

MEMORANDUM

TO: District of Columbia Zoning Commission
JLS
FROM: Jennifer Steingasser, Deputy Director
DATE: March 28, 2015
SUBJECT: **Hearing Report for ZC 16-03**
19th Street, C Street and Massachusetts Avenue, SE
Design Review under the Hill East District

I. SUMMARY AND RECOMMENDATION

Hill East, the former “Reservation 13” and the home of the former DC General Hospital and the DC Correctional Facility was envisioned for redevelopment with a mix of residential, commercial, intuitional and other compatible uses. The redevelopment of Hill East is governed by the Hill East Waterfront Master Plan, approved by the City Council on October 15, 2008 and the Hill East (HE) zone district, approved by the Zoning Commission on April 13, 2009 in Zoning Commission Case 04-05.

The proposal by DB Residential Hill East, LLC (applicant) would be the first towards the creation of a new Hill East. The applicant proposes development of Parcels F-1 and G-1 (Square 1112E, Lots 802, 803 and 804) with residential buildings with ground floor preferred uses. The buildings meet the Hill East District use requirements and generally meet the requirements for building form and massing. The application successfully addresses the purposes of the Hill East district, the Ground Floor Preferred Use Design Standards, Design Requirements for All Locations, and Design Requirements for Building Located on Primary Street. In addition, the Office of Planning (OP) is supportive of the request for special exception review for garage entrance locations and variance relief from the height, parking, loading and lot occupancy requirements. The proposal appears to also need variance relief from compact space requirements and from the Inclusionary Zone requirements. The applicant should also request, pursuant to § 2801.2, a waiver from the requirement of § 2813.17 and show good cause for the use of EIFS which is prohibited.

OP recommends approval of the project if the applicant addresses the highlighted concerns.

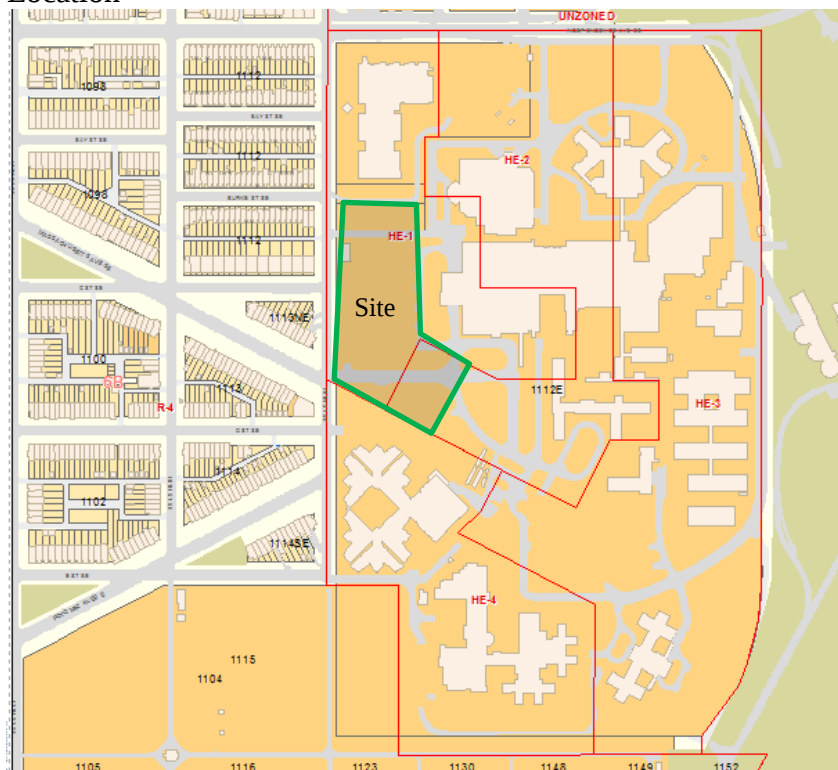
II. SITE AND AREA DESCRIPTION

The proposed development consists of Parcel F-1 and Parcel G-1 bounded by Burke Street on the north, 19th Street on the west, 20th Street on the east and Massachusetts Avenue on the south. Parcel F-1 is bounded on the west by 19th Street, on the north by Burke Street, and on the south by C Street. It has an area of 60,862 square feet and is located in the HE-1 zone. Parcel G-1 is bounded on the west by 19th Street, on the north by C Street, on the south by Massachusetts Avenue, on the east by 20th Street and

has an area of 87,614 square feet. Both parcels are currently used as surface parking lots for the Department of General Services, the Department of Corrections and the Department of Health.

The Stadium Armory Metro Station is adjacent to the Parcel F-1. To the west, across 19th Street, is the Hill East/Capitol Hill neighborhood composed of two and three story rowhouses in the R-4 zone. To the north of Parcel F-1 is the St Coletta Charter School, and is a part of Hill East. To the east, is the old DC General Hospital buildings and to the south it the Correctional Facility.

Site Location



III. PROJECT DESCRIPTION

The applicant proposes to develop the two mixed use buildings with residential and ground floor retail uses. The new streets to be extended through the site would also be constructed as part of this development. The application proposes a 52-foot, four-story, approximately 113,210 square feet square foot building with 13,432 square feet of ground floor retail uses at a FAR of 1.86, of which 0.22 FAR is retail/nonresidential uses on Parcel F-1. The retail uses would occupy all of the 19th Street façades and wrap around to portions of Burke and C Streets. The western and northern portion of Parcel F-1 will be maintained as an open plaza area that would be maintained by the applicant.

Parcel G-1 would be developed with an approximately 286,808 square feet building with 13,765 square feet of ground floor retail uses at an FAR of 3.27, of which 0.16 FAR would be retail/nonresidential uses. The eastern portion of Parcel G-1, which is within the HE-1 zone, would be four-stories, at 53 feet while the western portion of the building, within the HE-2 zone would have a height of 69 feet. The retail uses would occupy all of the 19th Street façade and wrap around to portions of C Street and

Massachusetts Avenue. The northern portion of Parcel G-1 would be maintained as an open plaza/green space area that would be maintained by the applicant.

A significant feature of the development would be a retail plaza and public space along 19th Street which would be owned and maintained by the applicant. The area would be developed to have outdoor seating areas, a large lawn, amphitheater/performance area, plantings and defined walkways in front of Building F-1 and the Stadium Armory Metro. The portion in front Building G-1 and a portion along Massachusetts Avenue would include seating areas, bioretention areas and a signature sculpture/water feature at the intersection of 19th Street and Massachusetts Avenue. The plaza area would have ornamental paving which would extend down the side streets.

The design proposes indoor and outdoor communal spaces at the penthouse level on both buildings. Both roofs also provide a significant amount of green roof. The rooftop penthouse would generally meet the one-to-one setback requirements, but the applicant should provide additional details on the roof structures.

Loading and parking facilities would be accessed via a private driveway at the rear of each building from C Street. One level of underground parking is proposed on each building, 45 spaces in Building F-1 and 111 spaces in Building G-1. The applicant requests a reduction in the required number of spaces in both buildings and the request is addressed in Section IV of this report. The plans indicate that 31 bicycle parking spaces would be provided in Building F-1 and 88 spaces in Building G-1. The project would also provide a Bikeshare station close to the Metro entrance.

The HE district provides specific and detailed design guidelines for the façade of each building. The design features of each building are discussed in the sections below.

IV. ZONING

The HE District is a mixed use, mixed income neighborhood that between 19th Street and the riverfront and the key concept is that building heights will start with the lowest buildings along 19th Street, and transition to the lower scale Hill East neighborhood west of 19th Street, and then increase in height with the slope down to the riverfront.

Parcel F-1 is zoned HE-1 and Parcel G-1 is split zoned, HE-1 and HE-2. The tables below outline how the buildings meet the zoning requirements.

Parcel F-1

Section	Requirement	Proposed	Relief
Lot Area		60,862 sf.	
Height/Stories, § 2808	50 ft./4	52 ft./4	Yes
Lot Occupancy, § 2808	80%	52%	No
FAR, § 2808	Residential = 3.0 Non-Residential – 0.8	Residential = 1.86 Non-Residential – 0.22	No
Side Yard, § 2810	8 ft. if provided	8.83 ft.	No
Rear Yard, § 2810	15.5 ft.	26.83 ft.	No

Parking §§ 2815 and 2101	Residential, 1/2 du = 46 Non-Residential in excess of 3,000 sq. feet, 1 per 750 sf. = 14 TOTAL = 60	Residential = 45 - 24 standard - 16 compact Non-Residential = 0 TOTAL = 45	Yes
Bicycle Parking, § 2119	Residential, 1/3 du = 30 Retail, 1/10,000 sf. = 1 TOTAL = 31	31	No
Loading, §§ 2815 and 2201	Residential: 1-55 ft. berth 1-200 ft. platform 1-20 ft. service/delivery space Non-Residential: 1-30 ft. berth 1-100 ft. platform 1-20 ft. service/delivery space	1-30 ft. berth 1-100 ft. platform 1-20 ft. service/delivery space	Yes
Court, § 406	A1 (closed court) 14 ft. width, 450 sf. area A2 (open court) 6 ft. width	A1 (closed court) 48.83 ft. width, 3,306 sf. area A2 (open court) 76.16 ft. width	No
Penthouse, §§ 2809, 411	Multiple Enclosures Multiple Heights Maximum 0.40 FAR of habitable space	Multiple Enclosures Multiple Heights 0.40 FAR of habitable space	No

Parcel G-1

Section	Requirement	Proposed	Relief
Lot Area	No requirement	87,614 sf.	No
Height, § 2808	HE-1 - 50 ft. HE-2 - 80 ft.	HE-1 - 53 ft. HE-2 - 69 ft.	Yes
Lot Occupancy, § 2808	HE-1 – 80% HE-2 - 75%	HE-1 – 74.6% HE-2 – 77.5% Blended – 75.3%	No
FAR, § 2808	HE-1: Residential = 3.0 Non-Residential – 0.8	Blended: Residential = 3.27 Non-Residential – 0.16 Blended – 3.27	No

	HE-2: Residential = 4.8 Non-Residential – 1.0 (total for parcel G) Blended Residential = 3.44		
Side Yard, § 2810	None, but if provided 8 ft. minimum	none	No
Rear Yard, § 2810	HE-1- 16.91 ft. HE-2 – 20.66 ft.	24.16 ft.	No
Parking §§ 2815 and 2101	Residential, 1/ 2 du = 128 Non-Residential in excess of 3,000 sq. feet, 1 per 750 sq. ft. = 14 TOTAL = 143	111 total spaces - 67 standard - 44 compact	Yes
Bicycle Parking, § 2119	Residential, 1/3 du = 86 Retail, 1/10,000 sf. = 2 TOTAL = 88	86	No
Loading, §§ 2815 and 2201	Residential: 1-55 ft. berth 1-200 ft. platform 1-20 ft. service/delivery space	1-30 ft. berth 1-100 ft. platform 1-20 ft. service/delivery space	Yes
Court, § 406	A (closed court) 21.58 ft. width, 932 sq. ft. area B (open court) B1 - 6 ft. width B2 – 23.25 ft. width	A (closed court) 63.5 ft. width, 8,080 sq. ft. area B (open court) B1 – 15.25 ft. width B2 – 39.58 ft. width	No
Penthouse, §§ 2809, 411	Multiple Enclosures Multiple Heights Maximum 0.40 FAR of habitable space	Multiple Enclosures Multiple Heights 0.40 FAR of habitable space	No

The proposal as designed requires relief as noted below.

1. Variance

Section 2801.3 of the HE Regulations states that the Zoning Commission may hear and decide any additional requests for variance relief needed along with the design review. The applicant requests the following area variances:

Building Height (§ 2808)

§ 2808 requires that the building within the HE-1 zone have a maximum height of 50 feet. The design proposes a height of 52 feet on Building F-1 and 53 feet on the HE-1 portion of Building G-1.

The subject property has an eight-foot difference in the topography as it descends between the western and eastern portion of the property which is an exceptional situation. This exceptional situation presents a practical difficulty to the applicant as the change in topography affects the floor plate of the ground floor use which is required to have a height of 14 feet floor to ceiling height as well as providing direct views into the building for a length of 20 feet requiring the retail use to be on an even floor plate without any internal steps to account for the change in topography. In addition, strict adherence to the requirement would result in the residential units having a floor to ceiling height of less than nine feet. The additional two feet on building F-1 and three feet on Building G-1 would allow the building to meet the other requirements and functions as well as provide for a strong cornice element top of each building as recommended in the Hill East Waterfront Design Guidelines. Visually, the additional height on the buildings would retain the concept of having the gradual increase in height of buildings transitioning from the lower height 19th Street neighborhood towards the waterfront. OP supports the requested relief.

Parking §§ 2815.1, 2815.2 and 2101.1

The applicant proposes one level of below grade parking which would be shared by the retail and residential uses. For Parcel F-1, the required number of total parking spaces is 60 but 45 are proposed; On Parcel G-1, the required number of total parking spaces is 143 and 111 total parking spaces are proposed. The proposed parking spaces can be accommodated in one level. However, to accommodate the required spaces would require additional grading and/or a second level resulting in far more spaces than required and would run counter to encouraging the use of metro rail, bus and bicycles. The reduction in parking spaces along with the proximity to the Metro Station and the Transportation Demand Management measures proposed should mitigate any adverse impacts. OP supports the requested relief.

Grouping of Compact Spaces, § 2115.4

Although not requested, the garage design (Parcel F-1, Exhibit 19A3, page 21) appears to require relief from § 2115.4, which requires that compact spaces only be provided in groups of five or more. The column spacing proposed for the building above as well as the accommodation of elevator core, stairways, trash rooms, walkways and other building functions would create an exceptional condition in the garage where only compact spaces could fit. Granting relief would not impact the public good and would result in a more efficient use of the garage space. OP supports this area of relief.

On the Tabulation Table at Exhibit 19A1, page 5, the applicant stated there would be 44 compact spaces in Building G-1. The parking layout for Parcel G-1 is shown at Exhibit 19A6, page 41. However, the standard and compact spaces are not identified and therefore OP is unable to assess if the distribution of the compact spaces meet the requirements of § 2115.4.

Loading, §§ 2815.3, 2815.4 and 2201.1

The applicant proposes to have one, 30-foot loading berth, one, 100-square foot loading platform, and one, 20-foot service/delivery space for Parcel F-1 and the same for Parcel G-1. Both loading facilities would serve the residential and retail uses in each building. Currently, there are no alleys to the rear of these lots and the applicant is providing a private driveway to access the buildings. The proposed driveway would be 20-feet wide which makes it difficult to accommodate a tractor trailer as it would not be wide enough. Therefore, there is no need to provide a 55-foot berth which cannot be accessed. To minimize any negative impacts, the use of the loading docks would be monitored by a loading dock

manager who would monitor and schedule move-ins and move-outs and if necessary coordinate with DDOT if larger trucks are scheduled to visit the site. OP supports the requested relief.

Inclusionary Zoning Requirements, § 2807

2807. 1 Development that IZ subject to the Inclusionary Zoning Program set forth in Chapter 26 shall be constructed according to the provisions set forth in § 2808, notwithstanding any bonus they may be granted by Chapter 26.

The applicant has requested a “waiver” from the IZ requirements. However, OP believes that the appropriate relief would be a variance from the IZ requirements as the HE zone district has no provisions for waiver from the requirements of § 2807.

The Hill East property is located within the Anacostia Waterfront Development Zone, and must comply with the affordable housing requirements contained in the National Capital Revitalization Corps and Anacostia Water Corporation Reorganization Act of 2008 (“AWI Act”). The AWI Act requires that at least 30% of the total housing units developed must be affordable with 15% reserved for households earning up to or at 30% of the area median income (AMI) and 15% reserved for households earning up to or at 60% of the AMI. These requirements differ from the Inclusionary Zoning (IZ) standards which require that the affordability levels be at 50% and 80% of AMI and implementation by DHCD. Having to meet both requirements would be an exceptional situation leading to a practical difficulty to the applicant. Granting relief would not impact the public good as, in lieu of the IZ requirements, the development would meet the affordable housing requirements in the AWI Act which would result in a substantially larger number of affordable units and at deeper levels of affordability. OP would support this area of relief. The proposal would meet the AWI Act requirements as shown in the tables below.

Building F-1 would have a total of 91 units of which 14 would be affordable at 30% of AMI and 14 at 60% of AMI for a total of 28 affordable units. OP supports this area of relief.

Residential Unit Type	GFA & Percentage Total	Units	Income Type	Affordable Control Period	Affordable Unit Type
Total	99,787/100%	91			
Market Rate	69,851/70%	63	Market		
Affordable Units	14,968/15%	14	30% AMI	50 years	Rental
Affordable Units	14,968/15%	14	60% AMI	50 years	Rental

Building G-1 would have a total of 258 units of which 39 would be affordable at 30% of AMI and 39 at 60% of AMI for a total of 78 affordable units.

Residential Unit Type	GFA & Percentage Total	Units	Income Type	Affordable Control Period	Affordable Unit Type
Total	273,043/100%	258			
Market Rate	191,130/70%	180	Market		
Affordable Units	40,956/15%	39	30% AMI	50 years	Rental
Affordable Units	40,956/15%	39	60% AMI	50 years	Rental

The applicant has provided floor plans for each level of each building and has identified the unit types Exhibit 19A1, pages 3 and 5. The applicant should identify the distribution of the affordable units and the unit types.

2. Special Exception

Driveway or Garage Entrance from a Primary or Secondary Street, § 2815

Section 2815.6 of the HE Regulations prohibit driveway or garage entrances providing access to parking or loading areas from a Primary or Secondary Street. However, § 2815.9 allow exceptions from the prohibitions by special exception provided the applicant demonstrates that:

- (a) *There is no practical alternative means of serving the parking, loading, or drop-off needs of the building to be served by the proposed driveway or garage entrance;*
- (b) *The driveway or garage entrance will not impede the flow of pedestrian traffic; and*
- (c) *The driveway or garage entrance is not inconsistent with the DDOT landscape plans for the public rights of way in the Hill East Waterfront area, to the extent that such plans exist at the time of the special exception application.*

The entrances providing access to parking and loading facilities for the buildings on Parcels F-I and G-1 are located off private driveways that are accessible from C Street, a secondary street.

Both parcels are surrounded by either primary or secondary streets. Parcel F-1 abuts Burke Street, 19th Street and C Street which are all classified as secondary streets. Parcel G-1 abuts 19th Street, C Street and 20th Street, all secondary streets and Massachusetts Avenue, a primary street. Therefore, any driveway leading to the buildings must be from a primary or secondary street as there is no practical alternative means of serving the parking, loading facilities. Pedestrian movements along C Street would not be impeded as the private driveways would be at the rear of the buildings and there would be adequate public sidewalks, 10-feet wide, provided along C Street. Currently, DDOT has not created a landscape plan specific to the Hill East district. However, the applicant has designed the public space to meet DDOT standards. This issue will be further discussed in the DDOT report and will be further reviewed by the Public Space Committee at the time of building permit. The proposal is in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps; and as designed would not adversely affect the use of neighboring property.

V. CRITERIA OF THE HILL EAST DISTRICT

The Hill East District requires that the Zoning Commission review the design of all new buildings for consistency with the design guidelines set forth at §§ 2812 through 2814 and with the general purposes of the HE District as stated in § 2807. The following is OP's analysis of these standards as applied to the application.

2800 GENERAL PROVISIONS AND PURPOSES

2800.7 The purposes of the Hill East District are to:

- (a) *Connect and integrate Reservation 13 with adjacent neighborhoods, and the new waterfront park along the Anacostia River;*

Purpose met. The proposed development would be the beginning of connecting Hill East to the surrounding neighborhood and the Anacostia Waterfront Park. The building's façade would have distinctive elements and design consistent with the recommendations of the Hill East Design Guidelines and the neighboring Hill East and Capitol Hill neighborhoods.

- (b) *Utilize the site to meet a diversity of public needs, including health care, education, employment, government services and administration, retail, recreation and housing.*

Purpose met. The development would meet the housing and affordable housing, retail and service needs. In addition, the amenities for residents and the general public would include public art, gathering spaces, outdoor cafes spaces, neighborhood performance and open plaza areas.

- (c) *Extend the existing pattern of local streets to and through the site to create simple, well-organized city blocks and appropriately-scaled development,*

Purpose met. The Hill East Design Guidelines and the Hill East district established the Capitol Hill grid pattern for the road network to be extended through the property. As part of the development the new streets would be constructed. The development would be consistent with the density and height requirements within the HE-1 and HE-2 zones scaled to be compatible with the neighboring community.

- (d) *Maintain a human-scale of building heights that match existing neighborhood buildings and increase in height as the site slopes downward to the Anacostia waterfront;*

Purpose met. The applicant has requested variances for small increases in the maximum height of the buildings which would still maintain their human scale. The building on Parcel F-1 would have a height of 52 feet to be consistent with the rowhouse neighborhood across 19th Street. On Parcel G-1, the building would have a stepped design increasing in height as the property slopes towards the Anacostia waterfront. The western portion of the building would have a height of 53 feet while the eastern portion of the building would have a maximum height of 69 feet.

- (e) *Connect the Hill East neighborhood and the city at large to the waterfront via tree-lined public streets, recreational trails, and increased access to waterfront parklands;*

Purpose met. Shade trees are proposed and spaced to provide a consistent canopy. The dimensions of the proposed sidewalks and planting strips meet or exceed current DDOT standards and provide a separation of pedestrian and vehicular movement.

- (f) *Demonstrate environmental stewardship through environmentally-sensitive design, ample open spaces, and a waterfront park that serve as public amenities and benefit the neighborhood and the city.*

Purpose met. The buildings would achieve the equivalent of LEED Silver certification through LEED for Homes Mid-rise program and the applicant has provided a LEED checklist. The development would include sustainable design features such as a park-like environment along the streets, with a high ratio of planting to pavement; a “green wall” to soften the appearance of the retaining wall along Massachusetts Avenue; low impact development measures, including bioretention areas and vegetated roofs. These sustainable features would benefit the development, the neighborhood and the City.

- (g) *Promote the use of mass transit by introducing new uses near Metro stations, and create an environment where the pedestrian, bicycle, and auto are all welcome, complementary, and unobtrusive, reducing the impact of traffic on adjacent neighborhood streets.*

Purpose met. The property is located adjacent to the Stadium Armory Metrorail Station. The area between the building and the right-of-way would be redesigned and improved with a series of designated spaces which relate to the commercial uses, gathering areas and a performance area. A Capital Bikeshare station would be placed near the Metrorail exit for convenience to cyclists and Metrorail patrons with bike lanes planned for all the streets surrounding the development. On street parking would be provided along most of the streets, with pull-offs at the main entrances to the buildings.

- (h) *Limit the Central Detention Facility and the Correction Treatment Facility to areas south of Massachusetts Avenue; and*

The development does not involve the Central Detention Facility or the Correction Treatment Facility, which are to the south of Massachusetts Avenue.

- (i) *Create attractive "places" of unique and complementary character including:*
 - i. *A new, vital neighborhood center around the Metro station at C and 19th Streets that serves the unmet neighborhood commercial/needs of the community and extends to the waterfront with a new residential district;*
 - ii. *Massachusetts Avenue as a grand Washington 'boulevard' in the tradition of the L'Enfant plan;*
 - iii. *A district for city-wide uses and services, such as health care, education, and recreation along Independence Avenue, and*
 - iv. *A grand public waterfront park incorporating monumental places and quiet natural retreats accessed by a meandering park drive set back from the Anacostia River.*

Purpose met. The proposed development would provide new housing with a mixture of unit types and affordability as well as retail and service uses adjacent to the Stadium Armory Metrorail Station. The retail uses would serve the new development as well as the surrounding community. The buildings and would be complemented by large open space areas along 19th Street as well as along a portion of Massachusetts Avenue for seating, gathering and relaxing and would be a gateway into a future Anacostia waterfront park. Massachusetts Avenue would be extended through Hill East to the riverfront and the Parcel G-1 building facade incorporates architectural detailing consistent with the look and feel of rowhouse dwellings typically found to the north along Massachusetts Avenue and within the surrounding Capitol Hill neighborhood. This design strategy will help to establish this new portion of Massachusetts Avenue as a “grand Washington boulevard”.

2812 GROUND FLOOR PREFERRED USES - DESIGN STANDARDS

2812.1 Wherever preferred uses, as defined in §2811.1, are required or allowed pursuant to §§ 2811.2 and 2811.3, such ground floor preferred uses shall:

(a) If located on a corner, wrap around the corner to a minimum depth of 20 feet on the side street.

Standard met. On Parcel F-1, the retail use wraps around the corner of 19th Street and C Street to a depth of 57 feet and around the corner of 19th Street and Burke Street to a depth of 68.16 feet. On Parcel G-1, the retail use wraps around the corner of Massachusetts Avenue and 19th Street to a depth of 90 feet.

(b) Occupy the ground floor to a minimum depth of 30 feet.

Standard met. On Parcel F-1, the retail use occupies the ground floor to a depth between 46 feet and 67.16 feet. On Parcel G-1, the retail use occupies the ground floor to a depth between 30 feet and 66 feet.

(c) Have a minimum clear floor-to-ceiling height of fourteen (14) feet, measured from the finished grade, for the area of the ground floor dedicated to preferred uses.

On both buildings, the retail areas are designed with a clear floor-to-ceiling height of 14 feet measured from the finished grade.

(d) The street-facing facades of buildings on primary streets shall devote not less than seventy-five (75) percent per individual use or fifty (50) percent of the length and fifty (50) percent of the surface area of the street wall at the ground level to windows associated with preferred uses or windows associated with main building entrances; and

Standard met. On Parcel F-1, the frontage on 19th Street devotes 80% of the length and 55% of the surface area of the street wall at ground level to windows associated with the retail uses or windows associated with the main building entrance. On Parcel G-1, the frontage on Massachusetts Avenue

devotes 65% of the length and 60% of the surface area of the street wall at ground level to windows associated with retail uses or windows associated with the main building entrance.

- (e) The street-facing facades of mixed-use or non-residential buildings on secondary streets shall devote not less than seventy-five (75) percent per individual use or thirty (30) percent of the length and thirty (30) percent of the surface area of the street wall at the ground level to windows associated with preferred uses or windows associated with main building entrances.*

Standard met. On Parcel F-1, the 19th Street frontage devotes 70% of the length and 59% of the surface area of the street wall at the ground level to windows associated with the retail uses or windows associated with main building entrances. On Parcel G-1, the northern half of the 19th Street frontage devotes 59% of the length and 39% of the surface area of the street wall at the ground level to windows associated with the retail uses or windows associated with main building entrances.

- 2812.2 The windows required by § 2812 1(d) shall have clear or clear/low emissivity glass allowing transparency to a depth of twenty (20) feet into the preferred ground level space with bottom sills no more than four (4) feet above the adjacent sidewalk grade.*

Standard met. The windows on both buildings would have a clear/low emissivity glass allowing transparency to a depth of 20 feet into the preferred ground level space, with bottom sills, eight inches to two feet eight inches above the adjacent sidewalk grade.

- 2812.3 Such windows must allow views from within the building to the street.*

Standard met. All of the windows allow views from within the building to the streets.

2813 DESIGN REQUIREMENTS - ALL LOCATIONS (HE)

- 2813.1 The provisions of this section establish the design requirements for all buildings and structures located in the HE District.*
- 2813.2 Except as provided in § 2814.2, the front of a building or structure shall extend to the property line(s) abutting the street right-of-way for not less than ninety percent (90%) of the property line and to a height of not less than twenty-five feet (25 ft.).*

Standard met. The lot lines for parcels F-1 and G-1 are separated from the 19th Street right-of-way by a tax lot for the “Village Green and “Green space” areas. However, the building on Parcel F-1 extends to the property line along 19th Street for 90% of the property line and to a height of 52 feet. The building on Parcel G-1 extends to the property lines along 19th Street for 93% of the property line and to a height of 53 feet.

- 2813.3 Whatever portion of the front of a building or structure that does not extend to the property line(s) pursuant to § 2813.2 must extend to within twenty-five feet (25 ft.) of the front property line and to a height of not less than twenty-five feet (25 ft.).*

Standard met. The majority of the building facade of the building on Parcel F-1 would extend to the property line along 19th Street. The facade would incorporate two setback areas, one and three quarter (1.9 ft.) from the property line, that both extend the full height of the building. The majority of the building facade at Parcel G-1 would extend to the property line along 19th Street. The building would have a series of individual facades that stagger along the street and would be setback less than two feet. The corner of the building, at 19th Street and C Street, would also be setback to create an architectural element at the building's main entrance.

2813.4 Awnings, canopies, bay windows, and balconies may extend forward of the required building line to the extent permitted by any other regulations.

Standard met. The facades of both buildings would incorporate projecting awnings and/or canopies at the retail tenant spaces and residential building entrances. On Parcel G-1 the Massachusetts Avenue façade would incorporate projecting bays that would extend four feet beyond the building line and will be further reviewed by the Public Space Committee.

2813.5 For every fifty feet (50 ft.) of uninterrupted building façade length, the building shall incorporate modulated and articulated building wall planes through the use of projections, recesses and reveals expressing structural bays, changes in color graphical patterns, texture, or changes in building material of the façade.

Standard met. The facade on Parcel F-1 would incorporate brick, cast stone, and metal panels on the facades fronting Burke Street, C Street and 19th Street. The wall planes would be clad in brick and articulated with brick reveals, soldier coursing, and cast stone headers and sills surrounding window openings. Composite metal panel would be introduced in the recessed areas between the brick planes to further break up the façade.

The facade on Parcel G-1 would also incorporate brick, cast stone, and composite metal panel on the facades fronting C Street, 19th Street and Massachusetts Avenue. The 19th Street façade would have a series of individual building faces to break up its length of the façade. Each building facade would be articulated with different brick colors and window types.

2813.6 The articulation shall have a minimum change of plane of six inches (6 in.).

Standard met. On both buildings the articulations would have a six inch minimum change of plane.

2813.7 Façade articulation of less than two feet (2 ft.) in depth shall qualify to meet the street frontage required building line standards of §§ 2813.2 and 2813.3.

Standard met. Both buildings would comply with this requirement.

2813.8 Any single articulation feature shall not exceed sixty percent (60%) of the building façade width.

Standard met. Both buildings would comply with this requirement.

2813.9 Buildings with ground floor retail shall incorporate vertical elements to create a series of storefront-type bays with entrances that are no more than fifty feet (50 ft.) apart.

Standard met. On Parcel F-1 the façade would incorporate a series of brick pilasters between aluminum storefronts at the retail bays. Entrances to retail spaces would be located less than 50 feet apart. On Parcel G-1, the facade of the ground floor retail would be clad in fiber cement trim to depict a “wood- like” cladding at the retail bays and would be integrated with aluminum storefronts to create individuality for each retail tenants along the base of the building. Entrances to the retail spaces would be located less than 50 feet apart.

2813.10 Security grilles shall have no less than seventy percent (70%) transparency.

The applicant states that the security grilles on both buildings would have a minimum of 70% transparency. However, the applicant has not provided or shown the security grilles on any of the elevations or detailed facade plans.

2813.11 Street-facing facades shall not have blank walls (without doors or windows) greater than ten feet (10 ft.) in length.

Standard met. On both buildings, no street facing façade would have blank walls greater than 10 feet.

2813.12 Each use within a building shall have an individual public entrance that is clearly defined and directly accessible from the public sidewalk.

Standard met. The residential entrance to the building on Parcel F-1 would be accessed from C Street with the retail entrances from the public plaza along 19th Street. The main residential entrance on Parcel G-1 is located at the corner 19th Street and C Street, with a secondary residential entrance located at the corner of 20th Street and Massachusetts Avenue. The retail uses on Parcel F-1 would be accessed from the 19th Street public plaza.

2813.13 Exterior display of goods and exterior storage between the building line and the front lot line is prohibited. Outdoor seating for restaurants and pedestrian-oriented accessory uses, such as flower, food, or drink stands, or other appropriate vendors are permitted to the extent consistent with other District laws.

Standard met. The plaza space would allow the ground floor tenants to use the area. The retail tenants would be allowed to use the plaza area between the buildings and the bio-retention planters and place movable tables and chairs along with umbrellas and flower pots for dining whiles providing ten-foot wide circulation paths to access these areas and clear paths to doors. Benches would be located between the planters to provide additional seating opportunities outside of the dining areas. The area would also have trash receptacles and bike racks near the Metro entrance.

2813.14 Windows shall cover the following minimum area of street-facing facades above the ground floor level.

Location	Minimum Percentage	
	Non-Residential	Residential
Primary Street	35%	20%
Secondary Street	40%	20%

Standard met. The windows on Parcel F-1 would cover 40% of the residential street-facing facades above the ground floor level along Burke Street, C Street and 19th Street. The windows on Parcel G-1 would cover 24% of the residential street-facing facade above the ground floor level along C Street, 33% at 19th Street, and 34% at Massachusetts Avenue

2813.15 Buildings and structures should clearly articulate a base, middle, and top, except for row dwellings and flats.

Standard met. Both buildings depict a clear base, middle, and top. On building F-1, the base of the building has two rows of cast stone banding above the retail bays. The middle section would have two-story recessed areas in the brick façade that surround double height windows while the top would have large punched window openings framed by cast stone headers and sills.

Parcel G-1 would have a similar articulation with a clear base, middle, and top along 19th Street and wrapping Massachusetts Avenue with row dwellings extending down the block.

2813.16 High quality, durable materials which enhance the building and convey permanence shall be required.

Standard met. On Parcel F-1, the materials would include brick, cast stone and composite metal panel. On Parcel G-1, the materials used would include brick, cast stone, composite metal panel, and fiber cement trim.

2813.17 The use of synthetic stucco, vinyl siding, and/or other low-grade exterior finishes is prohibited.

This requirement is not met as the applicant proposed the use of a prohibited material, EIFS, on portions of the buildings facing Massachusetts Avenue and as a complementary cladding material on the rear of the buildings facing the private driveways. The applicant should requests a waiver from this prohibition, pursuant to § 2801.2, and show good cause for the request.

2814 DESIGN REQUIREMENTS FOR BUILDINGS LOCATED ON PRIMARY STREETS

Parcel G-1 fronts on Massachusetts Avenue which is a primary street.

2814.1 The provisions of this section set forth standards for buildings and structures with frontage(s) on a primary street.

2814.2 Notwithstanding §§ 2813.2 and 2813.3, the fronts of buildings located at street intersections shall be constructed to the property lines abutting each intersection

street, without any setback, for a minimum of fifty (50) feet from the intersection, along each street frontage;

Standard met. The building on Parcel G-1 would be constructed to the property line at the corner of Massachusetts Avenue and 19th Street. The applicant states that the front of the building at the intersection of 19th and C Streets would be setback nine feet (9 ft.) in order to accommodate the electric utility vaults within the property line.

281.3 *The corner of the building at the intersection of two primary streets or a primary and secondary street shall incorporate articulation such, as but not limited to, being angled, curved, or chamfered to emphasize the corner;*

Standard met. At the corner of Massachusetts Avenue (primary street) and 19th Street (secondary street) the building on Parcel G-1 would be constructed to the property line. The facade is articulated with a cornice element that wraps the corner at the base and top of the building.

2814.4 *The distance from the corner shall not exceed 20 feet, measured from the corner of the lot to the end of the angled or curved wall segment.*

Standard met. Parcel G-1 would be constructed to the property line the Massachusetts Avenue and 19th Street intersection.

2814.5 *Entrances into a building shall be no more than fifty (50) feet apart and recessed no more than six (6) feet deep or ten (10) feet wide;*

Standard met. The applicant states that all building entrances would be less than fifty feet (50 ft.) apart, recessed three feet (3 ft.), and would be between six (6) and eight (8) feet wide

2814.6 *Buildings shall incorporate in the street-facing facade to create a series of storefront-type bays where preferred uses are present;*

Standard met. Along the façade of the 19th Street and Massachusetts Avenue vertical elements which would identify the storefronts would be incorporated.

2814.7 *Residential buildings shall have at least one primary entrance directly accessible from the public sidewalk;*

Standard met. The residential use on Parcel G-1, which front on the Massachusetts Avenue and a portion of 19th Street, would have multiple entrances.

2814.8 *Instead of the windows required by § 2812 1(d), on primary streets, artwork and displays relating to activities occurring within the building shall be permitted as a special exception if approved by the Zoning Commission pursuant to § 3104 provided the applicant demonstrates that;*

- (a) *The building has more than 50 percent of its ground level space in storage, parking, or loading areas, or in uses which by their nature are not conducive to widows (such as theaters), and*
- (b) *The artwork or displays are consistent with the objective of providing a pleasant, rich, and diverse pedestrian experience.*

The proposal does not propose any artwork or displays to replace windows.

2809 ROOF STRUCTURES

- 2809.1 *The provisions of §§ 411 and 400 7 shall apply to roof structures in the HE District.*
- 2809.2 *The gross floor area of roof structures permitted under this section shall not be counted in determining the amount of off-street parking that is required by Chapter 21.*

The applicant states that the proposed roof structures comply with all the requirements below are met and have provided roof plans at Exhibit 19A3, page 23 and Exhibit 18A6, page 47. However the applicant should provide a detailed roof plan (elevation) showing the heights of the roof structures.

- A penthouse may be erected to a height in excess of that authorized in the district in which it is located;
- The maximum penthouse height in the HE-1 Zone District is 12 feet, except 15 feet for penthouse mechanical space, and 20 feet in the HE-2 Zone District;
- Enclosing walls of penthouse habitable space may be of a different height than walls enclosing penthouse mechanical space;
- A penthouse may house mechanical equipment or any use permitted within a zone;
- For the purpose of calculating FAR of the building, penthouse mechanical space, penthouse communal recreation space, and penthouse habitable space with a floor area ratio of less than 0.4 is not include in the total floor area ratio permitted for a building; and
- Penthouses and guardrails shall be setback from the edge of the roof upon which they are located a distance equal to their height.

VI. COMMUNITY COMMENTS

The HE district is within ANC-7F and at its March 15, 2016 meeting, the ANC voted to recommend approval of the application. Also, ANC-6B which is the ANC across 19th Street voted at its March 8, 2016 meeting to recommend approval of the application.

VII. DISTRICT AGENCY COMMENTS

As of this writing OP has received no comments on the application from any agency. DDOT will provide comments under separate cover.

VIII. SUMMARY

OP is very supportive of the overall design of the proposal and especially appreciates the applicant's compliance with the many design specifications of the HE district. The ground floor design and the plaza area provide an opportunity for street-activating uses through and appropriate design. The proposed buildings will set the standard for other buildings envisioned for the Hill East property.

JLS/mbr