



MEMORANDUM

TO: District of Columbia Zoning Commission
JLS

FROM: Jennifer Steingasser, Deputy Director
Development Review and Historic Preservation

DATE: January 25, 2016

SUBJECT: **Final Report for ZC #15-12**, Consolidated PUD and related Zoning Map Amendment from C-2-A and R-4 to C-2-B, 1401 Pennsylvania Ave. SE (Square 1065, Lots 30, 31, 32, 33, 142, and 829)

I. SUMMARY RECOMMENDATION

The Office of Planning (“OP”) recommends **approval** of the consolidated Planned Unit Development (“PUD”) and related zoning map amendment for the properties located at 1401, 1417, 1419, 1421, 1423 and 1433 Pennsylvania Ave. SE (the “Property”) subject to the Applicant’s consideration of the following:

- While OP acknowledges the Applicant has incorporated additional building step-backs at the eastern side of the building and at the 7th floor (at the south elevation), row homes within the Square south of the project at the western side of the building will not benefit from similar step-backs/building height transition. At the west wing of the building, the Applicant should provide information regarding why a more significant height transition from the proposed building and existing row homes cannot be provided. The bulk of the proposed building is 6-stories/68’-8” in height at this location and is separated from the 2-3-story row homes a horizontal distance of 25’. See page 37 Exhibit Set Back Diagram of the Applicant’s plan submission. OP supports a more significant transition in height between the existing row homes and proposed building in this location (western bar of the building along 14th Street SE).
- With regard to off-site public benefits, provide a concept plan depicting the WMATA plaza improvements that the Applicant intends to provide. Provide evidence of discussions with WMATA and other nearby PUD developers, who are a party to the concept plan implementation. Provide evidence of the concurrence of WMATA and other nearby by PUD developers regarding the concept plan of the proposed WMATA plaza improvements.
- Consider providing a portion of the three-bedroom IZ units for those individuals/families who qualify for 50% AMI levels of affordability as an additional proffer. OP acknowledges the additional information provided by the Applicant (Supplemental Pre-

Hearing Submission filed January 14, 2016) demonstrating the value of the four (4) IZ 3-bedroom units @ 80% AMI.

As described in Section IV of this report, due to the strong written policy guidance regarding transit-oriented development, the fact that the Property is within 600' of the Potomac Avenue Metro Station, the PUD and related map amendment would not be inconsistent with the general guidance of the Comprehensive Plan.

II. APPLICATION-IN-BRIEF

The proposed project consists of a mixed-used building of approximately 170 to 190 residential units (124,587 sf) and 24,288 sf of ground-floor retail, with a total gross floor area of 148,919sf. Flexibility with regard to certain zoning regulations has been requested to facilitate the proposed development,

Location: Square 1065, Lots 30, 31, 32, 33, 142, and 820. An irregularly-shaped property bounded by Pennsylvania Avenue SE to the north with the Potomac Avenue Metro Station across Pennsylvania Ave. SE to the north, 2-3 story residential row homes immediately to the west and the 5-6 story by-right Jenkins Row development on the next square to the west, and 2-3 story residential row homes to the east and south. The Property is within 600 feet from the Potomac Avenue Metro Station. Four-story mixed use new development has taken place at 1442 Pennsylvania Ave SE, across the street to the north via BZA No.18258. 1500 Pennsylvania Ave. is under construction with a mixed use 4-story building via BZA No. 18713. 1550 Pennsylvania Ave. is also under construction via BZA No. 18544 for a 5-story residential building.

Ward/ANC: Ward 6, ANC 6B

Applicant/Owner: J River 1401 Pennsylvania Avenue LLC c/o CAS Riegler Companies

Current Zoning: C-2-A Commercial-Light Manufacturing District and a portion of Lot 820 is split-zoned R-4 and C-2-A

Existing Use of the Property: One-story, concrete restaurant establishment including asphalt parking lot and driveways.

Comprehensive Plan Future Land Use Map Designation: Moderate Density Commercial and Moderate Density Residential

Property Size: 28,098 square feet (0.645 acres)

Proposal: Together with a related map amendment to the C-2-B District, develop a primarily residential, 78-foot mixed-use building of approximately 170-190 residential units (124,587 sf) with 24,288 sf of retail use on the ground floor. The total GFA is 148,919 sf or an FAR of 5.29.

Relief and Zoning: Pursuant to 11 DCMR Chapter 24, the Applicant/Owner seeks:
1. Consolidated PUD and related map amendment to the C-2-B District;

2. Flexibility from Required number of parking spaces for Residential uses depending on number of units built; and 30 Retail spaces (§2101.1);
3. Flexibility from Loading Requirements (§2201.1);
4. Flexibility to vary the number of proposed residential units (+/- 12%); and
5. Flexibility from court width and area requirements (§§776.3 and 776.4).

III. PLAN CHANGES SINCE SETDOWN

In response to OP’s comments and the Zoning Commission’s request at the setdown hearing on July 27, 2015, the Applicant filed a Pre-Hearing Submission on November 19, 2015. The Applicant provided written responses to the Zoning Commission and OP under part 2 on page 2 of their Pre-Hearing Submission filed on November 19, 2015. An additional Supplemental Pre-Hearing Submission was filed on January 16, 2016. The following is a summary.

Zoning Commission Comment	Applicant Response	OP Comment/Analysis
There are blank walls and the south elevation is minimalist, doesn’t fit in and should be revised with better materials to make a gesture of being part of the neighborhood. Brick works well.	Bays, more color variation and improved materials have been added to the rear façade. See plan sheets 13, 18 and 32 (Pre-Hearing Submission). Materials include brick, stucco, and EFIS.	While OP is supportive of the changes, OP prefers more brick and stucco than EFIS where possible.
Address OP’s comments regarding a sensitive and better transition to existing, adjacent row homes	At the southeast wing of the building, transitions to the row dwellings at the south and east have been incorporated. See plan sheets 17, 18, 20-22, 37 and 38. At the 7 th story, it has been setback 5’ at the south elevation. On the south east & east elevation, the building will be setback 11’ at the second and third floors.	OP appreciates the additional setbacks incorporated into the Applicant’s design of the southeastern and eastern portions of the building. However, OP asks the Applicant to consider an additional setback at the western bar of the building adjacent to the alley would also aid in the sensitive transition between 2-3 story row homes and the proposed 68’-8” portion of the building adjacent to the alley.
What is the height the Jenkin’s Row building and provide more illustration (massing, elevations, context) of this building in context with Jenkin’s Row.	Page 39 of the plans in Exhibit A in the Pre Hearing Submission show the height of the Jenkin’s Row building, which is cited as 65’ in height, and the proposed building. See page 4 of the Applicant’s Pre Hearing Statement.	Page 39 of the Applicant’s plans show the Jenkin’s Row building and the Applicant’s from a nearby vantage point. While the proposed building does look taller than the Jenkin’s Row building, the heights are comparable.
Is a 78’ building height and 5.29 FAR consistent with the “Moderate” FLUM	The proposed height and density of the Project are consistent with the	Per the Comprehensive Plan §225.9, “Moderate Density Commercial” includes buildings

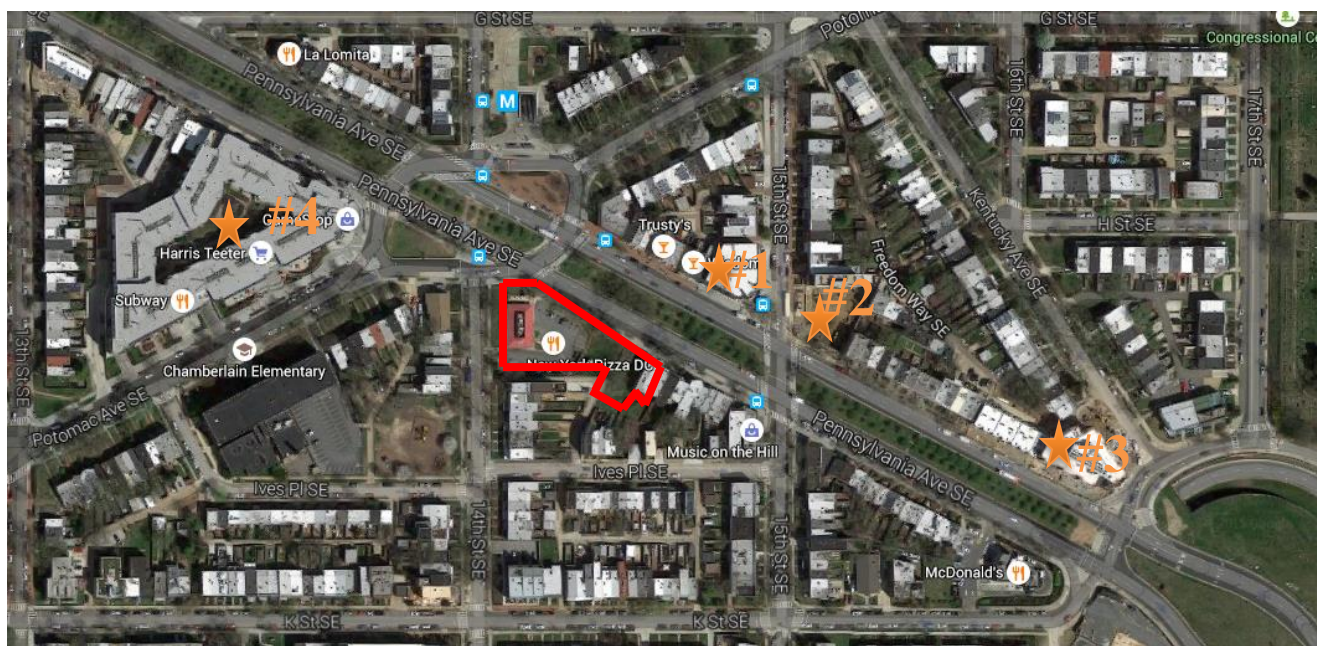
<p>designation?</p>	<p>Comprehensive Plan as a whole, including the moderate density commercial designation on the FLUM. See page 4 of the Applicant’s Pre-Hearing Statement.</p>	<p>that generally do not exceed five (5) stories in height, however a corresponding zoning district listed in this section as being consistent with “Moderate Density Commercial” is the C-2-B zoning District. Additionally, written policy guidance supports height and density in close proximity to a Metro Station. Finally, an alternative development scenario of a C-2-A PUD would have allowed for 65’ of building height, which is one (1) story lower than the proposed building height; however the density maximum of 3.0 FAR in a C-2-A PUD may have resulted in a building with much less stature, a potentially less desirable form, breaks in the streetwall, as well as other potential negative considerations.</p>
<p>The building should have a greater relationship to its surrounds in terms of massing and architecture</p>	<p>The surrounding buildings in the immediate vicinity are composed primarily of brick, wood, stucco and glass storefronts. Similarly, as shown on pages 29-33 of the plans in Exhibit A, the exterior of the building will be composed primarily of brick, stucco and glass storefront, which relates to the materials of the surrounding contextual buildings through color, texture and streetscape activation.</p>	<p>While the materials may be similar to other buildings in the surrounding area, the recently-added setbacks at the 7th floor and the east and south eastern sides of the building aid in transitioning the building’s mass to its low-scale surroundings. Additionally, the use of projecting bays on the Pennsylvania Avenue elevation and the retail base aid in aid in the relationship to surroundings. Additional sculpting and/or setbacks at the southwestern bar of the building would help in relating the building mass to its surrounds.</p>
<p>LEED Silver rating could be improved</p>	<p>The Applicant now commits to design the building to the standards for LEED Gold. The preliminary LEED scorecard is on page 40 of the plans in Exhibit A. There are other sustainable features of</p>	<p>OP is supportive of LEED Gold certification or equivalent, additional sustainable features of the project (bike storage, shower room, responsible building materials, efficient plumbing</p>

	the project and additionally, the development of the site includes an extensive environmental clean-up due to the former use of the site as a gas station.	and light fixtures), and environmental clean-up of the site.
Benefits and amenities could be improved	The Applicant lists the benefits and amenities of the project on page 3 of the PreHearing Statement, supplemented with the Supplemental Statement, which include the following: publically accessible streetscape improvements including bicycle rack; widened alley; a TDM; nearby playground improvements; likely proposal of WMATA plaza improvements including landscaping and other features; one (1) retail bay/10% of retail sf to a local retailer; LEED Gold equivalence; and four (4) 3-bedroom IZ units (~4,689 sf or 50% of the required IZ of 8% of the residential GFA).	OP supports the benefits proposed by the Applicant. OP requests that the Applicant confirm its WMATA plaza improvements through evidence of correspondence and agreement by WMATA and others that may be party to the improvements, as well as through the provision of a concept plan that depicts improvements the Applicant will provide. Additionally, OP requests the Applicant consider deeper levels of affordability for a portion of the 3-bedroom IZ units.
Will 0 retail parking be sufficient?	The Applicant anticipates the provision of 0 dedicated retail spaces will be sufficient.	OP defers to DDOT in this regard. OP notes the Applicant has proffered a TDM to mitigate the effects of the provision of less-than-required parking.
What has the community response been to this project?	The Applicant has been in close communication with the ANCE single member district representative and the immediate neighbors, and, overall the Project has been well received. See page 5 of the Applicant's Pre-Hearing statement.	OP has met and spoken with interested members of the community, including members of the ANC as well as nearby residents.
Provide information regarding the building vehicular circulation	The Applicant provided a TIA and proposes a TDM.	OP supports the use of the alley and the TDM. OP defers to DDOT's recommendations with regard to vehicular circulation.

IV. SITE AND AREA DESCRIPTION

The irregularly-shaped rectangular Property consists of six lots totaling a little over one-half acre in area. On Lot 142, there currently is a one-story, concrete food establishment permitted by right with two curb-cuts and surface parking lot areas. On Lot 820, there appears to be a three-story row dwelling. The Property fronts on to Pennsylvania Avenue NE and is bounded by a 10-foot alley to the south and the southwestern portion of Lot 820. Immediately to the west beyond 14th Street SE lies 2-3 story row dwellings and a small apartment building. Further west on Square 1045 is the 5-6-story Jenkins row development, for which a rezoning to the C-2-B District was granted by the then-Zoning Commission in 1974. The current Jenkins Row development of several ground floor retail bays, a ~45,000 sf grocery store and condominiums, was built as a matter-of-right, and was completed in 2011.

The Property is approximately 600 feet from the entrance of the Potomac Avenue Metro Station across Pennsylvania Ave. SE to the north. To the east along Pennsylvania Ave. SE, the BZA has recently approved relief for developments under the C-2-A District regulations for both four and five story mostly residential developments, with some ground floor retail. Please see the aerial vicinity map with recent developments highlighted below.



Vicinity Map/ Aerial Photo. Approximate bounds of the Property in red. 2014 Google.

- #1: BZA No.18258, 4-story residential with ground floor retail, currently under construction, nearing completion (1442 Pennsylvania Ave SE).
- #2: BZA No. 18713, 4-story residential building with ground floor retail, currently under construction (1500 Pennsylvania Ave. SE).
- #3: BZA No. 18544, 5-story residential building, appears to have completed construction

(1550 Pennsylvania Ave. SE).

#4: Jenkin's Row, 5-6-story, matter-of-right under C-2-B zoning, s mixed use development of retail, a grocery store and other retail. Note the building is not constructed to the maximum 90' PUD height under the C-2-B zone. The C-2-B zoning for Jenkin's Row was originally approved in 1974 as a result of OP's Potomac Avenue Metro Impact Area Study, whereby the area was experiencing a loss of population and high-end row house restoration. The basis for the 1974 rezoning was "to expand in-town living convenience to the subway system and to increase the amount of commercial available to serve the needs of the residents of the area." (ZC Order #110, p.4).

As depicted above, the area within close proximity to the Potomac Avenue Metro station is undergoing a notable amount of development. Additionally, not shown in the above aerial photograph, there are several other developments, both PUD and BZA cases, to the north of the metro station that are currently under review by OP. The policy guidance for these areas is the Comprehensive Plan Maps and policies, as there is no small area or similar plan for this area.

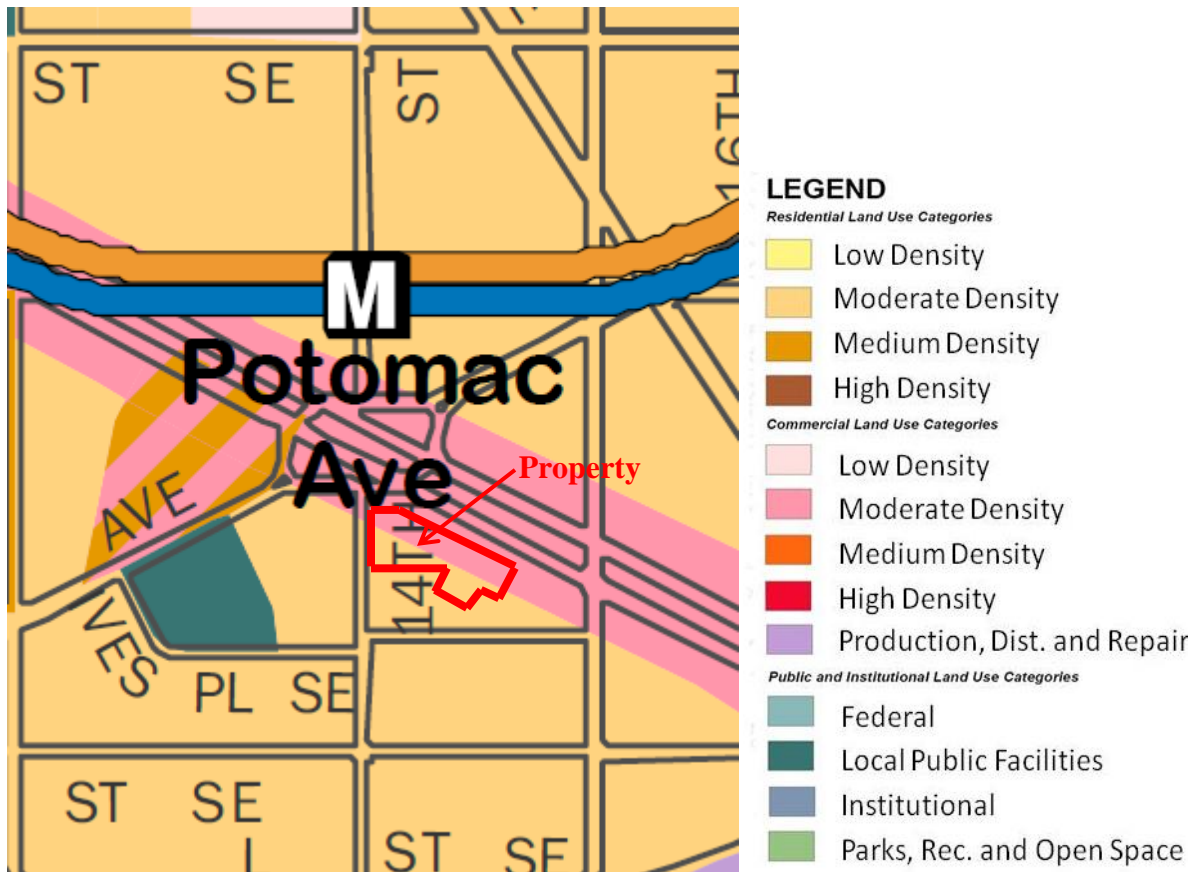
V. COMPREHENSIVE PLAN MAPS AND POLICIES

The proposed PUD and related map amendment must be determined by the Zoning Commission to be not inconsistent with the Comprehensive Plan and with other adopted public policies (§ 2403.4).

A. Future Land Use Map

The Future Land Use Map designation for the Property is for "Moderate Density" Commercial and "Moderate Density" Residential. Moderate Density Commercial is consistent with shopping and service areas that are somewhat more intense in scale and character than the low-density areas. Retail, office and service businesses are the predominant uses. Buildings generally do not exceed 5-stories in height and the corresponding zoning districts are generally C-2-A, C-2-B and C-3-A.

The Moderate Density Residential designation is used to define rowhouse neighborhoods and also consists of low-rise apartments, single family dwellings, as well as 2-4 unit buildings. The R-3, R-4, R-5-A Zone districts are generally consistent with this district though R-5-B may also be appropriate in certain locations.

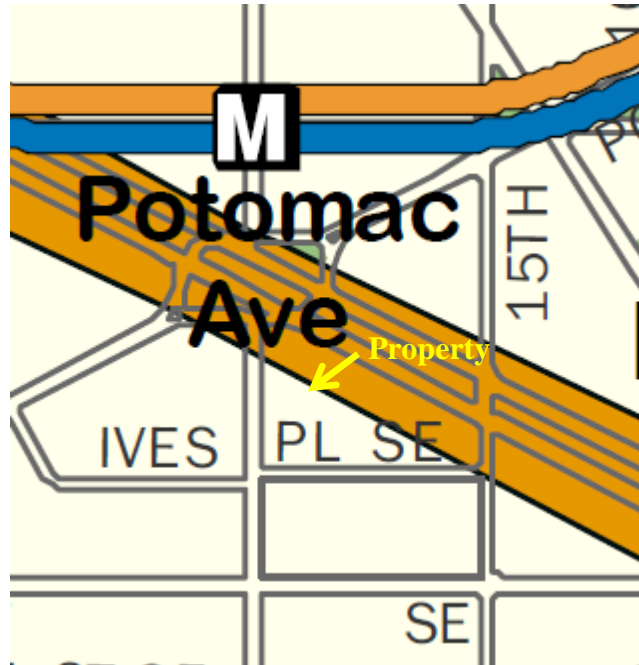


B. General Policy Map

The Generalized Policy Map designates the majority of the Property as part of a “Main Street Mixed Use Corridor” and a small portion of the rear of the lots as a “Neighborhood Conservation Area.” The Main Street Mixed Use designation denotes traditional commercial business corridors with a concentration of older storefronts along the street. A common feature is they have pedestrian-oriented environments with traditional storefronts, with upper stories of office or residential uses. Conservation and enhancement of these areas is desired to foster economic and housing opportunities, as well as to service neighborhood needs. Development in these areas should support transit use.

The “Neighborhood Conservation Area” designation denotes areas that are primarily residential in character, where the maintenance of existing land uses is anticipated, and if change occurs, it is to be modest in scale. Major changes in density are not expected but some new development and reuse opportunities are anticipated. The guiding philosophy in these areas is to conserve and enhance established neighborhoods. New development should be compatible with the existing scale and architectural character of each area.

(Comprehensive Plan, §§ 223.4 and 223.5)



C. Comprehensive Plan Policies

The Property is located in the Capitol Hill Area Element Area of the Comprehensive Plan. There are several policies within the Capitol Hill Area Element that directly relate to the redevelopment of Property as it is in close proximity to the Potomac Avenue Metro Station and fronts on to Pennsylvania Avenue, a L'Enfant street and is one of the District's "Great Streets." Additionally, policies in the Citywide Framework, primarily the Land Use Element, are also applicable. There is no small area plan or similar guidance for this area.

Ultimately, a map amendment-related PUD facilitated by the regulations of the C-2-B zone would help achieve the applicable policies.

Capitol Hill Area Element ("CH"):

- CH-1.1.3: Upgrading Commercial Districts: **"Reinforce and upgrade the major commercial districts of Capitol Hill**, including the H Street and Benning Road corridors, **the Pennsylvania Avenue corridor**, 7th and 8th Streets SE and Massachusetts Avenue...Support the further development of these areas with **local-serving retail services**, provided that such uses are compatible with surrounding land uses and the historic architecture and scale of the shopping districts themselves... (§1508.4)
- CH-1.2.3: L'Enfant Avenues: "Protect and **preserve the special character, scale**, and historic features of the major L'Enfant Plan avenues that cross Capitol Hill, especially Massachusetts Avenue, **Pennsylvania Avenue**, and East Capitol Street. (§1509.3)
- CH-2.2.2: Pennsylvania Avenue 'Great Street': **"Improve Pennsylvania Avenue SE** as the ceremonial gateway to the U.S. Capitol. The design of the avenue, including **adjacent buildings**, land uses, and public spaces **should adhere to high aesthetic standards and should enhance the avenue's role as a neighborhood commercial center and walkable street.**" (§1512.5)

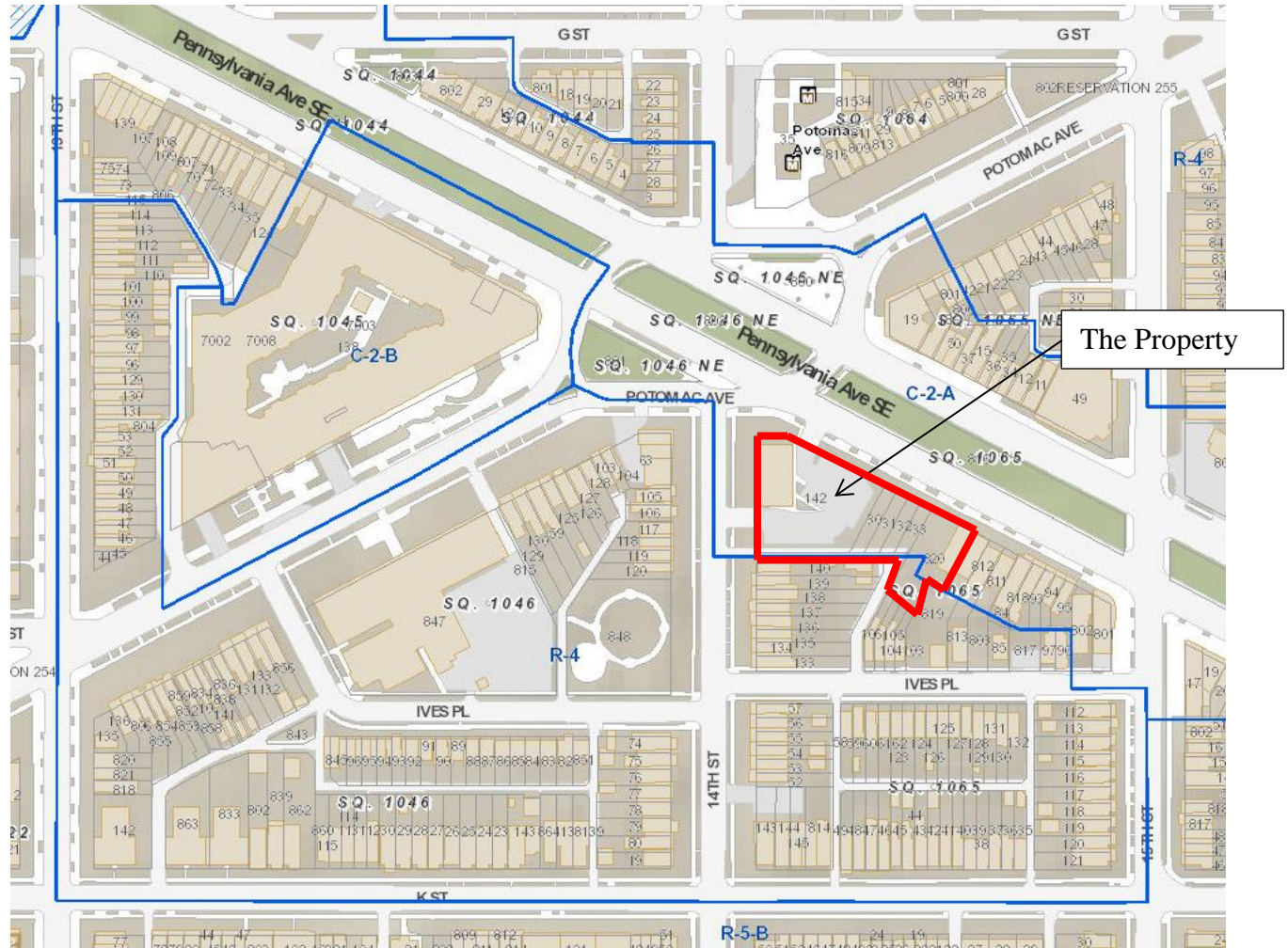
- CH-2.2.6: Potomac Avenue Metrorail Station: **Support the revitalization of vacant commercial space** and additional moderate density mixed use development around the Potomac Avenue Metro station. Such development should be located on existing commercially zoned property and development in a manner that is consistent with existing zoning (including established provision for planned unit developments and pending programs for inclusionary housing). Any infill development should be relatively low-scale, **respecting the character of the adjacent row house community.** (§1512.10)

Citywide Guiding Principles:

- Land Use (“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 station in areas...with large amounts of vacant or poorly utilized land in the vicinity of the station entrance...(§306.11)
- 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...**(§306.13)
- LU-1.3.5: Edge Conditions Around Transit Stations: “Ensure that development adjacent to Metrorail stations is planned and designed to respect the character, scale, and integrity of adjacent neighborhoods. For stations that are located within or close to low density areas, **building heights should ‘step down’ as needed to avoid dramatic contrasts in height and scale between the station area and nearby residential streets and yards.** (§306.14)
- 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.** (§307.5)
- LU-2.3.3: Buffering Requirements: **Ensure that new commercial development adjacent to lower density residential areas provides effective physical buffers to avoid adverse effects.** Buffers may include larger setbacks, landscaping, fencing, screening, **height step downs,** and other architectural and site planning measures that avoid potential conflicts.
- Housing-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.** (§503.5)
- Urban Design (“UD”)-1.4.1: Avenues/Boulevards and Urban Form: Use Washington’s major avenues/boulevards as a way to reinforce the form and identity of the city, connect its neighborhoods, and improve its aesthetic and visual character. **Focus improvement efforts on avenues/boulevards in emerging neighborhoods,** particularly those that provide important gateways or view corridors within the city. (§906.4)
- 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.

VI. ZONING

The Property is currently zoned to the C-2-A Community Business Center District, which is intended to provide facilities for shopping and business needs, housing and a mix of uses outside the central core located in low and medium density residential areas with access to transit stops, at a medium development proportion. The Applicant proposes the C-2-B Community Business Center District which is designed to serve commercial and residential functions similar to C-2-A but with high-density residential and a mix of uses. It allows for compact development located on arterial streets and rapid transit stops.



Zoning Map.

The following table compares the existing matter-of-right and PUD development capacity of the C-2-A District with the requested C-2-B District regulations:

Standard	C-2-A By Right	C-2-A PUD	C-2-B PUD	Proposal
Uses	Office, retail, residential and mixed use	Office, retail, residential and mixed use	Office, retail, residential and mixed use	Primarily residential with ground floor retail
Height in feet/stories	50 ft./ no story limit	65 ft.	90 ft.	78 ft.
FAR	2.5 (3.0 with IZ; in all cases 1.5 FAR max comm use)	6.0	6.0	5.29
Lot Occupancy %	60% res./100%	100%	100%	80%
Rear Yard	15' min.	2.5"/vertical feet in height, but $\geq 12'$	15'	15 feet
Side Yard	None required	None required, but if provided, then 2" in width/vertical feet in height, but $\geq 6'$	None required, but if provided, then 2" in width/vertical feet in height, but $\geq 6'$	None provided so none required
Courts	If provided, 6' width for open court and 2.5"/foot of height in width	Width of Open Court: 4"/foot in vertical height, $> 15'$; Area of Closed Court: 2x the square of the width of the court, but >350 sf	Width of Open Court: 4"/foot in vertical height, $> 15'$; Area of Closed Court: 2x the square of the width of the court, but >350 sf	Five areas of court relief have been requested: 1) On the east elevation, floors 2/3, closed courts of 10' in width and areas of 282 sf; 2) At the south east elevation, floors 2/3, a closed court of 8' in width and 306 sf in area; 3) At the east elevation, floors 4-7, open court formed with 11' in width; 4) At the south east elevation, 4 th floor, court width of 10' and area of 73 sf; and 5) 7 th floor, area around RTU, a closed court of 12' width and 828 sf.
Parking (spaces)	1 space/750 sf retail (if more than 3,000 sf); 1 space per 2 residential units	1 space/750 sf retail (if more than 3,000 sf); 1 space per 2 units	1 space/750 sf retail (if more than 3,000 sf); 1 space per 3 residential units	Multifamily: 57-64 required for 170-190 units), 56 provided Retail: For 22,478 sf, 30 spaces required, 0 spaces provided. Relief Necessary
Loading	Berth: 1 @ 30' deep Platforms: 1 @ 100 sf & 1 @ 200 sf	Multifamily > 50 units 1 berth @ 55 ft. 1 platform @ 200 sf. 1 svc space @ 20 ft. Office & Retail (8,000 sf+): 1 berth @ 30 ft. 1 platform @ 100 sf 1 svc space @ 20 ft.	Multifamily > 50 units 1 berth @ 55 ft. 1 platform @ 200 sf. 1 svc space @ 20 ft. Office & Retail (8,000 sf+): 1 berth @ 30 ft. 1 platform @ 100 sf 1 svc space @ 20 ft.	For both multifamily and retail, 2 berths @ 30', 2 platforms of 200 sf, and 0 svc space @ 20' Relief Necessary

VI. FLEXIBILITY

The following zoning flexibility is requested to facilitate the PUD -related map amendment:

- Reduction of the number of vehicular parking spaces (residential and retail) (§ 2101.1):
 The Applicant requests flexibility to provide a reduction in the number of parking spaces primarily for retail, whereby 30 spaces are required (1:750 sf) and 0 will be provided. Additionally, 57-64 residential parking spaces are required (1:3 units) and 58 spaces will be provided. OP supports DDOT's recommendation with regard to parking relief for primarily retail parking. OP notes the Applicant has proffered a TDM to mitigate the effect of providing less parking than required.
- Loading (§ 2201.1):

Section 2201.1 requires loading facilities (berths, platforms, and/or services spaces of varying lengths) for each proposed use. For residential use, the required loading facilities are as follows: one loading berth of 55 feet deep, one platform of 200 sf, and one service space of 20 feet deep. For retail use, a loading berth of 30', platform of 100 sf, and service space of 20 feet is required. The Applicant requests flexibility to provide two loading berths of 30 feet deep and two platforms of 200 sf for both uses. OP supports DDOT's recommendation with regard to loading facilities.

- Number of residential Units: The Applicant requests the ability to provide a range of the number of residential units between 170 and 190 (12%).
- Court width and area requirements (§§776.3 and 776.4): The Applicant has amended its original request to include relief from the court width and area requirements in five general locations: 1) At the east elevation on floors two and three, closed courts of 10' in width and 282 sf in area; 2) At the south east elevation on floors two and three, a closed court of 8' in width and 306 sf in area; 3) At the east elevation, floors 4-7, an open court is formed of 11' in width; 4) At the south east elevation, on the 4th floor, there is a court width of 10' and an area of 73 sf; and 5) On the 7th floor, the area around RTU forms a closed court of 12' width and 828 sf. OP does not object to the formation of the courts, as they are partially due to the step backs/transition to the existing row houses nearby.

VII. PUD EVALUATION STANDARDS AND PUBLIC BENEFITS AND AMENITIES

The purpose and standards for Planned Unit Developments ("PUD") are outlined in 11 DCMR, Chapter 24. Section 2400.1 and 2400.2 states "The PUD process is designed to encourage high quality developments that provide public benefits...The overall goal is to permit flexibility of development and other incentives, such as increased building height and density; provided, that the project offers a commendable number or quality of public benefits and that it protects and advances the public health, safety, welfare, and convenience." The Applicant has requested flexibilities detailed above and also offers several public benefits and amenities.

The Applicant requests a PUD and related map amendment, which is not inconsistent with some elements of the Comprehensive Plan, to allow approximately 28' of additional building height above the existing C-2-A matter-of-right limits, as well as a density increase of 2.29 FAR or 64,433 sf.

Per § 2403.3 PUD Evaluation Standards, the PUD regulations further state that "[t]he impact of the project on the surrounding area and upon the operations of city services and facilities shall not be unacceptable, but shall instead be found to be either favorable, capable of being mitigated, or acceptable given the quality of public benefits in the project."

Sections 2403.5 – 2403.13 of the Zoning Regulations state the definition and evaluation standards of public benefits and project amenities. Public benefits are tangible, quantifiable superior features of a proposed PUD that benefit the surrounding neighborhood or public in general to a significantly greater extent than would likely result from a by right project. A project amenity is type of public benefit that is a functional or aesthetic feature of a development that adds to the attractiveness, convenience or comfort of the occupants and immediate neighbors.

In its review of a PUD application, § 2403.8 states that "...the Commission shall judge, balance, and reconcile the relative value of the project amenities and public benefits offered, the degree of development incentives requested, and any potential adverse effects according to the specific circumstances of the case." To assist in the evaluation, the Applicant is required to describe amenities

and benefits, and to “show how the public benefits offered are superior in quality and quantity to the typical development of the type proposed...” (§2403.12).

The Applicant has offered the following amenities and benefits as an offset to the additional development gained through the application process:

- (a) *Urban design, architecture, landscaping, or creation or preservation of open spaces - § 2403.9(a)*

Urban Design

In terms of urban design, the Applicant will improve the current pedestrian realm from its current state through the ground floor building design and pedestrian-realm improvements.

Ground-Floor Building Design: The building design at the ground floor includes base articulation through the use of a typical metal and glass storefront system with masonry that helps establish a comfortable pedestrian-scale along the Pennsylvania Avenue and 14th Street SE streetscapes. The ground floor uses of retail and lobby with multiple entrances, floor-to-ceiling metal-framed store front glass broken-up with masonry piers at predictable intervals, as well as a metal sign canopy, will all help aid in creating a predictable and comfortable pedestrian experience. DDOT and Public Space will review the proposed canopies with regard to depth and use, as well as the retail ground floor projections beyond the property boundary, into the public space/streetscape on both streets. The ground floor retail height is 17’-3” clear which is larger than the standard 15’ retail.

Streetscape Elements: The Applicant will provide streetscape improvements along Pennsylvania Avenue (~21’ in width) and 14th Street (~35’ in width) that includes specialty paving at the lobby entrance and outdoor seating areas (which is subject to Public Space review post-approval). Existing tree pits of varying lengths between 5’-6’ in width with street trees are planned to be retained along both streetscapes. These existing trees and proposed elements will improve the pedestrian experience from the current state of the streetscape.

Architecture

The proposed architecture is a contemporary design with a defined ground floor retail base. The main materials include glass (several window types), metal panels, cement board planks and brick (white, red and grey). Five-story bay projections, building step back at top floor, the horizontal shifts in material at the east end, and vertical changes in color and material (grey and black) help to break up the massive Pennsylvania Ave. elevation and mark the prominent corner of Pennsylvania Avenue and 14th Street. The Applicant provided windows on the east elevation since the setdown hearing and incorporated setbacks at the east and southeast ends of the building as a transition to the established row homes in the Square.

Landscaping and Creation of Open Space:

The Applicant intends to provide on-site landscaping which includes special paving and small tree planting areas at certain locations within the Pennsylvania Ave. and 14th Street streetscapes; a private second floor amenity deck with tree and perennial planting and a green roof at the top floor of the building.

- (b) *Site planning, and efficient and economical land utilization - § 2403.9(b)*

The proposal would completely transform a significantly underutilized site located within 1,000 sf of a Metro station and several Metrobus lines along prominent Pennsylvania Avenue, a “Great Street.” The development will add to the activation of the Potomac Avenue Metro station area, allow for additional residents, and pedestrian realm improvements with a substantial amount of retail. Internal loading and garage access from one alley for both uses is an efficient site planning element of the project. The Applicant’s provision of a 10’ easement of ~1,800 sf to expand the existing alley will be beneficial to surrounding residents, as well as serve residents and retailer of the project well. It also allows the

Applicant an area to provide below-grade vaults that are difficult to locate on PUD sites within the private property bounds.

(c) Historic preservation of private or public structures, places, or parks - § 2403.9(d)

The existing Property has no historic buildings on site.

(d) Housing - § 2403.9(f)

The Applicant proposes to provide 124,587 sf of residential use which will be equivalent to 170-190 units.

The Applicant has proposed 8% or 9,967 gross sf (8,200 net sf) of affordable housing at 80% area median income. The Applicant will devote over 50% (4,689 net sf) to three-bedroom units. Eight percent of the residential gross floor area is the minimum requirement under the Inclusionary Zoning regulations. The introduction of residential use in an underutilized site is consistent with planning goals for the property detailed above. OP supports the four (4) three-bedroom IZ units, however OP encourages the Applicant to provide some units at a deeper level of affordability than 80% AMI.

(e) Environmental benefits- § 2403.9(h)

The Applicant intends to target LEED Gold rating equivalence, which OP supports and is a benefit of the project.

(f) Uses of special value to the neighborhood or the District of Columbia as a whole § 2403.9 (i)

The special value of this PUD includes the redevelopment of an underutilized property within 1,000 sf of a Metro station with residential uses and a substantial amount of retail (24,288 sf) with generous ceiling heights. The Applicant also has proffered nearby playground improvements as a benefit to the nearby residents, which OP considers a benefit of the project.

The Applicant also states they are in discussions with two other nearby PUD developers to offer a joint proposal for improvements around the Potomac Avenue Metro Station Entrance. OP requests more substantiation of this benefit, in the form of a concept plan, specific elements the Applicant will provide, concurrence by WMATA, etc. OP supports this coordinated approach in anticipation that the benefits and amenities will be more significant.

VII. AGENCY REFERRALS

OP anticipates reports from the Department of Transportation (DDOT) and the Department of Energy & Environment (DOEE), which will be filed under separate cover.

VIII. COMMUNITY COMMENTS

The site is located in ANC 6B. The Applicant has met with representatives from the ANC as well as neighbors. ANC 6B has submitted a letter of support for the project, with conditions.