

MEMORANDUM

TO: District of Columbia Zoning Commission

FROM: *JS* Jennifer Steingasser, AICP, Deputy Director, Development Review and Historic Preservation
Karen Thomas, Development Review Specialist

DATE: September 6, 2022

SUBJECT: Public Hearing Report for Zoning Commission Case No. 22-11, Consolidated Planned Unit Development and Related Map Amendment from MU-12 to MU-10 at 807 Maine Avenue, S.W. / Square 439-2, Lot 15

I. RECOMMENDATION

The Office of Planning (OP) recommends the Commission **approve** this PUD and related map amendment application, with one condition noted below. On balance, the proposed development would not be inconsistent with the Comprehensive Plan text and maps and the Southwest Neighborhood Plan. The application includes requested flexibility as follows:

PUD-related map amendment from MU-12 to MU-10:

	Existing MU-12 Zone	Proposed MU-10 Zone	Increase
Floor-area Ratio	3.0 (IZ)	8.64 (IZ and PUD)	5.64
Gross floor area	70,992 gfa	204,457 gfa	133,465 gfa
Height	50 feet (IZ)	110 feet (PUD)	60 feet

Flexibility from MU-10 Development Standards:

Section	Required Standard	Requested Flexibility
G § 404 Lot occupancy	80% maximum permitted	90.78%
G § 406 Side yard	18.33 ft. required	5 ft. and 6 ft.
G § 405 Rear yard	22.92 ft. required	7 ft.
C § 1003.7 (a) MFI maximum for IZ rental units	60% MFI maximum	80% MFI

Design flexibility as modified in [this report](#).

OP has discussed the flexibility to provide rental units at 80% MFI with Department of Housing and Community Development staff and they report that rental units set aside for 80% MFI and above are the most difficult to fill. They also noted that there are more than 19,000 applicants for IZ units and approximately 89% of households are less than or equal to 60 % MFI. Therefore OP does not support this flexibility. OP suggests that the applicant amend the proposal to include the 80% MFI units in with the 50% or 60% MFI units.

II. BACKGROUND

The subject site is located at 807 Maine Avenue, S.W. The triangular-shaped property has frontage along 7th Street and Maine Avenue, a land area of 23,664 square feet, and is currently developed with the two- to three- story high Denvel D. Adams National Service and Legislative Headquarters for Disabled American Veterans. The site is in northwestern portion of the Southwest-Waterfront neighborhood. The character of the area surrounding the site is defined by a mix of uses, including residential, retail, hotel, and a mix of densities, including medium- and high-density buildings, including The Wharf development to the south. A more complete description of the site is provided in the OP setdown report dated May 2, 2022 ([Exhibit 14](#)).

At its May 12, 2022, public meeting, the Zoning Commission set this case down for a public hearing, as a consolidated Planned Unit Development (PUD) request by MCRT Investments LLC (the “Applicant”) with a PUD-related zoning map amendment from MU-12 to MU-10. The application would allow the construction of a new mixed-use project that would provide a total of 204,457 square feet of gross floor area, a floor area ratio of 8.64, and a maximum building height of 110 feet.

Since being setdown, the application has been amended, principally to reflect responses to OP’s comments at its interagency meeting and in the setdown report, outlined in the table hereafter and discussed in other sections of the report.

III. RESPONSES TO OP AND ZONING COMMISSION COMMENTS FROM SETDOWN

The following summarizes OP and Zoning Commission comments from the time of setdown and their current status.

	Comment	Applicant Response	OP Analysis
OP 1	The proposed benefits and amenities of the PUD should be increased.	In response, the Applicant increased its benefits package through continued engagement with ANC 6D and the surrounding community, and proffered items listed under Section VII of this report.	OP’s comments are provided in Section VII of this report.
OP 2	The Applicant should address how resilience strategies will be incorporated into the project.	The Project Resiliency Checklist is provided with the Applicant’s prehearing submission, indicating the building, site/landscape strategies to comply with Climate Ready DC - Resilient Design Guidelines.	According to the provided checklist, the PUD would comply with most of the building and the site/landscape strategies where appropriate. See Environmental and Sustainable Benefits
OP 3	The Applicant should maximize private outdoor space where possible and provide balconies or interior balconies for individual units.	Balconies would not be provided due to design constraints including the size of the buildable area and the lot’s shape. Larger unit sizes with operable windows are prioritized over balconies. See Exhibit 28 – Page 14 for the full narrative.	The PUD is located in a neighborhood with immediate access to amenity-rich outdoor spaces including the Wharf, and with bike access along the waterfront to river parks and outdoor/recreation spaces. A roof deck would be provided for residents’ use. On balance, the lack of balconies should not present an adverse impact to future residents.

	Comment	Applicant Response	OP Analysis
OP 4	The requested design flexibility requests a 10% +/- difference in the number of dwelling units. This should not impact the number of or total square feet of IZ units that are provided in the PUD.	The Applicant's language remained substantially unchanged.	OP has no objections to the requested flexibility provided that the IZ number and unit percentages are not altered with any change. See recommended language (bold and underline) - Zoning Flexibility Page 6, Item 7 of this report.
OP 5	Additional information regarding the commissioned artwork should be provided prior to the public hearing.	The process for selecting, designing, fabricating, and installing the public art will be managed by the SW BID with feedback from the community. The Applicant has agreed to contribute \$75K to the SW BID to manage the art installation project in the space along 7 th Street prior to the issuance of a COO for the PUD. See Exhibit 28A2 Sheet L02	OP is satisfied that the Applicant is providing the art installation to be managed by the SWBID.
OP 6	Additional information regarding the plaza, including the commemorative artwork, seating arrangement, and materials should be provided prior to the public hearing.	The Project includes a 34 ft x 240 ft. area to be improved with new landscape and hardscape improvements along Maine Avenue – a significantly larger amount of public space than currently available to the community.	The Applicant has updated its Streetscape Plan to include the desired information – shown on the Streetscape Plan, including potential outdoor dining areas, bike racks, benches, art location and raised bioretention planter plant bed.

IV. PROJECT DESCRIPTION

The Applicant proposes to redevelop the site with a new mixed-use project that would consist of the following:

- A total of 204,459 square feet of gross floor area (GFA);
- 196,884 square feet of GFA devoted to residential use;
- 7,575 square feet of GFA devoted to ground floor retail use;
- 8.64 floor area ratio (FAR);
- 15% of residential GFA set aside affordable housing mainly for households earning 60% of MFI, but with a small number of units at 50% MFI and at 80% MFI;
- Installation of a public art feature; and
- Flexibility from lot occupancy, minimum rear yard, and minimum side yard requirements, and design flexibility requested. Flexibility to provide two IZ units at 80% MFI is also included

V. PLANNING CONTEXT

Comprehensive Plan

Title 11 Subtitle X § 304.4(a) requires that a PUD, inclusive of a map amendment, be not inconsistent with the Comprehensive Plan. A full description of the Comprehensive Plan, and analysis of the proposal against its maps and policies is provided in the OP preliminary report ([Exhibit 14](#)). In general, there have been no changes made to the proposal after setdown that would significantly impact this analysis.

The Future Land Use Map designates the property as appropriate for mixed-use Medium Density Residential and Medium Density Commercial. The Generalized Policy Map designates the property as a Neighborhood Conservation Area.

OP continues to determine that, on balance, the proposal is not inconsistent with the Comprehensive Plan as a whole, including the maps and the policy statements. In particular, the proposal would further policy statements contained in the Land Use, Transportation, Housing, Environmental Protection, Economic Development, Urban Design, and Arts and Culture Citywide Elements, and the Lower Anacostia Waterfront/Near Southwest Area Element.

Equity Lens:

The comprehensive equity analysis is included in the OP preliminary report ([Exhibit 14](#)), and by the applicant at Exhibit 3H. In particular, the proposed PUD and map amendment would create significant additional affordable housing through the provision of 15 percent IZ within the development. The potential number of affordable housing units created under the requested MU-10 zone with a PUD is higher than what would be provided other rezoning scenarios. Making room for affordable housing has the potential to benefit non-white populations who on average have lower incomes than white residents. In addition, the proposal would not result in the direct displacement of existing residents, as there are no residential units on the site. The property is close to transit options, providing access to services and employment. On-site retail would also provide new retail and service options to residents of the building and neighborhood as well as new business opportunities, which the new residents would support existing businesses in the area. The site has good access to public schools and other amenities for the new residents.

VI. ZONING ANALYSIS

The site is currently zoned MU-12; the applicant is requesting a PUD-related zoning map amendment to the MU-10 zone, which is not inconsistent with the Comprehensive Plan. There are no significant modifications since setdown that would change the table included in OP's preliminary report. The Applicant's submission provides the development tabulation on Exhibit 28A1 Sheet 004.

VII. REQUESTED ZONING FLEXIBILITY

A. The Applicant requests the following **zoning flexibility** through this PUD:

1. PUD-related map amendment: from MU-12 to MU-10, resulting in:

- a. An additional **65 ft.** of height
- b. An additional **133,465 sq. ft.** of GFA¹

The proposed rezoning from the MU-12 to the MU-10 zone would not be inconsistent with the Comprehensive Plan's maps. The subject property's FLUM designation is equally consistent with the MU-10 zone and the MU-12 zone, but the MU-10 zone would allow for additional density and would generate more affordable residential units. The MU-10 zone would permit medium density mixed-use development with a maximum FAR of 7.2 with the provision of IZ, and up to 8.64 with a PUD. The proposed zone would allow essential neighborhood-serving commercial uses and residential uses,

¹ 3.0 FAR with IZ x 23,664 land area = 70,992 sf GFA total; Less 7,614 sf non-residential proposed = 63,378 sf residential GFA permitted
This is compared to the 196,884 square feet of residential GFA proposed for the PUD (8.40 FAR of residential use).

including market rate and affordable dwelling units. The project would provide additional GFA for IZ units beyond the MU-10 requirement (See Section [VIII PUD Benefits and Amenities \(g\)](#)).

The additional height and GFA to be provided through the map amendment would allow development of the site to the density anticipated by the FLUM and GPM and in character with new development along the Maine Avenue corridor. Flexibility would allow for additional height and GFA to support housing where none currently exists. The additional GFA would include up to 30,000 square feet for the provision of IZ units, up to 3 times more than could be provided under the existing zoning as a matter-of-right. Affordable housing for lower-income families on this high-value corridor would be a boost to the IZ housing supply, as desired by the District's housing goals.

OP supports flexibility for a map amendment for the subject property from the MU-12 to the MU-10 zone.

2. Lot Occupancy: 80% maximum permitted; 90.78% proposed; (Exhibit 28A1 Sheet 004)

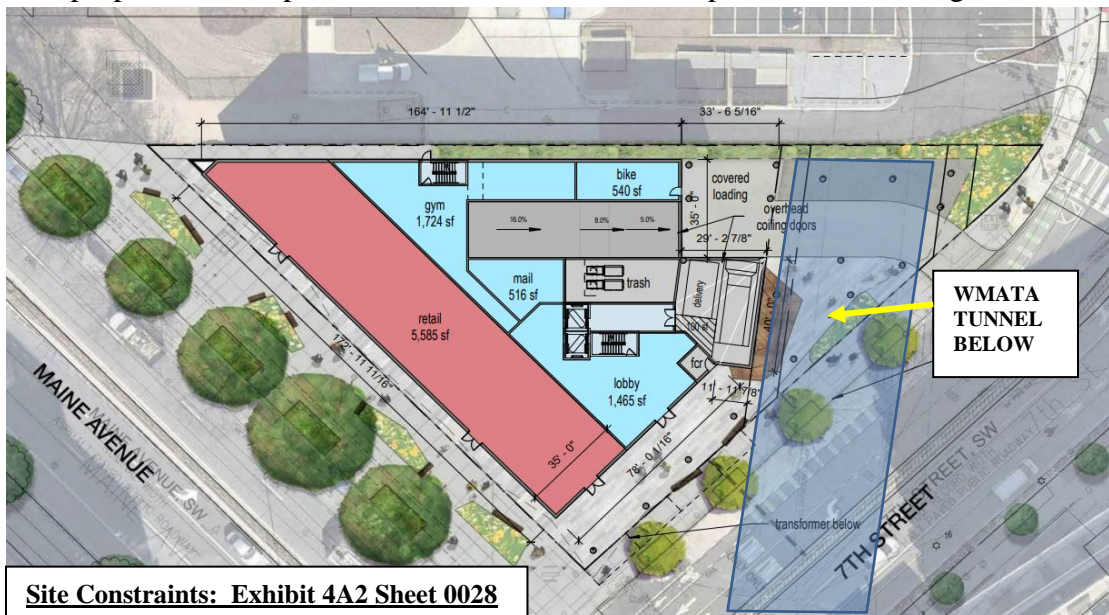
The Applicant states that the lot occupancy increase is due to the size and shape of the lot, and the provision of upper story projections. These proposed projections would allow the design above the ground level the building to be horizontally differentiated by three, three-level building forms, which in conjunction with the building corners are intended to create an “an interlocked wave that peaks visual interest at every major corner of the Project.” This design is also intended to overcome the site's encumbrance by a WMATA easement area which result in shorter façades along the main elevations of 7th Street and Maine Avenue. (See [Exhibit 4A1 – Sheets 007,008](#) for projection views.)

OP supports this flexibility which would allow the projections to minimize the massing along the most visible elevations from public space.

3. Side Yard: 18.33 ft. required; 5 ft. and 6 ft. proposed; (Exhibit 28A1 Sheet 004)

4. Rear Yard: 22.92 ft. required; 7 ft. proposed. (Exhibit 28A1 Sheet 004)

The site's development area is limited by the WMATA easement and the irregular shape of the site. The property's shape limits the width and depth of any proposed development, including the current development which focuses on Maine Avenue as the WMATA tunnel runs below the eastern portion of the site. The proposed development would have a similar footprint as the existing commercial building



but would extend further into the yards towards the property line to compensate for the inability to build over the tunnel easement through the east portion of the site.

The proposal would meet the intent of the Regulations for side and rear yards as light and air to the abutting property, Jefferson Middle School, would not be substantially diminished and there are no residential or full classroom structures belonging to the school in the immediate vicinity of the rear and side yards. The Applicant has provided a light study in its Supplemental filing under Exhibit 28A2, Sheets 041-046. OP noted that the results of this Shadow Study indicate that shadows would mainly affect the open basketball court area and enclosed gym on the school property, primarily during the winter. As such, OP supports the flexibility requests due to the site's constraints and the minimal impact shadows would have overall.

5. **IZ Regulations:** Flexibility from Subtitle C § 1003.7 (a) which requires IZ set-asides including rental units for residents earning no more than 60% MFI.

The Applicant has proposed that 1% of the rental units be provided at 80% MFI, an income level that exceeds what IZ permits for rental units. This is in addition to 1% units at 50% MFI (plus unit(s) required under zoning for the penthouse habitable space) and 13% of the units at 60% MFI, consistent with IZ.

OP does not support the flexibility to allow the provision of rental units at 80% MFI. In discussions with DHCD they report that rental units set aside for 80% MFI and above are the most difficult to fill. They also noted that there are more than 19,000 applicants for IZ units and approximately 89% of households are less than or equal to 60 % MFI. Therefore, OP recommends against this flexibility and OP recommends that the applicant amend the submission to provide the proposed 80% MFI units as units at 60 or 50% MFI.

B. The Applicant requests the following **design flexibility** through this PUD:

1. **Number of Dwelling Units:** To provide a range in the approved number of residential dwelling units of plus or minus ten percent (10%);
2. **Interior Components:** To vary the location and design of all interior components, including amenities, partitions, structural slabs, doors, hallways, columns, stairways, mechanical rooms, elevators, escalators, and toilet rooms, provided that the variations do not change the exterior configuration of the building.
3. **Garage Configuration:** To make refinements to the garage configuration, including layout, number of parking spaces, and/or other elements, so long as the number of parking spaces does not decrease below the minimum level required by the Zoning Regulations.
4. **Exterior Materials:** To vary the final selection of the colors of the exterior materials based on availability at the time of construction, provided such colors are within the color ranges proposed by the Plans.
5. **Exterior Details:** To make minor refinements to the locations and dimensions of exterior details that do not substantially alter the exterior design shown on the Plans. Examples of exterior details would include, but are not limited to, doorways, canopies, railing, and skylights.
6. **Signage:** To vary the font, message, logo, and color of the proposed signage, provided that the maximum overall dimensions and signage materials do not change from those shown on the Plans.
7. **Affordable Units:** To vary the number and mix of inclusionary units if the total number of dwelling units changes within the range of flexibility requested, **so long as the total square**

footage reserved for inclusionary units (15% of the residential gross floor area as set forth in Decision No.) is not reduced; that no less than 1% OR 2% (depending on the applicant's final proposal) shall be reserved for units at 50% MFI maximum; and that the remainder of the IZ units provided at 60% MFI maximum including at least four three-bedroom units; and provided that the location and proportionate mix of the inclusionary units will substantially conform to the layout shown on the Plans.

8. **Streetscape Design:** To vary the location, attributes, and general design of the approved streetscape to comply with the requirements of, and the approval by, the DDOT Public Space Division; and
9. **Sustainable Features:** To vary the sustainable elements of the Project, provided the total number of LEED points achieved by the PUD does not decrease below the minimum number specified by the order, and further provided that the Project meets the minimum 0.2 GAR requirement required under 11-G DCMR § 407.3.

OP has no concerns with these requests for design flexibility except as noted for Item 7 Affordable Housing.

VIII. PUD BENEFITS AND AMENITIES

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

“Public benefits are superior features of a proposed PUD that benefit the surrounding neighborhood or the public in general to a significantly greater extent than would likely result from development of the site under the matter-of-right provisions of this title” (§ 305.2).

“A project amenity is one (1) type of public benefit, specifically a functional or aesthetic feature of the proposed development that adds to the attractiveness, convenience, or comfort of the project for occupants and immediate neighbors” (§ 305.10).

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

The applicant’s most recent summary of project benefits and amenities (Exhibit 28) provides additional information requested at setdown. Additional entitlements gained through the proposed PUD are summarized below:

	MoR – MU12	Consolidated PUD MU-10	DIFFERENCE	Percentage
Height:	45 ft. (50 ft w/IZ)	110 ft.	65 ft.	+244%
Gross Floor Area:	59,160 sq.ft.	204,456 sq.ft.	145,296 sq.ft.	+346%
Lot Occupancy:	80% (residential)	90.78%	10.78%	+13.5%
Use:	Office (Prior)	Residential/Commercial	Residential	

OP analysis of the proffer is summarized in the following table and detailed below. Where noted, additional information about proffers is needed prior to a final decision on the case.

ITEM	MITI- GATION	PUBLIC BENEFIT	PROJECT AMENITY	REQUIRED	PROFFER
Urban Design, Architecture <i>X § 305.5(a)</i>		X	X	X	
Landscaping Open Space, Streetscape <i>X §§ 305.5(b) and (l)</i>	X	X	X	X	
Site Planning, Efficient Land Utilization <i>X § 305.5 (c)</i>	X	X	X	X	
Commemorative Art <i>X § 305.5 (d)</i>		X	X		X
Housing and Affordable Housing <i>X §§ 305.5 (f) and (g)</i>	X	X	X	X	X
Environmental and sustainable benefits <i>X § 305.5 (k)</i>	X	X	X	X	
Streetscape Plans <i>X § 305.5 (l)</i>		X	X	X	
Transportation Infrastructure <i>X § 305.5 (o)</i>		X	X	X	
Uses of Special Value to the Neighborhood <i>X § 305.5 (q)</i> <i>Contribution to Thomas Jefferson Middle School, EV charging stations</i>		X	X		X

(a) Superior urban design and architecture

(c) Site planning and efficient and economical land utilization

The development will replace currently underutilized land formerly dedicated mainly to office use and parking, with a mixed-use development consistent with Comprehensive Plan and Small Area Plan direction. The building is designed to reflect the site's location across from the Wharf development, including as a gateway to the Maine Avenue entrance at 7th Street. The size, shape and easement restrictions on the site result in a small buildable area overall, but one where the overall design is positively expressed through material use and detailing of the façade. The façade articulation seems to reduce the building height into smaller proportions with corners resembling an interlocked wave relative to the site's triangular shape and to the river to the south. At the ground level storefront, the Applicant has incorporated a gold-colored metal panel to lighten the base of the building and distinguish it from the residential portion of the building.

The PUD design would also satisfy the SWSAP Design Guideline principle #2. *Promote variation in building frontages along streets with continuous massing.* The proposed building design includes articulation on the facades that would provide an interesting pedestrian experience. This combination of design strategies at the base and core of the building, including the color and change in material pattern, are intended to produce a simple, integrated mixed-use building that overcomes the site disadvantages.

The PUD would be compatible in terms of height, FAR, and design, with existing surrounding development and would enhance the corner of Maine Avenue and 7th Street with its modern aesthetic. The pocket plaza would provide an informal meeting space for an array of users and will include a cultural amenity with input from the community.

(b) Superior landscaping, or creation or preservation of open spaces; and

(l) Streetscape plans

The project includes significant streetscape improvements including new paving for sidewalks, and street lighting fixtures ([Exhibit 4A3 – Streetscape](#)). The improved streetscape will serve residents of the development and provide improved access for area residents. The streetscape would include potential outdoor dining areas; bike racks; benches and planters; sculptural seating; a location for public art and a pocket plaza. The framework and design would respect the design principles of the Small Area Plan, including Design Principle #3 - *Enhance green space though landscaped perimeters and internal green or amenity spaces.* The proposal includes a large green roof that would be amenity space for residents of the building. Additional landscaping would be either maintained and/or added to the Maine Avenue and 7th Street frontages as shown in the plans.

(d) Commemorative works or public art

The proposed PUD would include a pocket plaza that would be enhanced with public art. The Applicant proposes to collaborate with the SWBID which would work with an established artist for the neighborhood and install the piece where appropriate, including with accordance with the SW Plan. A Certificate of Occupancy would not be issued without demonstration by the Applicant that the SWBID has completed or is in the process of working with an artist for the design fabrication and installation of the art piece in the desired location.

(f) Housing that:

- (1) Exceeds the amount that would have been required through matter-of-right development under existing zoning.*
- (2) Includes senior housing; or*
- (3) Provides units with three (3) or more bedrooms; and*

(g) Affordable housing

Data in the following tables are supplied by the Applicant ([Exhibit 28, Page 5, 6](#))

The proposal includes the production of approximately 202 new units of new housing on a site that currently contains no housing. Based on Table I, the MU-12 zoning at 3.0 FAR with IZ would produce 9,714 square feet (residential GFA) devoted to IZ. This project under the MU-10 PUD at 8.64 square feet (GFA) would produce 30,784 sf total residential GFA devoted to IZ. The project proposes up to 15% affordable housing, which would provide over three times more affordable housing than a by-right development under existing zoning, including:

- 25 units at 60% MFI, including four three-bedroom units;
- Three units at 50% MFI, including space required at this MFI for the penthouse habitable space;
- Two rental unit at 80% MFI, which exceeds the standard IZ requirement.

Table I. (This Table references Residential GFA)

IZ COMPARISON OF MU-12 MOR (EXISTING ZONE) VS PROPOSED PUD					
	TOTAL IZ REQUIRED MU-12 MOR	Approx No. of Units	TOTAL IZ PROVIDED (GFA)	No. of Units	DIFFERENCE
60%	8,874	9	26,499	25	17,625
50%	840	1	2726	3	1,886
80%	0	0	1559	2	1,559
TOTAL	9,714	10	30,784	30	21,070

Table II below highlights the Unit Mix of the proposed development. Thirty (30) IZ units would be provided with 16, 3-bedroom units of which 4 (25%) are IZ units. Two units are proposed at 80% MFI as additional IZ units, for which the Applicant is requesting flexibility at 80% MFI.

However, OP does not support the 80% MFI for rental units and suggests the applicant include the 80% MFI units with the 50 or 60% MFI group. Following discussions with DHCD, OP would also not consider these units as affordable rental units or part of a benefits and amenities.

Table II – Unit Mix

MFI LEVEL	Studio	1BR	2BR	3BR	Total
60%	6	13	2	4	25
50%	2	1	0	0	3
80%	1	1	0	0	2
Total IZ	9	15	2	4	30
Market	53	86	21	12	172
TOTAL Project	62	101	23	16	202

Table III – Housing Production and IZ Provisions

Residential Unit Type	Floor Area (Net sf)	Percentage of Total	Units	Affordable Control Period	Affordable Unit Type
Total Res. Floor Area (Net sq.ft.)	160,657	100	202		
Market Rate (Net sq.ft.)	136,646	85%	172		
Large family sized units (3BR+)	18,730	12%	16	Life of the project	3-Br
IZ - total (Net sq.ft.)	26,499	15%	30	Life of the project	Varied- See Table II
IZ – 60% MFI (Net sq.ft.)	20,669	13%	25	Life of the project	Varied- See Table II
IZ – 50% MFI (Net sq.ft.)	2,726 ²	approx. 1%	3	Life of the project	Varied- See Table II
IZ 80% MFI (rental)	1,559	approx. 1%	2	Life of the project	Varied- See Table II
Affordable large family sized units (3BR+)	5,258	3%	4	Life of the project	3-Br

Overall, the housing production on this site would exceed the matter-of-right development under the existing MU-12 zoning.

(k) Environmental and sustainable benefits

The Project is designed to LEED-H Multifamily Midrise v4 Gold rating level. The LEED Scorecard is submitted at Exhibit 28A2 Sheet 047. The Applicant states that “*sustainable elements proposed for the Project include, but are not limited to, energy and water efficiency measures, the use of environmentally preferable products, and the implementation of indoor air quality controls and enhancements.*”

The site is in a Resilience Focus Area, which is an area in need of special attention to ensure resilience to flooding for new development and infrastructure projects. OP encouraged the Applicant to review and implement relevant recommended strategies under the [Climate Ready DC Resilient Design Guidelines](#), or as may be prescribed by DOEE’s recommendations. The Applicant subsequently provided the Project Resiliency Checklist, indicating the strategies proposed to be incorporated throughout the building and site design where appropriate to enhance the Project’s climate readiness.

According to the GAR Sheet provided in Exhibit 28A1, Sheet L02, the project would include up to 7,247 square feet of green roof and 662 square feet of bioretention facilities. DOEE’s comments will be included separately in the record. Up to 24 Electric vehicle (EV) charging stations would be provided and 10% of bicycle spaces would have access to charging outlets. All residential units would be provided with electric appliances.

² Includes 50% MFI requirement for penthouse habitable space, 840 sq.ft.

(o) Transportation infrastructure beyond that needed to mitigate any potential adverse impacts

The site is surrounded by a robust network of transit, bicycle, and pedestrian facilities for safe and effective non-vehicular transportation.

Ninety-six bicycle parking spaces would be provided, and the facilities would exceed zoning requirements, including a secure bicycle storage room with 84 long-term spaces and a minimum of 12 short-term bicycle parking spaces along the property's frontage. Approximately 5 spaces would accommodate larger bikes and 10 spaces would be assigned as charging stations for electric bikes. A protected bicycle lane would be installed along 7th Street between I Street and Maine Avenue to encourage bicycle use to and from the site. Seventy-eight (78) below-grade parking spaces would be provided with 2 electric vehicle (EV) spaces.

The proposed loading area will be accessed via 7th Street and will include one (1), 30-foot loading berth, one (1), 20-foot service/delivery space, and one (1) short-term 20-foot service/delivery space, exceeding zoning requirements. In addition, a short-term loading/delivery space would be provided for drop-offs and pick-ups and all loading maneuvers would take place on the site and not in public space. TDM measures that will be implemented to promote nonvehicular modes of travel for residents and visitors are also included in the Applicant's Transportation Study submitted to DDOT (Exhibit 26A).

A Loading Management Plan (LMP) is included to ensure efficiency of the on-site loading facilities. A Construction Management Plan (CMP) is also provided to minimize the impacts from construction to the community.

(q) Uses of special value to the neighborhood or the District of Columbia as a whole; and

The Applicant has offered additional contributions to its package including the following:

- Contribution of \$100K to SWBID for study of E-tricycles to be used in the neighborhood only to improve transportation options within the neighborhood.
- Contribution of \$100K to PTA -Jefferson Middle School, to supplement curricular resources in support of student learning, field trips and excursions, including those eliminated during the COVID pandemic.
- The Applicant proposes to target seniors as potential residents through rental guides and senior magazines.

(r) Other public benefits and project amenities and other ways in which the proposed PUD substantially advances the major themes and other policies and objectives of any of the elements of the [Comprehensive Plan](#)

In summary, OP finds that the benefits, amenities, and proffers would **appear to be** commensurate with the related map amendment and other requested flexibility through the PUD as discussed by item in this report.

IX. AGENCY COMMENTS

Interagency meeting:

OP held an interagency meeting, inviting representatives of all notified agencies to participate on July 19, 2022, including discussions with DOEE, DDOT, DCWATER and DPR. In addition, the Applicant also met separately with DDOT and WMATA to discuss the relevant aspects of this application.

The Applicant has submitted its responses to the concerns expressed at the meeting and is submitted to the record in the Applicant's Supplemental Statement at [Exhibit 28, Page 13](#).

DDOT: It is anticipated that the Department of Transportation will provide comments in a separate report prior to the hearing.

DOEE: It is anticipated that DOEE's comments would be submitted separately to the record.

No agencies had filed a report to the Office of Zoning's record as of the date OP completed this report.

X. COMMUNITY COMMENTS

The Applicant has stated that it met several times with ANC6D regarding this PUD and the ANC expressed its concerns as reflected in the responses to the ANC in the Applicant's Supplemental Statement of Exhibit 28 at Pages 9-12. Based on the submission, the ANC's concerns included:

- Provision of a Construction Management Plan
- Provision of a Loading Management Plan
- Tree Preservation
- The Project's Building Height

Exhibit 27 is a submission for Party Status in Opposition to the Application. Exhibits 29, 32, and 33 are letters in opposition and Exhibit 30 is a letter in support at the writing of this report.