



TO: District of Columbia Zoning Commission
FROM: Jennifer Steingasser, Deputy Director, Development Review & Historic Preservation
DATE: May 2, 2016
SUBJECT: Hearing Report – ZC 15-15 – Consolidated PUD at 1500 Harry Thomas Way / 1611-1625 Eckington Place, N.E., with Related Map Amendment from M to CR; Square 3576, Lots 2001-2008

I. OFFICE OF PLANNING RECOMMENDATION AND SUMMARY OF APPLICATION STATUS

The Office of Planning (OP) recommends the Zoning Commission (Commission) approve the application by JBG/Boundary 1500 Harry Thomas Way, LLC for a Consolidated PUD known as Eckington Yards, with a related map amendment from M to CR, with relief from loading, closed court and penthouse requirements, and for a special exception for light industrial uses.

OP does not support the requested relief from the uniform height requirements of § 411.9 for the walls enclosing habitable space in penthouses;

The proposed project and application has been revised since setdown to respond to concerns raised by the Commission, OP and residents of the Eckington neighborhood. The applicant has summarized changes on pages 3 through 8 of the Case Exhibit 11 and on pages 2 through 8 of Case Exhibit 23's cover letter. The most significant changes include:

- Northwest building fronting on Eckington Place, NE -- The elimination of 8 feet/one floor, which decreases the previously proposed 110 feet to a now-proposed 102 feet;
- Northeast building fronting on Harry Thomas Way, NE –
 - Greater upper story setbacks adjacent to existing rowhouses on R Street, NE;
 - Widening of the alley adjacent to the north of the northeast building;
- Loading and Parking plans – Proposed sharing of loading facilities and a parking garage entrance with the existing Gale apartment complex to the south, through approval of a separate request for a minor modification to that PUD by that project's owner¹ (Application 05-23B);
- Uses --An increase in the floor area for retail and maker-space users and elimination of the proposed self-storage space;
- Inclusionary Zoning --The dedication of all IZ- required residential square footage units affordable to households earning 60% of the area median income (AMI), rather than the previously proposed mix of approximately 6% at 80% AMI and 2 % at 60% AMI²;

¹ At the time ZC 15-15 was set down, the residential project to the south was known as The Trilogy. It was recently renamed The Gale.



- Design -- Some simplification of the multiple buildings' façade treatments and materials;
- Benefits and Amenities -- Additions to the community benefits and amenities proposals, although greater specificity remains necessary;
- Dwelling unit, auto and bicycle parking and FAR counts -- Minor changes have been proposed, which are incorporated in this report.

Additional information is still needed about several areas of concern noted throughout this report, and summarized in Section VII. The most notable areas are:

- The parking and loading proposals;
- The distance between the north side of the Trilogy/Gale apartments and the south side of the proposed Eckington Yards buildings, and the impact of the latter on the existing north-facing windows of the Gale;
- Benefits and amenities deliverables;
- The relationship between historicist elements in the façade design and the overall coherence of the architecture; and
- The relationship of the proposed retail and maker uses to similar offerings proposed for nearby developments.

Prior to the hearing the applicant should also consolidate the information contained in Case Exhibits 11 and 23 into a single unified document containing all currently proposed application information and architectural drawings.

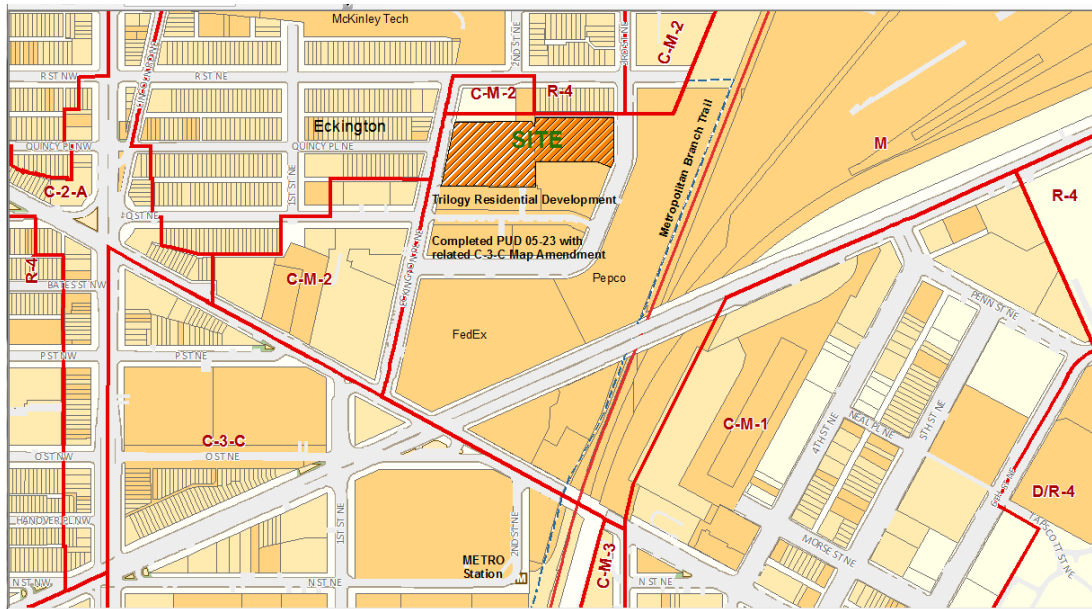


Figure 1. Site and Context (The name of the Trilogy is now the Gale)

² DHCD's guidelines enable it to administer IZ at 80% AMI and 50% AMI, but not 50% AMI. This will need to be addressed. .

II. APPLICATION AND PROJECT IN BRIEF

The proposed project would be located on a 135,099 square foot site occupied by the now-vacant Washington Flower Center and a State Farm Insurance building. It is within the Eckington neighborhood, just north of The Gale apartments, which were constructed under PUD 05-23 and which included a related map amendment from M to C-3-C. The NoMA/Gallaudet Metro station is less than ½ mile to the south, directly accessible from the Metropolitan Branch Trail.

The applicant seeks approval of a PUD that, with the requested map amendment to CR, would result in a 702,362 square foot, 5.2 FAR development of four buildings ranging in height from 75 feet for three buildings to 102 feet for the fourth, northwestern building. As labelled in Figure 2, the buildings are known as Eckington Yards NW, NE, SW and SE.

The completed project would contain:

- Approximately 695 residences in a variety of unit-types, including ~56 units of Inclusionary Zoning units for households earning no more than 60% of the Area Median Income³;
- 21,400 square feet of publicly accessible space 20 to 30 foot wide pedestrian “promenade” and plaza connecting Harry Thomas Way and Eckington Place, with limited access for non-residential loading and emergency vehicles;
- Approximately 77,184 sf of retail uses (including potential mezzanine space) fronting on the promenade, emphasizing makers of locally-produced products, as described under Tabs C and F of Case Exhibit 11; and
- 331 auto and 237 bicycle parking spaces.

The property is zoned M, which does not permit residential uses. The associated map-amendment to CR is requested primarily to enable: 1) residential use and; 2) a 12 foot taller height for the northwest building than would be permitted as a matter of right in the existing M zone. The proposed FAR would be approximately 0.8 FAR less than is permitted by-right in the existing M zone and approximately 2.8 FAR less than the maximum achievable under a CR PUD.

The revised proposal requests the following flexibility, as discussed in Section IV of this report:

- Variance from § 638.2(a)’s closed court dimensions;
- Variances from §§ 2201, 2203 and 2204’s requirements for the number, dimension and location of loading facilities;
- Variance from § 2115.2 to provide a greater percentage of compact parking spaces;
- Variance from §§ 411 and 770 to permit multiple roof structures of varying heights;
- Special Exception under §§ 411.8 and 411.11 for multiple roof structures of varying heights;
- Special Exception under § 610 for a light-industrial use in the CR zone.

³ See discussion, page 20.

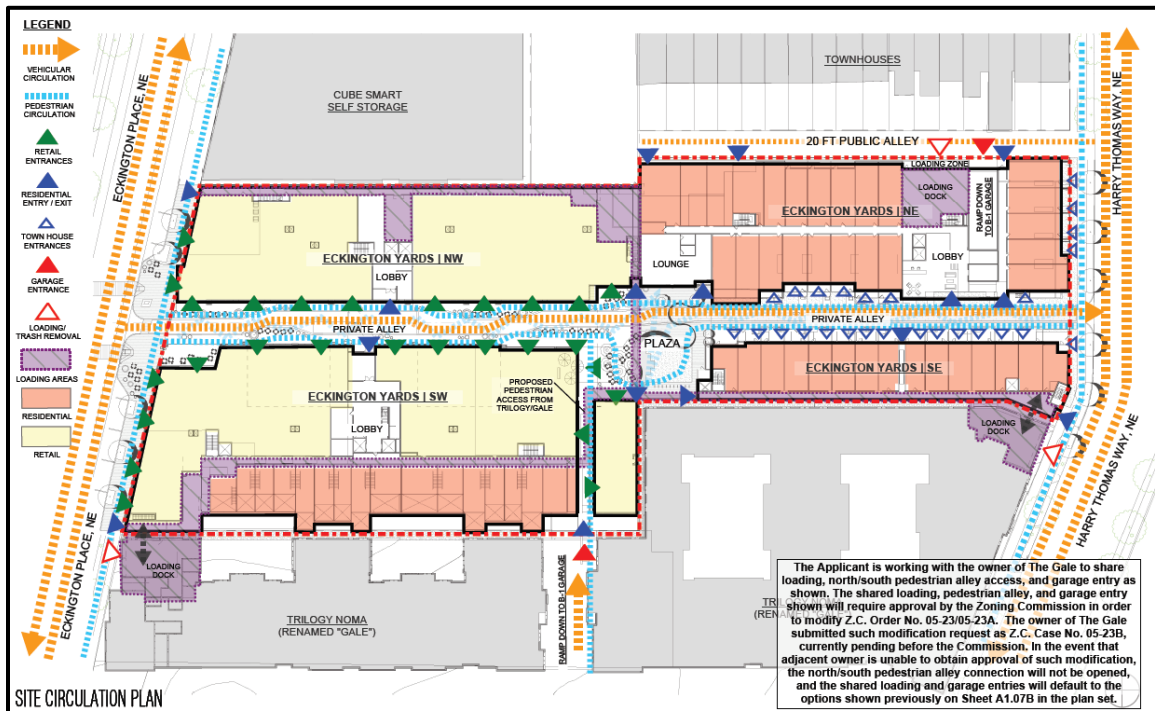


Figure 2. Generalized Site Plan

The applicant has requested flexibility to construct the PUD in two phases. The first phase would include the northwest and southwest buildings, containing 468 residential units, all 77,184 square feet or retail /maker space, and 187 parking spaces which, along with loading facilities, would be entered from the Gale garage off of Q Street, to the south. The second phase would construct the northeast and southeast buildings and an additional 144 parking spaces and loading facilities to be entered from the alley adjacent to the northeastern building.

III. COMPREHENSIVE PLAN ANALYSIS

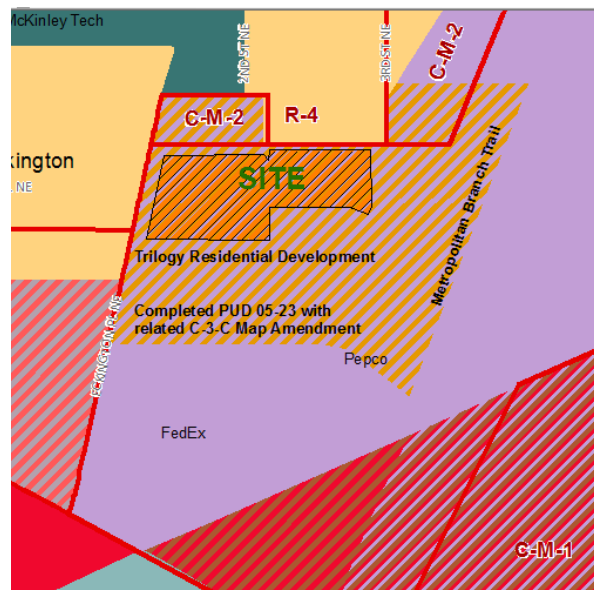


Figure 3. Comprehensive Plan Future Land Use Map

The proposed PUD is not inconsistent with the Comprehensive Plan.

The Future Land Use Map (FLUM) indicates the site is appropriate for medium density residential use and production / distribution / repair uses, with which this project is consistent.

The proposed FAR, of which most would be devoted to residential use, would be well within the range typically considered appropriate for medium density land uses.

The maximum height of 102 feet is at the upper range of the medium density residential category. That height would be limited to the western end of the project, adjacent to a self-storage building. This massing would result in the project being significantly lower towards the east, where it is adjacent to townhouses to the north and The Gale apartments to the south.

The Generalized Policy Map also designates the project location and land to the south as a Land Use Change Area, where the creation or enhancement of neighborhoods is encouraged. Most of the area to the west and north are moderate density residential and designated for conservation of that character. The area to the northeast and east is developed with PDR uses and is also designated for conservation.

The proposed project would be not inconsistent with written elements of the Comprehensive Plan. The Land Use, Transportation, Housing, Urban Design and Economic Development Elements include policies and recommended actions with which the proposal is congruent. The proposal would be transit-oriented (policies LU-1.3, and T-1.1.4); would provide new housing and retail uses where there is now a vacant wholesale facility and a small office building, (policies LU-3.1.2, 3.1.4 and H.1.1). It would employ contemporary architectural and urban design using high-quality materials, varied massing and fenestration and attention to ground floor details and public benefits affecting pedestrians (policies UD-2.2.5, 3.1.6 and 3.1.7); would enhance environmental and sustainability objectives through the various green elements that would be built into a project intended for LEED-Silver (policies E-1.1.1, E-1.1.3, and E-2.2.1); and would be generally consistent with policies supporting economic development (policies ED-2.2.1 and 3.1.1).

IV. ZONING ANALYSIS

| Table 1: Existing and Proposed Zoning, Development Potential, and Proposed Development. (Based on applicant's summary figures). | | | | | |
|---|------------------------------|----------------|--|---------------------------|---------------------|
| Item | Permissions and Requirements | | Proposed by Applicant | | |
| | M Zone - By Right | CR PUD | Proposed | (+)(-) By-Right M- | Complies w/ CR PUD? |
| Lot Size (SF) 2401.1 | n/a | 15,000 SF | 135,099 SF | n/a | Complies |
| Height (ft.) > measuring pt. 2405.1 | 90' max | 110' | 102' for one structure; 75' for three structures | (1) + 12 ft.; (3) -15 ft. | Complies |
| FAR 2405.2 | 6.0 max | 8.0 | up to 5.2 | - 0.8FAR | Complies |
| Lot Occ. Of total site (%) 2405.4, 634.1 | 100%, non-res. n/a, res. | 80% (75%+5%IZ) | 80% | n/a | Complies. |
| Total GFA | 810,594 | 1,080,792 | ~702,362 SF (5.2 FAR) | n/a | n/a |
| Non- Res. SF | 810,594 | 540,396 | ~77,184 SF | n/a | n/a |
| Residential SF | n/a | 1,080,792 | ~625,178 SF | n/a | Complies |

| Res. Units | n/a | n/a | ~695 | n/a | Complies |
|--|--|---|---|-------------------|------------------------------|
| Item | M Zone - By Right | CR PUD | Proposed | (+) (-)M-By-Right | Complies w/ CR PUD? |
| IZ SF (Non-Penthouse) | n/a | 8% of residential GFA @ 80% AMI = 50,014 SF | 8% of residential GFA @ 60% AMI = 50,014 GSF | n/a | Complies |
| Affordable (IZ)Units (Approx. # @ 762 nsf/unit) (Non-Penthouse) | n/a | ~56 | ~56, although subject to change to match unit mix | n/a | Complies |
| IZ SF (Penthouse) | n/a | n/a | For roof structure on NW structure – 8% of 5,570 GSF of habitable space = 446 GSF @ 50% AMI | n/a | Complies |
| CR-related public space 633 | n/a | 10% lot area, at ground level, etc. (13,510 SF) | 15.8% Lot area, at the ground level, etc. (~21,400 SF in passageway/ plaza) | n/a | Complies |
| Vehicle / Non-Bicycle Parking | If >3,000 sf, 1 space for each additional 300 sf GFA | Res. 1/3 du's = 232 Retail/serv. If >3,000 sf, 1 space for each additional 750 sf GFA = 99 TOTAL: 331 | 331 | n/a | Complies with total # spaces |
| Vehicle / Non-Bicycle Pkg., compact spaces 2115.2 | Max 40% of total | Max 40% of total | 45.6% 151 of 331 | n/a | Relief requested |
| Bicycle Parking 2119.1 | n/a | <u>Res.:</u> 1 per 3 du's (695÷3 = 232). <u>Retail:</u> 5% retail vehicle parking (5% x 99 spaces = 5 required). <u>TOTAL = 237</u> | 237, plus as required for LEED FTE | n/a | Complies |

| Item | M Zone - By Right | CR PUD | Proposed | (+) or (-) from M-Zone By-Right | Complies w/ CR PUD? |
|--|---|---|--|--|--|
| Loading, Residential Loading, Non-Residential (assuming most loading-intensive uses) 2201 2203 2204 | n/a | (1) 55 ft. Res. berth; (1) 200 sf Res. platform (1) 20 ft. Res. service space Retail (based in ~ 77,000 gsf): (1) 55 ft. Retail berth, (1) 30' Retail berth (1) 20 ft. Retail service space (1) 100 sf retail platform, and (1) 200 sf Retail platform Maker (assume > 25,000 gsf): (1) 55 ft. berth, (1) 30' berth (1) 100 sf platform, and (1) 200 sf platform | <p style="text-align: center;"><u>Residential:</u></p> (1) 30 ft. Res. berth; (1) 200 sf Res. platform (1) 20 ft. Res. service space <p style="text-align: center;"><u>Commercial:</u></p> (1) 20 ft. service space (1) 100 sf platform (1) 200 sf platform <p style="text-align: center;"><u>Private Alley:</u></p> Used for Retail loading and service and northwest structure residential <p style="text-align: center;"><u>Loading shared with Trilogy/Gale:</u></p> (2) 55 ft. berths (1) 30 ft. berth; (1) 20 ft. service space (1) 200 SF platform | n/a | <p style="text-align: center;">Variance Relief, from §§ 2203 and 2204 required for loading facilities, due to 1) location of a portion or loading areas on an adjacent property and a reduction in the number of 55 ft. loading berths.</p> |
| Side Yard (ft.) 637.2 | Not required if not abutting R zone | (If provided, ≥ 3 in. / foot of height or 10 ft.) | None | n/a | Complies |
| Rear Yard (ft.) 636.5 | 20 ft. and >12 feet, measured from center of street at rear for through-lot | No requirement for through-lot | None | n/a | Complies. |
| Open Court (ft.) 638.1(a) | If provided, the greater of 2.5 in. width / ft. of height or 12 ft. | If provided, the greater of 3 in / ft. of ht. or 10 ft. 19' 7" required (for 78.5' high court) | 30' | n/a | Complies |

| Item | M Zone - By Right | CR PUD | Proposed | (+) or (-) from M-Zone By-Right | Complies w/ CR PUD? |
|-------------------------------------|--|---|---|---|---|
| Closed Court 638.2(a) | <p><u>Width</u> 4"/ft. ht. for 75' high wall = 25 ft. <u>Area:</u> 2x req. width²; not < 250 SF</p> | <p><u>Width</u> 4"/ft. ht. for 75' high wall = 25 ft. <u>Area:</u> 2x req. width² = 1250 SF</p> | <p>(2) at SW structure (B-1): 6'wide x 24.5' deep; 147 sf</p> <p>(3) at SW structure (B-1): 12'10"wide x 64'9"; 832 sf</p> <p>(1) at NW structure (3rd floor @ 19'9"; 119 sf)</p> <p>(1) at NW structure (3rd fl) 17' x 246'2"; 4184 sf</p> | <p>(- 19ft.); - 1103 sf</p> <p>(- 12' 2"); - 418 sf</p> <p>(- 19'); - 1131 sf</p> <p>(- 8') + 2934 sf</p> | <p>Relief Requested for both</p> <p>Relief requested for both</p> <p>Relief Requested for both</p> <p>Relief requested for width; SF conforms</p> |
| GAR | 0.1/0.3 | 0.2 | > 0.2 | n/a | Complies |
| Light Industrial Space 610 | By-right | Requires special exception in CR | Portion of up to 77,184 (on first floor and mezzanine) | 0 | Special Exception Requested |
| Table continues on next page | | | | | |

| Item | M Zone - By Right | CR PUD | Proposed | (+ or (-) from M-Zone By-Right |
|---|---|--|--|--|
| <p style="text-align: center;">Roof Structures</p> <p style="text-align: center;">§ 411</p> | <p>One roof structure permitted per elevator core or for stairwells, or roof level differing ≥ 1 floor.</p> <p>Walls enclosing habitable penthouse must be of one uniform height, which height may differ from the single uniform height of other non-habitable spaces</p> <p>20 ft. height limit, with mechanical, but not habitable, space permitted in a second story within the 20 ft.</p> <p>Vertical walls</p> <p>1:1 setback from exterior walls</p> <p>0.37 FAR credit, calculated on penthouse space ≥ 6.5' high</p> | <p>NW: (1) SW: (2) (both with elevator core) NE: (2) (one elevator core and one > 4' equipment housing) SE: (0)</p> <p>NW: 12' and 20' (both include habitable space) SW: 8' (mechanical screening), 12' habitable, and 20' (mechanical) NE: 17'6" (mechanical) and ~5' (mechanical) SE: n/a (< 4')</p> <p>All ≤ 20 ft. and without habitable space on a second floor</p> <p>All have vertical walls</p> <p>1:1 setback provide everywhere required except for 17'6" penthouse on NE building (5'1" setback from exterior wall on roof terrace, 19'6" from exterior wall 1 level lower)</p> <p>0.1 FAR</p> | <p style="text-align: center;">n/a</p> | <p>Complies except as follows:</p> <p>Relief requested from:</p> <p>§411.6 (or, alternatively from § 411.9) for one elevator core and one equipment enclosure on NE bldg;</p> <p>§ 411.9 (a) for non-uniform heights of 12 ft. and 20 ft. for walls of habitable structure on NW building.</p> <p>§411.18 (c)(3) for a non-compliant 5'1" setback from an exterior wall of roof terrace for a 17'6" penthouse on NE bldg.</p> |

The property is zoned M, which permits moderate to medium density non-residential uses. The associated map-amendment is requested to enable additional height and residential use.

FAR: The proposed 5.2 FAR is less than permitted by right under the existing zoning and under the requested map amendment.

Lot Occupancy: The proposed lot occupancy of 80% is less than permitted by right under the existing zoning and at the limit of residential occupancy under the requested map amendment for a residential project with IZ.

Height: The 75 foot height of the northeast, southeast and southwest is 15 feet lower than permitted by right under the existing zoning and the requested map amendment. The northwest building's proposed 102 foot height is 12 feet higher than the by-right maximum but 8 feet less than is permitted for a PUD under the related CR map amendment.

Uses: The proposed light industrial uses are permitted in the M zone by-right, but only as a special exception under § 610 in the requested CR zone. Residential use would be permitted only with the requested map amendment. All other uses proposed would be permitted under the existing M and proposed CR zone.

- OP supports the granting of the special exception for light industrial uses. It would not likely be disruptive if appropriate use and time of operation restrictions are included.

Parking: The 331 parking spaces for 605 residential units and 74,000 square feet of non-residential space more than meet minimum requirements for the overall project.

- Additional information is needed about the assignment of parking spaces by use.

The requested relief from the compact car space requirements of § 2115.2 would allow 45.6% of the parking spaces (or approximately 151 of 331) to be compact spaces, exceeding the 40% limitation but likely resulting in a more efficient parking garage layout.

- OP supports the granting of this relief.

The request to provide an entry to the project's parking garage from Q Street, via a connection to the existing garage constructed for PUD 05-23 is dependent on Commission approval of a modification requested for that PUD.

- OP would support the granting of flexibility for the proposed connection, provided additional information is provided illustrating the proposed connection and the impact, if any, on existing parking or loading in that garage

Loading: As further described in Section V, the applicant is requesting relief from the required number of 55 foot loading berths and permission to locate a portion of the project's required loading within existing loading facilities in the northwest and northeast corners of the Gale development.

- OP would support the relief needed for this request, provided the following additional information is provided:

- A chart comparing loading requirements for both PUD 15-15 and PUD 05-23, and the requested partial sharing of loading between the projects
- A loading management plan dealing with potential timing and noise impacts for different projects and use types.

Courts. The applicant has requested relief from minimum dimension requirements of § 638.2(a): for closed courts adjacent to the east-west promenade. The courts' dimensions, while somewhat less than required, would be augmented by the width of the east-west pedestrian way, which would be 20 feet wide east of the central plaza and 30 feet wide west of the plaza.

- OP supports the requested relief.

Roof Structures: The applicant has requested three types of relief.

§ 411.18 ; In response to comments by property owners on R Street, the upper floors on the northeast building would be progressively setback from the alley between the project and the townhouses to the north. This would result in an a wall of a 17' 6" penthouse that is not located about the limits set by the Height Act being set back only 5'1" from the edge of the adjacent roof. The roof structure's presence would be made less apparent by its 19' 6" setback from the face of the building wall one floor below that.

- OP supports this relief request.

§411 .6: For the northeast building Multiple roof structures are proposed due to the building's length and to requests by neighbors to the north for setbacks from their rear yards. The different sections of the building would vary in height by as much as 21 feet. For the northwest building relatively minor variations in roof structure height are requested and are designed in ways that do not appear to call attention to the differences.

- OP supports the requested relief.

§ 411.9: Relief to permit heights of 12 feet and 20 feet are requested for a habitable space within one roof structure on the NW building. This is requested to enable the penthouse to setback from the building to the north, achieve the applicant's desired square footage, and meet the 1:1 setback requirement.

- OP does *not* support the granting of this relief.

Phasing: The applicant has asked the Commission to permit the construction of the project in phases, as noted on pages 7-8 of Case Exhibit 11, the February 29, 2016 pre-hearing statement.

V. COMPLIANCE WITH PUD REGULATIONS

A PUD is the most appropriate vehicle for realizing the Comprehensive Plan's vision of changing the land use to increase the density and residential nature of this site.

The site meets the minimum site size requirements of § 2502.1(c). With a related map amendment to CR, the FAR and height would be less than permitted for a PUD in the CR zone.

The application does not appear to be using the PUD process to circumvent other zoning regulations.

A. Transportation, Parking and Loading

Gorove /Slade consultants' Comprehensive Transportation Review dated March 29, 2016 is contained under Tab B of Case Exhibit 23.

The applicant's April 22, 2016 filing notes that, if the Commission approves The Gale apartment's application for a modification to ZC Order 05-23, the applicant's preferred vehicular circulation alternative would be that shown on Sheet A1.07 of Case Exhibit 23, rather than the one shown previously on Sheet A1.0BB of February's submittal. The alternative plans are illustrated below.

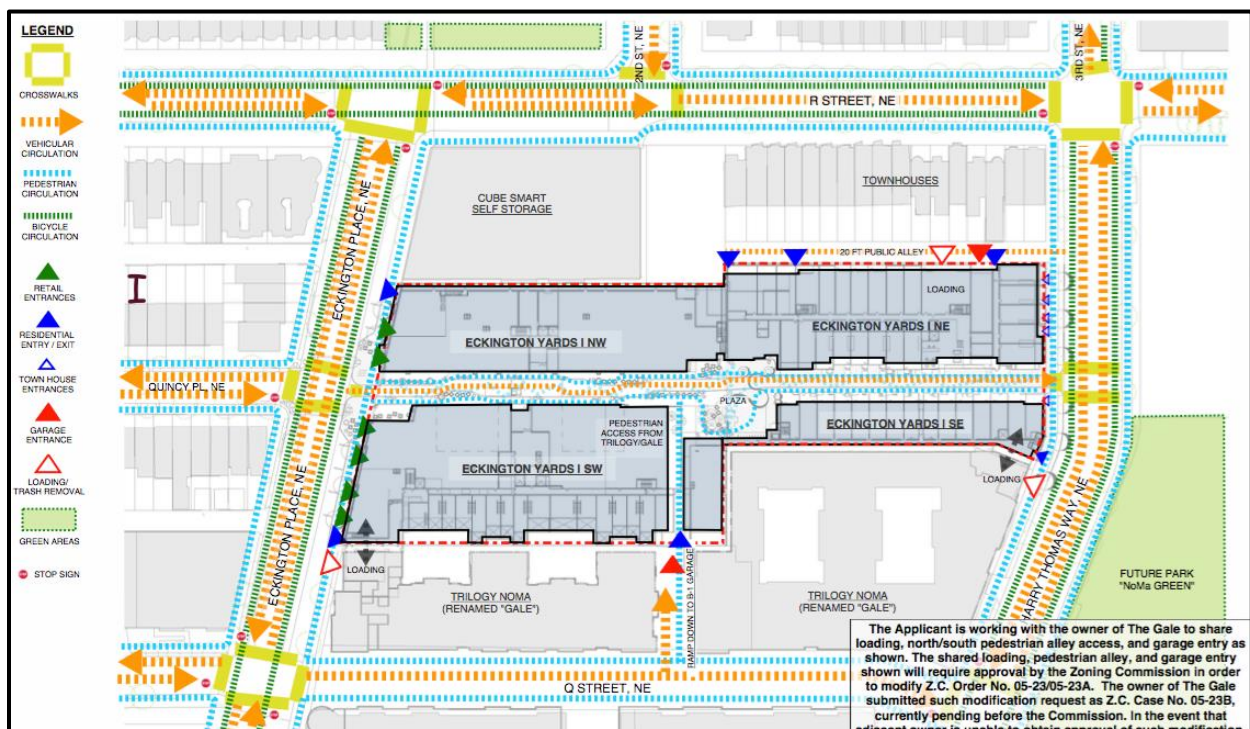


Figure 4. Applicant's Preferred Circulation and Parking/Loading Entrance Alternative

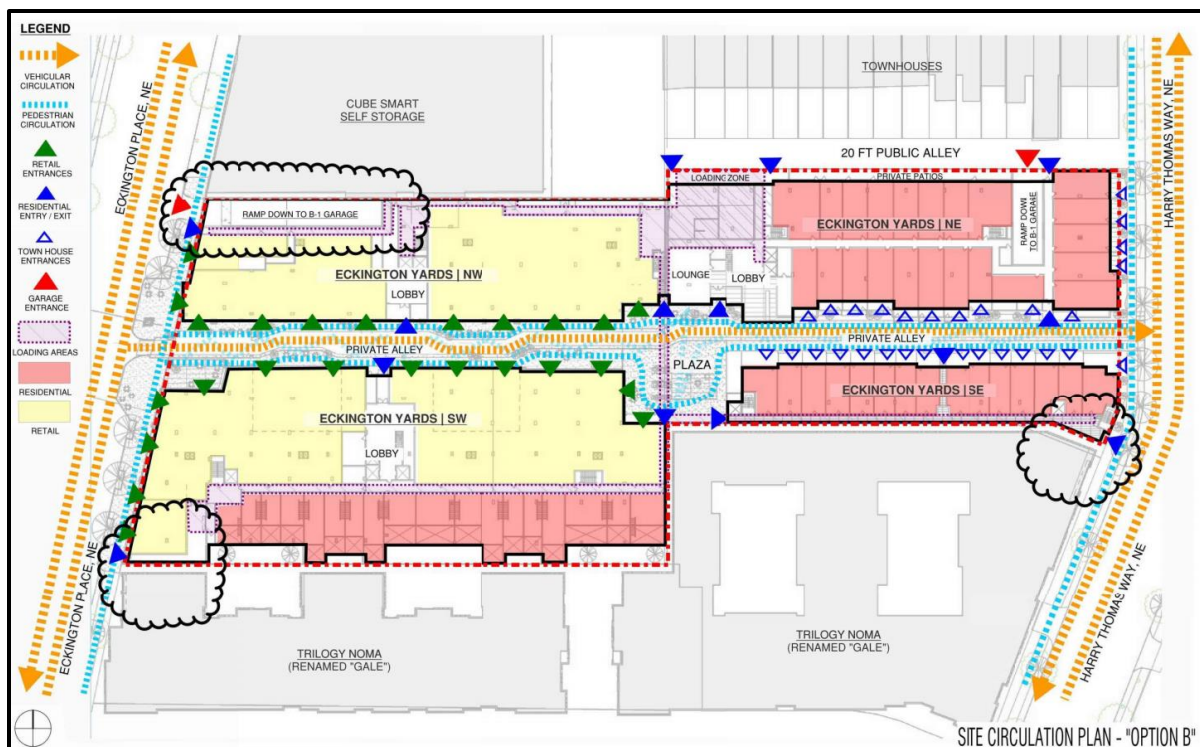


Figure 5. Applicant Alternative Circulation and Parking/Loading Entrance Alternative if Modification to PUD 05-23 is Not Approved

The preferred alternative would eliminate a proposed garage entrance at the northwest corner of the site and modify an existing entrance to the Gale garage on the north side of Q Street to permit vehicles to enter the proposed PUD 15-15’s garage via a pass-through from the Gale’s Q Street garage entrance. This alternative would also result in the addition of a pedestrian passage from Q Street, through the Gale development, to the Plaza proposed for the Eckington Yards PUD.

Under the preferred alternative, loading would be addressed as follows:

- Northwest building retail/maker and residential: from exterior east-west passageway between north and south buildings
- Southwest building retail/maker: docks in northwest corner of Gale (head in-back pit) then to interior passage for rear-loading of ground floor spaces
- Southwest building residential: from exterior east-west passageway
- Northeast building (all residential): from interior, off northern alley
- Southeast building (all residential): docks in northeast corner of Gale (head in-back out), then to covered exterior passage between Gale and southeast Eckington Yards building.

If the modification to the PUD 05-23 Order is not approved, the vehicular circulation and loading for Application 15-15 would revert to the alternative that does not include a Q Street entrance.

The District Department of Transportation (DDOT) will provide a separate report evaluating the Gorove/Slade findings and the applicant’s revised proposals.

B. PUD Benefits, Amenities and Proffers

The draft public benefits and project amenities, developed in consultation with the ANC and other community groups, are described on pages 4 – 7 of Case Exhibit 23’s cover letter and pages 9 to 11 of Case Exhibit 11’s cover letter.

The level of benefits, amenities and proffers appears to be commensurate with the additional height and density the PUD is requesting through the related map amendment. However, for many of the items, the proffers’ descriptions and commitments need more focus specificity, quantification and consultation, as noted in the table below.

OP will work with the applicant to ensure that a supplementary document is submitted by the hearing.

| TABLE 2: ITEM | MITIG ATION? | PUBLIC BENEFIT? | PROJECT AMENITY ? | REQUIRED ? | IS IT A PROFER? | NOTES |
|--|-------------------------|--|----------------------------------|--|----------------------------|---|
| Market rate housing | No | Yes. No units permitted under existing zoning | No | No, but inherent in project | No | -- |
| IZ units | No | Yes. Deeper, 60% AMI affordability for all IZ units. | No | No, not at deeper AMI level | Yes | -- |
| Superior Architecture | No | Yes. | Yes | Yes | No | -- |
| Retail and Maker Spaces, with an emphasis on Ward 5, offered at \$10 per SF below market rate for first 5 yrs. Of occupancy | No | Yes | Yes, if successful | No, but inherent in structuring of project | Subsidy is | Guidelines have been submitted, but additional information needed on differentiation from other similar offerings |
| Programmed Activation of Promenade | No | Yes | Yes | No, but inherent in structuring of project | Yes | Needs minimum number of events per month, distinction from similar events in other nghbds. |

| TABLE 2: ITEM | MITIGATION? | PUBLIC BENEFIT? | PROJECT AMENITY ? | REQUIRED ? | IS IT A PROFER? | NOTES |
|---|--------------------|------------------------|--------------------------|----------------------|------------------------|--|
| \$25,000 to NoMA Park | No. | Yes | No | No | Yes | Requires specificity of result, intended recipient of grant, and grant management |
| Public Art at Eckington Place entrance to “promenade” | No | Yes | Yes | No | Yes | Public space permission needed. |
| “up to” \$20,000 contribution for public art on or near project | No | Yes | Yes | No | Yes | Requires specificity on recipient, administration, etc. |
| Repave alley between project and townhouses to north. Add 5’ wide easement | Yes | Yes | Yes | No | Yes | Needs indication of DDOT position. |
| 2 on-site Car Share spaces | No | Yes | Yes | No | Yes | --- |
| TDM Measures (See Exhibit 23, Tab B) | Yes | Yes | Yes | All required by DDOT | No | Needs DDOT response |
| Bikeshare in planned NoMA park, or expansion of station at Q St. & Eckington Pl. | Yes | Yes | No | Yes, by DDOT | No | --- |
| Contribution of “up to” \$20,000 to Eckington Citizens Assn. or other group for nghbd. banners | No | Yes | No | No | Yes | Need specific exact am’t., recipient group, # intended, and coordination with public space |

| TABLE 2: ITEM | MITIGATION? | PUBLIC BENEFIT? | PROJECT AMENITY ? | REQUIRED ? | IS IT A PROFER? | NOTES |
|---|-------------|-----------------|-------------------|------------|-----------------|--|
| Contribution of \$25,00 to NoMA BID or similar for safety improvements to Metro Branch Trail, preferably near R St. NE | No | Yes | No | No | Yes | Needs specificity of recipient, what will be purchased or installed and coordination with DDOT |
| Adopt a Block: 2 square blocks for 6 years | No | Yes | No | No | Yes | Needs specificity of actions and result |
| Provide Community Garden w/in ANC 5E03 | No | Yes | No | No | Yes | Needs specificity on management, location and duration |
| First Source agreement | No | Yes | No | No | Yes, | Commitment made. |

C. Affordable Housing

The applicant would provide the minimum IZ set-aside of 8% of the total residential square footage. While required to be targeted to households earning no more than 80% of the Area Median Income (AMI), the applicant has gone beyond the requirements by proposing that all of the required IZ units be reserved for households at 60% AMI.

| Residential Unit Type | Res. GFA; % Total | Units | Income Type Required | Income Type Provided | Affordable Control Period | Affordable Unit Type |
|------------------------------------|--|--|----------------------|-------------------------------------|-----------------------------------|----------------------|
| Residential Total | 629,745 GSF | 695 | | | | |
| Market Rate | 579,365 GSF | 649 | | | | |
| IZ Total Required @ 8% of Res. GFA | 50,380 GSF | 51 | Moderate | 0 Moderate (80% AMI) 56@ 60% AMI | Project duration for all IZ units | Likely Rental |
| IZ Total Provided | 50,528 SF GSF | 51 | | | Project duration for all IZ units | |
| Affordable/Non IZ | 8% of applicable penthouse space; i.e. 446 GSF | Not specified. 446 GSF to be added to affordable SF in project | n/a | | n/a | n/a |

The greater depth of affordability being proffered for all IZ would be of significant benefit. However, the deeper level of affordability that is proffered is also problematical. The Department of Housing and Community Development (DHCD) has mechanisms in place to administer IZ units at AMI levels of 80% and 50%, but not at other AMI levels unless the units are constructed under the auspices of specific government programs such as the Low Income Tax Exempt Credit (LITEC). OP encourages the applicant to increase its affordability offer and commit to the providing all IZ units at 50% AMI rather than the proffered 60% AMI.

Sheet A1.02 of Case Exhibit 23 provides a breakdown of IZ unit counts by type. The applicant should also provide floorplans showing the IZ units' distribution. It would also be useful to know which project amenities the IZ units would have access to without or with additional fees.

The project's habitable penthouse space would accommodate 5 residential units. The square footage would require the provision of additional affordable housing space within the project or a contribution to the construction of affordable housing off-site. On page 5 of Exhibit 23 the applicant states this will be met by providing 446 GSF of residential space on-site, at 50% AMI.

D. Mitigation of Potentially Adverse Impacts

At setdown, the Commission requested illustrations to evaluate the impact of the project on nearby views. While many have been supplied, additional graphics are needed to demonstrate:

- The impact on views from the established residential areas to the north and west. The aerial perspectives supplied after setdown do not yet make it possible to assess the impact the project would have from the ground level of neighborhood streets,;
- The impact of the project on the north-facing windows of the Trilogy/Gale buildings, south of the proposed PUD. Although Sheet A2.14 of Case Exhibit 23 contains an illustration of an east-to-west view of the area between the projects, it does not provide measurements between northern windows in the Gale and the exterior corridors of the proposed PUD's southeastern building, nor does it assess the impact of the taller proposed building on the Gale units.

The OP setdown report recommended that the applicant coordinate with DDOT on an examination of the impact of the anticipated residential, retail and loading traffic on the surrounding neighborhood and intersections specified by DDOT – particularly the intersection of NY Avenue/Florida Avenue/1st Street/Eckington Place. The DDOT report will discuss whether this has been satisfactorily addressed.

E. Urban Design and Architecture

The architecture and the urban design reflects the industrial past of the area with both traditional and contemporary materials that also integrates the architecture with the nearby residential and light-industrial developments constructed in the last 30 years. However additional simplification and refinement may be needed, particularly with respect to the treatment of some building faces.

The western facades would benefit from more coherence. As presented, it reads as a five to six story black-gridded building with an applied façade of a concrete frame 20th century industrial building, another applied façade of a 19th century brick industrial building and a modern tower rising behind the northern portion. The historicist approach is furthered by faux-industrial bridges and a rooftop ornament in the shape of a historic water tower. The plaza-facing frontages of the two eastern buildings also appear to emphasize a scenographic approach. While all this presents considerable variety, it may be trying too hard to simulate the layering of time and preservation in a completely new building. Other frontages are simpler and more contemporary.

Additional detail is also needed on landscaping plans and the design of the pedestrian passage and plaza.

F. Sustainability

Pages A1.13 and A1.14 of Exhibit 23 indicate that the applicant has committed to pursuing LEED Silver certification. The filing notes this can be achieved due to the project's location near a Metro station, the project's site planning, design, building outfitting, building management and the 53,058 SF of green roof. Although OP and the Commission encouraged the applicant to pursue a commitment to LEED Gold certification or the equivalent, the applicant states that, while the applicant may be pursuing a LEED ND (neighborhood development) rating, the project will not be able to meet LEED Gold standards due to the project's employment of wood frame construction and decentralized systems (Exhibit 11, page 11).

OP will continue to consult with the District Department of Energy and Environment (DOEE) about the applicant's most recent filing.

VI. OTHER GOVERNMENT AGENCY COMMENTS

No other agency comments had been filed at the time OP completed this report. A DDOT report is anticipated to be filed under separate cover.

VII. COMMUNITY COMMENTS

151 Q Street Residential LLC, the owner of the Gale rental apartments, has filed a letter in support of the project. The owners of The Gale and the proposed PUD are cooperating on joint use of some of their facilities.

Support has also been expressed by the Condominium Association of the owners of the townhouses on the south side of the 200 block of R Street, immediately north of the project, one other owner of property in that block and by an owner of property within 200 feet of the project.

At the time OP completed its report, ANC 5E had not filed a report. However, OP understands from a conversation with the ANC chair that the full ANC had voted to support the project provided both the applicant and the ANC signed a final community benefits agreement, the draft of which is reflected in Section V. B. of this report.

VIII. SUMMARY OF MATTERS REQUIRING CLARIFICATION OR ADDITIONAL CONSIDERATION BY THE PUBLIC HEARING

- Clarification that the District Department of Transportation has determined that the proposed traffic mitigation, transportation demand management and alternative proposals for loading, vehicular entrances/exits and circulation are acceptable;
- Clarification of routes and distances between loading platforms and retail/maker spaces;
- Comparison of alternative loading proposals and their impacts on both the applicant's project and existing PUD 05-23;
- A restructuring of the deeper levels of affordability proffered in conjunction with the IZ requirement to comport with DHCD's administrative guidelines, including levels of AMI;
- Submission of floor plans showing the location and unit type of the IZ units;
- A list of project amenities to which the IZ units will have access without an additional fee and those which will require an additional fee;
- Submission of additional information to help assess the impact of the proposed project on the northernmost units in The Gale apartments, inclusive of distances between the two facades, indications of windows and room functions on the north face of The Gale beyond what is shown on Sheet A2.14 of Case Exhibit 23, and a shadow study of the relationship between the Gale and the proposed PUD.
- The submission of more specific, quantifiable and verifiable proffers within the community benefits package;
- Further study of the design of the western façade and the building faces on the east side of the plaza;
- Additional information about the management and programming of the pedestrian promenade and plaza;
- Information about measures to be taken to enhance the safety of pedestrians using the passageway and plaza between Harry Thomas Way and Eckington Place, given that the applicant states these areas are intended to be open to the public at all hours;

- Submission of complete landscaping and hardscaping plans for the promenade, the plaza and the project perimeter;
- A further explanation of why the applicant is choosing to pursue LEED ND rather than LEED Gold, and the implications of this choice;
- An explanation of market relationship between the retail and maker spaces proposed for this project and similar offerings planned for nearby developments;
- A discussion of the adaptability of the ground level spaces adjacent to the east-west promenade to uses other than those currently proposed;

JLS/slc

Stephen Cochran, project manager