

TO: District of Columbia Zoning Commission
FROM: Stephen Cochran, Case Manager
Jennifer Steingasser, Deputy Director- Development Review & Historic Preservation
DATE: May 1, 2020
SUBJECT: Preliminary Report on Zoning Commission Case No.20-06 – Consolidated and Preliminary Planned Unit Development with Related Map Amendment at 1333 M Street, SE

I. RECOMMENDATION AND SUMMARY - Overall PUD

The Office of Planning (OP) recommends the Zoning Commission set this case down for a public hearing. The application is for a 1st Stage and partial Consolidated PUD with a related map amendment from PDR-4 to MU-9 at 1333 M Street, S.E., at 1333 M Street, S.E., filed by Felice Development Group, on behalf of 1333 M Street LLC and has been updated through May 1, 2020.

The Commission approved a similar but somewhat smaller PUD for this site in ZC 13-12. That PUD has expired, and the site has a new owner and developer. The newly proposed project represents 792,715 square feet of development at the eastern terminus of Virginia Avenue, SE. The project would be:

- On balance, not inconsistent with the Comprehensive Plan's Future Land Use Map (FLUM), which currently shows the site as being suitable for a medium density mixed use of commercial and institutional uses;
- Not inconsistent with the Comprehensive Plan's Generalized Policy Map (GPM), which designates the Near Southeast site as one where land use change is expected and encouraged;
- Consistent with the Anacostia Waterfront Framework Plan, which envisions a mixed-use project on the site, with extensive open space and connections between Virginia Avenue and the waterfront.

If approved, the overall project would contain approximately 900 residential units and 45,500 square feet of retail/commercial space on a 2.9-acre site overlooking the Anacostia River. The maximum building height would be 130 feet and the total FAR would be 6.22. Ten percent (10%) of the residential square footage would be reserved for affordable housing. OP suggests the applicant increase the affordable housing proffer to help achieve the goals of the Housing Equity Report published in October 2019 ([housingdc/HousingEquityReport](https://www.planning.dc.gov/housingdc/HousingEquityReport)).

Prior to a hearing additional information should be provided regarding the proffered benefits and amenities, including details on the affordable housing and the degree to which the project's physical benefits would be located on land owned by the District or federal governments, and how and when those proposed improvements would be delivered and maintained. Other items that would need to be addressed are noted throughout this report.

Relief has been requested from the minimum zoning requirements for vehicle parking and loading, one rear yard, one side yard and one open court.

II. SITE AND AREA DESCRIPTION – Overall PUD

Address:	1333 M St., SE
Legal Description:	Square 1025-E, Lot 802; Square 1048-S, Lots 1, 801, 802; Lot 129 (former reservation) and Lot 299 (former reservation) Two theoretical lots would be configured for the development of the PUD.
Ward, ANC:	Ward 6; ANC 6B
Comp. Plan FLUM Map:	Medium Density Commercial/Institutional
Comp. Plan Policy Map:	Land Use Change Area
Comp. Plan Area:	Lower Anacostia Waterfront/Near Southwest; Near Southeast Policy Focus Area
Property Size:	127,499 square feet
Current Zoning:	PDR-4 (does not permit residential use)
Proposed Zoning:	MU-9 (permits commercial, residential and other uses)
Site Characteristics:	The 2.92-acre property in the southeast quadrant is roughly triangular and is bordered M Street, unimproved/theoretical Virginia Avenue, and Water Street. The high point of the site along M Street is on a bluff 36 feet above the Anacostia River and slopes steeply down to 18 feet at Water Street and the foot of Virginia Avenue. Apart from a very small area proposed for landscaping at the foot of Virginia Avenue, the site is outside of the 100-year flood plain.
Existing Use of Property:	The property contains fuel pump storage facilities, both paved and gravel parking areas, and vegetated but unimproved land.
Neighborhood Context:	The site is east of Maritime Plaza, where two 5-story office buildings of a projected five buildings have been built east of the Navy Yard and of the 11 th Street SE bridges and ramps. It is north of the open space and slips for private boats along the Anacostia River south of Water Street. The end of the Southeast/Southwest Freeway (which is to be redeveloped as the Southeast Boulevard) as well as freight rail tracks separate the site from the rowhouses and mid-rise apartment buildings of Capitol Hill East to the north.

III. PROJECT DESCRIPTION

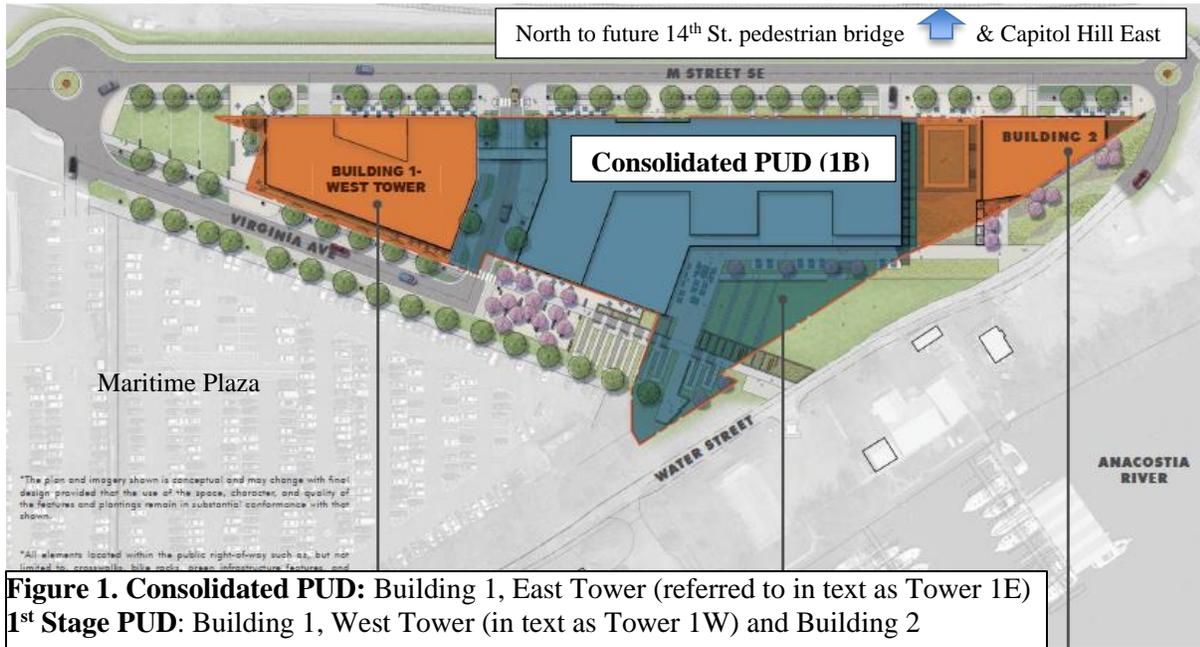


Figure 1. Consolidated PUD: Building 1, East Tower (referred to in text as Tower 1E)
1st Stage PUD: Building 1, West Tower (in text as Tower 1W) and Building 2

PHASE 2 (BUILDING 1 - WEST TOWER) 24,043 SF	PHASE 1 (BUILDING 1 - EAST TOWER) 88,646 SF	PHASE 2 (BUILDING 2) 14,810 SF
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Figure 2. Proposed Overall Improvements (Item in orange typeface are in public space. Those in blue are on Applicant's property. See Figure 5 for improvements proposed at Consolidated PUD phase.)

The land is owned by 1333 M Street LLC. Felice Development Groups is the owner's representative. The Applicant is proposing a Planned Unit development (PUD) with a related map amendment from PDR-4 to MU-9. The site would be developed in multiple stages. The first phase would be a Consolidated PUD. The next phases would be part of a 1st stage PUD.

- The Consolidated Planned Unit Development (PUD) with a related map amendment from PDR-4 to MU-9 would be for what is labelled above as Building 1, East Tower (Tower 1E), a 168-space parking garage below both Consolidated PUD Building 1E and 1st Stage PUD Building 1, West Tower (Tower 1W), and infrastructure and landscape improvements detailed below. The 480,200 square foot, 130-foot-tall structure would include:
 - Approximately 529 apartments, of which 10% would be Inclusionary Zoning (IZ) units;
 - Approximately 40,860 square feet of gross floor area of non-residential use;
 - Construction of a vehicular and pedestrian connection between M Street, SE and Virginia Avenue, SE generally aligned with 13th Street, SE;
 - The paving and landscaping the 1300 block of Virginia Avenue S.E. (Figure 2, # 4);
 - Paving, landscaping and bicycle trail improvements in the 1300 – 1500 blocks of M Street, S.E. Figure 2, #1);
 - Construction of a monumental staircase and switch-back pedestrian path and associated landscaping and pedestrian improvements in the theoretical right of way extending southeast from the end of Virginia Avenue and the Applicant-owned land adjacent to that and south of Tower 1B; (Figure 2, #4);
 - Interim landscaping for the rest of the Applicant's property (areas indicated in Figure 2, #'s 3, 4 and 5 but more accurately depicted in Figure 5 in Section V of this report);
- A 1st Stage (PUD) and a related map amendment from PDR-4 to MU-9 for the rest of the site. It would eventually include:
 - The 130-foot tall Tower 1W connected to Tower 1E by a bridge connecting corridors at the towers' third level. It would contain approximately 294 apartments (10% of which would be IZ units) and 9,504 gross square feet of retail space;
 - The 92-foot tall Building 2, at the eastern end of the site, which would contain approximately 77 apartments (10% IZ) and 1,204 gross square feet of retail space; and no parking or loading;
 - A landscaped area between Building 2 and Tower 1E of Building 1 that would contain a pedestrian overlook and connection, in alignment with a proposed 14th Street, SE pedestrian bridge across the planned Southeast Boulevard, between M Street, SE and the open space on the Applicant's land south of Tower 1E,
 - Completion of permanent landscaping for the entire site.

The existing PDR-4 zone (high-density production/distribution/repair) does not permit residential uses. Consequently, the Applicant is requesting a related map-amendment to MU-9 (high density mixed-use) to permit residential use and to achieve the additional 40 feet of height that could not be realized under a PDR-4 zone's by-right 90-foot height limit. The building

heights allow the density to be consolidated on less land, leaving more open space and permitting more views through the site to and from the waterfront.

The fully completed project would contain 890 to 900 apartments. The Applicant proposes that 10% of the residential square footage be set aside for affordable housing, rather than the required 8% under IZ. Affordability levels would be consistent with the IZ requirements of 60% MFI for rental apartments and 80% MFI for condominiums.

The project would also have approximately 45,455 square feet of retail and other commercial space. Most of that space would be oriented toward the river and would be adjacent to either Virginia Avenue or to Tower 1E's terraces above the pedestrian extension of that theoretical street (Exhibit 1A, Sheets A-9 and A-11).

The Applicant has requested relief to provide 168 vehicular parking spaces, rather than the required 176 spaces. These would be located on two underground levels beneath both towers of Building 1, and entered from portals at the eastern and western end of that building. There would be no vehicular parking in Building 2.

Loading would be entered from a private street between M Street and Virginia Avenue. Residential drop-off would be from Virginia Avenue for Tower 1A and 1B. The applicant proposes a drop-off for Building 2 from a new curb cut on Water Street.

The minimum number of bicycle parking spaces would be provided in each Tower and in Building 2; a total of 196 long term and 59 short term spaces.

The project amenities, public benefits, and proffers would be focused on the design and use of public and private open spaces, including a rebuilt bike trail on a portion of M Street, S.E; publicly-accessible plazas; and a landscape design for both public right of way and private land that could provide a publicly-accessible connection down the 30 foot bluff between the end of Virginia Avenue, S.E. and Water Street, S.E., adjacent to the river.

The Applicant would be constructing extensive roadbed and roadway improvements to the upper portion of Virginia Avenue and the 1200 to 1500 blocks of M Street, SE to gain access to the site and, for the lower part of Virginia Avenue, to provide the link to Water Street. These improvements could be considered as both public benefits and as mitigation.

OP and DDOT are working with the Applicant to achieve TDM measures that would constitute both amenities and mitigation to address the location's distance from transit services until a planned pedestrian bridge across the future Southeast Boulevard is constructed. That bridge would provide access to the Potomac Avenue Metro station.

Both the market rate and IZ residential uses at this location would contribute positively to several public objectives and would be a public benefit because housing cannot be constructed under the existing PDR-4 zoning. The two percent (2%) of IZ units the Applicant would provide in excess of the required IZ units would constitute a PUD proffer.

IV. COMPREHENSIVE PLAN ANALYSIS – Overall PUD

Framework

The Comprehensive Plan’s Framework Element notes that *the goal of a PUD is to permit development flexibility greater than specified by matter-of-right zoning, such as increased building height or density, provided that the project offers a commendable number or quality of public benefits ... In considering whether a PUD is “not inconsistent” with the Comprehensive Plan, it is appropriate to consider the context of the entire site, such as aggregating density on one portion so as to increase open space on another portion – achieving an overall density that is consistent with the Plan.*(224.7)

Compared to the existing zoning on the site, the proposed PUD-associated map amendment would enable the project to build housing prohibited by the current zone and to achieve greater porosity and more open space by distributing that density on in taller buildings with less lot coverage. The proposed visual and pedestrian connections aligned with 13th and 14th Streets to the north, the architectural opening in Tower 1B and the publicly accessible plazas and terraces, would be consistent with these PUD purposes cited by the Framework Element. A substantial portion of the plazas, terraces, landscaping and other public space improvements would provide some of the commendable public benefits referred to in the Framework.

While the construction of housing on the site would be of benefit to the public, the Framework element pays particular attention to the public benefit accruing from the provision of affordable housing. It states that *the following should be considered as high-priority public benefits in the evaluation of residential PUDs:*

- *The production of new affordable housing units above and beyond existing legal requirements or a net increase in the number of affordable units that exist on-site;*(224.9)

The Applicant proposes to reserve 10% of the project’s net residential square footage for affordable housing. Eight percent (8%) is required by Inclusionary Zoning, and the Applicant would voluntarily provide the additional 2%.

Generalized Future Land Use Map and Generalized Policy Map

On balance, the proposal is not inconsistent with both the Comprehensive Plan’s Generalized Future Land Use Map (FLUM), the General Policy Map and written elements.

The FLUM indicates the now-industrially zoned site is suitable for a mix of medium-density commercial uses, and institutional uses of an unspecified density. While the proposed 6.22 FAR is at the upper end of medium density, neither that density, nor the proposed MU-9 related zone would be inconsistent with that land use category in the context of a PUD, where “other zones may apply” than those typical for a matter-of-right project. Although the height would exceed typical medium density heights, this would enable the development to be more permeable when viewed from the north and to provide more open space near the waterfront. Although the FLUM

indicates the site would also be appropriate for institutional use, the provision of such a use is not required for a PUD to be not inconsistent with the Comprehensive Plan.

The Comprehensive Plan recommendations transmitted for future consideration by the Council of the District of Columbia recommends the FLUM be changed to show the PUD's site as appropriate for high density mixed-use development and institutional uses.

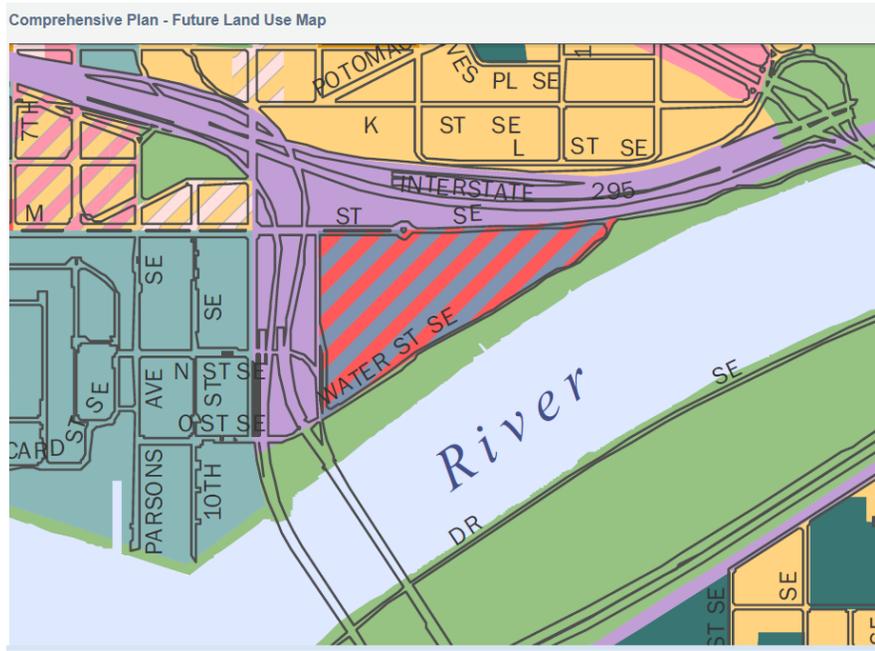


Figure 3. Comprehensive Plan Generalized Future Land Use Map

The Generalized Policy Map indicates that a change in land use is expected and encouraged. The proposed project would introduce residential uses to an undeveloped site where it is now prohibited, a use that would not be inconsistent with a land use change area.

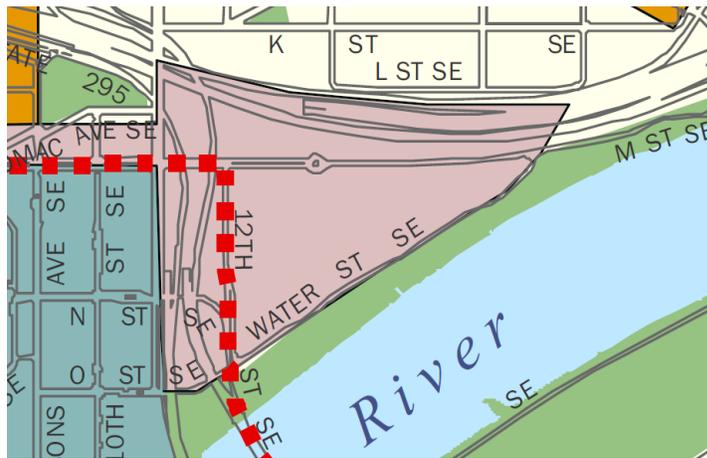


Figure 4. Generalized Policy Map

Other Written Elements

The introduction of approximately 900 housing units to the site and the proposed retail offerings would be not inconsistent with the Housing Element's emphasis on Balanced Growth and Mixed-Use Development that increases the Districts supply. (Policies H-1.1.3 and H-1.1.4). would contribute to the Housing Element's policies (H-1.1) to increase the supply of the District's housing stock, create mixed-use development,

By promoting greater access to the waterfront from both near Southeast and Capitol Hill, activating the spaces comprising the waterfront connections, emphasizing urban patterns that extend the L'Enfant Plan, and providing both housing and retail that would populate the waterfront, the project and its site plan would promote both the Urban Design Element's and the Lower Anacostia Waterfront/Near Southwest Element's policies UD 1.3 and AW 2.3 and the creation of a mixed-use neighborhood between the Anacostia riverfront and Interstate 395/295.

Anacostia Waterfront Framework Plan

The project would also be consistent with the Anacostia Waterfront Framework Plan's objectives, which, for the last decade, have envisioned a mixed-use project on the site that would connect Virginia Avenue east of 11th Street, SE with the waterfront, and provide extensive publicly accessible open space.

V. ZONING ANALYSIS AND REQUESTED ZONING FLEXIBILITY- Overall PUD

The Applicant has applied for a MU-9 PUD-related map amendment.

Compared to the site's existing PDR-4 zone

The PDR-4 zone permits a matter of right density of 6.0 FAR and a height of ninety feet (90 ft.); and a PUD density of 7.2 FAR and a height of ninety feet (90 ft.) but does not permit residential use.

The PUD's proposed 6.22 FAR would be 0.22 FAR greater than the 6.0 FAR permitted by-right, and 0.98 FAR less than could be permitted a PUD. The 130-foot height for the two towers of Building 1 would be 40 feet taller than is permitted by-right or with a PUD. The 92-foot height of Building 2 would be two feet taller than would be permitted by-right or as a PUD. However, the proposed 63% lot occupancy would be significantly less than 100% lot occupancy permitted in the M zone either by-right or as a PUD.

Compared to a by-right project under the related MU-9 zone requested for the PUD, the proposed FAR would be 1.58 FAR less than the 7.8 FAR permitted by-right for a project with an Inclusionary Zoning requirement, and 3.14 FAR less than the 9.36 FAR that could be permitted a PUD with IZ. The maximum height would be 40 feet greater than the 90-foot by-right limit but within the 130-foot limit that could be permitted for a PUD. The lot occupancy would be 37% less than the 100% limit for by-right and PUD scenarios. The PUD-related zone permits residential development.

As detailed in the table below the Applicant is seeking the following zoning relief:

- Residential and Non-Residential Parking for the entire PUD;
- Residential Parking for Building 2, to provide no parking in that building;
- Loading for Building 2, to provide no loading facilities;
- The rear yard in Building 2, to provide one with less than the required depth;
- Two Open Courts in Building 1, to provide courts with less than the required width.

Table 1: Overall Consolidated and 1st Stage PUD -Existing and Proposed Zoning, Development Potential, and Proposed Development. (Based on Applicant’s summary figures).

Site: 127,499 SF 2.94 acres	Permissions and Requirements			Proposed by Applicant		
Zone	Existing PDR-4	MU-9 By- Right with IZ	MU-9 PUD With IZ	MU-9 PUD Proposals (Range of all buildings)		
	Potential	Potential Or Required	Potential Or Required	Proposed	Difference from PDR-4 By-Right	Compliance and Notes
Height (Ft.)	90	90	130	Bldg. 1 – 130’ and’ 13 stories Bldg. 2 – 92’ and 9 stories	Up to 40 feet higher	Complies.
Total FAR	6	7.8	9.36	6.22 overall Bldg. 1 W - 2.02 Bldg. 1E - 4.05 Bldg. 2 – 8.22	+3.22	Complies Based on theoretical lots. Density less than permitted MU-9 by-right or PUD
Lot Occupancy (%)	100	100	100	61.3% (Bldg 1) 87.5% (Bldg 2) 63.1% total	On average, ~ 37% less	Complies. Provides more open space than required.
Total SF	764,944	994,492	1,193,391	792,715	+27,771	Complies. 400,676 less than PUD max.
Residential GFA	Residential prohibited	994,492	1,193,391	595,133	595,133	Complies.
Res. Units, @660 gsf [ave. gsf = 650/unit (residential sf divided by #	Residential prohibited	1,506 units	1,808 units	900 units	900 units	+/- 10%

Site: 127,499 SF 2.94 acres	Permissions and Requirements			Proposed by Applicant		
Zone	Existing PDR-4	MU-9 By-Right with IZ	MU-9 PUD With IZ	MU-9 PUD Proposals (Range of all buildings)		
	Potential	Potential Or Required	Potential Or Required	Proposed	Difference from PDR-4 By-Right	Compliance and Notes
of units in proposal)]						
Affordable (IZ)Units @ ave. 800 gsf	Not applicable	Approx. 11 (8% at 60% MFI for rental units)	Approx. 144 (8% at 60% MFI for rental units)	59,500 sf of total res. sf; approx. 90 of 900 units (10%)	None required or permitted by existing zoning	Complies. 2% more than required. (IZ's required 8% @ 60% MFI +2% @ unspecified percent of MFI
Non-Res. SF (retail & res. Amenity space)	764,944	N/A	N/A	10,370 retail	Up to 754,574 less	Complies. Includes residential amenity and retail space.
Parking, residential	Not applicable	1 per 3 du's > 4; 50% reduction per C 705.1	1 per 3 du's > 4; 50% reduction per C 705.1	149 required. Unspecified portion of 168 total proposed	Not applicable	Needs breakdown by use
Parking, non-residential	1 per 1000 SF > 3000	1 per 1000 SF > 1000	1 per 1000 SF > 1000	27 required; Unspecified portion of 168 proposed	Not determined	Needs breakdown by use
Total Vehicle Parking	Not determined	Not determined	Not determined	176 required 168 total proposed	Not determined	Relief Requested
Bicycle Parking (residential)			Long: 163 Short: 53	Long: 191 Short: 45	Not determined	Complies
Bicycle Parking (retail)			Long: 33 Short: 6	Long: 5 Short: 14	Not determined	Complies
Total Bicycle Parking		96 long term 59 short term	96 long term 59 short term	196 long term 59 short term		Complies

Site: 127,499 SF 2.94 acres	Permissions and Requirements			Proposed by Applicant		
Zone	Existing PDR-4	MU-9 By-Right with IZ	MU-9 PUD With IZ	MU-9 PUD Proposals (Range of all buildings)		
	Potential	Potential Or Required	Potential Or Required	Proposed	Difference from PDR-4 By-Right	Compliance and Notes
Loading				Bldg. 1 (1)55' berth (2) 0 30' loading spaces (2) service spaces Bldg. 2. none		Bldg. 1: Complies Bldg. 2: Relief Requested
Rear Yard (based on 2 theoretical lots) (Exhibit __, Sheet A-7)	> 12 ft or 2.5 in./ft. of height	> 12 ft or 2.5 in./ft. of height w/option to measure from 20 ft. above rear grade if rear yard provided	<u>Bldg. 1</u> 50'8" width required if court provided in lieu of rear yard <u>Bldg. 2</u> Same as by-right	<u>Bldg. 1</u> (1) 109'10" Open court C5 provided in lieu of Bldg. 1 rear yard Bldg. 2: 23'5" deep yard Required; 12'7" deep yard proposed	<u>Bldg. 1</u> Not determined	<u>Bldg. 1</u> Complies Bldg. 2: Relief Requested
Side Yard (based on theoretical lots) (Exhibit __, Sheet A-7)	Not Required	<i>If provided, the greater of 5' or 2"/ft. of bldg. ht.</i>	Same as By-Right	<u>Bldg. 1:</u> S1: 21'8" required Varied, but less proposed S2: 21' 8" required. Varied but less proposed S3: 21'8" required. 73'7" proposed <u>Bldg. 2:</u> none required or proposed	Not calculated	<u>Bldg. 1</u> S1: Relief requested S2: Relief requested S3: Complies Bldg 2: Complies
Open Court (Exhibit __, Sheet A-7)	n/a	> 6' or 2 in. per ft. of court height	Same as By-Right.	Bldg. 1: C1 - 39'7" Required 36'7" proposed	Not determined	Bldg. 1 C1 - Relief requested

Site: 127,499 SF 2.94 acres	Permissions and Requirements			Proposed by Applicant		
Zone	Existing PDR-4	MU-9 By-Right with IZ	MU-9 PUD With IZ	MU-9 PUD Proposals (Range of all buildings)		
	Potential	Potential Or Required	Potential Or Required	Proposed	Difference from PDR-4 By-Right	Compliance and Notes
				<u>C2- 43'8"</u> Required 11'5" proposed <u>C3 – 43'8"</u> Required 66' proposed <u>C4 – 39'7"</u> Required 87'4" proposed <u>C6 – 43'8"</u> required 73' proposed <u>Bldg. 2</u> C7 – 32'8" required 17'1" proposed		C2 – Relief requested C3 - Complies C4 - Complies C6 – Complies <u>Bldg. 2</u> Relief requested
Penthouses	--	20' 2 levels Setback 1:1	20' 2 levels Setback 1:1	15' 1 level Setback 1:1	--	Complies
GAR	0.3	0.2	0.2	0.204 – 0.207	~ -0.1	Complies.

OP will work with the Applicant to ensure that clarifications of any minor dimensional discrepancies and calculations are submitted prior to a hearing.

VI. COMPLIANCE WITH PUD REGULATIONS

A. Overview – Overall PUD

A PUD is the most appropriate vehicle for realizing the Comprehensive Plan’s vision of changing the use of the land from industrial to high-density residential or institutional, and for achieving the waterfront access and liveliness goals of the Urban Design and Lower Anacostia Waterfront/Near Southwest elements.

The 127,499 square foot site size meets the 15,000 square foot minimum site size requirements of § 2502.1(c). With the related map amendment to MU-9, the 92-foot and 130-foot proposed

buildings would be within the limits of that zone and the 6.22 FAR would be well under the 9.36 FAR permitted a MU-9 PUD with IZ. The 63% lot occupancy is well below the 100% permitted. Because of the 50% reduction in the parking requirement because of the site's proximity to transit, the number of parking spaces is close to compliant.

With one exception, most of the requested relief appears to be relatively minor within the overall site plan's context. The exception is the loading relief being requested for Building 2. The Applicant is proposing no loading for that building and states that trash would be stored in the building and wheeled to the curb for pick-up on M Street. This will need to be addressed before a public hearing.

The project is likely to have positive impacts on the surrounding area. Not only would it generate additional housing, jobs and taxes, it would result in significant improvements to the Virginia Avenue, SE and M Street, SE roadways, an improved bike trail, neighborhood-enhancing retail offerings, a connection to the waterfront across land that is now unimproved and topographically challenging, and public access to a range of plazas and landscape features.

OP's major concern with respect to use is the lack of detail about the retail component, particularly given the broad range of flexibility requested for what would be considered retail. The application would benefit from a fuller description of the vision and prospective market for the approximately 45,000 square feet of proposed retail space in this location.

B. Zoning Compliance – Overall PUD

This was addressed in Section V of this report.

C. Other Requested Flexibility – Overall PUD

The Applicant is also requesting flexibility to:

- Provide a +/-10% range in the number of residential unit number;
- Vary the number and mix of affordable units, consistent with and linked to changes in the number and type of market-rate units;
- Vary the design of interior components,
- Refine or vary the number and location of parking spaces without providing fewer are required by an Order for the case;
- Vary somewhat the final selection of exterior materials without reducing their quality, and to make minor refinements to exterior details and dimensions;
- Vary the types of uses designated as retail, to include:
 - Retail
 - Services, general
 - Services, Financial
 - Eating and Drinking Establishments
 - Medical Care
 - Arts, Design and Creation;
- Vary signage within approved dimensions and materials;
- Vary streetscape to comply with DDOT requirements;

- Vary sustainable features, within Order- approved LEED points and standards. Additional details are needed regarding the range and potential effects of these flexibilities and the consistency of this request with recent Commission practices on the degree and type of flexibility appropriate for a PUD

D. Transportation, Parking and Loading – Overall PUD

As part of the consolidated PUD the Applicant proposes upgrading the 72-foot wide right of way of M Street, S.E. for the length of the project, adding a traffic circle and the varying width of the Virginia Avenue right of way from the existing circle at 13th Street to proposed private roadway between Building 1, Tower A and the temporary parking lot on the Building 2 site. As part of the consolidated PUD the pedestrian connections and other landscaping would be extended from the end of the public portion of Virginia Avenue to Water Street, within both the Applicant’s private property and into public space adjacent to Water Street, via a sidewalk, vehicular drop-off, public plaza and landscaped ramp.

Pedestrian Access and vehicular drop-offs for Building 1’s eastern tower would occur either in the private road aligning with 13th Street or from the Virginia Avenue plaza and from Virginia Avenue or M Street for Building 1’s western tower. Building 2 would half drop off west of the building, on M Street. There would be additional pedestrian access from a walkway south of the building

The parking to be provided is based on the site being eligible for a 50% reduction in required parking due to its proximity to the Capitol South Metro station and to a priority bus line at 11th Street. Minor relief from this reduced requirement is requested. Parking for Building 1 would be entered and exited from curb cuts at the western end of the East Tower and the eastern end of the West Tower. No parking would be provided in Building 2.

Loading for both Building 1 towers would be accessed from the private road that would align with 13th Street, SE. Loading would be head-in back-out. OP has asked the Applicant to explore provide head-in/head-out loading.

The Applicant is working with the District Department of Transportation (DDOT) to draft a scope of work for a transportation analysis and transportation demand management plan. OP has asked the Applicant to submit the draft scope of work prior to consideration of setdown.

OP has also asked the Applicant to clarify whether the paved path connecting Virginia Avenue and Water Street south of Tower 1East and Building 2 would be open only to pedestrians, or also to vehicles.

E. Environmental Considerations – Overall PUD

The application indicates there will be extensive sustainability features embedded both within the buildings and the landscape improvements. With the site’s proximity to the Anacostia River, bio-retention is the focus of these features, both on the green roofscapes and in the regraded

slopes. OP has asked the Applicant to consider committing to solar panels on the roofs, and to achieving LEED Gold certification.

OP has also asked the Applicant to provide information showing how much of the site is in the 500-year flood plain.

E. Urban Design and Architecture – Overall PUD

The preliminary PUD addresses site plan and massing, but not architecture. Although the street grid is re-established, the disposition of buildings and the extensive landscape design provide a transition from the orderly patterns of the urban grid to the natural areas along the banks of the Anacostia River. This “loosening up” of traditional urban patterns seems appropriate for this site on the far edge of the L’Enfant plan, where visual and physical access to the waterfront is a priority.

The overall project benefits from the Applicant’s choice to concentrate density within greater heights rather than filling the lot coverage permitted by the related zone. This allows for the site plan to provide for more visual and physical connections through the site, to the waterfront and to provide more room for project amenities and proffered public benefits facing the water. The site plan is exemplary in its re-establishment of and improvements to M Street and Virginia Avenue.

The more developed design of Consolidated PUD Tower A is discussed later in this report.

VII. PUBLIC BENEFITS - Overall PUD

TABLE 2. PUD Benefits, Amenities and Proffers

ITEM	PROFERRED BY APPLICANT?	MITI-GATION	PUBLIC BENEFIT	PROJECT AMENITY	REQUIRED
Market rate housing	No	No	Yes	No	No
8% IZ @ 60% MFI	No	No	Yes	No	Yes
2% affordable housing at unspecified MFI	Yes	No	Yes	No	No
Superior Architecture	Yes	No	Yes	Yes	Yes
Publicly accessible terrace, plaza, great lawn on private land, and extensive improvements to Virginia Ave., M Street and public space	Yes. Improvements in public space must be discussed with District and federal agencies; responsibilities for construction and maintenance needed	No	Yes	Yes	No.

ITEM	PROFERRED BY APPLICANT?	MITI-GATION	PUBLIC BENEFIT	PROJECT AMENITY	REQUIRED
Environmental Benefits	Yes, including bioretention and green roof on the eastern tower of Building 1, but no LEED commitment made	partially	Yes	No	Partially
Greater connectivity through construction of Virginia Ave., private rd., reconstruction of M St. and publicly accessible north-south connections	Yes	Partially	Yes	Yes	Partially. Many items are required for project; others, e.g. extensive landscaping of theoretical Virginia Ave. and adjacent private land, pedestrian connection aligned with 14 th Street SE are proffers
M Street Bike Path relocation	Yes	Partially	Yes	Yes	Partially
Traffic Circle at eastern end of M Street, SE	No	Yes	Yes	No	Possibly by TDM

Before the hearing, Applicant should address the following public benefits-related concerns:

- Strengthen the description of the relationship between the public benefits and the increased density.
- Consider augmentation of the affordable housing proffer. This could include a combination of an increased number of units, more units with a larger number of bedrooms, and/or providing for a greater depth of affordability than is required by IZ.

The Housing Equity Report published in October 2019 ([housingdc/HousingEquityReport](#)) provides goals for the equitable distribution of affordable housing in Washington, DC, supporting Mayor Muriel Bowser’s vision for creating 36,000 new housing units by 2025.

The permanent affordable housing within the boundaries of the Capitol Hill Planning Area represent only 3.0%, and within ANC 6B only 1.7%, of the District’s current affordable housing supply. The goal for the Capitol Hill Planning Area is a total of 1,400 new affordable units by 2025 (Report, page 12). There are 280 units in the production pipeline, thus an opportunity for

1120 new affordable units remain. This site is one of the few sites that can make a significant contribution to that goal and OP encourages the applicant to provide additional IZ units as part of the project benefits.

- Clarify the following about the proposed landscape improvements in public space:
 - Identify government agencies having jurisdiction of the public land for which private improvements have been offered;
 - Update discussions between the Applicant and government agencies about proposed improvements by the applicant to land in governmental ownership.
- Identify the party that would bear liability responsibility for the portions of the privately-constructed plazas, promenade, monumental staircase and connections to Water Street that are located in public space.
- Commit to LEED Gold certification;
- Explore the feasibility of installing solar panels atop the consolidated PUD, and an illustration of their possible appearance;
- Determine whether a commitment will be made to signing a Certified Business Enterprise agreement.

VIII. CONSOLIDATED PUD DETAILS

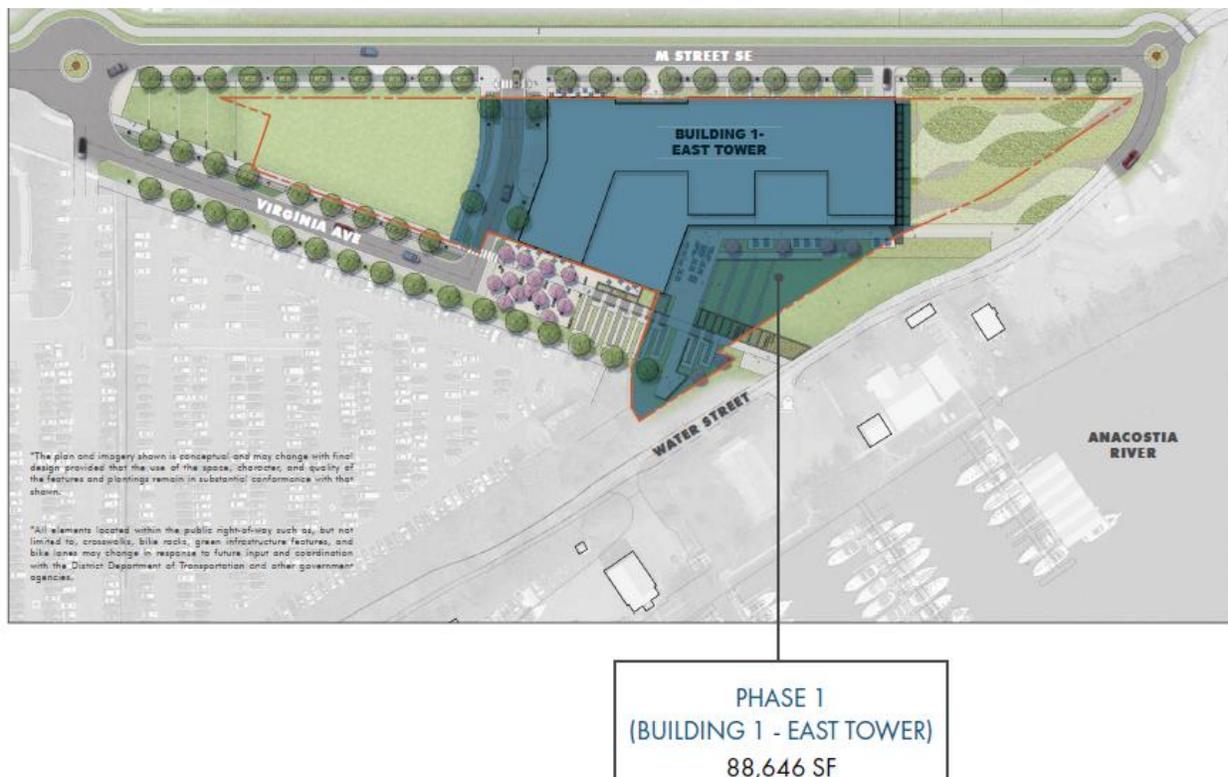


Figure 5. Consolidated PUD
A. Proposal

The 5.66 FAR Consolidated PUD would be the Eastern Tower of Building 1 (Tower 1E). It would be the center tower of the overall project and would be located on the eastern portion of Theoretical Lot 1. The building would be 130 feet tall as measured from M Street, would contain 529 apartments and have a 5.66 FAR, based on the theoretical lot boundaries. It would cover 61.7% of that lot. 10% of the apartments would be IZ units. Approximately 34,711 square foot of FAR-countable non-residential space is proposed, with most of that being on the south side of the building, facing the Anacostia River.

There would be 168 parking spaces in an underground garage serving that building and the overall PUD. The entire garage would be under both the Consolidated PUD Tower 1E and 1st Stage PUD Tower 1W and would be constructed as part of the Consolidated PUD. The garage would be entered from the western end of Tower 1W’s site, although that building would not be constructed until a later phase. Loading would be head-in/rear out from the eastern side of the private road to be constructed in general alignment with 13th Street, S.E.

The square footages and comparative zoning data for the Consolidated PUD have been incorporated into the previous sections of this report that examine the overall PUD. The following table of zoning information is specific to the Consolidated PUD.

Item	Requirement or Max. Permission for MU-9 PUD with IZ	Proposed	Compliance
Height (ft.) from measuring point	130.0	130.0	Complies.
FAR	9.36	5.66	Complies.
Lot Occ. (%)	100	61.7 of theoretical lot	Complies.
Total SF	Up to 1.1 million for all theoretical lot 1	480,200 gsf	Complies
Residential SF	Same as above for total of all uses	~ 434,700	Complies.
Res. Units, @ 660 gsf	~ 1,600 units for all theoretical lot 1	496	Complies
Affordable SF (IZ 8%)	Not provided for only Consolidated PUD	SF Not provided, but would provide 8% IZ plus additional 2% affordable in Consolidated PUD	Complies with IZ, plus 2% additional affordable
Affordable Units	~ 40 for only Consolidated PUD	Not provided, but ~ 50	Complies with IZ, plus 2%
Retail SF	Up to 1.1 million for total of all uses	40,860	Complies

Table 3. Consolidated PUD, Tower 1B (Eastern), Bldg. 1 – Theo. Lot 1 Area = 118, 633 SF			
Item	Requirement or Max. Permission for MU-9 PUD with IZ	Proposed	Compliance
Vehicular Parking for all uses	336 for only Consolidated PUD	168	Complies for Consolidated; Relief needed for total PUD
Bicycle Parking	Long Term: 163 for Towers 1B and 1A Short Term: 53 for Towers 1B and 1A	Long Term: 163 for Towers 1B and 1A Short Term: 53 for Towers 1B and 1A	Complies
Loading for all uses	1 loading berth and 1 service delivery space	1 berth @ 55 ft., 1 loading berth @ 30 sf, 1 service space	Complies for Consolidated PUD
Rear Yard (ft.)	Open court provided in lieu of rear yard. See C5, below	109’10” width	Complies
Side Yard (ft.)	21’8”, if provided	>200’ on west for only Consolidated; 73’7” on east	Complies until west tower constructed; Complies on east
Open Court (ft.)	C4: 43’8” C5: 50’8” (rear yard) C6: 43’8”	87’4” 109’10” 73’	All Comply
Roof Structures	20’ max. ,1:1 setback	15’, 1:1 setback	Complies

The consolidated PUD would also have residential amenity space, a rooftop pool and communal penthouse, a terrace adjacent to the Virginia Avenue entrance serving retail uses, and a pathway adjacent to Virginia Avenue. That pathway that would extend the Avenue’s pedestrian access through a portion that is now a paper street and across another section of the Applicant’s property to public space adjacent to Water Street and overlooking the river.

On the Applicant’s property north of Virginia Avenue would be a publicly-accessible plaza and green space serving the adjacent retail spaces located in the lower levels of Tower 1B. Access would be from a walkway or roadway between Virginia Avenue and Water Street, and a pedestrian bridge and stairway in alignment with 14th Street, S.E., against the eastern wall of the Consolidated PUD tower.

B. Consolidated PUD Benefits, Amenities and Proffers

The project amenities, public benefits, and proffers would be focused on the design and use of public and private open spaces, including a relocated bike trail in the 1200 to 1500 blocks of M Street, S.E; publicly-accessible plazas (#’s 2 and 4 in Figure 2); and a landscape design for both public right of way and private land that could provide a publicly-accessible connection down

the 30 foot bluff between the end of Virginia Avenue, S.E. and Water Street, S.E., adjacent to the river.

The Applicant would be constructing extensive roadway to the upper portion of Virginia Avenue and roadway and bike path improvements the 1200 to 1500 blocks of M Street, SE. The M Street improvements would be needed for access to the site; Virginia Avenue would provide additional access to the site as well as a new link to Water Street. These improvements could be considered both public benefits and mitigation.

OP and DDOT are working with the Applicant to achieve TDM measures that would constitute both amenities and mitigation to address the location's distance from transit services until the planned pedestrian bridge across the future Southeast Boulevard is constructed. That bridge would provide access to the Potomac Avenue Metro station.

Both the market rate and IZ residential units at this location would contribute positively to several public objectives, and would be a public benefit because housing cannot be constructed under the existing PDR-4 zoning. The 2% of affordable housing the Applicant would provide in excess of the required IZ units would constitute a PUD proffer. This site is one of the few sites in the Capitol Hill Planning Area that can make a significant contribution to the affordable housing goals of the Housing Equity Report and OP encourages the applicant to consider additional IZ units as part of the project benefits.

Benefits, amenities and proffers for the total project are listed in Table 2 of this report. Benefits particular to the Consolidated PUD can be inferred from Tower 1B's uses and affordable housing and the landscape improvements shown in the plan drawings for the Consolidated PUD. However, the applicant should submit a list of specific benefits to be provided in just the Consolidated PUD phase.

C. Urban Design and Architecture

The architecture of the Consolidated PUD Tower 1E is varied. The western section, with its rounded arches and brick, is proposed to be more traditional in design to respond to both the red brick industrial buildings at the nearby Navy Yard and to traditional Capitol Hill facades with their masonry construction and punched windows. The same is true for the retail facades on the south side. The eastern section, starting at the M Street level, is more modernist and is intended to contain openings suggesting connectivity with the waterfront and to provide expansive waterfront views with extensive use of glass.

OP has encouraged the Applicant to study ways in which the different façade approaches in the Consolidated PUD could be better integrated with each other and will continue to work with the Applicant to study and refine the building's design with the following concerns in mind:

- The establishment of a subtler interplay among the elements of the contrasting traditional and modernist facades;
- Enhancement of the visual permeability of the facades suggested by multi-story opening in the modernist portion of the façade;

- Increasing connectivity between the upper and lower terraces on the south side of the tower;
- Detailing retail signage proposals on the north, south and west faces of the tower;
- Ensuring that the pedestrian overlook and connection on the east side of the of the tower is designed for access to the lower level by a range of users;
- Adding a bicycle channel to the Virginia Avenue stairs.

D. Mitigation of Potentially Adverse Impacts

The construction of Virginia Avenue, the private roads, the reconstruction of M Street and the construction of a new traffic circle at the eastern end of M Street, as well as the enhancement of the M Street bikeway should help to mitigate the potential for traffic congestion. Other measures are continuing to be explored with DDOT. The permanent bio-retention facilities will reduce stormwater impact and serve as an attractive educational tool about sustainable treatment of stormwater. Green roofs on every building will also help to reduce stormwater flow.

By a hearing, the Applicant should submit illustrations of the view of the project looking towards the east bank of the Anacostia River from the 1300 block of L Street Southeast, and the view of the project from the public park on the east side of the river.