

MEMORANDUM

TO: District of Columbia Zoning Commission
JLS
FROM: Jennifer Steingasser, Deputy Director
DATE: October 2, 2017
SUBJECT: **Public Hearing Report** for ZC #06-11O / 06-12O, George Washington University 2100 Pennsylvania Avenue, NW
 Campus Plan Amendment, 1st Stage PUD Modification, related Map Amendment and 2nd Stage PUD

I. SUMMARY RECOMMENDATION

George Washington University (GWU) and Boston Properties have submitted an application for a Campus Plan Amendment, 1st Stage PUD Modification, a related Map Amendment and a 2nd Stage PUD in order to construct an office building with retail at the intersection of Pennsylvania Avenue, 21st Street and I Street, NW, two blocks east of the Foggy Bottom metro station. The application also requests some areas of zoning flexibility. The proposal is not inconsistent with the Comprehensive Plan or the intent of the approved campus plan and first stage PUD. The applicant, however, has not addressed the issue of a First Source agreement and / or other job training and placement program for the development of the project. In addition, the applicant should commit to not locate the daycare on the cellar level of the building, and commit to actual LEED Gold certification. Once those topics have been addressed, the Office of Planning (OP) can recommend approval of the application, subject to the following conditions:

1. The principal vertical mullions on the main portion of the façade (the portion not including the atrium curtain wall nor the retail storefronts) shall protrude no less than eight (8) inches from the surface of the glass, as shown in Exhibit 18F, Sheet A-400, detail #4;
2. Curved glass, rather than faceted glass, shall be used in those locations indicated on Sheets A406 and A407 of Exhibit 18F.

II. APPLICATION-IN-BRIEF

Location	2100 Pennsylvania Avenue, NW, with Pennsylvania Avenue on the north, 21 st Street on the east, and I Street on the west. Ward 2, ANC 2A Square 75, Lots 50 and 51
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Property Size	50,780 square feet (1.17 acres)
Applicant	GWU and Boston Properties
Existing Use of Property	Two eight-story office buildings with some ground floor retail. 2100 Pennsylvania Avenue is 90' tall. 2121 I Street (Rice Hall) is 82' tall.
Comprehensive Plan Generalized Policy Map	Institutional
Comprehensive Plan Future Land Use Map	High Density Commercial
Proposed Use of Property	An office building with cellar and ground floor retail: Height – 130' plus occupiable penthouse space Floor Area – Total 452,799 sf (8.92 FAR) Office 431,589 sf (8.50 FAR) Retail 21,210 sf (0.42 FAR) Lot Occupancy – 98.3%
Requested Actions	
1. Campus Plan Amendment (Ex. 18F, Sheet A-002)	Split development site 75B into two sites: 75B1 and 75B2. Retain “Academic / Administrative / Medical” designation for 75B2, but change 75B1 to “Commercial / Investment”.
2. First Stage PUD Modification (Sheet A-003)	Consolidate Lot 50 (the existing office building at Penn. and 21 st) with the new 75B1 site into a single building site; Permit heights of up to 130' on the 75B1 site, with a step-back at the 110' level; Permit an FAR of 8.92 on the combined site.
3. Related Map Amendment (Sheet A-004)	Existing Zoning – Lot 50 – MU-9; site 75B1 (Lot 51) – MU-9; Proposed Zoning – Lot 50 – MU-30; site 75B1 (Lot 51) – MU-9.
4. Second Stage PUD	See plan set at Exhibit 18F for the building design.
Requested Flexibility	<ol style="list-style-type: none"> 1. PUD-related map amendment from MU-9 to MU-30 for Lot 50; 2. C § 1502.1(c)(5) – provide less than 1-to-1 penthouse setback from the upper-level court at northwest wing; 3. C § 1501.3 – provide a vertical architectural embellishment with a width greater than 30% of the width of the wall on which it is located; 4. Design Flexibility (Exhibit 18, p. 5): <ol style="list-style-type: none"> 1. Vary location and design of interior components, provided changes do not alter the exterior appearance; 2. Vary colors of exterior materials within color ranges proposed in plans; 3. Make minor refinements to exterior details and dimensions; 4. Vary landscaping materials, including location and type of green roof, solar panels and paver areas;

	<ol style="list-style-type: none"> 5. Vary streetscape design to respond to public space comments from DDOT; 6. Vary design of retail storefronts and signage, but in accordance with signage plan in Exhibit 18E; 7. Vary tenant signage in accordance with Ex. 18E; 8. Vary the location and number of terrace and penthouse doors; 9. Allow vehicle parking to vary by up to 5%; 10. Allow up to 2% additional floor area.
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III. SUMMARY OF OP AND COMMISSION COMMENTS

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

OP Comment From Setdown	Applicant Response	Resolved?
Provide a relocation plan for the administrative uses currently within Rice Hall, and for the Academic / Administrative / Medical uses that were to have been accommodated on Site 75B.	The application indicates that space needs for administrative functions would be less than anticipated at the time that the 2006 campus plan was approved. For the remaining administrative uses, the applicant has begun to identify locations within the Foggy Bottom campus, the Mt. Vernon campus and the Virginia campus. Please refer to Exhibit 11, p. 1, and Exhibit 18, p. 14.	Yes
Further define what types of retail and “retail / office” uses could be located throughout the ground floors, especially spaces fronting Pennsylvania Avenue.	The application proposes several use groups as eligible tenants in the retail spaces. Please refer to Exhibit 11, p. 4, and plan sheets A-104 and A-105 in Exhibit 18F. It is anticipated that I Street would generally be active retail such as restaurants. On Pennsylvania Avenue, the applicant has discussed that the sole leasable space would be dedicated to a daycare facility open to the public. However, they have not guaranteed that the daycare wouldn’t be located in the cellar of the building. OP would not support a daycare located in the cellar.	No
Provide more information about building materials and signage, as noted in the report.	The plan set has been updated with additional information about materials (Ex. 18F), as well as a set of sign design guidelines (Ex. 18E). The applicant has provided additional information about the green features of the building and has stated that they intend to achieve LEED Gold. However, they have not committed to actual LEED certification.	No

OP Comment From Setdown	Applicant Response	Resolved?
Commit to using curved glass where shown on the plans.	Sheets A-406 and A-407 indicate where on the building curved glass is proposed to be used. In order to ensure continuity of the design intent through the building permit process, OP suggests a condition of approval to ensure the use of curved glass.	Yes
OP would support additional wave projections and indentations on the facades of the building.	The number of projections has not changed since setdown. OP continues to believe that the design intent could be more successfully realized with the addition of one bay on Pennsylvania Avenue, but strongly supports the design concept and does not find the current design unacceptable.	Yes
Provide more information on the depth of building projections and why six-foot projections are necessary.	At pages 2 and 3 of Exhibit 11, the applicant states that the six-foot projections are necessary to convey a sense of movement, and that they are necessary because of the scale of the project, surrounding development and surrounding open spaces. Exhibit 11F, at Sheets 12 and 13, contains comparisons of the building with only four-foot projections, and with four- and six-foot projections. OP does not object to the deeper projections, but notes that they would be subject to public space review.	Yes
Clarify the dimensions of the I Street seating area and the clear sidewalk space.	The revised plans provide images and section drawings that indicate that there would be 10 feet of clear sidewalk space outside of the tree boxes and café seating zones.	Yes
The applicant should consider the use of a First Source agreement and/or other job training and job placement programs.	This item has not been addressed in the submissions made since setdown.	No

The following table summarizes the Commission’s comments from setdown and the applicant’s responses.

ZC Comment From Setdown	Applicant Response
Does the applicant intend to pursue solar power?	The updated plans (Exhibit 18F) show an area for a solar array at the roof level. See Sheets L-06 and L-07. A description of the solar commitment can be found on Page 2 of Exhibit 18.

ZC Comment From Setdown	Applicant Response
Provide more clear and accurate plans and renderings.	The plans have been revised and can be seen at Exhibit 18F.
Provide more information on signage, including renderings.	Exhibit 18E is a sign plan for the project. It shows the potential locations and sizes for tenant and retail signs. It also states that signs may be illuminated. The primary tenant sign for the anchor tenant would be located at the 110' level on 21 st Street.
Provide further façade articulation through additional wave features.	The number of projections has not changed since setdown.

IV. SITE AND AREA DESCRIPTION

The subject site is located at the intersections of Pennsylvania Avenue, 21st Street and I Street and is within the boundaries of the George Washington University Campus Plan. The site slopes several feet from Pennsylvania down toward I Street. Many of the properties south of Pennsylvania Avenue are owned by the university. One exception is the President Condominium, an eight story building west of the site on I Street that OP estimates to be approximately 90' tall. Between the subject site and the President Condominium is a proposed development site that in the campus plan is approved for 110' in height. To the northwest of the subject site, along Pennsylvania Avenue, an office building is under construction pursuant to the approval of ZC case #06-11/12 G. That property, 2112 Pennsylvania, like most of the subject site, is another lot designated for "Commercial / Investment" use in the campus plan. That building is being built to 130' in height with a PUD-related zoning of MU-30 (C-4 under the 1958 Regulations).

To the north, across Pennsylvania Avenue, is the headquarters of the International Finance Corporation, a 130' tall office building. Other major office and commercial buildings are located along Pennsylvania. Across 21st Street from the site is Reservation 28, which is used as a passive park. On the south side of I Street, university uses are housed in buildings that range in height from two stories to eight stories. The campus plan anticipates heights of up to 90' on the south side of I immediately across from the subject site, and up to 110' closer to 22nd Street. Much of the neighborhood to the south and east of the subject site is also governed by the George Washington University / Old West End Historic District.

The focal point of activity for this immediate neighborhood is the Foggy Bottom metro station, two blocks west of the subject site. The presence of the metro, the GWU Hospital, a number of restaurants and a grocery store contribute to the active streets.

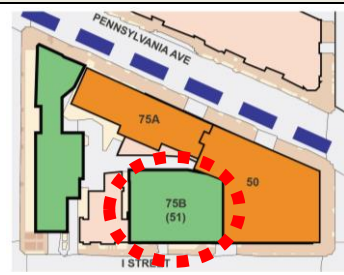
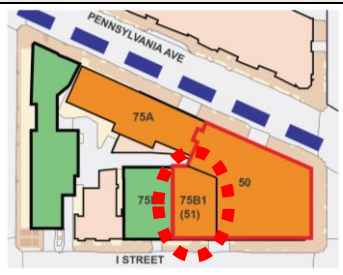
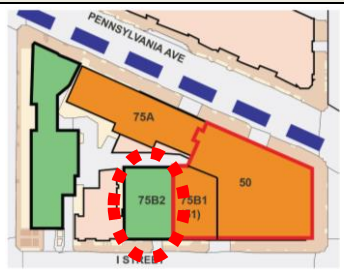
V. PROJECT DESCRIPTION

The applicant requests an amendment to the campus plan, a modification of the first stage PUD, a PUD-related map amendment, and a second stage PUD. Each of these elements is described below.

Campus Plan Amendment and First Stage PUD Modification

Unique in the city to this campus, the campus plan and first stage PUD together established the development sites within the campus and development parameters for each site. The campus plan identified I Street as the main retail street within the campus, and Pennsylvania Avenue as the site for commercial/investment development not directly related to University uses. The proposed modification to the first stage PUD would achieve both of those goals of the campus plan by allowing development of a major office building along Pennsylvania Avenue while creating a significant retail presence on I Street where only a small amount of moderately successful retail exists today.

In order to develop as proposed, the applicant proposes to modify the existing approval to split the development site known as 75B and increase the height allowed on the eastern half of that site, which would now be called site 75B1. The residue site, 75B2, would retain the 110' height allowance and its share of the permitted floor area. Refer to the table below. It is unclear whether the Campus Plan and First Stage PUD affirmatively established a maximum height for Lot 50, but this first stage modification would establish 130' as the maximum height for the entire site, with a step down to 110' along I Street.

	Approved – Site 75B	Proposed – Site 75B1 (Current Application)	Proposed – Site 75B2 (Future Development)
			
Height	110'	130'	110'
Floor Area*	134,914 sf	80,259 sf	54,655 sf
Car Prkng Sp.*	193	115	78
Use	Academic / Admin. / Medical	Commercial / Investment	Academic / Admin. / Medical

* Data from Exhibit 1, p. 14.

At setdown, OP had asked the applicant to prepare a relocation plan that would address:

- Where the existing administrative uses in 2121 I Street (Rice Hall), which would be demolished to make way for this project, would be accommodated; and

- Where the uses that would have been accommodated in future development on the original Site 75B would be located.

The application indicates that space needs for administrative functions would be less than anticipated at the time that the 2006 campus plan was approved. Reasons for this include changes in space planning guidelines, increase in telecommuting, and reductions in administrative overhead (Exhibit 11, p. 2). For the remaining administrative uses, the applicant has begun to identify locations where they could go within the Foggy Bottom campus, the Mt. Vernon campus and the Virginia campus. Please refer to Exhibit 11, p. 1, and Exhibit 18, p. 14.

PUD-Related Map Amendment

The existing zoning, MU-9, has a matter-of-right (MOR) FAR of 6.5, and a PUD FAR of 7.8 for an office building. The proposed office building would have an FAR of 8.92, so in order to develop as proposed, a map amendment to MU-30 would be required. That MU-30 zone will have a MOR FAR and height of 10.0 and 130', respectively. Please refer to the table below.

	MU-9	MU-30 ¹
MOR FAR for Office	6.5	10.0 (G § 402.4 – for buildings built in excess of 110')
PUD FAR for Office	7.8	10.0
MOR Height	90'	130' (G § 403.2 – for buildings on streets of 110' or greater)
PUD Height	130'	130'

The applicant has chosen to only apply the map amendment to Lot 50, while Lot 51 (aka new site 75B1) would remain MU-9. The blended zoning would allow enough floor area for the proposed development. The proposed height of 130' would be permitted as a matter-of-right in the MU-30 zone on Lot 50, and the PUD would allow a height of 130' on Lot 51.

Second Stage PUD

The applicant proposes a modern office building with an exterior composed of glass and aluminum framing, with terracotta bands between floors, and stone used at the base of the retail level. Overall OP is very supportive of the concept for the building, which includes a major curving element at the corner of Pennsylvania and 21st, marking the main entrance, several wave elements projecting from the building faces on all three streets, and curved corners for the building. OP would support an additional wave element on the long Pennsylvania Avenue façade, but finds the current design acceptable. Curved glass corners at the retail entrances have

¹ The MU-30 zone is the equivalent of the C-4 zone in the 1958 Zoning Regulations and was not initially included in the 2016 Regulations. In ZC case #17-04 the Office of Planning proposed that the new MU-30 zone be added to the Regulations. The Commission took final action on the case on July 10, 2017, and the zone became effective upon publication in the DC Register on July 28, 2017.

been removed from the plans since setdown. The plans also propose strongly expressed mullions which would add texture and visual interest to the building. Retail facades would be customized for the particular tenant, but overall signage for the building would be governed by the guidelines proposed in Exhibit 18E.

In order to ensure that the building is constructed consistent with the intent of the design currently under review, OP proposes two conditions regarding design – One, that the principal vertical mullions be no less than 8” in depth from the surface of the glass on the main portions of the façade; and two, that actual curved glass be provided where indicated in the plans. The applicant has reviewed the proposed conditions and has no objection to them. The conditions would help avoid circumstances seen on some previous PUDs, where the constructed project deviates in small but important ways from the design seen during Zoning Commission review.

The interior of the building would feature a large office lobby extending from the main entrance and culminating in a full-height atrium extending the depth of the building to the rear alley. A private lobby for the anchor tenant would also be located on Pennsylvania Avenue. Some retail would be located along Pennsylvania Avenue and some would front on I Street, one level below. The I Street retail would also connect to cellar-level retail, allowing for double-height retail and a mezzanine condition within the retail space. Please refer to the building section on Sheet A-500. The total retail area, including the cellar, would be at least 30,000 square feet.

In the public space, the applicant proposes seating areas for retail along I Street, which would extend the existing street-level activity one block to the west. Exhibit 18F provides plans, sections and renderings that depict a 10’ pedestrian clear space, outside of the seating areas and tree boxes. See, for example, Sheets A-303 and L-04. The design also calls for loading to the be accessed from the alley to the west, and bike and vehicle parking to be accessed from a curb cut on I Street. The curb cut has received approval from the Public Space Committee.

Housing Linkage

Subtitle X § 306 states that when a PUD results in additional office floor area above what is permitted as a matter-of-right, the project must either produce affordable housing, or contribute to the Housing Production Trust Fund (HPTF). The applicant has chosen to contribute to the HPTF. The formula for the contribution, per X § 306.6(a) is as follows:

$$\left[\begin{array}{c} \text{HPTF} \\ \text{Contribution} \end{array} \right] = 0.5 * \left[\frac{\text{Assessed Value of the Property}}{\text{Lot Area}} \right] * \left[\begin{array}{c} \text{Increase in Office} \\ \text{Floor Area} \end{array} \right]$$

The applicant has estimated that the value of the contribution would be approximately \$8,030,550 (Exhibit 18, p. 11).

Penthouse Affordable Housing Contribution

The Regulations stipulate that non-communal penthouse habitable space will generate an affordable housing contribution. The proposed building would have 9,019 square feet of private habitable space in the penthouse, and the applicant estimates that it would generate a contribution \$553,169 toward the HPTF (Exhibit 18, p. 11).

VI. COMPREHENSIVE PLAN POLICIES

The proposal would further the following Guiding Principles of the Comprehensive Plan, as outlined and detailed in Chapter 2, the Framework Element:

- (1) Change in the District of Columbia is both inevitable and desirable. The key is to manage change in ways that protect the positive aspects of life in the city and reduce negatives such as poverty, crime, and homelessness. 217.1
- (4) The District needs both residential and non-residential growth to survive. Nonresidential growth benefits residents by creating jobs and opportunities for less affluent households to increase their income. 217.4
- (6) Redevelopment and infill opportunities along corridors and near transit stations will be an important component of reinvigorating and enhancing our neighborhoods. Development on such sites must not compromise the integrity of stable neighborhoods and must be designed to respect the broader community context. Adequate infrastructure capacity should be ensured as growth occurs. 217.6
- (7) Growth in the District benefits not only District residents, but the region as well. By accommodating a larger number of jobs and residents, we can create the critical mass needed to support new services, sustain public transit, and improve regional environmental quality. 217.7
- (23) Downtown should be strengthened as the region's major employment center, as its cultural center; as a center for government, tourism and international business; and as an exciting urban mixed-use neighborhood. Policies should strive to increase the number of jobs for District residents, enhance retail opportunities, promote access to Downtown from across the District and the region, and restore Downtown's prominence as the heart of the city. 219.8
- (27) Washington's wide avenues are a lasting legacy of the 1791 L'Enfant Plan and are still one of the city's most distinctive features. The "great streets" of the city should be reinforced as an element of Washington's design through transportation, streetscape, and economic development programs. 220.3

The application is also consistent with major policies from the Land Use, Transportation, Environmental Protection, Economic Development, Urban Design, Educational Facilities and Near Northwest elements of the Comprehensive Plan. Please refer to Attachment 1 for a complete listing of relevant policies from those elements of the Plan.

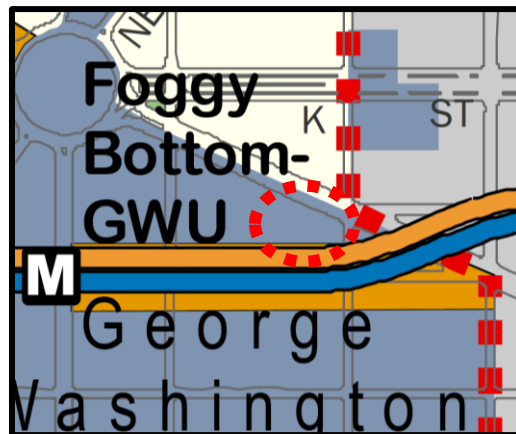
VII. COMPREHENSIVE PLAN LAND USE MAPS

The Comprehensive Plan’s Generalized Policy Map describes the subject site as suitable for Institutional and Main Street Mixed Use Corridor uses. Regarding the Institutional designation on the Policy Map, the Comprehensive Plan states that “The fact that these areas are not designated as Conservation, Enhancement, or Change does not mean they are exempt from the policies of the Comprehensive Plan or will remain static... Much of the institutional land on the map represents colleges and universities; change and infill can be expected on each campus consistent with campus plans...” (§ 223.22). Main Street Mixed Use Corridors are defined as:

“traditional commercial business corridors with a concentration of older storefronts along the street. The service area for Main Streets can vary from one neighborhood (e.g., 14th Street Heights or Barracks Row) to multiple neighborhoods (e.g., Dupont Circle, H Street, or Adams Morgan). Their common feature is that they have a pedestrian-oriented environment with traditional storefronts. Many have upper story residential or office uses. Conservation and enhancement of these corridors is desired to foster economic and housing opportunities and serve neighborhood needs. Any development or redevelopment that occurs should support transit use and enhance the pedestrian environment.” (§ 223.14)

The Plan also states that:

“The [Generalized Policy] map should be used to guide land use decision-making in conjunction with the Comprehensive Plan text, the Future Land Use Map, and other Comprehensive Plan maps. Boundaries on the map are to be interpreted in concert with these other sources, as well as the actual physical characteristics of each location shown.” (§ 223.2)



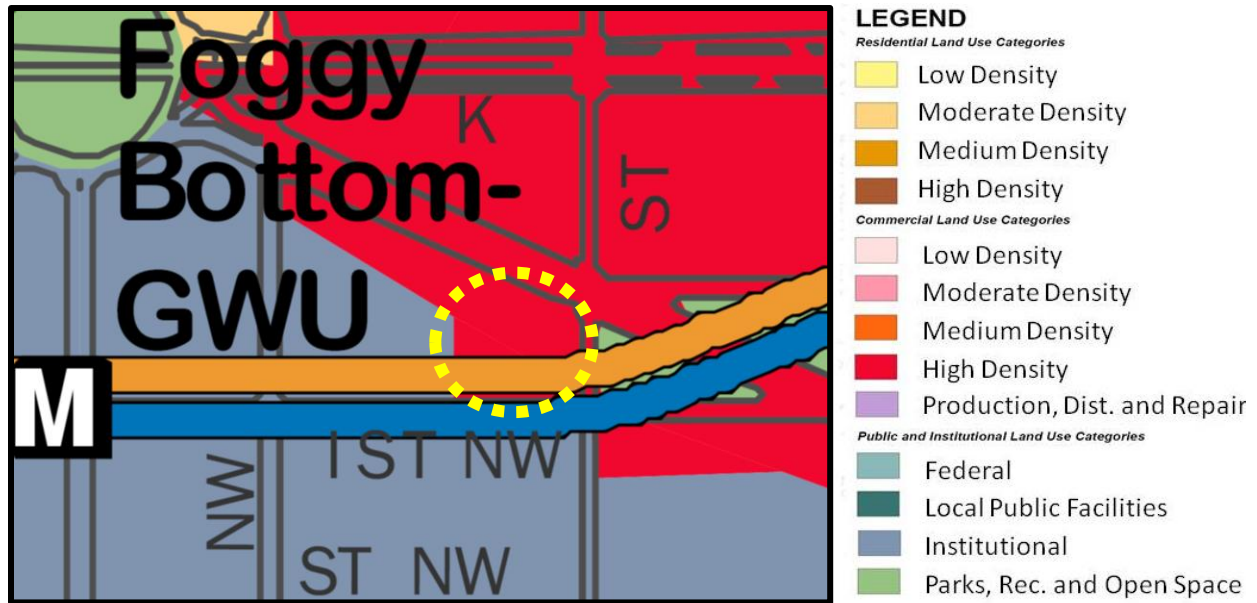
Generalized Policy Map

The Future Land Use Map (FLUM) indicates that the site is appropriate for high density commercial uses. The Plan defines High Density Commercial as follows:

“This designation is used to define the central employment district of the city and other major office employment centers on the downtown perimeter. It is characterized by office and mixed office/retail buildings greater than eight stories in height, although

many lower scale buildings (including historic buildings) are interspersed. The corresponding Zone districts are generally C-2-C, C-3-C, C-4, and C-5, although other districts may apply. (§ 225.11)

OP finds that the project would not be inconsistent with the Comprehensive Plan land use maps.



Future Land Use Map

VIII. ZONING AND PUD FLEXIBILITY

The basic parameters of the proposed building are shown in the table below.

Item	MU-9 MOR	MU-9/MU-30 PUD	Proposed	Flexibility
Height	90'	130'	130'	Conforms
FAR	6.5	9.52	8.92	Conforms
Lot Occupancy	100%	100%	98.3%	Conforms
Auto Parking	Office – 0.5 / 1,000 sf over 3,000 sf = 211 Retail – 1.33 / 1,000 sf over 3,000 sf = 34 Total = 245		Office – not provided Retail – not provided Total = 334	Conforms
Loading	Three 30' berths Three 200 sf platforms One 20' space		Three 30' berths Three 200 sf platforms One 20' space	Conforms
Penthouse Setbacks C § 1502.1(c)(5)	One to one setback required		5'9" setback for 20' penthouse, next to the upper-level court	Requested
Vertical Embellishment	Vertical embellishments can be no more than 30% of the width of the wall on which		Skylight occupies 38% of the western, alley-	Requested

C § 1501.3	they sit	facing wall	
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To construct as proposed, the applicant requests the following flexibility.

1. PUD-related map amendment from MU-9 to MU-30 for Lot 50;

The requested height would be within the matter-of-right limits of the MU-30 zone on Lot 50, and the PUD limits of the MU-9 zone existing on Lot 51. The combined zones and lot areas would permit the requested density.

2. C § 1502.1(c)(5) – provide less than 1-to-1 penthouse setback from the upper-level court at northwest wing;

The mechanical penthouse would not be set back at a 1-to-1 ratio from the upper-level court adjacent to 2112 Pennsylvania Avenue. The 20' penthouse would be set back 5'9" from the wall of the open court. The applicant states that the size of the mechanical penthouse is necessary to accommodate the HVAC equipment of the building, and that the location of the elevator cores limits the ability to swap habitable space for mechanical space. Please refer to pages 17 and 18 of Exhibit 1.

The penthouse should be only minimally visible, if at all, from Pennsylvania Avenue. The presence of 2112 Pennsylvania Avenue to the west should largely shield the view of the penthouse from that direction. Also, the penthouse is pushed toward the atrium at the center of the building and has a greater than 1-to-1 setback from Pennsylvania Avenue (20' required, 29'7" provided). Please refer to Sheet A-117 of Exhibit 18F. OP, therefore, has no objection to this area of flexibility.

3. C § 1501.3 – provide a vertical architectural embellishment with a width greater than 30% of the width of the wall on which it is located;

The wall of the atrium, which forms part of the western wall of the building, would extend above the 130' roof level, and the portion above 130' would be considered a vertical embellishment. Please refer to Sheet A-118. The embellishment should not be highly visible from any street. It might be slightly visible from I Street, but future construction on Site 75B2 should obscure the view further. Please refer to the rendering on Sheet A-304 of Exhibit 18F. OP has no objection to this area of flexibility.

4. Design Flexibility (Exhibit 18, p. 5):

- 1. Vary location and design of interior components, provided changes do not alter the exterior appearance;**
- 2. Vary colors of exterior materials within color ranges proposed in plans;**
- 3. Make minor refinements to exterior details and dimensions;**

- 4. Vary landscaping materials, including location and type of green roof, solar panels and paver areas;**
- 5. Vary streetscape design to respond to public space comments from DDOT;**
- 6. Vary design of retail storefronts and signage, but in accordance with signage plan in Exhibit 18E;**
- 7. Vary tenant signage in accordance with Ex. 18E;**
- 8. Vary the location and number of terrace and penthouse doors;**
- 9. Allow vehicle parking to vary by up to 5%;**
- 10. Allow up to 2% additional floor area.**

OP finds the proposed areas of design flexibility generally acceptable, in that they would provide some flexibility to the applicant at the time of building permit, but would also provide a reasonable level of certainty to the Commission that the plans under consideration are what would be built. However, in order to further ensure that the building is constructed consistent with the intent of the design currently under review, OP proposes two conditions regarding design – One, that the principal vertical mullions be no less than 8” in depth from the surface of the glass on the main portions of the façade, and two, that actual curved glass be provided where indicated in the plans. These key features of the design should be definite, even with some flexibility allowed for other aspects of the project.

IX. PURPOSE AND EVALUATION STANDARDS OF A PUD

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

- “provide for higher quality development through flexibility in building controls, including building height and density, provided that a PUD:
- (a) Results in a project superior to what would result from the matter-of-right standards;
 - (b) Offers a commendable number or quality of meaningful public benefits; and
 - (c) Protects and advances the public health, safety, welfare, and convenience, and is not inconsistent with the Comprehensive Plan” (§ 300.1).

The applicant is requesting a first-stage PUD modification and a second-stage PUD. In order to approve the project, the Commission must find that the project would not be inconsistent with the Comprehensive Plan, would not result in unacceptable impacts on the area or on city services, and includes public benefits and project amenities that balance the flexibility requested and any potential adverse effects of the development (§§ 304.3 and 304.4).

As noted above, OP finds that the project would not be inconsistent with the Comprehensive Plan and would further many policy elements of the Comprehensive Plan. The project should not result in negative impacts to city services or the surrounding neighborhood. The zoning

flexibility requested for penthouse setback and embellishment dimensions would have no or minimal impact on the public. The proposed remapping would have minimal impact to the public and the gains in height and density would generally be balanced by the benefits described below.

X. PUBLIC BENEFITS AND AMENITIES

Subtitle X Section 305 of the Zoning Regulations discuss the definition and evaluation of public benefits and amenities. “Public benefits are superior features of a proposed PUD that benefit the surrounding neighborhood or the public in general to a significantly greater extent than would likely result from development of the site under the matter-of-right provisions of this title” (§ 305.2). “A project amenity is one (1) type of public benefit, specifically a functional or aesthetic feature of the proposed development that adds to the attractiveness, convenience, or comfort of the project for occupants and immediate neighbors” (§ 305.10). Section 305.5 lists several potential categories of benefit proffers, and “A project may qualify for approval by being particularly strong in only one (1) or a few of the categories in [that] section, but must be acceptable in all proffered categories and superior in many” (§ 305.12). The Commission “shall deny a PUD application if the proffered benefits do not justify the degree of development incentives requested (including any requested map amendment)” (§ 305.11).

Amenity package evaluation is partially based on an assessment of the additional development gained through the application process. In this case, the application proposes a PUD-related map amendment from for a portion of the site from MU-9 to MU-30, which would allow the height and density proposed with the development. The PUD would result in a 2.42 gain in FAR (122,729 sf) and an increase in height of 40 feet over MU-9 matter-of-right levels.

	Existing Zoning (MU-9 MOR)	Proposed Zoning (MU-30 / MU-9 PUD)	Proposed Development
Height	90'	130'	130'
FAR	6.5 – non-residential 330,070 sf	9.52 – non-residential 483,464 sf	8.92 – non-residential 452,799 sf

The application lists several potential benefits, some of which can be considered amenity items. Please refer to Exhibit 18, p. 6. The following is a summary of the applicant’s benefits. OP finds that the level of benefits is generally commensurate with the amount of development flexibility sought through the PUD. OP continues to encourage the applicant, as noted in the setdown report, to explore the use of a First Source agreement and/or other hiring and job training programs.

Item	Applicant’s Benefit or Amenity	OP Comments, If Necessary
A.	Foggy Bottom Metro Station Improvements (X § 305.5(p))	The applicant proposes a \$350,000 contribution to fund accessibility improvements to be identified in an upcoming WMATA feasibility study.

		The applicant should clarify how this contribution would be tracked, especially should WMATA’s study not be completed prior to the C of O for this project, and/or WMATA’s Capital Improvements Plan not identify specific upgrades.
B.	Park Improvements, Public Art, etc. (X § 305.5(b, d, l, k, n and q)) 1. 26 th Street Park - \$150,000 2. Reservation 28 - \$150,000 - \$500,000, plus maintenance in perpetuity 3. Duke Ellington Park - \$30,000 4. School Without Walls @ Francis Stevens Urban Farm - \$	Please refer to Exhibit 18 for details of the individual contributions, and how the monies would be used.
C1.	Superior urban design and architecture (X § 305.5(a))	OP finds the architecture of the project is of a high quality.
C2.	Site planning and efficient and economical land utilization (X § 305.5(c))	OP agrees with the applicant that the new building would result in a vast improvement over the existing building’s relationship to the surrounding streets, especially the retail environment proposed for I Street. The building would also make better use of the site on a major avenue and near metro.
D.	Provision of day care open to the public (X § 305.5(i))	A daycare is identified in the zoning regulations as a public benefit. The applicant should clarify through proposed condition language how this benefit would be enforced, and should also commit to never locate the day care in the cellar level.
E.	Environmental benefits, including LEED Gold, green roof and solar (X § 305.5(k))	The applicant should confirm they actually intend to pursue LEED certification. Exhibit 18, p. 10 only states that “the Applicant shall secure certification that the Project has been designed to a minimum of a Gold rating...” which is not the same as actual certification.

XI. EVALUATION STANDARDS FOR A CAMPUS PLAN

Subtitle X, Chapter 1 lists criteria for the approval of a campus plan. OP has evaluated the relevant criteria, below.

101.1 Education use by a college or university shall be permitted as a special exception subject to review and approval by the Zoning Commission after its determination that the use meets the applicable standards and condition of this chapter.

The applicant addressed the criteria of Subtitle X § 101 beginning on page 24 of Exhibit 1. The applicant's review of the criteria focused primarily on the subject site, while OP's comments below will also address, where applicable, the existing development site 75B, which is being modified as part of the proposed campus plan amendment. The subject site would have no educational uses, but the leftover portion of 75B, to be known as 75B2, would still be designated in the campus plan for Academic / Administrative / Medical uses.

101.2 The uses shall be located so that they are not likely to become objectionable to neighboring property because of noise, traffic, parking, number of students, or other objectionable conditions.

The uses on the subject site and on Site 75B2 should not be objectionable because of noise or number of students. The subject site would have no university uses and therefore would be unlikely to draw a large number of students to the office tenants. The retail uses may draw students, but the activation of the ground floor would be consistent with the approved campus plan which envisioned I Street as the main retail street for the campus and the neighborhood. Overall the development on the subject site would be similar to other large scale office buildings in the neighborhood. Site 75B2 would continue to be designated for Academic / Administrative / Medical uses, but total development of those uses would be significantly reduced from what was anticipated under the original campus plan. The draw of students, faculty and staff to that site, therefore, should also be reduced. But because of that reduced building footprint, some uses that were expected to go on site 75B would need to be relocated elsewhere. The application indicates that space needs for administrative functions would be less than anticipated at the time that the 2006 campus plan was approved. For the remaining administrative uses, the applicant has begun to identify locations where they could go within the Foggy Bottom campus, the Mt. Vernon campus and the Virginia campus. Please refer to Exhibit 11, p. 1, and Exhibit 18, p. 14

OP defers to DDOT on the matters of traffic and parking, but notes that the site is served by the Foggy Bottom metro station, a number of bus lines, bikeshare, and is in a very walkable location. The applicant has also created an office entrance on I Street to allow employees to more easily access the metro station.

101.4 The campus plan process shall not serve as a process to create general commercial activities or developments unrelated to the educational mission of the applicant or that would be inconsistent with the Comprehensive Plan.

The project would not be inconsistent with the Comprehensive Plan, which designates the subject site for High Density Commercial uses. Development of the site would also support the educational mission of the university, as revenues from investment properties support academic programs. Also, the proposed design, with a strong retail presence on I Street, would further a goal of the campus plan to make I Street a main street for the campus and the neighborhood.

101.10 Within a reasonable distance of the college or university campus, and subject to compliance with Subtitle X § 101.2, the Zoning Commission may also permit the interim use of land or improved property with any use that the Zoning Commission may determine is a proper college or university function. The land need not be included in the campus plan. When a major new building that has been proposed in a campus plan is instead moved off-campus, the previously designated site shall not be designated for, or devoted to, a different major new building unless the Zoning Commission has approved an amendment to the campus plan applicable to the site; provided, that for this purpose a major new building is defined as one specifically identified in the campus plan.

The applicant does not propose to move any university uses to the surrounding neighborhood. Uses that were expected to go on site 75B, however, would in part need to be relocated elsewhere. The applicant plans on relocating those uses within the Foggy Bottom campus, and also to the Mt. Vernon and Virginia campuses.

101.11 In reviewing and deciding a campus plan application or new building construction pursuant to a campus plan, the Zoning Commission shall consider, to the extent they are relevant, the policies of the District Elements of the Comprehensive Plan.

As described in Sections VI and VII of this report, the proposal would further a number of policies of the Comprehensive Plan, including the Land Use, Transportation, Environmental Protection, Economic Development, Urban Design, Educational Facilities and Near Northwest elements of the Comprehensive Plan.

101.12 As an integral part of the application requesting approval of new building construction pursuant to a campus plan, the college or university shall certify and document that the proposed building or amendment is within the FAR limit for the campus as a whole, based upon the computation included in the most recently approved campus plan and the FARs of any other buildings constructed or demolished since the campus plan was approved.

According to the applicant, construction of the project would result in an FAR of 3.12 on the residentially zoned portions of the campus, where a maximum of 4.0 is permitted by the campus plan, and 4.23 over the entire campus, where a maximum of 5.0 is permitted. Please refer to Exhibit 1, p. 26.

101.14 Approval of a campus plan shall be based on the determination by the Zoning Commission that the application will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps, and will not tend to affect adversely the use of neighboring property, in accordance with the Zoning Regulations and Zoning Maps, subject to the special conditions specified in this section.

The project would be in accordance with the Zoning Regulations, as the MU-9 and MU-30 zones anticipate major high density commercial development. The development should not negatively impact nearby properties, as the site is largely surrounded by other dense development. Also, there should not be significant noise generated by the project, as the primary use is office. The site is well served by transit and is bikeable and walkable, so travel modes other than auto are available to building occupants. Amending the campus plan to leave a smaller development site, 75B2, for Academic / Administrative / Medical uses would not be inconsistent with the intent of the MU-9 zone, as a large office building could likely still be accommodated on that site.

XII. AGENCY COMMENTS

OP referred the application to the following government agencies for review and comment, and also held an interagency meeting to provide the agencies with an additional opportunity to ask questions of the applicant and provide initial feedback.

- Department of Energy and the Environment (DOEE);
- Department of Transportation (DDOT);
- Department of Housing and Community Development (DHCD);
- Department of Employment Services (DOES);
- Department of Parks and Recreation (DPR);
- Department of Public Works (DPW);
- DC Public Schools (DCPS);
- Office of the State Superintendent of Education (OSSE);
- Fire and Emergency Medical Services Department (FEMS);
- Metropolitan Police Department (MPD);
- DC Water;
- WMATA.

WMATA responded to OP with an email that stated they had no objections to the project, but that the applicant should consult the WMATA Adjacent Construction Manual, since the metro tunnel runs under I Street. Because the project contains no residential, DHCD stated in an email that they had no objections to the proposal, but appreciates that contributions to the HPTF. OP expects DDOT comments to be submitted under separate cover. Also, DOEE has been involved in meetings with the applicant and has provided substantial feedback about the sustainability of the project.

XIII. ATTACHMENT

1. Comprehensive Plan Policies

JS/mrj

Attachment 1 Comprehensive Plan Policies

Land Use Element

Policy LU-1.1.1: Sustaining a Strong City Center

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

Policy LU-1.3.1: Station Areas as Neighborhood Centers

Encourage the development of Metro stations as anchors for economic and civic development in locations that currently lack adequate neighborhood shopping opportunities and employment. The establishment and growth of mixed use centers at Metrorail stations should be supported as a way to reduce automobile congestion, improve air quality, increase jobs, provide a range of retail goods and services, reduce reliance on the automobile, enhance neighborhood stability, create a stronger sense of place, provide civic gathering places, and capitalize on the development and public transportation opportunities which the stations provide. This policy should not be interpreted to outweigh other land use policies which call for neighborhood conservation. Each Metro station area is unique and must be treated as such in planning and development decisions. The Future Land Use Map expresses the desired intensity and mix of uses around each station, and the Area Elements (and in some cases Small Area Plans) provide more detailed direction for each station area.

Policy LU-1.3.2: Development Around Metrorail Stations

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

Policy LU-2.4.6: Scale and Design of New Commercial Uses

Ensure that new uses within commercial districts are developed at a height, mass, scale and design that is appropriate and compatible with surrounding areas.

Policy LU-2.4.10: Use of Public Space within Commercial Centers

Carefully manage the use of sidewalks and other public spaces within commercial districts to avoid pedestrian obstructions and to provide an attractive and accessible environment for shoppers. Where feasible, the development of outdoor sidewalks cafes, flower stands, and similar uses which “animate” the street should be encouraged. Conversely, the enclosure of outdoor sidewalk space with permanent structures should generally be discouraged. 312.14

Transportation Element

§ 403.1 ...The transportation system as a whole benefits when more compact residential and employment areas are situated along major transit routes. Travel times are reduced and there is better use of public transportation investments.

§ 405.3 A regional strategy of promoting infill, mixed-use and transit-oriented development in urbanized areas is needed to ensure transportation efficiency both in the District and the region...

Policy T-2.4.4: Sidewalk Obstructions

Locate sidewalk cafes and other intrusions into the sidewalk so that they do not present impediments to safe and efficient pedestrian passage. Maintain sidewalk surfaces and elevations so that disabled or elderly pedestrians can safely use them.

Environmental Protection Element

Policy E-3.2.1: Support for Green Building

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

Economic Development Element

Policy ED-1.1.1: Core Industries

Continue to support and grow the District’s core industries, particularly the federal government, professional and technical services, membership associations, education, hospitality, health care, and administrative support services.

Policy ED-2.1.1: Office Growth

Plan for an office sector that will continue to accommodate growth in government, government contractors, legal services, international business, trade associations, and other service-sector office industries. The primary location for this growth should be in Central Washington and in the emerging office centers along South Capitol Street and the Anacostia Waterfront.

Policy ED-2.1.3: Signature Office Buildings

Emphasize opportunities for build-to-suit/signature office buildings in order to accommodate high-end tenants and users and corporate headquarters. Consider sites in secondary office centers such as NoMA and the Near Southeast for this type of development.

Policy ED-2.1.5: Infill and Renovation

Support the continued growth of the office sector through infill and renovation within established commercial districts to more efficiently use available space while providing additional opportunities for new space.

Policy ED-2.4.1: Institutional Growth

Support growth in the higher education and health care sectors. Recognize the potential of these industries to provide employment and income opportunities for District residents, and to enhance the District's array of cultural amenities and health care options.

Policy ED-3.1.1: Neighborhood Commercial Vitality

Promote the vitality and diversity of Washington's neighborhood commercial areas by retaining existing businesses, attracting new businesses, and improving the mix of goods and services available to residents.

Urban Design Element

Policy UD-1.1.2: Reinforcing the L'Enfant and McMillan Plans

Respect and reinforce the L'Enfant and McMillan Plans to maintain the District's unique, historic and grand character. This policy should be achieved through a variety of urban design measures, including appropriate building placement, view protection, enhancement of L'Enfant Plan reservations (green spaces), limits on street and alley closings (see Figure 9.3), and the siting of new monuments and memorials in locations of visual prominence. Restore as appropriate and where possible, previously closed streets and alleys, and obstructed vistas or viewsheds.

Policy 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.

Policy UD-2.2.5: Creating Attractive Facades

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

Educational Facilities Element

Policy EDU-3.3.2: Balancing University Growth and Neighborhood Needs

Encourage the growth and development of local colleges and universities in a manner that recognizes the role these institutions play in contributing to the District's character, culture, economy, and is also consistent with and supports community improvement and neighborhood conservation objectives. Discourage university actions that would adversely affect the character or quality of life in surrounding residential areas.

Near Northwest Area Element

Policy NNW-2.5.1: GWU/Foggy Bottom Coordination

Encourage continued efforts to improve communication and coordination between George Washington University (GWU) and the Foggy Bottom and West End communities. Campus Plans for the university must demonstrate how the campus can manage its academic mission within its current boundaries and enrollment. These efforts must ensure protection of the residential character of Foggy Bottom.

Policy NNW-2.5.3: GWU Building Intensity

Consider in principle the concept of increasing density on the existing George Washington University campus for future space and facility needs (as measured by the enrollment, staff, and faculty limits set in the approved Campus Plan) provided that steps are taken to avoid sharp contrasts in height and bulk between the campus and the surrounding community, and to mitigate the effects of increased traffic, parking, and other impacts.