

COMPLIANCE WITH SUBTITLE X, CHAPTER 6

As stated in Section VII of the Applicant's Prehearing Submission, the subject application is exempt from the standards of 11-X DCMR, Chapter 6. However, out of an abundance of caution, and to the extent that the Commission believes it is necessary to evaluate such standards, the Applicant provides the following analysis of the project's compliance 11-X DCMR, Chapter 6:

- a. *11-X DCMR § 604.5 - The Zoning Commission shall find that the proposed design review development is not inconsistent with the Comprehensive Plan and with other adopted public policies and active programs related to the subject site.*

An analysis of how the design of both Schemes is not inconsistent with the Comprehensive Plan and with the applicable Small Area Plan is attached hereto as Exhibit D.

- b. *11-X DCMR § 604.6 - The Zoning Commission shall find that the proposed design review development will not tend to affect adversely the use of neighboring property and meets the general special exception criteria of Subtitle X, Chapter 9.*

An analysis of how the proposed development meets the special exception criteria of 11-X DCMR, Chapter 9 is set forth in Section VI(C) of the Prehearing Statement.

- c. *11-X DCMR § 604.7 - The Zoning Commission shall review the urban design of the site and the building for the following criteria:*

(a) Street frontages are designed to be safe, comfortable, and encourage pedestrian activity, including: (1) Multiple pedestrian entrances for large developments; (2) Direct driveway or garage access to the street is discouraged; (3) Commercial ground floors contain active uses with clear, inviting windows; (4) Blank facades are prevented or minimized; and (5) Wide sidewalks are provided;

As described in the Prehearing Statement, the street frontages of both Schemes have been designed to be safe, comfortable, and encourage pedestrian activity. Multiple pedestrian entrances are proposed on all four street frontages. No direct driveway or garage access is proposed, and instead all vehicular access is provided via the private driveway. The ground floor retail space in both Schemes will contain active uses with large, clear, and inviting storefront windows. As shown on the Architectural Drawings, the all building facades have been carefully designed with significant articulation and high quality materials. In the Residential Scheme, the Applicant has created greater interest on the party wall which will be visible prior to development of the adjacent property by incorporating a gridded pattern with brick inlay. Finally, all the sidewalks are being provided consistent with DDOT's standards, and the Applicant is setting back the ground level of the building along M Street three feet in order to provide a more generous public space along that frontage.

(b) Public gathering spaces and open spaces are encouraged, especially in the following situations: (1) Where neighborhood open space is lacking; (2) Near transit stations or hubs; and (3) When they can enhance existing parks and the waterfront;

Both Schemes provide significantly upgraded sidewalk amenities, including benches, street trees, and landscaping in public space as well as the effective widening of the M

Street public space based on the setback of the building. Both Schemes have significant outdoor amenity spaces in the form of a courtyard and terraces for building residents to enjoy.

(c) New development respects the historic character of Washington's neighborhoods, including: (1) Developments near the District's major boulevards and public spaces should reinforce the existing urban form; (2) Infill development should respect, though need not imitate, the continuity of neighborhood architectural character; and (3) Development should respect and protect key landscape vistas and axial views of landmarks and important places;

Both Schemes will fully respect the historic character of the surrounding neighborhood. As described above, both Schemes provide significant façade articulation along all of the surrounding street frontages, including the major urban boulevards of M and South Capitol Streets. The Schemes also provide active ground floor retail and amenity spaces at the ground level, with appropriate setbacks and projections above, thus reinforcing the existing urban form. As described above, the infill redevelopment respects the existing low-density residential neighborhood to the south and southwest by providing a solid podium with walk-up residential unit types, while also maintaining consistency with the newer developments in the neighborhood by incorporating a concrete and glass palette for the towers above. Finally, as described in detail above, both Schemes have been designed to respect and protect views to the Capitol by establishing consistent street walls to frame the monumental views along South Capitol Street.

(d) Buildings strive for attractive and inspired façade design, including: (1) Reinforce the pedestrian realm with elevated detailing and design of first (1st) and second (2nd) stories; and (2) Incorporate contextual and quality building materials and fenestration;

The proposed Schemes have been designed with attractive, dynamic facades that are comprised of high-quality materials that will create visual interest at the Property enliven the pedestrian realm. See Sections IV(B), V(B) and VI of the Prehearing Statement for a more detailed description.

(e) Sites are designed with sustainable landscaping; and

As described above, the Mixed-Use Scheme and the Residential Scheme will be designed to meet the standards of LEED Silver under LEED v4 for Building Design and Construction. Both Schemes now include solar panels on the roof. In addition, a large central courtyard and green roof areas will be provided to offer stormwater retention and opportunities for native and adaptive landscaping.

(f) Sites are developed to promote connectivity both internally and with surrounding neighborhoods, including: (1) Pedestrian pathways through developments increase mobility and link neighborhoods to transit; (2) The development incorporates transit and bicycle facilities and amenities; (3) Streets, easements, and open spaces are designed to be safe and pedestrian friendly; (4) Large sites are integrated into the surrounding community through street and pedestrian connections; and (5) Waterfront development contains high

quality trail and shoreline design as well as ensuring access and view corridors to the waterfront.

Consistent with these standards, both Schemes include the following: (i) new pedestrian infrastructure and streetscape improvements to increase mobility and encourage access to public transportation; (ii) long- and short-term bicycle parking and storage facilities; (iii) significant new public space improvements, including pedestrian amenities and landscaping, on all four street frontages; (iv) a private driveway to integrate development of the Property into the community without creating any adverse impacts related to pedestrian and vehicular impacts.

- d. *11-X DCMR § 604.8 - The Zoning Commission shall find that the criteria of Subtitle X § 604.7 are met in a way that is superior to any matter-of-right development possible on the site.*

For the reasons set forth above, the Applicant believes that the criteria of 11-X DCMR § 604.7 has been met in a way that is superior to a matter of right development.