



TO: District of Columbia Zoning Commission
FROM: Jennifer Steingasser, Deputy Director
 Development Review & Historic Preservation
DATE: January 5, 2015
SUBJECT: Supplemental Post-Hearing Report – ZC 13-12 – Consolidated and Preliminary PUD at 1333 M Street, SE, with Associated Map Amendment

I. Zoning Commission Requests

At this case's December 1, 2014 public hearing the Commission asked OP to file a supplemental report addressing whether there was substantial value in certifying a building for LEED (Leadership in Energy and Environmental Design) Silver status rather than simply pursuing the accumulation of points sufficient for, but without certification of, that rating. This concern was generated by the applicant's proposition that:

- The District's environmental, sustainability and building codes are among the most advanced in the nation and are, in some respects, more progressive than LEED and LEED-Silver;
- Certain other green building evaluation systems are more advanced than LEED and have reduced the importance of LEED certification;
- Consequently, there would not be a significant benefit to pursuing LEED Silver certification, rather than LEED Silver eligibility, in addition to complying with District regulations and codes

The Commission also asked OP to respond to any remaining concerns it may have after the applicant's filing of supplemental information on December 22, 2014.

II. LEED Silver and Other Green Rating Techniques

The applicant's December 22, 2014 filing commits the applicant to achieving LEED Silver Certification for the Consolidated PUD building. This satisfies OP's and the Commission's most immediate concerns. However, the Commission requested information about whether the District's progressive sustainability standards obviate the desirability of pursuing LEED or LEED Silver certifications, or whether there are other green rating systems that are preferable to LEED.

OP has discussed these matters with staff at the District Department of the Environment (DDOE). In response, DDOE staff has summarized its current evaluation of the relationship between LEED and the DC Green Code, and has outlined some of the explorations of this topic that the Department hopes to undertake. DDOE's memorandum is attached.

III. Issues Raised by the Zoning Commission for Applicant Clarification

OP considers the applicant's December 22, 2015 filing to have addressed the following satisfactorily.

- Comparison of FAR with and without streets
- Penthouse floor areas
- Project phasing details



- Construction phasing details
- Responding to OP and DDOT concerns by proffering the installation of a new bikeshare station and the funding of it for one year
- Expanding its alternative transportation commitment by proffering a one year car share or bike share membership each time a residential unit turns over during the first five years of the Consolidated PUD building's occupancy
- Providing more detailed drawings of the rooftop mechanical equipment
- Providing more details about ground level lighting
- More clearly distinguishing the areas where it has committed to DDOT's requests, and where it has not
- Updating the solar study to include penthouse shadows
- Providing additional details on the construction management plan agreement reached with ANC 6B
- Responding to the District Department of the Environment's comments
- Addressing why certain improvements to M Street, S.E. should be considered public benefits
- Recalibrating its estimate of the value of the project's benefits and amenities.

OP has advised the applicant that additional information is required to address adequately the following:

- The appearance and impact of proposed rooftop lighting, including ambient lighting, and highlighting of rooftop structures, recreation areas and signage
- The appearance of the proposed alternative design for the Boathouse Row rooftop sign from ground-level locations where it will likely be seen; e.g. from Virginia Avenue, M Street or 11th Street, S.E.

IV. OFFICE OF PLANNING (OP) RECOMMENDATION

The Office of Planning (OP) continues to recommend the Zoning Commission approve the application, including the requested flexibility.

The applicant's recent filing has substantially addressed OP's previously recommended condition regarding alternative transportation options. The applicant has not agreed to proffer a Certified Business Enterprise (CBE) agreement.

Attachment: memorandum from DDOE

Jls/slc
Stephen Cochran, project manager

GOVERNMENT OF THE DISTRICT OF COLUMBIA



District Department of the Environment

MEMORANDUM

TO: Steve Cochran, OP
FROM: Jay Wilson, DDOE
CC: Leila Batties, Holland and Knight
Brendan Shane, DDOE
Bill Updike, DDOE
DATE: 12/29/14
SUBJECT: **Z.C. CASE NO. 13-12 – Value of LEED Certification** 1333 M St. SE - Consolidated and Preliminary PUD & Related Map

The Commission asked OP to comment on a discussion at the public hearing between the applicant and a member of the Commission about whether there was substantial value in certifying a building for LEED (Leadership in Energy and Environmental Design) Silver status rather than simply pursuing eligibility.

The Office of Planning received a memorandum from the applicant in response to the DDOE Memorandum dated 10/27 stating that “The Applicant seeks to fulfill or exceed LEED Silver certification for the project.” While DDOE thanks the Applicant for their commitment to green building principles and appreciates the response, we also felt it worthwhile to respond to the Applicant and Zoning Commission concerns on this topic.

To date, a few published studies have explored the value of LEED certification. The most notable are “*The Costs and Financial Benefits of Green Buildings*,” written in 2003 for California’s Sustainable Building Task Force by Greg Kats; and “*The Cost of Green, Revisited: Reexamining the Feasibility and Cost Impact of Sustainable Design in the Light of Increased Market Adoption*” published by Davis Langdon in 2007. The earlier study found that the average premium for green buildings was between 2% and 5% above the standard acceptable construction cost for those same buildings. The latter found that with the rising market share of LEED buildings, and despite rising construction costs around the same time (before the recession), there was no statistically verifiable cost difference between LEED and non-LEED buildings. In addition, both studies concluded that LEED buildings would capitalize on increased value, lifecycle energy and water savings, and occupant comfort.

Industry knowledge and experience with design and construction of green buildings inform us that LEED certification provides: 1) a structured tiered recognition of sustainability, 2) holistic design strategies, and 3) 3rd party verification.

1 The passage of the DC Green Construction Code was a huge achievement. The Code was developed with full participation of the private sector as a minimum accepted standard for construction projects, while at the same time moving us closer to achieving the goals and objectives set forth in the Sustainable DC Plan. When comparing the Green Construction Code to LEED v2009, it is important to remember that the industry



has advanced in the last 5 years since LEED v2009 was launched, and new code-required minimum design standards loosely compare to buildings that could achieve minimum LEED Certified or LEED Silver ratings. Although the District was the first city to adopt all of the major chapters and Appendix A of the 2012 International Green Construction Code (IgCC) as a mandatory code, green buildings standards such as higher levels of certification under LEED v2009, LEED v4, and the Living Building Challenge will be the drivers of innovative green design while the code sets an acceptable baseline. It should also be noted that of the LEED certified projects in DC, 58% are certified LEED Gold or Platinum. Therefore, LEED v2009 Silver Certification is not considered a significant public benefit or amenity.

2 Sustainable building practices must be considered holistically in order to capitalize on synergies between more efficient building systems and maintain reasonable building costs. The newest version of LEED (v4) recognizes this directly through the addition of *Integrated Design* credits. The DC Green Construction Code suggests this practice; however, there are currently no requirements to incorporate integrated design in the code. The value of LEED is to consider the checklist as a flexible tool that can influence the full design of the building and site as early as possible in the design process. The Davis Langdon study reiterates this point stating: “Until design teams understand that green design is not additive, it will be difficult to overcome the notion that green costs more.” The newest versions of green building standards are rewarding teams with credits for this practice in order to facilitate changing professional practice.

3 Throughout the design and construction process, the team will be required to make changes. Unforeseen circumstances will arise, the team could face financial challenges, or new perspectives will value different aspects of the project. In these cases, an evaluation of the current state of the project will occur with a resulting change. Given this constantly changing atmosphere of design and construction and the infinite number of possibilities, third party verified criteria are an invaluable tool. Evaluating the project at the earliest stages of design and agreeing on a path to achieve LEED certification will allow the team to make decisions with those values at the forefront.

In conclusion, as we strive to meet the goals and objectives of the Sustainable DC Plan, the LEED rating system remains one of the best, and also proven, tools that we have to achieve greater levels of sustainability while also allowing flexibility for design teams.

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