

MEMORANDUM

TO: District of Columbia Zoning Commission

FROM: Matthew Jesick, Project Manager
JL for Jennifer Steingasser, Deputy Director, Development Review and Historic Preservation

DATE: October 22, 2021

SUBJECT: Public Hearing Report for Zoning Commission #21-13, Design Review in the Northern Howard Road (NHR) Zone

I. SUMMARY RECOMMENDATION

This application filed by The Douglass, LLC is for a new mixed use building in a zone which establishes a mandatory design review by the Zoning Commission. Evaluation of the subject application is against the criteria contained in Subtitles K Chapter 10 – the Northern Howard Road Zone – and Subtitle X Chapter 6. The application generally successfully meets the relevant criteria, and the Office of Planning (OP) can therefore recommend approval of the application subject to resolution of the issue noted below.

II. SUMMARY OF OP COMMENTS

	Comment	Planning and / or Zoning Rationale
1.	The applicant should examine alternate locations for some of the three-bedroom units, and provide all of the three-bedroom units with balconies.	Many, if not all, of the three-bedroom units would be IZ units. They appear to mostly be recessed into internal corners of floor layout, and they do not appear to have balconies. In order to fully meet the equity goals of zoning and the Comprehensive Plan, those family-sized affordable units should be given access to light, views, and private open space in a comparable fashion to market rate units.

III. APPLICATION-IN-BRIEF

Location	632 Howard Road, SE Square 5860, Lot 97 Ward 8, ANC 8A
Applicant	The Douglass, LLC (Redbrick)
Zoning	Northern Howard Road (NHR) (High density mixed use)
Historic District or Resource	None
Site Area	92,303 sf
Proposed Development	
Height	130'
FAR	8.01
Floor Area	692,576 sf - residential <u>46,685 sf – commercial</u> 739,261 sf - total
Residential Units	748
Inclusionary Zoning	12% of the gross floor area + 8% of the penthouse habitable space = ~82,000 sf, or ~77 units
On-site energy generation	Requirement is 178 kWh per 1,000 gross sf of building area = 131,687 kWh; Design will provide > 168,364 kWh.
Relief	None
Lot Characteristics and Existing Development	Vacant lot; relatively flat but slopes down slightly to the northwest; Most of the site is within the 500-year floodplain, and the remainder is within the 100-year floodplain; No alley access.
Adjacent Properties and Neighborhood Character	Site is currently relatively isolated on the north side of I-295, but is within close walking distance of the north entrance to the Anacostia Metro. Property is also near the new oval on the south side of the Frederick Douglass Bridge. The applicant owns most of the privately- held land on either side of Howard Road, and plans to develop the other parcels consistent with the NHR zone, with high density mixed use buildings. The only other two properties on this section of Howard Road are a charter school and a DC Dept. of Health facility. Adjacent to the property, to the north and east, is the Poplar Point parcel currently owned by the National Park Service (NPS), but which is to eventually be transferred to the District. Planning for that site has begun, but is in its very early stages, and it has not yet been determined whether the land adjacent to the site should be developed, left as natural open space, or included in the park. Throughout the application materials, any reference to a “promenade” or other park space on what is today NPS property are solely the ideas put forward by the applicant.

Vicinity Map:



IV. PROJECT DESCRIPTION

The applicant proposes a mixed use building of approximately 748 residential units and 47,000 square feet of commercial space, with a height of 130’ and an FAR of 8.02. Retail would front most of Howard Road, other than for building lobbies and a mid-building “alley”. Retail would also face onto a plaza at the southeastern side of the building. The applicant proposes a grocery store at the northwestern end of the building, but has not yet announced a tenant. All vehicular access would be from the alley, including parking and loading. The alley would pass completely through the building and could be used for vehicular access to future development at Poplar Point, if necessary. Two residential lobbies would open onto Howard Road, and a third lobby would be accessible from the rear. The entire rear of the building would be served by a sidewalk on the subject property; the grander “promenade” conceived of by the applicant is on property subject to future planning efforts by the District and the National Park Service, and does not represent the as yet unknown outcome of those efforts. The entire property would be raised – from a few inches to a few feet – such that the ground floor would be above the 500-year floodplain level. Architecturally, the building would be fairly modern, with significant use of glass at the base, and numerous balconies – on about 85% of residential units – framed by structural-looking members.

V. ZONING SUMMARY

The subject site is zoned Northern Howard Road (NHR), which is intended to “Assure development of the area with a mixture of residential and commercial uses, and a suitable height, bulk, and design of buildings, as generally indicated in the Comprehensive Plan” (K § 1000.2(a)). Pursuant to Subtitle K § 1005, this zone includes a mandatory Zoning Commission review against specific

criteria found in Subtitles K and X. The following table compares the proposal to the zoning. The application requests no areas of zoning relief.

NHR	Requirement	Proposal	Relief
Lot Area	n/a	92,303 sf	Conforming
FAR K § 1001.2 K § 1001.3	9.0 Total, max. 2.5 Residential, min.	8.02 Total 7.51 Residential	Conforming
Height K § 1001.4	130 ft. max.	130 ft.	Conforming
Residential Units	n/a	748	Conforming
Lot Occupancy K § 1001.7	100%	90%	Conforming
Side Yard K § 1001.8	None required; If provided, 2 in. / ft. of height = 21'8"	~22' on east*	Conforming
Rear Yard K §§ 1001.9 and 1001.10	May provide a court-in-lieu; Min width = 43'4"	44' min. court width	Conforming
GAR K § 1001.12	0.2 min.	0.273	Conforming
On-Site Solar Energy Generation K § 1010.1(a)	178 kWh per 1,000 gross sf of building area = 131,687 kWh min.	> 168,364 kWh	Conforming
Vehicle Parking K § 1007.2	Res: 1 per 3 units over 4 units = 250 spaces min. Retail: 1.33 per 1k sf over 3k sf = 64 min.	Res: 260 Retail: 109	Conforming
Bicycle Parking K § 1007.3	Long term res – 152 min. Short term res – 38 min. Long term retail – 5 min. Short term retail – 15 min.	Long term res – 210 Short term – 38 Long term retail – 5 Short term retail – 15	Conforming
Loading K § 1007.4	<u>Residential min.</u> 1 30' berth 1 20' space <u>Retail min.</u> 2 30' berths 1 20' space	<u>Residential</u> 1 30' berth 1 20' pace <u>Retail</u> 2 30' berths 1 75' berth 1 55' berth 1 20' space	Conforming

* Estimated by OP.

VI. REVIEW CRITERIA

Subtitle K Design Review Criteria

The zoning for this site provides specific criteria in Subtitle K § 1005 for Zoning Commission review of any proposed development. The following is OP's analysis of the applicable standards to this application.

1005 ZONING COMMISSION REVIEW OF BUILDINGS, STRUCTURES, AND USES (NHR)

1005.1 For all properties within the NHR zone, all proposed buildings and structures, or any proposed exterior renovation to any existing buildings or structures that would result in a substantial alteration of the exterior design, shall be subject to review and approval by the Zoning Commission in accordance with the following provisions.

The applicant proposes a new mixed-use building, which would be subject to Zoning Commission design review.

1005.2 In addition to proving that the proposed use, building, or structure meets the standards set forth in Subtitle X, Chapter 6, and the relevant provisions of this chapter, an applicant requesting approval under this section shall prove that the proposed building or structure, including the architectural design, site plan, landscaping, sidewalk treatment, and operation, will:

(a) Help achieve the objectives of the NHR zone defined in Subtitle K § 1000.1;

The purposes of the NHR zone include creating a mix of residential and commercial uses, including commercial uses such as retail, service and entertainment. The NHR zone also provides for increased height and density while requiring a greater degree of affordable housing. It also seeks to encourage superior architecture, including active streets and a pedestrian and bicycle friendly design. The proposed uses and design would help to achieve those goals.

(b) Help achieve the desired use mix, with the identified preferred uses specifically being residential, office, entertainment, retail, or service uses;

The building would have a mix of residential and retail uses. The applicant states that they are pursuing a grocer to occupy the northwestern end of the ground floor, and food and beverage uses at the southeastern end. These service, retail and entertainment uses would, along with the residential on upper floors, achieve the zone's desired use mix.

(c) Provide streetscape connections for future development on adjacent lots and parcels, and be in context with an urban street grid;

The proposed site plan would provide suitable breaks in the building massing to allow vehicular, pedestrian and bicycle connections to any future uses on Poplar Point, and would help to create an urban street grid where none currently exists. The building would set back from the southeastern property line, allowing a space for pedestrian and bicycle connections from Howard Road to Poplar Point. Likewise, the central alley through the building has been designed to permit through vehicular connections, should that be necessary.

(d) *Minimize conflict between vehicles, bicycles, and pedestrians;*

The proposed design would locate all loading and parking access from the alley, rather than Howard Road, leaving long stretches of Howard Road unimpeded by curb cuts for ease of pedestrian movement. The design also proposes sidewalks along the rear of the building to provide another connection from the northwest end of the property to the plaza at the southeast end.

(e) *Minimize unarticulated blank walls adjacent to public spaces through facade articulation;*

The design proposes transparent and articulated walls adjacent to public spaces. As seen on Sheet A2.02 of Exhibit 10A, the ground floor would have active retail uses around most of the perimeter of the building, with the possibility of many retail entrances. Those uses would help to activate Howard Road, the plaza southeast of the building, and the Poplar Point side of the building. A rear residential lobby would also help to activate the Poplar Point side. At the northwest side of the building, where a grocery store is envisioned, that use would generate significant pedestrian traffic, although it is likely that most sides of the grocery store would not have active entrances or provide direct connections to nearby public spaces. As seen in the renderings (Sheets A4.02 – A4.10), the ground floor would have highly transparent façades allowing views into and out of the retail uses. On upper floors the building’s numerous balconies – approximately 85% of units, which OP strongly supports – would provide eyes on the street and visual interest for the building.

(f) *Minimize impact on the environment, as demonstrated through the provision of an evaluation of the proposal against LEED certification standards; and*

The LEED scorecard at Exhibit 3E, Sheet A1.09, indicates that the project would achieve LEED Gold. The building would also meet NHR requirements for on-site renewable energy generation; Subtitle K § 1010.1(a) requires 178 kWh of solar energy generation per 1,000 sf of building area, and the rooftop solar arrays would achieve that goal.

(g) *Promote safe and active streetscapes through building articulation, landscaping, and the provision of active ground level uses.*

As seen on Sheet A2.02 of Exhibit 10A, the ground floor would have active retail uses around most of the perimeter of the building, with the possibility of many retail entrances. Those uses would help to activate Howard Road, the plaza southeast of the building, and the Poplar Point side of the building. A rear residential lobby would also help to activate the Poplar Point side. At the

northwest side of the building, a grocery store is envisioned, which would generate significant pedestrian traffic, although it is likely that most sides of the grocery store would not have active entrances or provide direct connections to nearby public spaces. As seen in the renderings (Sheets A4.02 – A4.10), the ground floor would have highly transparent façades allowing views into and out of the retail uses.

1005.3 Each application for review under this section shall provide a report on the following items as part of the initial submission:

- (a) Coordination by the applicant with the Department of Employment Services (DOES) regarding apprenticeship and training opportunities during construction and operation at the subject site, and the provision of any internship or training opportunities during construction and operation at the subject site, either with the applicant or with contractors working on the project independent of DOES;*

According to Exhibit 3, p. 9, the applicant has employed high school and college interns, with a goal of learning the real estate business. It is unclear if any are employed currently. The applicant states that once construction begins, internships will also be available for construction-related activities.

- (b) Efforts by the applicant to include local businesses, especially Wards 7 and 8 businesses, in contracts for the construction or operation of the proposed project;*

According to Exhibit 3, p. 9, the applicant is using local businesses in early site construction activities. They are also seeking to hire a local business for cleaning, landscaping, trash removal and site cleanup.

- (c) Efforts by the applicant to provide retail or commercial leasing opportunities to small and local businesses, especially Ward 8 businesses, and efforts to otherwise encourage local entrepreneurship and innovation; and*

According to the application, local retailers who seek to locate at the proposed building would have 10% discount on lease rates.

- (d) Coordination by the applicant with the State Archaeologist and any plans to study potential archeological resources at the subject site, and otherwise recognize local Anacostia history.*

The application states that Phase I and Phase I-B archaeology studies have already been completed, and that a Phase I-B/II study will be undertaken shortly. It is stated that the applicant has been coordinating with the State Historic Preservation Officer “as appropriate” (Ex. 3, p. 10).

1005.4 *The applicant shall also provide evidence that the information required by Subtitle K § 1005.3 has been served on any ANC on or adjacent to the NHR zone.*

OP is aware that the applicant has been in regular communication with the subject ANC and the adjacent ANC. Exhibit 3C states that the applicant served the ANCs with a statement of intent to file the present application.

Subtitle X Design Review Criteria

604 *DESIGN REVIEW STANDARDS*

604.1 *The Zoning Commission will evaluate and approve or disapprove a design review application subject to this chapter according to the standards of this section and for Non-Voluntary Design Reviews subject to this chapter according to the standards stated in the provisions that require Zoning Commission review.*

604.2 *For Non-Voluntary Design Review, the application must also meet the requirements of the provisions that mandated Zoning Commission approval.*

The requirements of Subtitle K are reviewed above.

604.3 *The applicant shall have the burden of proof to justify the granting of the application according to these standards.*

604.4 *The applicant shall not be relieved of the responsibility of proving the case by a preponderance of the evidence, even if no evidence or arguments are presented in opposition to the case.*

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.*

The project would not be inconsistent with the Comprehensive Plan, including the Land Use, Transportation, Housing, Urban Design, Environmental Protection, and Lower Anacostia Waterfront / Near Southwest elements. The subject site is within the Central Employment Area, where it is anticipated that properties would be developed with higher density mixed use. Permitting high density development would allow efficient use of the Anacostia metro station, and the project would begin the creation of a new neighborhood center near a metro station, in conformance with Plan policies. The project would also help to create a walkable and bikeable environment, which are also goals of the Plan. The Environmental Protection Element seeks to expand the use of clean, local energy and minimize a building's energy consumption. The proposed design would further those goals. The Lower Anacostia Waterfront / Near Southwest Area Element specifically seeks to create new waterfront neighborhoods and multimodal streets, and also sets forth the goal of improving connections to Poplar Point.

The Generalized Policy Map shows the subject site as part of a Land Use Change Area, and the Future Land Use Map designates the site as appropriate for High Density Residential, High Density Commercial, and Institutional mixed use. The project would not be inconsistent with those designations.

Comprehensive Plan Analysis through a Racial Equity Lens

The Comprehensive Plan requires the Zoning Commission and staff to examine city policies through a racial equity lens. Racial equity is a broad and encompassing goal of the entire District government. As explained in the Framework Element of the Comp Plan,

[t]he District seeks to create and support an equitable and inclusive city. Like resilience, equity is both an outcome and a process. Equity exists where all people share equal rights, access, choice, opportunities, and outcomes, regardless of characteristics such as race, class, or gender. Equity is achieved by targeted actions and investments to meet residents where they are, to create equitable opportunities. Equity is not the same as equality. Framework Element, § 213.6

At root, equity refers to fairness and justice and is distinguished from equality. Practicing equity means recognizing that individuals start life with varied economic, racial and social backgrounds and will be confronted with and experience barriers and access to opportunities differently. It is important for public policy to acknowledge and recognize those differences and make adjustments to reduce and eliminate inequity. For example, due to the history of racism, including past and present discriminatory practices and the legacy of systemic racism, Black residents of the District, on average, have considerably less household wealth than white residents, face more negative health outcomes, and incur more challenges to accessing opportunity than white residents.¹

The updated Comprehensive Plan further recognizes that advancing equity requires a multifaceted policy approach:

Equitable development is a participatory approach for meeting the needs of underserved communities through policies, programs and/or practices that reduce and ultimately eliminate disparities while fostering places that are healthy and vibrant. Equitable development holistically considers land-use, transportation, housing, environmental, and cultural conditions, and creates access to education, services, health care, technology, workforce development, and employment opportunities. As the District grows and changes, it must do so in a way that encourages choice, not displacement, and builds the capacity of vulnerable, marginalized, and low-income communities to fully and substantively participate in decision-making processes and share in the benefits of the growth, while not unduly bearing its negative impacts. Framework Element, § 213.7

¹ Comprehensive Plan Housing Element 512.2

Particularly relevant is Section 2501.7 of the Implementation Element's call for "the Zoning Commission to evaluate all actions through a racial equity lens as part of its Comprehensive Plan consistency analysis."

The direction to consider equity "as part of [the Zoning Commission's] Comprehensive Plan consistency analysis" indicates that the equity analysis is intended to be based on the policies of the Comprehensive Plan and whether a proposed zoning action is "not inconsistent" with that plan, rather than on a separate determination about a zoning action's equitable impact. Whenever the Commission considers Comprehensive Plan consistency, the scope of the review and Comprehensive Plan policies that apply will depend on the nature of the proposed zoning action before the Commission and what aspects of the outcome the Zoning Commission can control.

Equity is discussed throughout the Comprehensive Plan. In the context of zoning certain priorities stand out. These include affordable housing, displacement, and access to opportunity. One of the key ways the Comprehensive Plan seeks to address equity is by supporting additional housing development, particularly on currently vacant lands. The Plan recognizes that without increased housing the imbalance between supply and demand will drive up housing prices in a way that creates challenges for many residents, particularly low-income residents. The Comprehensive Plan further recognizes the importance of inclusionary zoning requirements in providing affordable housing opportunities for households of varying income levels.

Speaking generally, the production of more housing decreases the upward pressure on overall housing prices. This project in particular, in addition to providing a large number of market rate units, would provide, in conformance with the NHR zone, a high level of inclusionary zoning, at 12% of the residential gross floor area, plus 8% of the penthouse floor area, for a total of approximately 82,000 gross square feet, to be divided between 50% and 60% MFI households. This would be approximately 76 units, and half of the floor area would be dedicated to three-bedroom units. This would be in furtherance of Comprehensive Plan policy, but many, if not all, of the three-bedroom units appear to be recessed into internal corners of floor layout. See Exhibit 10A, Sheet A1.05. As part of providing an equitable distribution of three-bedroom IZ units throughout the building, the applicant should examine alternate locations for some of the three-bedroom units, and provide more of the three-bedroom units with balconies.

By providing new housing, including affordable housing, near transit, the application would provide a housing option for individuals who rely on transit to get to work. This housing location would be a short metro ride away from many job opportunities in the downtown core. The applicant has also been working with local companies in Wards 7 and 8 to provide services at the subject site, and state that they could use local contractors going forward on the project. The applicant has also provided internship opportunities for young adults in the neighborhood, and will also provide discounted rent to local business. Housing at this location, currently vacant land, would not result in the displacement of any existing residents.

The project would also tend to lead to a healthier community. Because of its high LEED score and its onsite renewable energy generation, the building would have a smaller environmental impact, contributing to a healthier city. This project would also improve a key link in the

pedestrian network, helping to connect the Anacostia metro station, the Frederick Douglass Bridge, and the Anacostia Riverwalk Trail. Improving neighborhood walkability can encourage more residents to utilize parks, trails and other outdoor amenities, and potentially help to reduce auto usage. The applicant is also encouraged to continue the ongoing conversations with the ANC and community, to discuss construction-related environmental concerns and to devise a construction management plan.

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.

The proposed development should not affect neighboring properties adversely. A building of this scale will generate new shadow, but there are very few buildings nearby the subject site. The two buildings that are nearby are south of the site, so should not see shadow impact. At this time, it is unknown how the adjacent portion of Poplar Point will be developed, whether it would be left unimproved, used for park space, or used for development. As seen in the view studies of Exhibit 3E, the building would be visible from some portions of the Anacostia neighborhood, but that change in views should not have an unacceptable negative impact on residents. The scale of the building is also consistent with the intent of the Regulations, which permit the proposed height and FAR. The building has been designed to have detailed architecture on all sides, so would not present a blank face to any nearby properties.

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;*

The design of the project would encourage pedestrian activity. The design proposes transparent and articulated walls adjacent to public spaces. As seen on Sheet A2.02 of Exhibit 10A, the ground floor would have active retail uses around most of the perimeter of the building, with the possibility of many retail entrances. Those uses would help to activate Howard Road, the plaza southeast of the building, and the Poplar Point side of the building. A rear residential lobby would also help to activate the Poplar Point side. As seen in the renderings (Sheets A4.02 – A4.10), the ground floor would have highly transparent façades allowing views into and out of the retail uses. At the northwest side of the building, where a grocery store is envisioned, that use would generate significant pedestrian traffic. Although it is likely that most sides of the grocery store would not have active entrances or provide direct connections to nearby public spaces, the value of a new full service grocery store to the broader neighborhood outweighs this factor. Even so, the applicant is

encouraged to work with the eventual tenant of the space to provide as much porosity between the use and the public space as possible, and to ensure an engaging building design. On upper floors the building's numerous balconies – approximately 85% of units, which OP strongly supports – would provide eyes on the street and visual interest for the building.

- (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;*

The proposed development would include a plaza at the southeastern end of the building. This area would allow for outdoor seating for a restaurant use, and would also provide for pedestrian and bicycle connections from Howard Road to Poplar Point. The use of this space is anticipated to complement the use of the adjacent portion of Poplar Point, especially if that area is used for parkland or for urban development.

- (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;*

The proposed development would complement the adjacent portion of Poplar Point, whether that area is eventually left undeveloped, or developed as parkland or as developed land. The NHR zone requires that development attempt to create an urban street grid, and this project would begin that process in this area and provide for connections to Poplar Point, should they be necessary. Because the site is currently somewhat isolated, this design would establish the architectural character for the vicinity. OP supports the architectural design as appropriately modern, and strongly supports the numerous residential balconies and the ground floor activation features. There should not be any undue impacts on views of landmarks and important places.

- (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 design proposes an attractive façade and quality materials and detailing. At the ground level, the design proposes that retail facades incorporate a large percentage of glass, in conformance with the requirement of the NHR zone at K § 1004.3(b), to allow for views into and out of retail spaces

to activate the streetscape. Also in conformance with the NHR zone (1004.3(c)), the design provides for retail entrances along Howard Road, as well as numerous potential entrances on other façades where they are not required. Beginning at the second floor, the pedestrian realm would also be enhanced through the use of balconies, which allow for visual interaction between residents and activity on the street. OP also supports the material palette, as described on Sheets A5.01 through A5.08 of Exhibit 10A.

(e) *Sites are designed with sustainable landscaping; and*

The application proposes landscaping at the ground level on the southeast and northeast sides of the building, as well as street trees in public space along Howard Road. Although the design would need approval by DDOT, the concept for the street trees is to use the tree boxes for stormwater infiltration. Several areas of the ground floor would have green walls, and additional landscaping would be located at the second floor terraces. At the roof level, a number of areas would be dedicated to green roof. Page 22 of Exhibit 3 states that native plantings will be used “where possible”. OP strongly encourages the use of native species.

(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.*

The proposed site plan would provide suitable breaks in the building massing to allow vehicular, pedestrian and bicycle connections to any future uses on Poplar Point, and would help to create an urban street grid where none currently exists. The building would set back from the southeastern property line, allowing a space for pedestrian and bicycle connections from Howard Road to Poplar Point. Likewise, the central alley through the building has been designed to permit through vehicular connections, should that be necessary. This project would have 8-foot sidewalks along Howard Road, which would provide connections to the metro, especially after future buildings are constructed east of this site.

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.*

The proposed building and site design meet the criteria in a way that would be superior to a building not subject to design review.

VII. AGENCY COMMENTS

OP held an interagency meeting on this case on September 23, 2021 to provide government agencies the opportunity to learn more about the project, ask questions of the applicant, and provide feedback to the applicant. After that meeting, OP received written comments from the Department of Housing and Community Development (DHCD) and from the Department of Energy and the Environment (DOEE). Those communications are attached. DHCD noted to OP that it has no objection to the proposed development but encourages the applicant to provide more than the minimum amount of affordable housing required by the NHR zone, specifically additional IZ floor area at the 50% MFI level. DOEE applauded the sustainability measures incorporated into the design to date, but encourages the applicant to take further steps to enhance the building's sustainability. These include committing to use electric appliances for all building and residential functions, designing the building to net-zero standards, and meeting more stringent floodplain and GAR guidelines. As of this writing no other government agency comments are in the record.

VIII. ANC COMMENTS

As of this writing, the record contains no comments from the ANC.

IX. COMMUNITY COMMENTS

As of this writing, the record contains no comments from the community.

X. ATTACHMENTS

Attachment 1 – DHCD Comments
Attachment 2 – DOEE Comments

JLS/mrj

Bulmash, Gene (DHCD) <gene.bulmash@dc.gov>

Tue 9/28/2021 10:43 AM

To: Jesick, Matthew (OP) <matthew.jesick@dc.gov>

Cc: Pelletiere, Danilo (DHCD) <Danilo.pelletiere@dc.gov>

Matt,

Following up the interagency meeting last week, DHCD has no objection to the proposed development. However, we hope that someone at OP has or will confirm that the development is meeting all of the specific requirements of the North Howard Road (NHR) zoning district, including that the required number of units will be 3-bedrooms. Also, as I mentioned during the meeting, DHCD notes that the proposal is to meet the increased NHR IZ set-aside, but requests the property to provide more than the requirement, specifically additional square footage at the 50% MFI level.

Let me know if you have any questions or want to discuss this further. Thanks & cheers,

Gene Bulmash, Inclusionary Zoning Program Manager (he/his)

District of Columbia Department of Housing and Community Development

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*****In-office Monday, Tuesday and Thursday. Telework Wednesday & Friday during the District's Public Health Emergency.*****

DOEE Development Review Comments

ZC 21-13: The Douglass

DOEE applauds the applicant's commitment to certify the building at the LEED v4.1 Gold level and encourages the applicant to explore certification under the [LEED for Neighborhood Development](#) rating system, which is available for neighborhood-scale projects at any stage in the development process. The following recommendations are intended to encourage the applicant to incorporate sustainable design and construction strategies that will yield higher LEED scores and minimize the project's impact on the environment.

Many of these strategies can be financed with no upfront cost through [DC PACE](#). The [DC Green Bank](#) and the [DC Sustainable Energy Utility](#) (DCSEU) also offer innovative financial products and technical assistance to help projects gain access to capital. To learn about project-specific financing options, contact Crystal McDonald at cmcdonald1@dcseu.com or complete the [Custom Rebate Form](#).

Energy Performance and Electrification

If the applicant is looking to increase their commitment to sustainability, some of the most significant gains would be in the areas of energy efficiency and maximization of on-site renewable energy, both of which are District priorities. Maximizing energy efficiency at the time of construction will more cost effectively assist in meeting [Building Energy Performance Standards](#) (BEPS) in the future. The BEPS program was established in Title III of the Clean Energy DC Omnibus Act of 2018. The Act states that starting in 2021, owners of buildings over 50,000 square feet that are below a specific energy performance threshold will be required to improve their energy efficiency over the next 5 years. Projects below the performance threshold will be able to choose between a performance pathway, which requires that they document a 20% reduction in energy usage over the 5-year compliance period, or a prescriptive list of required energy efficiency measures. The next BEPS will be established in 2027 and again every six years, and the compliance threshold will increase each cycle. New projects are encouraged to maximize energy efficiency during the initial design and construction in order to meet BEPS upon completion.

In line with the District's goal of carbon neutrality and the objectives of the Sustainable DC 2.0 and Clean Energy DC plans to reduce greenhouse gas emissions, DOEE encourages the applicant to design the building to be fully electric (i.e., eliminate the on-site combustion of fossil fuels). DOEE and DCRA are evaluating options to include building electrification requirements in future code updates. Building electrification involves powering all building appliances and systems (e.g., domestic hot water, heating equipment, cooking equipment) with electricity rather than fossil fuels (e.g., natural gas or fuel oil). Efficient electric systems reduce indoor air pollution caused by combustion equipment and can save on operating costs, especially when coupled with solar energy. All-electric buildings can also save on construction costs by avoiding the need to install gas piping. It's easier and more cost-effective for new construction to be designed with electric systems than it is to retrofit buildings later, so DOEE strongly encourages projects to evaluate electric options as part of their initial energy modeling exercises. For more information about building electrification in the District, visit [this resource page](#) created by the Building Innovation Hub.

DOEE encourages the project to provide electric vehicle (EV) charging stations and install make-ready infrastructure so that additional charging stations can be added at a later date. The [2017 DC Green Construction Code](#) provides some suggested thresholds for the provision of supply equipment and make-ready infrastructure. EV resources and information about available incentives are available at <https://doee.dc.gov/service/electric-vehicles-resources>.

Net-Zero Energy

Clean Energy DC, the District's detailed plan to reduce greenhouse gas emissions, calls for net-zero energy (NZE) building codes by 2026. DOEE encourages the project to explore net-zero energy construction/certification ahead of this planned code requirement. An NZE building is a highly energy-efficient building that generates enough on-site, or procures acceptable offsite, renewable energy to meet or exceed the annual energy consumption of its operations. NZE buildings can benefit both owners and tenants through significantly lower operating costs, improved occupant comfort and improved indoor air quality. Under the [2017 District of Columbia Energy Conservation Code](#), projects can use Appendix Z as an alternative compliance pathway, which provides a working definition and guidance for NZE.

DOEE has published a *Net-Zero Energy Project Guide* and a *Multifamily Guide* to assist project teams with planning, designing, constructing and operating NZE buildings. These and other resources can be found at <https://doee.dc.gov/service/netzeroenergy>. If the applicant is interested in NZE construction, either on this project or future projects, DOEE can be of assistance. Please reach out to Connor Rattey (DOEE) at connor.rattey@dc.gov for more information.

Solar

DOEE applauds the applicant for incorporating approximately 14,000 square feet of on-site solar panels to generate at least 1% of the building's energy needs. DOEE encourages the applicant to continue exploring options to maximize the building's solar capacity and recommends consulting with an expert from DCSEU to learn about custom rebate options and other financial incentives for renewable energy and energy efficiency measures. Given the building's height and limited obstructions, DOEE considers this project to be ideal for rooftop solar.

Maximizing solar energy production will contribute to achieving the District's goals to rely on 100% renewable electricity by 2032 and increase local solar generation to 10% of total electricity by 2041. As a result of the District's commitments, there are many financial incentives to install solar. One way that the project can maximize solar energy production is to integrate solar photovoltaic arrays into green roofs. See the GAR and Stormwater Management section below for more details.

Floodplain

Based on Appendix B - Floodplain Exhibits ([Exhibit3E10.pdf.pdf](#)), the proposed First Floor Elevation is compliant with the current and proposed updated Flood Hazard Rules, as well as the current effective DC Construction Codes. However, the developers should consider designing to one of the sea level rise-adjusted flood elevations listed in Section 2 of the [Resilient Design Guidelines](#).

A Letter of Map Revision - Fill (LOMR-F) from FEMA will be required to remove the site from the 100-year and 500-year floodplains. Applying for a Conditional Letter of Map Revision - Fill (CLOMR-F) before

starting work is recommended. In Section A of the MT-1 form's Community Acknowledgement page, DOEE will add the following comment: "In accordance with DCMR Title 20, Chapter 31, Section 3102.2, the duties of DOEE include ensuring that sites are reasonably safe from flooding. By issuance of Technical Bulletin 10-01, FEMA has noted that residual flood hazards may exist in areas elevated above the BFE by the placement of engineered earthen fill. In order to avoid such hazards and maintain a reasonable degree of safety, future development in such areas should be elevated above or floodproofed to the Design Flood Elevation. This will necessitate dry-floodproofing of the below-grade parking garage in accordance with applicable sections of ASCE 24-14 and [FEMA Technical Bulletin 6](#) regarding flood loads, utility systems and equipment, and managing entry points and seepage." Dry-floodproofing designs should be certified by a qualified design professional using FEMA Form 086-0-34 ([NFIP Floodproofing Certificate for Nonresidential Structures](#)) to indicate that land or structures to be removed from the SFHA are reasonably safe from flooding according to the criteria described in Technical Bulletin 10-01.

In accordance with Title 20 DCMR Chapter 31 Section 3105.8, any fill within the 100-year floodplain will require an encroachment analysis which demonstrates that the cumulative effect of the proposed development, when combined with all other existing and anticipated flood hazard area encroachment, will not increase the base flood elevation (BFE) more than one foot at any point. Note that the District's proposed updated Flood Hazard Rules would require this analysis for fill within the 500-year floodplain as well and would limit the allowable BFE increase to zero feet.

Green Area Ratio and Stormwater Management

DOEE acknowledges that the applicant is exceeding the 0.2 GAR requirement for the NHR zone, based on the applicant's preliminary calculations. However, DOEE encourages the applicant to incorporate additional landscape/rooftop features to increase the project's GAR to a minimum of 0.3, as is required for mixed-use projects in similar zones (e.g., MU-6).

At the inter-agency meeting with the applicant on September 23, 2021, the applicant defended its decision to keep the rooftop solar PV system separate from the green roof areas in order to improve the efficiency of both features. DOEE accepts this design, but encourages the applicant to continue exploring options to maximize the utility of the roof by expanding the green roof and solar array areas. DOEE has issued guidance on how to successfully incorporate solar into green roofs on pages 41 & 42 of the [2020 Stormwater Management Guidebook](#).

DOEE encourages the project to exceed the minimum stormwater retention requirements. Additional on-site retention can earn the project Stormwater Retention Credits (SRCs) that can be sold through DOEE's Credit Trading Program. SRCs can be sold directly to DOEE through the SRC Price Lock Program (for projects located in the [MS4 Sewer System](#) only) or sold on the open market. For more information, please visit <https://doee.dc.gov/src> or email Matt Johnson at src.trading@dc.gov.

DOEE is prepared to meet with the project team to discuss stormwater opportunities on the project site. To set up a review meeting with the stormwater team at DOEE, please contact Julienne Bautista at julienne.bautista@dc.gov.