



MEMORANDUM

TO: District of Columbia Zoning Commission

FROM: ^{JLS} Jennifer Steingasser, Deputy Director, Development Review and Historic Preservation
Anne Fothergill, Development Review Specialist

DATE: May 28, 2021

SUBJECT: **Setdown Report for Zoning Commission Case No. 08-34L**, Second-Stage Planned Unit Development Application for the Capitol Crossing Center Block

I. SUMMARY RECOMMENDATION

Capitol Crossing III LLC and Capitol Crossing IV LLC have applied for a second-stage Planned Unit Development for the Center Block of the Capitol Crossing project. The proposal is not inconsistent with the First-Stage PUD approval or the Comprehensive Plan. The Office of Planning, therefore, **recommends that the application be set down for public hearing.**

II. APPLICATION IN BRIEF

Location: Square 566, Lots 861-862; Ward 6, ANC 6C

Applicant: Capitol Crossing III LLC and Capitol Crossing IV LLC

Current Zoning: C-4 (PUD-related map amendment)

Property Size: 254,670 square feet (overall project); 12,267 square feet (subject site)

Proposal: The Applicant proposes to construct a hotel tower and residential tower above a single podium with ground floor retail.

III. PUD BACKGROUND

The Zoning Commission approved Case No. 08-34 in 2011 for a first-stage PUD, a consolidated PUD, and a related map amendment to the C-4 zone for a three-block development site to be constructed above the Center Leg Freeway.

The following elements were approved as part of the Consolidated PUD: (1) construction of the entire platform and base infrastructure; (2) the mix of uses, the height and density of each block; (3) the North Block; (4) the construction of all below-grade parking, concourse, and service levels; and (5) the proposed landscaping and streetscape design for the Overall Project.

Subsequent Commission consideration of project components include:

- 1) Case No. 08-34A approved a second-stage PUD for development of the South Block;
- 2) Case No. 08-34B approved an extension of the timeframe for a portion of the consolidated PUD in ZC Order No. 08-34;



- 3) Case No. 08-34C approved a second-stage PUD for a portion of the Center Block;
- 4) Case No. 08-34E approved modifications to the consolidated PUD for the North Block;
- 5) Case No. 08-34F approved minor modification to the plans approved in ZC Order 08-34A;
- 6) Case No. 08-34G approved minor modifications to the plans for the North Block approved in ZC Orders 08-34 and 08-34E;
- 7) Case No. 08-34H approved a second-stage PUD for a portion of the South Block; and
- 8) Case No. 08-34K approved modifications to the first-stage PUD for the Center Block.

For the Center Block, the first-stage PUD approved a commercial building with office and ground floor retail and a residential building with ground floor retail as well as facilities for the Holy Rosary Church; the second-stage PUD for the church was approved in ZC Case No. 08-34C. In case No. 08-34K a Modification of Significance to add lodging and college/university educational uses to the permitted uses in the approved commercial building.

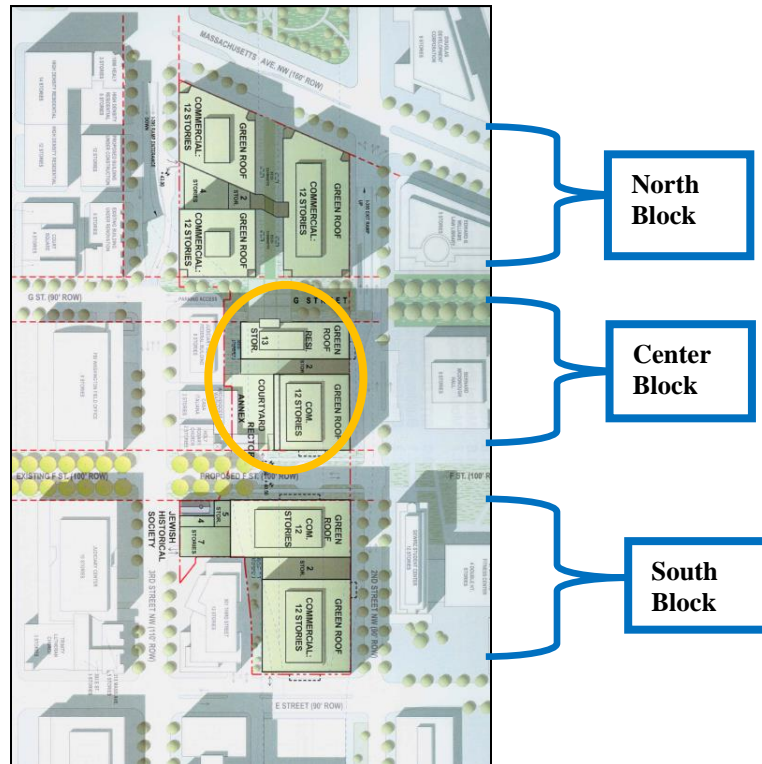
IV. SITE AND AREA DESCRIPTION

The general boundaries of the Capitol Crossing development are Massachusetts Avenue N.W. to the north, 2nd Street N.W. to the east, E Street N.W. to the south, and 3rd Street N.W. to the west. Three new blocks of development (the North, Center, and South Blocks of the PUD) would occupy land and the air rights above the sunken I-395 freeway. The Center Block, where the proposed buildings are located, is between 2nd Street NW to the east, 3rd Street NW to the west, G Street to the north, and the reconnected F Street to the south.

Land Use Diagram



prior to Capitol Crossing PUD



Approved site plan (proposed development in green) per Z.C. Order No. 08-34

V. PROJECT DESCRIPTION

Relevant to this application, the Zoning Commission approved for the Center Block:

- 1) One 13 floor, 130' tall residential building with approximately 180,384 SF of GFA including 150 residential units and ground floor retail.
- 2) One commercial building with approximately 297,311 SF of GFA devoted to office, educational, lodging, and ground floor retail uses and a building height of 130 feet and 12 stories maximum.

The Second Stage PUD proposal is for two 12-story 130 foot tall buildings above a shared podium with 20,567 SF of retail below. The podium would be white pre-cast concrete with painted aluminum and bronze accents, and the retail space would have glass and aluminum storefronts. The second floor would have residential and hotel amenity spaces; the terrace would be either green roof or hotel guest outdoor space. Proposed signage locations and examples are shown in Sheets 8-01, 8-02, and 8-03. Both buildings would use the below grade garage with 1146 parking spaces and 440 bicycle spaces that was approved and constructed for the whole development. Public space improvements for the overall development, including for the Center Block, were approved by the DDOT Public Space Committee in 2018.

A. Residential Building

The proposed residential building's lobby would be accessed off G Street. The residential building's façade would be pre-cast concrete with wood and metal accents. Almost half of the units would have a full (north side) or Juliet (south side) balcony.

There would be 166 apartments with 178,627 SF of GFA. The residential units would be studios (22%), one bedroom (55%), and two bedroom (24%) units.

As part of the approval for ZC 08-34, the residential building must include 50 units minimum of affordable housing. These units will be for households earning up to 80% AMI and paying no more than 30% of their income towards housing.

There would be 7,120 SF of amenity space in the penthouse and there would be a rooftop pool deck.

The residential building would be certified LEED Gold and there would be rooftop solar panels and green roofs, which is consistent with the first stage PUD approval.

B. Commercial Building

The main entrance to the hotel would be on the south side off F Street and there would be an entrance off G Street at the north side of the residential building. The façade of the hotel would be bronze with aluminum windows and canted panels of textured glass.

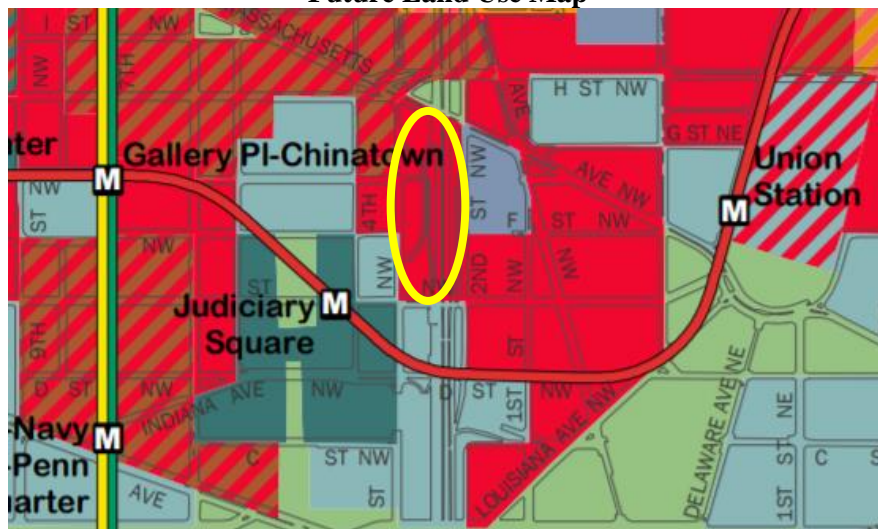
The 234,837 SF building would have 221 hotel rooms. The hotel would have an 8,945 SF bar/restaurant in the penthouse, which requires a Special Exception.

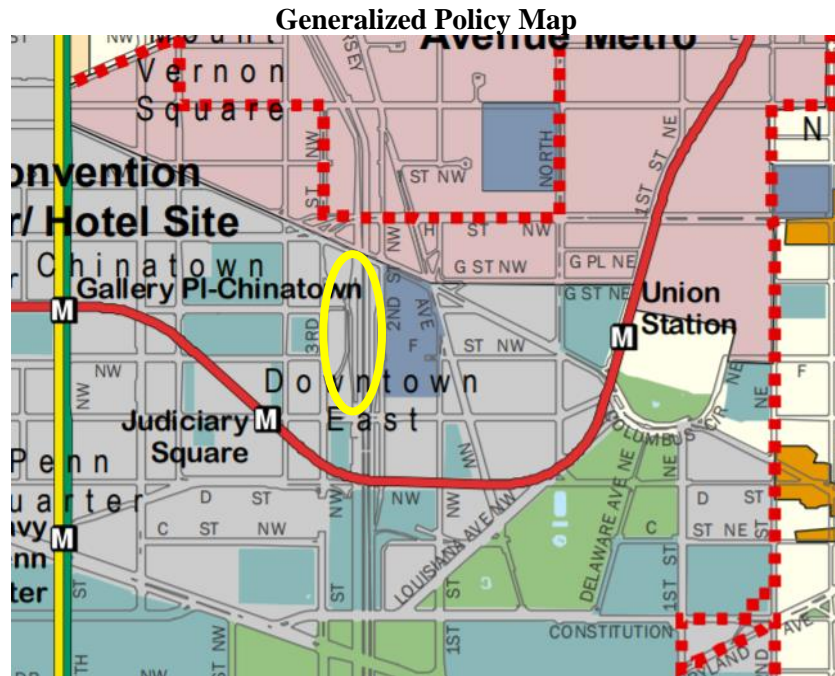
The building would be LEED Platinum with a green roof, which is consistent with the original PUD Order.

VI. COMPREHENSIVE PLAN

The Future Land Use Map shows the property as High-Density Commercial and the Generalized Policy Map designates the site within Central Washington and the Central Employment Area.

Future Land Use Map





The Commission found during its review of the First-Stage PUD that the Capitol Crossing project is not inconsistent with the Comprehensive Plan maps and policies and OP finds that the Second-Stage PUD application is consistent with the approval in the original Order and the Comprehensive Plan.

Specifically, the second stage PUD proposal for the Center Block would further a number of the Comprehensive Plan's policies including:

Land Use Element

The Land Use Goal is: Ensure the efficient use of land resources to meet long-term neighborhood, citywide, and regional needs; to help foster other District goals; to protect the health, safety, and welfare of District residents, institutions, and businesses; to sustain, restore, or improve the character and stability of neighborhoods in all parts of the city; and to effectively balance the competing demands for land to support the many activities that take place within District boundaries.(§ 302.1)

Policy LU-1.1.1: Sustaining a Strong City Center

Provide for the continued vitality of Central Washington as a thriving business, government, retail, financial, hospitality, cultural, and residential center. Promote continued reinvestment in central city buildings, infrastructure, and public spaces; continued preservation and restoration of historic resources; and continued efforts to create safe, attractive, and pedestrian-friendly environments.

Policy LU-1.3.2: Development Around Metrorail Stations

Concentrate redevelopment efforts on those Metrorail station areas which offer the greatest opportunities for infill development and growth, particularly stations in areas with weak market demand, or with large amounts of vacant or poorly utilized land in the vicinity of the station entrance. Ensure that development above and around such stations emphasizes land uses and building forms which minimize the necessity of automobile use and maximize transit ridership while reflecting the design capacity of each station and respecting the character and needs of the surrounding areas.

Policy LU-1.3.3: Housing Around Metrorail Stations

Recognize the opportunity to build senior housing and more affordable “starter” housing for first-time homebuyers adjacent to Metrorail stations, given the reduced necessity of auto ownership (and related reduction in household expenses) in such locations.

Policy LU-1.3.4: Design To Encourage Transit Use

Require architectural and site planning improvements around Metrorail stations that support pedestrian and bicycle access to the stations and enhance the safety, comfort and convenience of passengers walking to the station or transferring to and from local buses. These improvements should include lighting, signage, landscaping, and security measures. Discourage the development of station areas with conventional suburban building forms, such as shopping centers surrounded by surface parking lots.

Policy LU-1.4.1: Infill Development

Encourage infill development on vacant land within the city, particularly in areas where there are vacant lots that create ‘gaps’ in the urban fabric and detract from the character of a commercial or residential street. Such development should complement the established character of the area and should not create sharp changes in the physical development pattern.

The proposed PUD is for a mixed use development in close proximity to Metrorail, which would bring new residents, hotel guests, and new businesses to this site.

Transportation Element

The overarching goal for transportation in the District is: Create a safe, sustainable, efficient multi-modal transportation system that meets the access and mobility needs of District residents, the regional workforce, and visitors; supports local and regional economic prosperity; and enhances the quality of life for District residents. (§ 401.1)

Policy T-1.1.4: Transit-Oriented Development

Support transit-oriented development by investing in pedestrian-oriented transportation improvements at or around transit stations, major bus corridors, and transfer points.

Policy T-2.3.3: Bicycle Safety

Increase bicycle safety through traffic calming measures, provision of public bicycle parking, enforcement of regulations requiring private bicycle parking, and improving bicycle access where barriers to bicycle travel now exist.

Policy T-2.4.1: Pedestrian Network

Develop, maintain, and improve pedestrian facilities. Improve the city’s sidewalk system to form a network that links residents across the city.

Policy T-3.1.1: Transportation Demand Management (TDM) Programs

Provide, support, and promote programs and strategies aimed at reducing the number of car trips and miles driven (for work and non-work purposes) to increase the efficiency of the transportation system.

The proposed building would be located near Metrorail and bus lines for transit-oriented development. The building’s garage would provide long-term bicycle parking. The Applicant proposes sidewalk and streetscape improvements which would assist pedestrians’ mobility and safety.

Housing Element

The overarching goal for housing is: Develop and maintain a safe, decent, and affordable supply of housing for all current and future residents of the District of Columbia. (§ 501.1)

Policy H-1.1.1: Private Sector Support

Encourage the private sector to provide new housing to meet the needs of present and future District residents at locations consistent with District land use policies and objectives.

Policy H-1.1.3: Balanced Growth

Strongly encourage the development of new housing on surplus, vacant and underutilized land in all parts of the city. Ensure that a sufficient supply of land is planned and zoned to enable the city to meet its long-term housing needs, including the need for low- and moderate-density single family homes as well as the need for higher-density housing.

Policy H-1.1.4: Mixed Use Development

Promote mixed use development, including housing, on commercially zoned land, particularly in neighborhood commercial centers, along Main Street mixed use corridors, and around appropriate Metrorail stations.

Policy H-1.1.5: Housing Quality

Require the design of affordable housing to meet the same high-quality architectural standards required of market-rate housing. Regardless of its affordability level, new or renovated housing should be indistinguishable from market rate housing in its exterior appearance and should address the need for open space and recreational amenities, and respect the design integrity of adjacent properties and the surrounding neighborhood.

Policy H-1.2.3: Mixed Income Housing

Focus investment strategies and affordable housing programs to distribute mixed income housing more equitably across the entire city, taking steps to avoid further concentration of poverty within areas of the city that already have substantial affordable housing.

Policy H-1.2.7: Density Bonuses for Affordable Housing

Provide zoning incentives to developers proposing to build low- and moderate-income housing. Affordable housing shall be considered a public benefit for the purposes of granting density bonuses when new development is proposed. Density bonuses should be granted in historic districts only when the effect of such increased density does not significantly undermine the character of the neighborhood.

The proposal is for new residential units on a site that currently has no housing, which is consistent with citywide planning goals to expand the housing supply. This new housing would provide mixed-income housing in a desirable and accessible location. The Mayor has established a goal of creating 36,000 units of housing and 12,000 units of affordable housing by 2035 and by providing new housing and a significant amount of affordable housing this second stage PUD would respond to that critical goal.

Environmental Protection Element

The overarching goal for environmental protection is: Protect, restore, and enhance the natural and man-made environment in the District of Columbia, taking steps to improve environmental quality, prevent and reduce pollution, and conserve the values and functions of the District's natural resources and ecosystems.(§ 601.1)

Policy E-1.1.1: Street Tree Planting and Maintenance

Plant and maintain street trees in all parts of the city, particularly in areas where existing tree cover has been reduced over the last 30 years. Recognize the importance of trees in providing shade, reducing energy costs, improving air and water quality, providing urban habitat, absorbing noise, and creating economic and aesthetic value in the District's neighborhoods.

Policy E-1.1.3: Landscaping

Encourage the use of landscaping to beautify the city, enhance streets and public spaces, reduce stormwater runoff, and create a stronger sense of character and identity.

Policy E-2.2.1: Energy Efficiency

Promote the efficient use of energy, additional use of renewable energy and a reduction of unnecessary energy expenses. The overarching objective should be to achieve reductions in per capita energy consumption by DC residents and employees.

Policy E-2.2.4: Alternative Energy Sources

Support the development and application of renewable energy technologies such as active, passive, and photovoltaic solar energy, fuel cells, and other sustainable sources. Such technology should be used to reduce the dependence on imported energy, provide opportunities for economic and community development, and benefit environmental quality. A key goal is the continued availability and access to unobstructed, direct sunlight for distributed-energy generators and passive-solar homes relying on the sun as a primary energy source.

Policy E-2.2.5: Energy Efficient Building and Site Planning

Include provisions for energy efficiency and for the use of alternative energy sources in the District's planning, zoning, and building standards. The planning and design of new development should contribute to energy efficiency goals.

Policy E-3.1.2: Using Landscaping and Green Roofs to Reduce Runoff *Promote an increase in tree planting and landscaping to reduce stormwater runoff, including the expanded use of green roofs in new construction and adaptive reuse, and the application of tree and landscaping standards for parking lots and other large paved surfaces.*

Policy E-3.2.1: Support for Green Building

Encourage the use of green building methods in new construction and rehabilitation projects, and develop green building methods for operation and maintenance activities.

The Applicant has committed to achieve LEED Gold and Platinum certifications and the overall project includes renewable energy, rainwater and groundwater collection, solar installations, vegetative roofs, and landscaping.

Economic Development Element

The overarching goal for economic development in the District is: Strengthen the District's economy by sustaining its core industries, attracting new and diverse industries, accommodating future job growth, fostering the success of small businesses, revitalizing neighborhood commercial centers, improving resident job skills, and helping a greater number of District residents find and keep jobs in the Washington regional economy. (§ 701.1)

Policy ED-2.2.2: Downtown Shopping

Strengthen Downtown Washington as a regional retail destination in order to capitalize on its status as a transit hub and its historic role as the cross-roads and central marketplace for the Washington metropolitan area. Downtown should be developed and promoted as a regional retail destination of choice, with multiple traditional and non-traditional retail anchors, a well-programmed variety of consumer goods retailers, specialty shops, retailers unique to the Washington region, and a wide variety of restaurants and entertainment venues.

Policy ED-2.3.1: Growing the Hospitality Industry

Develop an increasingly robust tourism and convention industry, which is underpinned by a broad base of arts, entertainment, restaurant, lodging, cultural and government amenities. Strive to increase: (a) the total number of visitors to Washington; (b) the number of visitors staying in the District (rather than in suburban hotels); and (c) longer visitor stays in Washington. Promote the District not only as the preferred base for exploring the city's attractions but also the preferred overnight base for visiting regional attractions.

Policy ED-2.3.4: Lodging and Accommodation

Support the development of a diverse range of hotel types, serving travelers with varying needs, tastes, and budgets. New hotels should be encouraged both within Central Washington and in outlying commercial areas of the city, particularly in areas which presently lack quality accommodation

The proposed mixed-use development will provide new retail options to the neighborhood as well as employment in the retail and hotel uses and increase the number of hotel rooms offered downtown.

Urban Design Element

The overarching goal for urban design in the District is: Enhance the beauty and livability of the city by protecting its historic design legacy, reinforcing the identity of its neighborhoods, harmoniously integrating new construction with existing buildings and the natural environment, and improving the vitality, appearance, and security of streets and public spaces.(§ 901.1)

Policy UD-2.2.5: Creating Attractive Facades

Create visual interest through well-designed building facades, storefront windows, and attractive signage and lighting. Avoid monolithic or box-like building forms, or long blank walls which detract from the human quality of the street.

Policy UD-2.2.7: Infill Development

Regardless of neighborhood identity, avoid overpowering contrasts of scale, height and density as infill development occurs.

Policy UD-3.1.1: Improving Streetscape Design

Improve the appearance and identity of the District streets through the design of street lights, paved surfaces, landscaped areas, bus shelters, street 'furniture' and adjacent building facades.

Policy UD-3.1.2: Management of Sidewalk Space

Preserve the characteristically wide sidewalks of Washington's commercial districts. Sidewalk space should be managed in a way that promotes pedestrian safety, efficiency, comfort, and provides adequate space for tree boxes. Sidewalks should enhance the visual character of streets, with landscaping and buffer planting used to reduce the impacts of vehicle traffic.

Policy UD-3.1.4: Street Lighting

Provide street lighting that improves public safety while also contributing to neighborhood character and image.

Policy UD-3.1.5: Streetscape and Mobility

Ensure that the design of public space facilitates connections between different modes of travel, including walking, public transit, bicycling and driving. Bus shelters, benches, bicycle parking, safe pedestrian connections, and clear way-finding signage should be provided to facilitate multi-modal travels.

Policy UD-3.1.7: Improving the Street Environment

Create attractive and interesting commercial streetscapes by promoting ground level retail and desirable street activities, making walking more comfortable and convenient, ensuring that sidewalks are wide enough to accommodate pedestrian traffic, minimizing curb cuts and driveways, and avoiding windowless facades and gaps in the street wall.

Policy UD-3.1.11: Private Sector Streetscape Improvements

As appropriate and necessary, require streetscape improvements by the private sector in conjunction with development or renovation of adjacent properties.

Public space improvements for the overall PUD, including for the Center Block, were approved by the DDOT Public Space Committee in 2018 and the Applicant has proposed very minor changes to those plans.

Regarding the streetscape proposal, OP suggests the Applicant consider the proposed pedestrian experience along the east (2nd Street) sidewalk of the building. This is a narrow 10' sidewalk with a concrete wall on one edge between the pedestrian and the submerged freeway. A considerable portion of the facade at ground level is slated for retail, and a portion of the building is set back to allow for a wider sidewalk at the south end of the building. The Applicant should show that this portion of the retail storefront would have high transparency and avoid long blank walls to prevent an anti-pedestrian or uncomfortable experience along 2nd Street. More detail should be provided regarding the design of the wall/barrier to the freeway, its height and material, and whether there is opportunity for a mural or other public art to help this space feel more welcoming.

The plans should provide shade and comfort through a continuous tree canopy on all sidewalks both on the proposed streets and existing ones.

It appears that a portion of the residential building facing 2nd Street projects into the public ROW. (DDOT ROW is 90', but the property line is 10' from the freeway wall). The Applicant should consult the Public Realm Design Manual for guidance on projections over narrow sidewalks to determine what can be supported at this location:

1. Cornices, bases, water tables, and pilasters.
2. Open balconies projecting up to 3'.
3. Awnings, canopies, and marquees up to 18" over windows.
4. Awnings, canopies, and marquees up to 3' over primary entrances.

Central Washington Area Element

Policy CW-1.1.10: Central Washington Hotels and Hospitality Services

Encourage the development of additional hotels in Central Washington, especially in the areas around the new Convention Center and Gallery Place, along Pennsylvania Avenue NW and Massachusetts Avenue NW, in the Thomas Circle area, and in the area east of Third Street NW. A range of hotel types, including moderately priced hotels, and hotels oriented to family travelers as well as business travelers, should be encouraged. Hotels generate jobs for District residents and revenues for the general fund and should be granted incentives when necessary. Retain existing hotel uses by allowing and encouraging the expansion of those uses, including the addition of one floor, approximately 16 feet in height subject to coordination with federal security needs, to the Hay-Adams Hotel.

Policy CW-2.5.3: Connecting Judiciary Square to Gallery Place/ Penn Quarter

Improve pedestrian connections between Judiciary Square and the Gallery Place/Penn Quarter area by encouraging active ground floor uses along E and F Streets NW, improving signage, upgrading surface transit, and supporting compatible infill development. 1

Policy CW-2.5.6: I-395 Air Rights Development

Pursue development of the air rights over I-395 between E Street NW and Massachusetts Avenue NW, including the restoration of the streets rights-of-way along F and G Streets. Mixed land uses, including housing, offices, ground floor retail, and parkland, should be encouraged in this area. Air rights development should be sensitive to adjacent areas and should preserve important views.

The project would bring hotel rooms to Central Washington, provide pedestrian connections to other parts of downtown, and restore the street right-of-way along F Street with the overall air rights development.

VII. FLEXIBILITY REQUESTED

Zoning Commission Order No. 08-34 approved a PUD-related map amendment to the C-4 zone for the entire Capitol Crossing project and parking and loading were approved for the project as a whole.

In the Original Order and ZC Order 08-34E, the Commission granted the design flexibility listed below (note: (f) is not listed since the ramp system has been fully constructed). The Applicant requests that the Commission grant the same design flexibility for the Residential and Hotel Buildings.

- a. To vary the location and design of all interior components, including partitions, structural slabs, doors, hallways, columns, stairways, atria and mechanical rooms, provided that the variations do not change the exterior configuration of the building;
- b. To make refinements to the garage configuration, including layout, parking spaces and other elements, so long as the total number of parking spaces provided meets the number of spaces required by Z.C. Order No. 08-34 (i.e., 1,146 spaces in the below-grade, consolidated parking area);
- c. To vary the final selection of the exterior materials within the color ranges and material types as proposed, based on availability at the time of construction without reducing the quality of materials;
- d. To vary the location, attributes and general design of the public spaces and streetscapes incorporated in the project to comply with the requirements of and the approval by the District Department of Transportation Public Space Division.
- e. To locate retail entrances in accordance with the needs of the retail tenants and to vary the façades in accordance with the specifications for the Kit of Parts identified in Condition Nos. A.11 and A.12 [of Z.C. Order No. 08-34E] and to locate retail or service uses where “retail” is identified and to locate retail, service or office uses where “retail/office” is identified;
- g. To make minor refinements to exterior materials, details and dimensions, including belt courses, sills, bases, cornices, railings, roof, skylight, architectural embellishments and trim, window mullions and spacing, or any other changes to comply with the District of Columbia Building Code or that are necessary to obtain a final building permit or any other applicable approvals.

The Applicant also requests the following additional design flexibility for the proposed residential and hotel buildings:

- a. Podium: Flexibility for the use of the terrace above the two-story podium between the Residential and Hotel Buildings to be green roof or usable outdoor terrace space.
- b. Exterior Courtyards and Rooftop: To vary the configuration, layout, and design of the exterior courtyards and rooftops, including the amenities provided, so long as the courtyards and rooftops continue to function in a similar manner proposed and the overall design intent, general locations for landscaping and hardscaping, and quality of materials are maintained;

- c. Retail Square Footage: To increase or decrease the amount of ground floor retail in the Residential and Hotel Buildings, so long as a minimum of 62,687 square feet of retail GFA is provided across the Overall PUD Site;
- d. Retail Uses: To vary the types of uses designated as retail use to include the following use categories: Retail; Services, General; Services, Financial; Eating and Drinking Establishments; Medical Care; and Arts, Design, and Creation; and
- e. Number of Residential Units and Hotel Rooms: To provide a range in the approved number of residential dwelling units and hotel rooms of plus or minus ten percent (10%).

For this second-stage PUD application, the two proposed buildings would meet all development standards but the hotel would require a special exception from Subtitle C 1500.3 (c) in order to have a restaurant, bar, or nightclub use in the penthouse pursuant to Subtitle X Section 901.2:

1500.3 (c) A nightclub, bar, cocktail lounge, or restaurant use shall only be permitted as a special exception if approved by the Board of Zoning Adjustment under Subtitle X, Chapter 9;

Finally, the Applicant has requested approval of a phasing plan in order to provide flexibility in construction timing. The Applicant proposes to construct the podium and the Residential Building first, followed by the Hotel Building above the podium with the following timing:

Approval of the podium and Residential Building shall be valid for a period of two years from the effective date of the Order. Within that time, the applicant shall file a building permit application(s) for the podium and the Residential Building. The Applicant shall begin construction of the podium and Residential Building within three years of the effective date of the Order. Approval of the Hotel Building shall be valid for a period of two years following issuance of the first Certificate of Occupancy for the podium or Residential Building. Within that time, the Applicant shall file a building permit application for the Hotel Building. The Applicant shall begin construction of the Hotel Building within three years following issuance of the first Certificate of Occupancy for the podium or Residential Building.

If the application is set down, more detailed analysis of the zoning flexibility requests will be provided in the OP hearing report.

VIII. PUD EVALUATION STANDARDS

The purpose and standards for Planned Unit Developments are outlined in 11 DCMR, Subtitle X, Chapter 3. The PUD process is intended to:

“provide for higher quality development through flexibility in building controls, including building height and density, provided that a PUD:

- (a) Results in a project superior to what would result from the matter-of-right standards;*
- (b) Offers a commendable number or quality of meaningful public benefits; and*
- (c) Protects and advances the public health, safety, welfare, and convenience, and is not inconsistent with the Comprehensive Plan” (§ 300.1).*

Subtitle X Section 304.4 states:

The Zoning Commission shall find that the proposed development:

- (a) Is not inconsistent with the Comprehensive Plan and with other adopted public policies and active programs related to the subject site;*
- (b) Does not result in unacceptable project impacts on the surrounding area or on the operation of city services and facilities but instead shall be found to be either favorable, capable of being mitigated, or acceptable given the quality of public benefits in the project; and*

- (c) *Includes specific public benefits and project amenities of the proposed development that are not inconsistent with the Comprehensive Plan or with other adopted public policies and active programs related to the subject site.*

Regarding second stage PUDs, the regulations state in Subtitle X Section 302.2:

The second-stage application is a detailed site plan review to determine transportation management and mitigation, final building and landscape materials and compliance with the intent and purposes of the first-stage approval, and this title.

Additionally, Subtitle X Section 309.2 states:

If the Zoning Commission finds the [second stage] application to be in accordance with the intent and purpose of the Zoning Regulations, the PUD process, and the first-stage approval, the Zoning Commission shall grant approval to the second-stage application, including any guidelines, conditions, and standards that are necessary to carry out the Zoning Commission's decision.

PUBLIC BENEFITS AND AMENITIES

Subtitle X Section 305 of the Zoning Regulations discuss the definition and evaluation of public benefits and amenities.

“Public benefits are superior features of a proposed PUD that benefit the surrounding neighborhood or the public in general to a significantly greater extent than would likely result from development of the site under the matter-of-right provisions of this title” (§ 305.2). “A project amenity is one (1) type of public benefit, specifically a functional or aesthetic feature of the proposed development that adds to the attractiveness, convenience, or comfort of the project for occupants and immediate neighbors” (§ 305.10).

Section 305.5 lists several potential categories of benefit proffers, and *“A project may qualify for approval by being particularly strong in only one (1) or a few of the categories in [that] section, but must be acceptable in all proffered categories and superior in many” (§ 305.12). The Commission “shall deny a PUD application if the proffered benefits do not justify the degree of development incentives requested (including any requested map amendment)” (§ 305.11).*

As provided in Conditions 79(a) – (i) in Order No. 08-34, benefits and amenities for the overall project were proffered as part of the initial approval. The Applicant does not propose any changes to the previously approved benefits and amenities package. Benefits of the overall project include the construction of a platform over the highway and the reconnection of F and G streets, environmentally conscious design, new housing and affordable housing, historic preservation of the historic JHS synagogue, reconstruction of the Holy Rosary Church Annex and Rectory, space for technology incubators, the creation of new open spaces, transportation management measures, and employment and training opportunities, among others.

The subject proposal furthers earlier approvals including these highlighted below:

Urban design, architecture, landscaping and creation of open spaces:

The overall Capitol Crossing development will link neighborhoods in the District that historically have been separated by a vast freeway canyon and provide improved connections, streetscapes and open spaces. This second stage PUD proposal is for two new buildings with a height and massing that were previously approved and the proposed ground floor retail will activate the streetscape.

Site planning and efficient and economical land utilization:

The proposed buildings on a shared podium with wide sidewalks are consistent with the Stage One approval and would bring efficient site planning to an infill project.

Housing and affordable housing:

Consistent with the original Order, the proposed residential building will provide significant amounts of new housing and affordable housing units including two-bedroom units.

Employment and training opportunities:

The new retail and hotel uses will bring potential new jobs and training opportunities to downtown.

Environmental benefits:

The two proposed buildings would achieve LEED Gold and Platinum certification and incorporate sustainability features including water collection and reuse, green roofs, and solar panels.

IX. AGENCY REFFERALS

If the Commission sets down the subject application for a public hearing, OP will refer it to other District government agencies for review and comment.

JS/af