

**ZONING COMMISSION CASE NO. 07-13G**

**MODIFICATION OF SIGNIFICANCE TO A PUD FOR  
FORMER RANDALL JUNIOR HIGH SCHOOL (65 I STREET SW)**

**SUPPLEMENTAL STATEMENT OF THE APPLICANT**

This statement details the Applicant’s additional revisions and changes to the Project since the filing of the initial prehearing submission in January 2018 and summarizes the applicant’s satisfaction of the relevant zoning standards.

**I. Building Design**

***A. Materials / Design***

Since the filing of the initial prehearing submission, the Applicant’s design team has continued to advance and refine the design of the Project. Attached as Exhibit B is a complete set of updated architectural plans that reflect the current design (“Revised Plans”). Overall, the Revised Plans reflect greater detail on the proposed material selection and articulation of the building design, including details on the window reveal for the “glass and metal panel” portion of the façade as well as the window frame system on the “all glass” portion of the façade. (See pages A26 – A30 of the Revised Plans.)

The Revised Plans also reflect greater detail on the appearance of key ground-level portions of the Project. This includes the museum’s main entrance lobby (H05 – H06), the ground-level units (L09 – L12), and the main courtyard entrance (A24, H07 and L14). The Revised Plans include details on the design of the courtyard fence.

Included as pages A39 – A40 of the Revised Plans are details on the location, dimensions, and types of proposed building signage for the key components of the Project.

Finally, pages A14 – A16 of the Revised Plans include additional detail on the building penthouse and rooftop structures. All structures conform to the 1:1 setback requirement.

***B. Sustainability and Solar Panels***

As previously stated, the Applicant has increased the sustainability commitment of the Project to include certification at the Gold level under the LEED v.4 standard for the residential component of the Project and certification at the Silver level under the LEED v.4 standard for the historic portion of the Project containing the museum and related uses.

As requested by the Commission, OP, and DOEE, the Applicant has incorporated solar panels into the design of the Project. The southern end of each wing of the residential building will feature approximately 1,500 square feet of area devoted to a solar array, for a total of approximately 3,000 square feet of solar array area, which will meet approximately 1% of the building's estimated energy demand. The area for the solar panel array is indicated on page A15 of the Revised Plans.

### *C. Housing and Affordable Housing*

As detailed in the initial prehearing submission, the Project will provide approximately 19 two-level "townhouse-style" units, which are located on the ground floor of the Project. These units will be attractive to families, particularly because the ground level access for each out facilitates mobilization with strollers and young children. The units will be configured as either three-bedroom or two-bedroom plus den units, depending on the final configuration of the lower-level den.

As the Commission is aware, the Project is subject to a legislative requirement to set aside 20% of the residential units at 80% of the Area Median Income. This requirement, which is also imposed on the Project pursuant to a recorded covenant with the District of Columbia, was reflected in the land value of the Property when the land was then disposed. The 20% at 80% AMI requirement is also established in the existing PUD order as the Project's affordable housing requirement. It pre-dates the Commission's recent change to a 60% AMI standard for the District's Inclusionary Zoning requirements, and the Project is therefore vested under the prior regulations.

At setdown, OP and the Commission requested that the Applicant consider incorporating some units at 60% AMI. The Applicant thoroughly examined potential alternatives for the Project's affordable housing program that would reserve some portion of the Project at 60% AMI.

- 8% at 60% AMI / 12% at 100% AMI: The Applicant initially proposed to set aside 8% of the Project's units at 60% AMI and then reserve the balance of the initial affordable setaside (or 12% of the units) at 100% AMI, thereby providing a mix of deeper affordable units as well as affordable workforce housing units. However, OP and DHCD expressed concerns about a lack of a market for 100% AMI units.
- 14% at 60% AMI: The Applicant then advanced an alternative approach, which would be to set aside all of the Project's affordable units at 60% AMI, but then reduce the number of units to balance out the deeper level of affordability. This approach

was favored by ANC 6D, and the Applicant pursued this further based on ANC 6D’s endorsement. However, city officials concluded that, on balance, it was preferable to preserve the larger amount of affordable housing already required by the legislation and therefore maintain the affordable housing at 80% AMI.

Therefore, after a thorough investigation of multiple alternatives, the Applicant proposes to maintain the affordable housing commitment as 20% of the residential units in the Project at 80% of the Area Median Income. As requested by OP, the Applicant has agreed to increase the term for the affordable units from fifty years to the life of the Project. The Applicant has also agreed to adhere to current requirements regarding the proportional ratio of unit types between affordable units and market rate units, which ensures that larger 2-bedroom and “townhouse” units will be set aside as affordable units. The current proposed unit mix and resulting affordable unit mix is provided below.

Table 1: Current Unit Mix

	# Market Units	% Market Units	# Affordable Units	% Affordable Units
Studio	121	31%	30	30.3%
1 BR	197	50.5%	49	49.5%
2 BR	56	14.5%	17	17.2%
Townhouse	16	4%	3	3%
Total	390	100%	99	100%

The proposed location and distribution of the affordable units is shown on pages A09-A13 of the Revised Plans.

**II. Development Incentives and Flexibility**

***A. Zoning Incentives and Flexibility***

The approved PUD included a PUD-related Zoning Map amendment to the C-3-C Zone District. The proposed modification continues to require the PUD-related rezoning to the C-3-C Zone District and a height of 110 feet, which partially utilizes the bonus height available for a C-3-C PUD.

The approved PUD no longer requires any flexibility from other Zoning Regulations. The Project now complies with the court, penthouse, and loading requirements of the Zoning Regulations. (The Applicant has removed the penthouse trellis, which would have otherwise required flexibility from the penthouse height requirements.)

### **A. Use Flexibility**

As described in previous submissions, the Applicant proposes to reuse the west wing of the historic school with tenants that are complementary to the museum use (such as a non-profit or institutional user, or a collaborative office user such as WeWork), which will increase daytime activity and support the other uses in the Project. The Applicant also proposes flexibility for the ground floor of the residential building's east wing to convert residential units to a compatible commercial use that would complement the museum and activate the courtyard (such as an event-driven restaurant or café that integrates the traditional eating experience with an arts/entertainment aspect). To this end, the Applicant proposes the following conditions of flexibility related to use:

*The Project shall be developed as a mixed-use project as follows:*

- a. The east and center wings of the historic building shall include approximately 31,389 square feet of gross floor area devoted to museum and ancillary retail and event uses.*
- b. The west wing of the historic building shall include approximately 18,602 square feet of gross floor area devoted to uses in the office, institutional, and arts/design/creation use categories.*
- c. The residential building shall include approximately 489 units. The ground floor of the east wing of the residential building shall be used for either residential uses or for uses in the retail, service, eating/drinking establishment, and arts/design/creation use categories, as shown on pages A09 – A10 of the plans.*

### **B. Design Flexibility**

The PUD will be developed in accordance with the Revised Plans. As is typical, the Applicant requests minor flexibility to deviate from the approved plans in the areas listed below. (Note that the Applicant has revised the flexibility language from the approved PUD to reflect the current Commission's more limited approach to PUD design flexibility.)

*The Applicant shall have flexibility with the design of the PUD in the following areas:*

- a. To vary the location and design of all interior components, including partitions, structural slabs, doors, hallways, columns, stairways, mechanical rooms, and toilet rooms, provided that the variations do not change the exterior configuration or appearance of the structure;*

- b. To vary the final selection of the colors of the exterior materials based on availability at the time of construction, provided such colors are within the color ranges proposed in the final plans;*
- c. To make minor refinements to exterior details and dimensions, including without limitation to sills, bases, mullions, coping, railings and trim, or any other changes: (1) to comply with Construction Codes that are otherwise necessary to obtain a final building permit, (2) to comport with final design comments from District historic preservation officials, or (3) to address the structural, mechanical, or operational needs of the building uses or systems that do not significantly alter the exterior design as shown on the plans.*
- d. To vary the final number of residential units plus or minus 10%, and accordingly adjust the number and location of affordable units to reflect the final unit mix of the Project, provided that the distribution of affordable units by floor shall remain consistent with the plans;*
- e. To vary the final number of parking spaces between 249 to 275 parking spaces;*
- f. To vary the final streetscape design and materials in the public right-of-way, in response to direction received from District public space permitting authorities;*
- g. To vary the final landscaping materials of the Project based on availability and suitability at the time of construction or otherwise in order to satisfy any permitting requirements of DC Water, DDOT, DOEE, DCRA, or other applicable regulatory bodies;*
- h. To vary the location and type of green roof, solar panels, and paver areas to meet stormwater requirements and sustainability goals or otherwise satisfy permitting requirements;*
- i. To implement the alternate ground floor plan shown on page A10 of the Plans, which will allow for the conversion of residential units to commercial retail / service / restaurant uses.*

### **C. Phasing**

The Applicant would prefer to construct the Project at once for reasons of efficiency. However, should market conditions preclude such an approach, the Applicant requests flexibility to phase the project as two phases. Importantly, all of the key amenities of the Project, including

the renovation of the historic building, the museum, the underground parking, and the courtyard, would all be delivered in the first phase. The only portion of the Project that would be delivered in the second phase would be approximately half of the residential building. The proposed phasing is shown on pages A41 – A42 of the Revised Plans. The Applicant proposes the following condition related to phasing:

*The Applicant shall have the option to construct the Project in phases, as shown on the Plans, as follows:*

- a. Phase I shall include the renovation of the historic school, the delivery of the art museum, the underground parking, the proposed courtyard, and the east wing of the residential building, all as shown on page A41 of the Plans (“Phase I”);*
- b. The Applicant shall improve the temporary exposed west façade of the Phase I residential building as shown on page A42 of the Plans with a mural or other artwork as shown on the precedent image; and*
- c. Within two years after the issuance of a certificate of occupancy for the residential building constructed in Phase I, the Applicant shall file a building permit to construct the remainder of the residential building and complete the Project (“Phase II”). Within three years after the issuance of the certificate of occupancy for Phase I, the Applicant shall commence construction of Phase II.*

### **III. Project Amenities and Public Benefits**

The Applicant continues to proffer virtually all of the public benefits approved in the current PUD, with the exception of certain conditions related to the Corcoran Gallery of Art, which is no longer in existence. Instead, the Applicant proposes providing free admission to the museum for all residents of the District.

The public benefits and project amenities otherwise remain commensurate with the development incentives requested and include the following public benefits, as enhanced and increased by this modification:

- **Superior Urban Design and Architecture**
- **Superior Landscaping and Creation of Open Spaces**, including a publicly-accessible courtyard that will be open to the public from, at a minimum, 8 AM to 5 PM
- **Site Planning**

- **Historic Preservation** of the historic Randall School.
- **Housing**, including approximately 489 units that significantly exceed the amount of housing that could be provided under the existing R-4 zoning, and including approximately 19 townhouse-style two-level units.
- **Affordable Housing**, including approximately 99 units that significantly exceed the number of units that could be provided under the existing zoning and exceed the minimum setaside amount under inclusionary zoning, and including approximately 20 affordable larger 2-bedroom and townhouse-style units.
- **Job Opportunities**, including commitments to a First Source Employment Agreement and a Certified Business Enterprise Agreement.
- **Building Space for Special Uses**, including a new contemporary art museum that will be free to all residents of the District of Columbia
- **Sustainable Design Features**, including a commitment to LEED-Gold v.4 for the residential building, LEED-Silver v.4 for the historic building, and approximately 3,000 square feet of solar panels, The Project will also achieve a GAR of approximately 0.3, which is a full 0.1 higher than what would be required for a C-3-C project.<sup>1</sup>
- **Streetscape Plans**
- **Transportation Infrastructure**, including a new off-street turnaround that will facilitate access to both the museum and Randall Recreation Center
- **Uses of Special Value**, including community meeting space, exhibit space for local artists, support for neighborhood visual arts projects, support for a neighborhood arts festival, recruiting neighborhood volunteers for the museum, support for funding of arts programs at Randall Recreation Center, and support for funding of a Southwest Washington historic district evaluation study.

#### IV. Agency Review / Project Impacts and Mitigation

The impacts of the Project were fully evaluated in connection with the original PUD approvals. The proposed modification does not increase the height, density, or intensity of use of

---

<sup>1</sup> The Project is otherwise grandfathered from the GAR requirements because the original PUD was set down prior to October 2013, and the modifications do not increase the lot occupancy or impervious surface by 20% or more.

the Project, and the Project otherwise continues to comply with the evaluation standards as outlined in Z.C. Order No. 07-13D. To further support the conclusion that the modified Project continues to comply with these standards, the Applicant offers the following information:

***A. Historic Preservation***

At its September 2017 meeting, the Historic Preservation Review Board granted concept approval to the modified Project. A copy of the HPRB Staff Report is attached as Exhibit A.

***B. Comprehensive Transportation Review***

The Applicant prepared a comprehensive transportation review of the modified Project based on an agreed-upon scope with DDOT. The CTR, as revised, is submitted in the record and under review by DDOT.

***C. Public Realm***

The Applicant has applied to the Public Space Committee for conceptual approval of the Project, and the application is scheduled for consideration at the PSC's March 22 public meeting. The Applicant will provide an update on this review at the public hearing.

***D. Public Safety***

The Applicant appreciates the input from Commander Kane regarding the Project. As noted above, the traffic, parking, and public realm impacts of the Project are being reviewed by DDOT and public space officials. Regarding the ground-level units, townhouses as well as apartment buildings featuring ground-level units with exterior access are a common feature in the Southwest and Capitol Riverfront neighborhoods. For this Project, the design includes exterior fencing and gates, and the individual units will also include appropriate security measures. With 470 additional units located within and on the upper stories of the Project, the Applicant also believes that the Project will generate sufficient density and activity to provide "eyes on the street" to deter untoward activity. Finally, as noted above, the Project includes a gate that will close off public access to the interior courtyard at night, which will further enhance security within the Project.

***E. Public Facilities***

At setdown, the Commission raised questions regarding the status of the proposed turnaround on the adjacent Randall Recreation Center land and the relationship of the Project to area school needs. The Applicant addressed these issues in its initial prehearing submission, and



the Project otherwise has no greater impact on area parks, schools, or other public facilities or utilities than the previously-approved versions of the Project.

#### ***F. Environmental Impacts***

As discussed above, the Applicant has increased the sustainability commitment for the Project and has also incorporated renewable energy into the Project through the proposed solar panels. The Project will otherwise have no greater impact than the previously-approved versions of the Project.

#### **V. Planning**

The Project continues to be consistent with the Comprehensive Plan for all of the reasons set forth in the Commission's previous orders of approval. The Property is in the Mixed-Use High Density Residential / Medium Density Commercial land use category on the Future Land Use Map, and the proposed height, density, and mix of uses is consistent with this designation. The Project also furthers many other policies and goals of the Comprehensive Plan related to land use, housing, economic development, arts and culture, historic preservation, and urban design. Finally, the Project is also consistent with the Southwest Small Area Plan, which calls for the development of I Street SW as a cultural corridor that will enhance Southwest's identity as a premier arts and cultural neighborhood.

#### **VI. Conclusion**

The Applicant looks forward to presenting the modification at the public hearing. For the Commission's convenience, the table on the following page summarizes the comments received from the Office of Planning and the Commission as well as other District agencies, followed by the location of the Applicant's response in the initial prehearing submission dated January 23, 2018 (IPHS); the supplemental prehearing submission dated March 8, 2018 (SPHS); or the Revised Plans dated March 8, 2018 (Plans).

Table 2: Issue Matrix

<b><u>Issue</u></b>	<b><u>Resolution</u></b>
Provide details on phasing	SPHS – Pages 5-6 Plans – Pages A41-A42
Provide details on window design	Plans – Pages A27-A30
Consider additional balconies	IPHS – Page 2
Provide details on museum entrance design	Plans – Pages H05-H06
Further describe “Commercial” uses in Project	IPHS – Pages 2-3 SPHS – Page 4
Provide details on ground floor unit design	Plans – Pages L09-L12
Affordable Housing: Duration	IPHS – Page 4 SPHS – Page 3
Affordable Housing: Unit mix and location	SPHS – Page 3 Plans – Pages A09-A13
Affordable Housing: Setaside level	SPHS – Pages 2-3
Provide larger housing units	IPHS – Page 5 SPHS – Page 2
Identify replacement benefits for Corcoran benefits	IPHS – Pages 3-4 SPHS – Page 6
Provide complete list of zoning and design flexibility	SPHS – Pages 3-6
Commit to actual LEED Gold certification	IPHS – Page 5 SPHS – Page 1
Clarify penthouse heights	Plans – Page A16
Clarify parking space number and flexibility	IPHS – Page 3 SPHS – Page 5
Clarify number of residential units	SPHS – Page 5
Clarify hours for public use of courtyard	IPHS – Page 3 SPHS – Page 6
Provide solar panels	SPHS – Page 2 Plans – Page A15
Provide more detail on status of approval of turnaround	IPHS – Page 6
Provide more detail on impact on school demand	IPHS – Pages 6-7
Provide details on building signage	Plans - Pages A39 – A40
Provide detail on historic building loading area	Plans - Pages H07 and L14
Incorporate additional street tree on 1 <sup>st</sup> Street	Plans – Pages L02 and L06