the retail loading zone on 5th Street would only accommodate 24-foot long trucks, and DDOT has provided initial agreement to this aspect of the proposal;
- **IZ** - Deeper level of IZ affordability than required; and
- **Benefits and Amenities** - Enhanced project benefit s and amenities, discussed later in the report.

V. COMPREHENSIVE PLAN AND PUBLIC POLICIES

The proposed PUD must be not inconsistent with the Comprehensive Plan and with adopted public policies (§ 2403.4). The development proposal is not inconsistent with the Future Land Use and Generalized Policy Maps and would further objectives of the Land Use, Transportation, Housing, Economic Development, Urban Design and Capitol Hill elements and their related policies.



A. Comprehensive Plan Generalized Policy Map

The Generalized Policy Map locates the subject site within a main street mixed use corridor. This type of corridor is a traditional commercial business corridor with a concentration of older storefronts along the street. 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.

B. Future Land Use Map

The map indicates that the property is within a mixed land use category of Moderate Density Commercial and Medium Density Residential. The proposed map amendment to the C-2-B District and the related density are not inconsistent with this designation, as mixed-use developments are permitted and encouraged in most commercial areas. Retail, office and service businesses would be the predominant commercial uses.

C. Comprehensive Plan Policies and Objectives

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*

The proposed mixed-use development would enable future residents to capitalize on the location's proximity to several transit options, and would help to address the District's housing demand. It would also contribute to the ongoing transformation of this section of the H Street corridor.

Policy LU-2.1.10: Multi-Family Neighborhoods

Maintain the multi-family residential character of the District's Medium and High-Density residential areas. Limit the encroachment of large scale, incompatible commercial uses into these areas, and make these areas more attractive, pedestrian-friendly, and transit accessible.

The proposed residential building is on the main line of many Metro bus routes, as well as along a future streetcar line. The multifamily building would add new residents to support existing smaller-scale commercial businesses, as well as new local business opportunities, currently locating to this vibrant corridor. The applicant intends to provide preferred retail uses that would best serve the immediate neighborhood.

Policy LU-2.2.4: Neighborhood Beautification

Encourage projects, which improve the visual quality of the District's neighborhoods, including landscaping and tree planting, façade improvement, anti-litter campaigns, graffiti removal, improvement or removal of abandoned buildings, street and sidewalk repair, and park improvements.

Redevelopment of the site would enhance the beautification of the neighborhood. The applicant collaborated with DDOT's Public Space Committee to "ensure adequate improvements to the adjacent streetscape and public alley, and as part of its amenity package, has agreed with the neighborhood to include:

- a. Up to 7 additional bike racks along 5th and H Street;
- b. Streetscape furniture including two benches along H Street; and
- c. Restoration of the brick alley way from the entrance on 5th Street to the subject Property line.

Transportation Element

Policy T-2.3.3: Bicycle Safety

Increase bicycle safety through traffic calming measures, provision of public bicycle parking, enforcement of regulations requiring private bicycle parking, and improving bicycle access where barriers to bicycle travel now exist.

The proposed building would have a secure bicycle parking area (267 sf) in the cellar to accommodate up to 24 bicycle parking spaces that would be accessible to residents at all times.

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.

The proposal would include 28 new residential units with 3 affordable units devoted to low-income residents, where none currently exists.

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.

The subject property is located in a walkable location and is well served by various forms of transportation. Its walk score is 94 out of a possible 100 points, defined as “Walker’s Paradise, Daily errands do not require a car.”²

Environmental Protection Element

Policy E-2.2.3: Reducing Home Heating and Cooling Costs

Encourage the use of energy-efficient systems and methods for home insulation, heating, and cooling, both to conserve natural resources and also to reduce energy costs for those members of the community who are least able to afford them.

Policy E-3.2.1: Support for Green Building

Encourage the use of green building methods in new construction and rehabilitation projects, and develop green building methods for operation and maintenance activities.

The applicant is proposing a LEED Gold-equivalent building that would include an extensive green roof, (3,813 sf in area), a 1,044 sf bio-retention area on the 3rd floor roof, as well as water and energy efficient systems that would benefit both the residents of the building and community as a whole. OP appreciates

² <http://walkscore.com>

that the applicant strengthened the LEED rating to LEED Gold equivalency in support of the District's sustainability standards for new construction projects ([*Sustainable DC – Built Environment – Goal 4*](#)).

Urban Design Element

Policy UD-2.2.1: Neighborhood Character and Identity

Strengthen the defining visual qualities of Washington's neighborhoods. This should be achieved in part by relating the scale of infill development, alterations, renovations, and additions to existing neighborhood context.

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.*

The proposed density, height and sculpting of the massing of the project are consistent with new development in the neighborhood. The design includes a 13-foot setback of the residential floors from the property line, creating an effective setback of approximately 26 feet between the residential portion of the building and the existing row homes at the alley's edge, which should mitigate concerns of loss of privacy, light and air by neighborhood residents.

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.

The development has a visually appealing design at the retail level, with two levels of aluminum-clad glass, which would complement newer buildings of similar scale. The applicant has supplemented the record with a revised design, which attempts to respond to the Commission's concerns regarding additional architectural elements to add more articulation and differentiation to the facade.

Policy UD-2.2.6: Maintaining Facade Lines

Generally maintain the established facade lines of neighborhood streets by aligning the front walls of new construction with the prevailing facades of adjacent buildings. Avoid violating this pattern by placing new construction in front of the historic facade line, or by placing buildings at odd angles to the street, unless the streetscape is already characterized by such variations. Where existing facades are characterized by recurring placement of windows and doors, new construction should complement the established rhythm.

Generally, the building maintains established façade lines at the pedestrian level and complements the established rhythm along the street. The proposal relocates the façade in line with other buildings in the square to improve the pedestrian experience on the otherwise narrow sidewalk along upper H Street. At this location however, the sidewalk is wide at the corner and the building would include retail entrances to anchor the corner at H and 5th Streets.

Policy UD-3.1.5: Streetscape and Mobility

Ensure that the design of public space facilitates connections between different modes of travel, including walking, public transit, bicycling, and driving. Bus shelters, benches, bicycle parking, safe pedestrian connections, and clear way-finding signage should be provided to facilitate multi-modal travel.

The adjacent public space has a wider sidewalk than most of H Street and this enhances pedestrian movement at this location. Space is allocated to bicycle parking and tree planting. The applicant has agreed to provide up to 7 bike racks in public space on H and 5th Street combined, more than what was requested by DDOT. All residential parking and loading areas would be accessed through the east-west alley at the rear, so as not to conflict with pedestrian movement.

Policy UD-3.1.7: Improving the Street Environment

Create attractive and interesting commercial streetscapes by promoting ground level retail and desirable street activities, making walking more comfortable and convenient, ensuring that sidewalks are wide enough to accommodate pedestrian traffic, minimizing curb cuts and driveways, and avoiding windowless facades and gaps in the street wall.

The proposed ground floor retail uses would be clad with clear glass to promote a livelier streetscape. No gaps in the street wall are proposed and no curb cuts would be permitted. DDOT is continuing discussion with the applicant regarding the trash pick-up operations and its current location, as noted in the plans.

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.

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.

The proposal would develop an underutilized site with a mixed-use building providing new housing and 23,949 sf of modern retail space (includes the cellar) directly accessible from the sidewalk. New residential units would contribute to the stability of the existing and emerging retail enterprises on the corridor, as well as provide additional job opportunities for District residents.

Capitol Hill Area Element

The Comprehensive Plan places the property within the Capitol Hill Area Element and describes the area as being developed with a mix of residential and small-scale commercial uses. It anticipates that future development be directed to the H Street corridor, which is already zoned for commercial use and where redevelopment could reinforce the fabric of the neighborhood and provide needed housing and retail services. The policies generally recommend that residential use be retained and enhanced by new housing. The proposed development is not inconsistent with the area element.

Policy CH-1.1.3: Upgrading Commercial Districts:

Reinforce and upgrade the major commercial districts of Capitol Hill, including the H Street and Benning Road corridors.

Policy CH-1.1.9: Conversion of Non-Residential Structures:

Allow the conversion of obsolete or vacant non-residential structures (including schools, churches, warehouses, and institutional uses) to housing, provided that important architectural resources are conserved and the resulting development is consistent in density with surrounding uses. 1508.1

This project would support these policies, including the on-going revitalization of this important mixed-use district. It would enable the redevelopment of a non-residential structure, and add valuable retail square footage.

VI. ZONING

The following table compares the matter of right standards of the underlying C-2-A and the C-2-B district, with the C-2-B/PUD proposed for the project.

Standard	C-2-A	Existing	C-2-B/PUD	Proposed	Flexibility
Lot Occupancy %					
Retail	100%	59%	100%	97%	Conforms
Residential	60%	0%	80%	74%	
Residential - H St. -§ 1324.4	80%		80%		
FAR Non Residential (H St - § 1321.2)	0.5	0.5	0.5	1.57	Requested
GFA (sf) residential	24,532.5	-		32,560 (24,704 sf devoted to residential units)	Conforms
Number of units	-	-	-	28 (+/- 3)	
Height (ft.)	50	13	90	77 ft. 5 ins.	Conforms
FAR (max.)	2.5	0.6	6.0	4.89	Conforms
Residential	(3.0 w/IZ)		6.0	3.22	
IZ	8% of gfa of res. (1,962 sf.)	-	8% of gfa of res. (1,976 sf)	2,296 sf	Conforms
Loading platform residential	1@200	-	1@200	None	Conforms
Loading platform retail (sf)			1@100	1@100	
Area (sf.)	9,813	-	9,813	9,813	Requested
FAR Non Residential	1.5	1.5	2.0 (non res.)	1.57	Requested
GFA (sf) retail (cellar excluded)	4,906.5	5,777	4,906.5	15,411	Requested
Rear Yard (ft.):15 ft. min.	15'	34.5	15'	13 ft. 10" at 3 rd floor and above	Requested
Parking (spaces) residential	1 per 2	0	1 per 3 du 17 spaces	4	Requested
Parking (spaces) retail in xs of 3,000 sf	1 per 300 sf gfa -	6	1 per 750 sf 14 spaces	0	Requested
Parking § 2115.2 – 25 spaces/compact space		-		4 compact spaces	Requested
Loading berth residential*	1@ 55	-	1@ 55	None	Requested
Loading berth retail (ft. deep)	1@30		1@ 30	1@24	
Delivery space residential (ft. deep)	1 @ 20	-	1@ 20	None	Requested
Delivery space retail			1@20		

*Loading area not required for less than 50 units. Table III

Flexibility

As highlighted on the table above, the Applicant has requested flexibility from several zoning requirements under the provisions of § 2405.7.

FAR

Although the C-2-B PUD permits a maximum non-residential FAR of 2.0, the HS-H Sub-district's non-residential FAR may not exceed 0.5. The proposal dedicates 1.57 FAR to retail uses. The additional retail space would support retail options beneficial to the neighborhood and is intended to provide more of the preferred uses prescribed by the HS Overlay.

PARKING

The lot's size and width limit the ability to provide the required on-site parking spaces in a below grade garage structure. A below grade structure would require a curb cut, potentially off 5th Street, which DDOT has stated would not be approved. The width of the alley, in combination with the lot's width could only support an inefficient driveway and access and would not provide the required number of spaces to support both retail and residential uses without several levels below grade. Therefore, in this instance, 4 compact spaces and one handicapped space would be provided under a portion of the second story at the rear, which would now be enclosed by a garage door. Thus, flexibility is also requested from the 25-parking space requirement for the provision of compact spaces at this level. The spaces would be dedicated to residential uses. The subject property would not be eligible for RPP, since it is commercially zoned. Notwithstanding, at the ANC's request the applicant has agreed to include language in its future lease or purchase agreements that would exclude RPP permitting for future residents. OP supports the requested flexibility, and the applicant's proposed TDM measures, which was subject to DDOT's review. (*Exhibit 26C*)

LOADING

Flexibility is requested to provide retail loading off-site, from the existing loading zone on 5th Street, which now accommodates 2, 30-foot trucks, as the full area requirements for loading cannot be reasonably accommodated on-site. DDOT has provided initial agreement to this aspect of the proposal. DDOT's report would be submitted separately to the record.

Residential loading facilities are not required for multifamily building with less than 49 units. However, one, 24-foot berth for residential use only would be provided, accessed from the alley.

REAR YARD

The proposed design does not provide for the required 15-foot rear yard for the entire development. To satisfy this requirement would mean a substantial loss of retail space and viable area for the building as a whole, as the lot is only 79 feet in width/depth. To maintain a 15-foot rear yard, the width of the building would be substantially reduced to a minimum of 64 feet, which would make it difficult to provide other meaningful features of the development. OP supports this request for flexibility.

AREA

Section 1326.2 of the HS Overlay requires a minimum area of 10,000 square feet of land area for a PUD development. The existing property is 187 square feet less than required. OP supports flexibility from this requirement in order to achieve an improved product over a matter-of-right development, including additional retail space, which would support employment opportunities for the neighborhood.

Additional Flexibility

The applicant has listed additional items where flexibility might be warranted as the design is finalized prior to construction, including variations of:

1. The requested range in the number of units, 28units +/- 3;
2. Location and design of interior and ground floor components;
3. The number of LEED elements but not below the LEED Gold-equivalent rating under LEED 2009;
4. Exterior materials selection within the color ranges and types as proposed; and
5. The final selection of all exterior signage to the building.

H STREET OVERLAY DESIGN REQUIREMENTS § 1324

The design requirements are highlighted as follows:

Section	H Street Design Requirement	Complies	
		Yes	No
1324.2	<i>Not less than 75% of the streetwall(s) to a height of not less than 25 ft. shall be constructed to both property lines abutting public streets.</i> Plans indicate that one hundred percent (100%) of the street walls to the height of 25 ft. would continue along 85% of the total frontages of H Street and 5 th Street NE.	✓	
1324.3	<i>Preserving an existing façade constructed before 1958 is permitted to use, for residential uses, an additional 0.5 FAR above the total density permitted in the underlying zone district for residential uses.</i> The existing structure is a post 1958 structure. The proposal does not include any of the existing building's façade.	Not proposed	
1324.4	<i>In C-2 Districts within the HS Overlay District, 70% residential lot occupancy shall be permitted. 80% permitted with IZ (§ 2604.2).</i> Under § 1326.3, a maximum residential lot occupancy of 75% (with IZ bonus) is permitted under the C-2-A base zone and up to 80% within a C-2-B base zone. The project would be built at 74% lot occupancy for its residential component under the PUD.	✓	
1324.5	<i>% of lot occupancy may be calculated on a horizontal plane located at the lowest level where residential uses begin.</i> Residential uses (other than the residential entry on the ground floor) are first shown on the third floor, which is setback 3 feet from the H Street frontage. The residential uses starting at the third floor occupies 74% lot occupancy. (Plans – pg. 13).	✓	
1324.6	<i>For the purposes of § 1324.5, "residential uses" includes single-family dwellings, flats, multiple dwellings, rooming and boarding houses, and community-based residential facilities.</i> The residential use would be a multi-family residential building.	✓	
1324.7	<i>Parking structures with frontage on H Street, N.E., Florida Avenue, N.E., Maryland Avenue, N.E., 13th Street, N.E., 14th Street N.E., or 15th Street, N.E. shall provide not less than sixty-five percent (65%) of the ground level frontage as commercial space.</i> No below grade parking structure is proposed.	Not proposed	
1324.8	<i>Each commercial use with frontage on H Street, N.E., shall devote not less than 50% of the surface area of the streetwall(s) at the ground level ...to display windows having clear or clear/low-emissivity glass, except for decorative or architectural accent, and to entrances to commercial uses or</i>	✓	

Section	H Street Design Requirement	Complies	
		Yes	No
	<i>to the building.</i>		
1324.9	<i>Security grilles shall have no less than seventy percent (70%) transparency.</i>	Not proposed	
1324.10	<i>Each commercial use with frontage on H Street, N.E. ..., shall have an individual public entrance directly accessible from the public sidewalk. Multiple-dwellings shall have at least one (1) primary entrance on H Street directly accessible from the sidewalk.</i> One residential entrance from H Street is located at the eastern corner of the building. Two retail entrances are shown along H Street.	✓	
1324.11	<i>Buildings shall be designed so as not to preclude an entrance every forty feet (40 ft.) on average, for the linear frontage of the building, excluding vehicular entrances, but including entrances to ground floor uses and the main lobby.³</i> The building is 122 feet in width and three entrances are shown, including the lobby entrance and an entrance for the ground floor retail use.	✓	
1324.12	<i>The ground floor level of each new building or building addition shall have a uniform minimum clear floor-to-ceiling height of fourteen feet (14 ft.) if the building fronts H Street, N.E</i> The floor-to-ceiling height of the ground floor, would be eighteen (18) feet, as shown on the plans (Exhibit 26A: pg. 20)	✓	
1324.13	<i>Buildings subject to § 1324.12 shall be permitted an additional 5 ft. of height over that permitted in the underlying zone.</i> The underlying C-2-A district permits a maximum height of 50 feet. The applicant has proposed a building height of 77 ft. 5 ins., well under the 90 feet permitted under the C-2-B PUD standard. (Exhibit 26A: pg.20)	✓	
1324.14	<i>Projection signs shall have a minimum clearance of 8 ft. above a sidewalk and 14 ft. above a driveway; project no more than 3 ft., 6 in. from the face of the building, and end a minimum of 1 ft. behind the curb line or extension of the curb line.</i> The signs would satisfy this requirement. OP anticipates that these requirements would be further reviewed when final plans are submitted, including at building permit review.	✓	
1324.15	<i>Façade panel signs shall not ... interrupt windows or doors and shall project no more than 12 in. from the face of the building.</i> No façade panel signs are observed beyond the building's address numbers on the H Street frontage. This requirement would be addressed further at the building permit stage.	✓	
1324.16	<i>Roof signs are prohibited. –Roof signs are not shown.</i>	✓	

TABLE IV

³ The Zoning Administrator determined that § 1324.11 **does not require** the building to have entrances on average every 40 feet, but rather that the design of the building must not preclude entrances every 40 feet.

VI. PUD EVALUATION STANDARDS

The applicant is requesting that the proposal be reviewed as a consolidated PUD. The purpose and standards for Planned Unit Developments are outlined in 11 DCMR, Chapter 24.

§ 2400.1 states that a PUD is “designed to encourage high quality developments that provide public benefits.” This will allow the utilization 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 of quality public benefits and that it protects and advances the public health, safety, welfare, and convenience.”

The proposed development would be constructed on a site, which served a former office use. The development would add to the District’s housing stock and complement the revitalization of a vital arterial in the District.

A comparison of the gains over a matter-of-right development is highlighted below:

Standard	C-2-A	C-2-B	C-2-B/PUD & HS required	Proposed	Development Gains over M-O-R
Area (sf.)	9,813	9,813	9,813	9,813	- 187 sf
Height (ft.)	50	90	90	77 ft. 5 ins.	+20 ft. 5 ins
Lot Occupancy %					
Retail	100%	100%	100%	98%	
Residential	60%		80%	74%	+14% (residential)
Residential -H St.-§ 1324.4	80%	80%	80%		
FAR (max.) (overall)	2.5	3.5	6.0	4.89	+2.39 (overall)
Residential		3.5	6.0	3.32	
FAR Non-Residential (H St - § 1321.2)	0.5	0.5	0.5	1.57	+1.29
GFA (sf) residential	24,532.5 (1,962 sf to IZ)	34,345.5	-	32,560 (2,296 sf to IZ)	+ 8,027.5 (+374 sf to IZ)
GFA (sf) retail	14,719.5	14,719.5	4,906.5 (HS-H)	15,411	+691.5
Number of units	-	-	-	28 (+/- 3)	28 units

TABLE V

In summary, the development as proposed would exceed HS/C-2-A matter-of-right by just over 20 feet in height and 2.39 FAR (overall).

Public Benefits and Amenities

§ 2403.9 address the requirement for public benefits and amenities as follows:

“Public benefits and project amenities of the proposed PUD may be exhibited and documented in any of the following or additional categories:

(a) Urban design, architecture, landscaping, or creation or preservation of open spaces

The design attempts to address the revitalizing neighborhood’s character with respect to the building’s materials and its frontage on H Street. The transition of the building’s height attempts to minimize the apparent height of the building and acknowledge the residential homes to the south across the alley. The design and material including its composition of brick and synthetic stone material format would complement other newer mixed-use buildings and those currently under construction on the corridor. Its design also provides a reasonable rooftop amenity space for future residents.

(b) Site planning, and efficient and economical land utilization

The site is rectangular in shape and smaller than most of the surrounding PUD sites, just under 10,000 square feet. The proposed design maximizes the limited site area, effectively satisfying most of the bulk and yard requirements under the PUD, as well as the design requirements of the H Street Overlay. As designed, the proposed apartment units include balconies for adequate light and air to the units and the rear setback would ensure that the bulk of the building is directed to the H Street frontage. Its efficient planning while providing a minimal amount of on-site parking recognizes the variety of transportation choices at this location and the building's programming would be supported by robust TDM measures. Redevelopment of the under-utilized site would significantly add valuable retail and residential square footage within one development.

(c) Effective and safe vehicular and pedestrian access, transportation management measures, connections to public transit service, and other measures to mitigate adverse traffic impacts.

The applicant's statement indicates that a preliminary traffic analysis concluded that the proposal would not have any appreciable adverse traffic impacts on the local area. Four on-site parking spaces would be provided, and this location is immediately accessible by bike, bus and other vehicular transportation modes easily accessed through electronic communication. The site is pedestrian-accessible to Union Station, a main transportation hub to the southwest of the property. The applicant and the ANC have agreed to a TDM program to mitigate the impacts of reduced parking on the site. DDOT's comments and review regarding those measures and the traffic analysis would be presented at the public hearing.

(d) Historic preservation of private or public structures, places, or parks

There are no applicable historic elements to be considered at this site.

(e) Housing and affordable housing

The applicant has committed to approximately 28 new residential units, to be located on floors 3, 4 and 5. Affordable housing would be provided according to the IZ requirement of 8% of gross floor area of residential uses but at a deeper level of affordability than the underlying zone or the proposed zone, although none of the affordable units would be the larger two-bedroom units proposed.

(f) Social services/facilities

No social services are to be provided by this proposal.

(g) Environmental benefits:

The proposed development provides some environmental benefits and includes landscaping, energy efficiency and alternative energy sources, methods to reduce storm-water runoff, and green engineering practices, including a 3,813 sf green roof and 1,044 sf bio-retention facility. The applicant will pursue a LEED Gold-equivalent rating beyond that originally proposed.

(h) Uses of special value to the neighborhood or the District of Columbia as a whole;

An amenity package was agreed to between the Advisory Neighborhood Commission ("ANC") 6C and the applicant. A refined agreement would be provided to the record prior to the public hearing.

The following table is OP's categorization of proposed items to date:

Applicant's Amenities/Benefits	Required	Mitigation	Public Benefit	Project Amenity
New housing and retail	X		X	X
Housing Affordability – to 50% AMI or lower	X		X	X
Contextual Arch/Urban Design	X		X	
Environmental Benefits – LEED Gold-equivalent	X	X	X	X
Car Sharing – one time one-time car sharing membership and application fees (totaling \$85.00) to each initial residential tenant of the building. The applicant shall also secure at least one car-sharing parking space on the subject Property.		X	X	X
Transit Subsidy: a one-time \$100.00 SmarTrip card to each initial tenant in the building to encourage non-auto mode usage.		X	X	X
Bicycle spaces - 24 bicycle parking spaces in a secure, convenient, accessible location for residents. - a one-time Capital Bikeshare annual membership fee for each initial tenant of the building. - Up to 7 bike spaces to be located in public space		X	X	X
Restricting RPP participation	X	X	X	X
Transit Screen – To be located in the lobby		X	X	X
Public Space Improvements - Additional bike racks along H and 5th Street: - Streetscape furniture – including 2 benches along H St.: - Repair of brick alley from entrance on 5th St. to property line		X	X X	X X
Ludlow-Taylor Elementary School: The applicant shall commit a maximum of \$30,000 to the purchase of new playground equipment for students aged two to five.			X	X
Employment – First Source Employment Agreement	X		X	

TABLE VI

OP supports the benefits and amenities as commensurate with the level of relief requested.

VII. AGENCY REFERRALS AND COMMENTS

The District Department of Transportation (DDOT) report would be submitted under separate cover. No other agency comments were received to date.

VIII. COMMUNITY COMMENTS

The applicant met with the ANC at their regularly scheduled meeting on April 8, 2015. The ANC voted unanimously to support the project as currently designed. Their report is submitted to the Board under separate cover as Exhibit 25.

IX. SUMMARY OF COMMISSION’S COMMENTS AND THE APPLICANT’S RESPONSES

Commission/OP Comments	Applicant’s Response	OP Analysis
Provide additional street level perspectives and design revisions to show more articulation and the project’s relationship with existing development.	Additional perspectives were provided with differentiated materials of cast stone and brick with metal coping and black metal cornice on the 3 rd through 6 th levels. Exhibit 26A – Sheets 20-21-23-24	The design has been improved to address both the Commission’s and OP’s concerns regarding the proposed development’s relationship with its surroundings. The provision of balconies for the residential units helps to articulate the facades.
Show compliance with IZ regulations and provide a comparison between matter-of-right development and the requested.	The Applicant explains the IZ set asides, pursuant to Chapter 26 of the Regulations as Exhibit 26, Item 3, pg. 2.	The applicant has provided a deeper level of affordability for this project than the Regulations require. OP notes that only one-bedroom units are offered, commensurate with IZ, while a two-bedroom unit was originally proposed.
Parking and its impacts, including inclusion/exclusion in DDOT’s RPP program	The Applicant’s transportation report is included as Exhibit 26C. The report explains how RPP exclusion would be enforced. Exhibit 26C - Page 21.	The site is located in a commercial district so it is not eligible for RPP. However, its exclusion in lease or other agreements may be appropriate in the event that future policy changes permit RPP for residential uses in commercial districts.
Improvement to the LEED rating	The development would now achieve a LEED Gold-equivalency rating. Exhibit 26A – Sheet 6	The LEED rating would be improved beyond originally proposed in support of DC’s sustainability goals and in conformance with the Green Building Code.
An amenities package commensurate with the requested flexibility	The Applicant response is noted in Exhibit 26 – page 4. A memorandum of understanding was initiated between the applicant and ANC 6C.	The Applicant collaborated with the ANC 6C to determine community needs that may be applicable as amenities of the project. The items are noted in Table VI of this report.

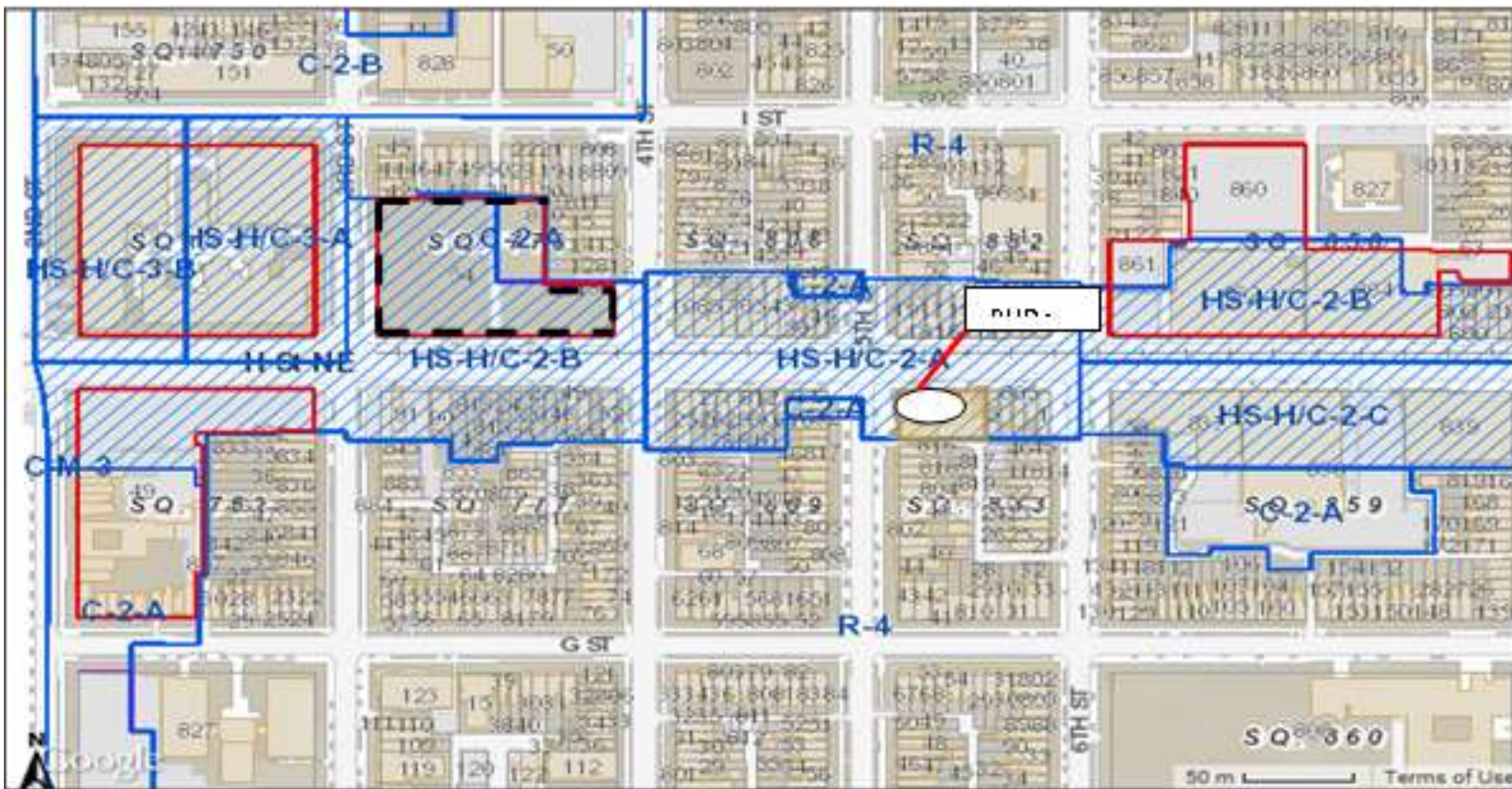
Table VII

X. CONCLUSION

The proposed PUD is not inconsistent with the Comprehensive Plan and OP recommends approval of the revised submission, subject to the satisfaction of any concerns the Commission may express at the public hearing.

Attachment: Location and Zoning Map

ATTACHMENT:



LOCATION AND ZONING MAP