



**MEMORANDUM**

**TO:** District of Columbia Zoning Commission  
**FROM:** Jennifer Steingasser, Deputy Director  
**DATE:** June 18, 2012  
**SUBJECT:** **Public Hearing Report** for ZC #11-03A, Southwest Waterfront Phase 1  
Second Stage Planned Unit Development  
*Public Hearing 1 – Parcel 2 and Vicinity*

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**I. SUMMARY RECOMMENDATION**

Hoffman-Struever Waterfront, LLC, has submitted an application for a Second Stage Planned Unit Development (PUD) to construct a portion of the Southwest Waterfront development west of Maine Avenue, SW, and on piers and docks over the Washington Channel. At its April 9<sup>th</sup> public meeting the Commission set the application down for four separate public hearings, with different parts of the project forming the topic area for each hearing.

In regard to the portion of the project to be discussed at the June 28<sup>th</sup> Public Hearing, the Office of Planning (OP) recommends **approval** of the:

- Wharf adjacent to Parcel 2
- Transit Pier and Transit Pavilion
- Parcel 1 Temporary Uses
- Market Plaza Temporary Design
- Market Pier and Day Docks
- Maine Avenue sidewalk area adjacent to Parcel 2
- Dock Relocation Plan

OP has worked with the applicant to address concerns raised regarding the design and architecture of the building on Parcel 2. The plans have shown improvement since setdown, and OP is supportive of the overall massing, height and use mix, but additional refinement is required before OP can make a final recommendation.

**II. APPLICATION-IN-BRIEF**

**Background:** On October 17, 2011 the Commission approved the First Stage PUD for the entire Southwest Waterfront (SWW), which established the PUD-related zoning for the property, the site plan, the general use mix, the general massing of buildings, the maximum heights for buildings, the maximum FAR for the entire development, and general circulation patterns.

This application, a Second Stage PUD, is made in order to review the proposed architecture of the buildings, uses within the buildings, design of open spaces, specific circulation impacts, and compliance with the intent and purposes of the PUD process, the Regulations and the First Stage PUD (§§ 2402.2(b), 2406.12 and 2408). At its April 9<sup>th</sup> public meeting, the Commission set down the application for a public hearing in four parts, with each hearing night focusing on a different parcel and its immediate surroundings:

Hearing Night #1 – June 28 – Parcel 2

Hearing Night #2 – July 2 – Parcel 3

Hearing Night #3 – July 12 – Parcel 4

Hearing Night #4 – July 23 – Parcel 11

This report covers Parcel 2 and its surroundings, and future reports will address the other topic areas.

**Ward and ANC:** Ward 6, ANC 6D

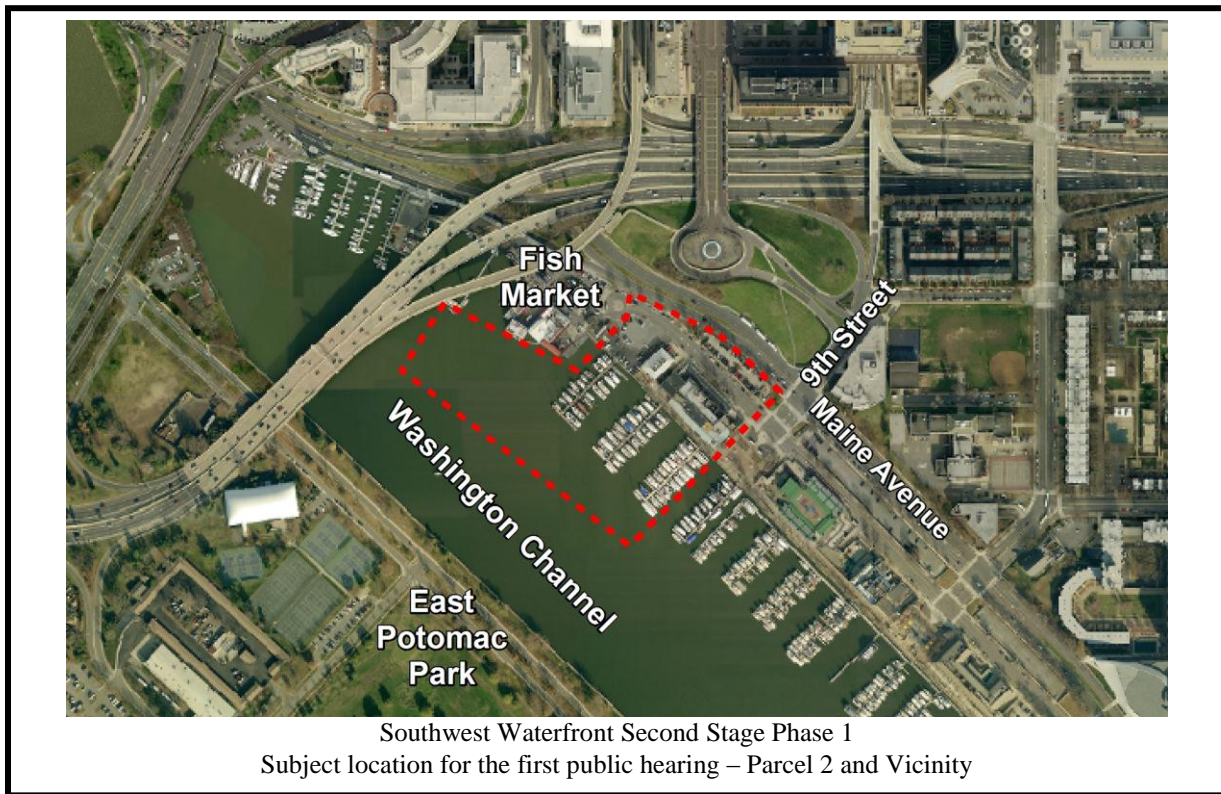
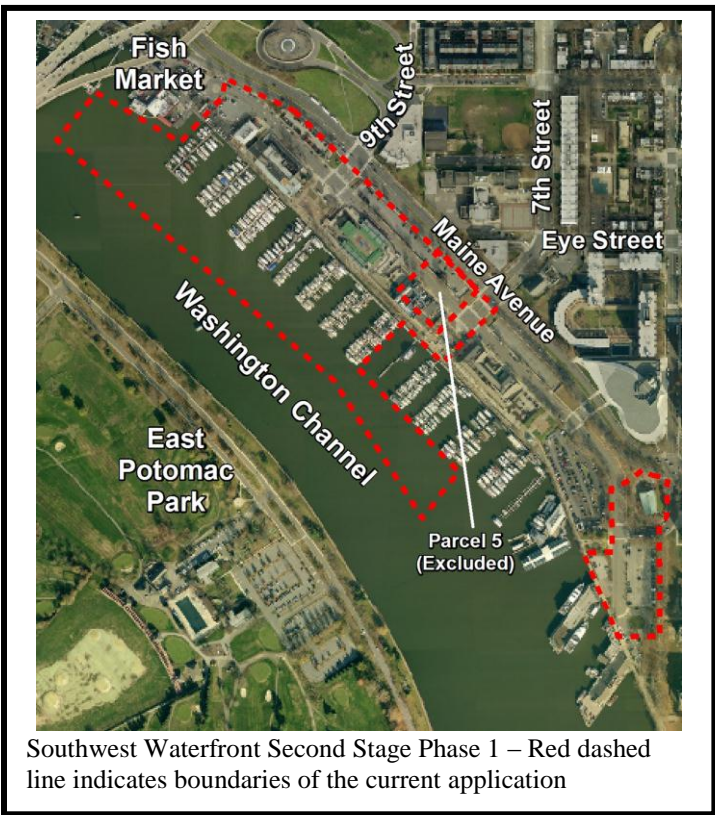
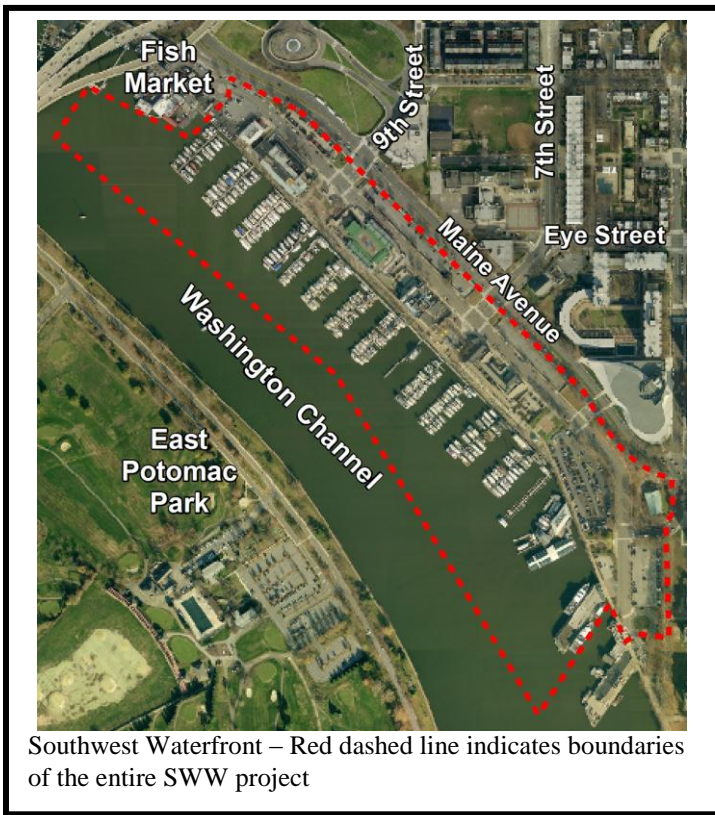
**Applicant:** Hoffman-Struever Waterfront, LLC, dba Hoffman-Madison Waterfront

**PUD-Related Zoning:** C-3-C (landside) and W-1 (waterside)

### **III. SITE AND AREA DESCRIPTION**

The entire SWW project site is shown in the first aerial photo below, and the area of the Second Stage PUD application in the second photo. The third photo shows the extent of the property under consideration in the first public hearing. This portion of the property is generally bounded on the north by the fish market, on the northeast by Maine Avenue, and on the west by the proposed extent of the piers of the new development. On the southeast side this portion of the application is bound by the 9<sup>th</sup> Street alignment including the 9<sup>th</sup> Street plaza.

The site of Parcel 1 and Parcel 2 is currently occupied with a large-format restaurant, the Capital Yacht Club building, surface parking, and the Capital Yacht Club docks. Water Street still exists on the ground, although it has been legally closed. Across Maine Avenue from the subject site is Benjamin Banneker Park and the 10<sup>th</sup> Street promenade, which connects to the National Mall. A four story office building is located diagonally across the intersection of Maine Avenue and 9<sup>th</sup> Street.



## **IV. PROJECT DESCRIPTION AND ANALYSIS**

The portion of the project under consideration at this public hearing consists of a mixed use building on Parcel 2, the wharf next to Parcel 2, the transit pier and pavilion, a temporary plan for Parcel 1 and the Market Plaza, the Market Pier and Docks, the portion of Maine Avenue adjacent to Parcel 2, and the first phase of the dock relocation plan. This report will provide OP's analysis of each of the components. Relevant drawings are contained in two plan sets – one titled "Overall Plan Elements," which will apply to all four public hearings for the application, and one titled "Volume 1," referring to the drawings applicable to the first public hearing specifically. References in parentheses indicate the relevant sheets from the "Volume 1" plan set, unless noted as referring to the "Overall Plan Elements" (OPE) plan set.

Overall, OP supports the proposed designs, which would improve the character of the waterfront area and provide an active, enjoyable destination for neighborhood residents, other District residents, and visitors. The proposed public spaces, such as the wharf, mews and plazas, would provide pleasant, multi-modal corridors suitable for walking, biking and localized slow driving. The design is generally not inconsistent with the first stage PUD approval, the Comprehensive Plan, or the Zoning Regulations.

### **Parcel 2**

#### *Overall Appearance*

The building on Parcel 2 would house residential and retail uses, as well as a music venue and a cogeneration plant. Residential uses would be located in two towers, bifurcated by a north-south divide that could provide a view corridor through the site. Total building zoning height would be 130 feet, as previously approved.

OP continues to support the overall massing and height, but has provided feedback to the applicant in an effort to refine the façade and specific elements of the structure and layout. The design should form a cohesive composition, enhance the building's relationship to its surroundings, and take advantage of its setting on the waterfront and close to the federal core of the city. To date, OP questions whether the design has accomplished those goals as completely as it could (1.2 – 1.19). The varying materials and textures of the façades create a cluttered feeling for the building which detracts from the visual appeal of the waterfront. It is also unclear if the large penthouses are necessary and what their surface materials would be (1.6 – 1.11). Architectural embellishments would extend up from the main body of the building at the northern and southern corners of both towers to the same height as the mechanical penthouse enclosures (1.30). OP does not support extending the main walls of the building to create in effect extra height for the building. More information is also needed about the appearance of the cogeneration plant, including the exhaust vents, and the materials proposed for the penthouse walls.

OP now generally supports the improved design for the main entrance to the music venue (1.4). The tapered stone columns would form an important marker along the wharf, and the balconies would allow paying customers to have an elevated vantage point of the waterfront area.

### *Ground Floor Uses, Public Space Activation and Building Operations*

The building volume between and below the two residential towers would house the music venue. Retail would generally line the wharf and 9<sup>th</sup> Street façades of the building. The retail would create pedestrian activity in the nearby open spaces. Further activation of those areas could be accomplished with publicly accessible vantage points above the ground floor, in addition to the upper-story retail. The Volume 1 plan set contains numerous renderings showing what the retail façades could look like (1.12 – 1.18). Individual retailers would have the ability to customize their façades, and are encouraged to do so by the applicant's retail design guidelines (OPE, 2.10 – 2.16). OP supports this approach to the design of the retail façades.

The side of the building facing Parcel 1 would have some building entrances and loading for the music venue. Residential loading is planned to occur from "Theater Alley" for the eastern tower, and from Maine Avenue for the western tower. An overall loading scheme is provided on Sheet 1.17 of the OPE. That plan, however, does not address retail loading for Parcel 2. OP supports early morning retail loading from the 9<sup>th</sup> Street Plaza, the wharf, or Maine Avenue. The applicant should submit a loading management plan which, among other things, would state the hours and locations of retail loading. The applicant has provided a commitment that no vehicles will be permitted to idle while loading (June 8<sup>th</sup> Written Statement, p. 3).

The side of the building facing Maine Avenue would have a residential lobby and retail at the corner of 9<sup>th</sup> Street, but otherwise would be back-of-house space and egress for the music venue (1.18). That part of the building would not present Maine Avenue or Banneker Overlook with an active streetscape, and would benefit from visual and programmatic activation, which could include additional retail.

### **Wharf**

The wharf in front of Parcel 2 would generally be a 50 foot wide mixed use space that would serve as a corridor for pedestrians and bicycles, and would also be used for outdoor seating and kiosk-type retail (2.2). Only emergency vehicles could use the wharf in this location; automobiles would not be permitted. In front of Parcel 1 the wharf would be 40 feet wide. Next to Parcel 1 limited vehicular use of the wharf is expected in the shared zone, where pedestrians and bikes would have priority. OP supports the use of the wharf by different travel modes. Trucks approaching Parcel 2's loading docks would also circulate from the west side of Parcel 1, onto the wharf, and then turn back toward Maine Avenue between the two parcels (3.8).

The wharf would have an elevation of 11 feet above sea level on the east end of Parcel 2 and would slope down to 8 feet on the west side of Parcel 1 (3.2). The wharf would be paved with a mix of mortared and open joint pavers, and granite steps where a change in grade is necessary

(2.5 – 2.6). Between Parcels 1 and 2 a round fountain feature would highlight a small roundabout (2.8), and planters would prevent vehicles from entering the pedestrian only zone (OPE, 2.6). Along the length of the wharf a trench drain would demarcate the transition from the shared zone to the promenade zone, and a pattern of trees and pole lanterns would form a visual and physical barrier between those two areas. OP supports the significant use of trees along the wharf; The area between Parcel 2 and the Transit Pier would benefit from additional trees (2.2).

Next to the water, the wharf would have low wooden seating that could also serve as a barrier to the water. Low-level lighting would be tucked under the seating, and blue lights would illuminate the water side of the wharf (OPE, 3.3). The promenade zone would contain a series of small retail kiosks that could be somewhat customized for individual retailers (OPE, 2.17). It would also present opportunities for flexible seating (OPE, 2.7)

### **Transit Pier and Transit Pavilion**

The Transit Pier would be directly across the wharf from Parcel 2 (2.10). The pier is intended to provide additional open space in addition to being a docking point for water taxis or other boats. It would be very wide where it meets the wharf, and would then taper in a triangular shape down to a more typical pier configuration. The pier would have areas that could be used for impromptu performances, according to the February 3 written statement (p. 29), including an area of steps leading down to the water where visitors can sit. OP supports the design of the pier because of the many areas available for seating or impromptu gatherings, all in proximity to the water.

The proposed structure on the transit pier would house bike racks, a refreshment area, water taxi facilities, a ticket box office for the music venue in Parcel 2, and an unprogrammed roof terrace (2.13). OP strongly supports the roof terrace as a location where visitors can have a “vantage point” on the surrounding activity on the pier, wharf and the vicinity of Parcel 2, and appreciates the applicant’s commitment that it will be publicly and ADA accessible (June 8<sup>th</sup> Written Statement, p. 3).

### **Parcel 1 Temporary Uses**

Parcel 1 was approved in the first stage PUD for an office building. That building will be reviewed in more detail in a future second stage application. In the interim, Sheet 2.20 shows that Parcel 1 would be used as a parking lot, and that it could also be used at times for market purposes. OP supports the flexible programming for the site. More information should be provided about the landscaping and hardscaping of Parcel 1 during the interim period. Parcel 1 would also include a ramp down to the parking garage that had previously been included in designs for Parcel 2.

### **Market Plaza Temporary Design**

The general layout of the Market Plaza was approved as part of the first stage PUD, and a permanent design will be reviewed in more detail in a future second stage application. In the interim, the area will be used for surface parking, which OP supports. The surface parking layout can be seen on Sheet 3.2, and on Sheet 1.7 of the OPE set.

### **Market Pier and Day Docks**

The Market Pier and Day Docks, which extend from the shoreline between Parcel 1 and the Fish Market, are two of the components under consideration at this public hearing (2.21). The application does not provide much information about their design, including exact uses and lighting, but their simple concept seems appropriate given the utilitarian nature of the fish market next door. OP anticipates that the pier and docks would be another source of pedestrian activity and visual interest along the waterfront.

### **Maine Avenue**

As part of the construction of Phase 1 of the SWW, the developer would make improvements to Maine Avenue (2.16 – 2.19). Improvements near Parcel 2 would include:

- a dedicated bike path
- a Capital Bikeshare station
- a double row of trees
- a continuous planting strip
- a new 10 foot sidewalk and café zone, inboard from planting strip
- new curb, gutter, trash and recycling fixtures, and streetlights

OP strongly supports the preservation of any existing street trees and the planting of new trees, and encourages the applicant to work with DDOT's Urban Forestry Administration on ensuring their growth and preservation. In this particular case, adjacent to Parcel 2, Sheet 2.18 indicates that none of the existing street trees can be preserved.

As noted in the first stage PUD, the curb lane of Maine Avenue is proposed to be converted to 24 hour parking from a part time travel lane. Curbside parking would improve bicycle and pedestrian safety and likely reduce the speed of autos on Maine Avenue. Permanent parking also allows for bulb-outs at intersections, which provide room for bicycle parking, bike share stations, bus or streetcar stops, and which create shorter crossing distances for pedestrians crossing Maine Avenue. In front of Parcel 2, the application also proposes in the curb lane a loading zone for the eastern residential tower (OPE, 1.17), a taxi queuing area, and a charter bus loading zone (Transportation Impact Study, p. 39). DDOT will examine those items in more detail during their public space review.

## **Dock Relocation Plan**

Sheets 5.1 through 5.10 of the OPE plan set describe the steps for demolition of old docks and the construction of new docks and piers. Areas under consideration at this public hearing include most of the existing CYC docks, which will be demolished and replaced by the Market Pier and Docks and the Transit Pier. CYC boats will be relocated as new docks are constructed. Live-aboard boats will be relocated as part of the first phase of waterside development. The plans also generally describe how utility connections will be maintained to the various docks throughout the construction process. The application should provide more information about facilities and parking for live-aboard residents, especially during the interim period, and should also describe the long term management of live-aboards and the ability of residents to sell their boats.

## **V. COMPREHENSIVE PLAN**

The Commission found during its review of the first stage PUD that the SWW project is not inconsistent with the Comprehensive Plan. OP finds that the current second stage PUD application is generally consistent with the first stage as approved and does not detract from the project's correlation with major tenets of the Plan. The proposal would further a number of the Plan's Guiding Principles and major policies from Plan elements such as the Land Use; Transportation; Economic Development; Parks, Recreation and Open Space; Urban Design; and Lower Anacostia Waterfront / Near Southwest Area Elements. The application is not inconsistent with the Plan's Generalized Land Use Map or the Future Land Use Map. The proposal is also consistent with the Development Plan & Anacostia Waterfront Initiative Vision for the Southwest Waterfront (the SWW Plan). For a complete analysis of the overall project against relevant planning policies, please refer to the Office of Planning's March 30 Setdown Report.

This portion of the application could be more consistent with Comprehensive Plan policies regarding high quality design and active streets, especially in prominent waterfront areas. This could be accomplished through additional façade improvements for Parcel 2 and better activation of Maine Avenue to create a better visual connection to Banneker Overlook, create a more attractive destination for visitors, and complement the waterfront setting. Relevant policies include:

### **Policy UD-1.3.4: Design Character of Waterfront Sites**

Ensure that the design of each waterfront site responds to its unique natural qualities. A range of building forms should be created, responding to the range of physical conditions present. New buildings should be carefully designed to consider their appearance from multiple vantage points, both in the site vicinity and at various points on the horizon. 905.8



**Policy UD-1.3.6: “Activating” Waterfront Spaces**

Encourage design approaches, densities, and mixes of land uses that enliven waterfront sites. Architectural and public space design should be conducive to pedestrian activity, provide a sense of safety, create visual interest, and draw people to the water. 905.11

**Policy UD-2.1.1: Design Character**

Create a more coherent design character for Central Washington by improving the physical linkages between the monumental core, the business sub-districts on the perimeter of the National Mall, and the expanding mixed use areas to the east and southeast of Downtown. Urban design strategies should focus on making the entire area more walkable, discouraging monolithic architecture, improving signage and streetscape features, and adding new land uses which make the area more lively, interesting, and dynamic. 909.7

**Policy UD-2.2.5: Creating Attractive Facades**

Create visual interest through well-designed building façades, 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. 910.12

**VI. ZONING**

In the first stage PUD, the Commission approved PUD-related zoning of C-3-C for the northern landside portion of the SWW, including Parcels 1 and 2, and W-1 for the waterside of the development. Also in the first stage PUD, the Commission granted zoning flexibility for the exact mix of uses, within certain ranges.

The June 8<sup>th</sup> written submission states that four areas of flexibility are required for the building on Parcel 2. Those four areas are analyzed below, followed by a discussion of other flexibility required for the application.

**1. PUD Design**

The application requests flexibility in the exact design of PUD elements, including mostly minor and interior elements. Many PUDs have included similar flexibility in the past, and OP does not object to including most of the items here.

Regarding the flexibility in the number of units, however, a 10% variation in the total number could noticeably affect trip generation, parking ratios or other aspects of the development. A smaller variation would result in more certainty about the potential benefits and impacts of residential uses on Parcel 2.

OP does not object to some flexibility in the exact location of individual affordable units, but the applicant should commit to an overall distribution pattern so that affordable units do not become overly clustered.

**2. Roof Structure Setback (§ 411)**

On Parcel 2, setback relief is required for four individual rooftop structures, as shown on Sheet 1.30, as well as for the setbacks from interior courtyard walls. The four individual structures are a stair tower, garage vent, elevator override and cogeneration plant vents. Facing the interior courtyard, most of the penthouse structure is set back, but not to a distance of 18’ 6”. Judging from renderings, portions of the penthouse seem to act more as architectural embellishments – for example at the northern end of the eastern residential tower. OP does not object to the setback relief. On the exterior of the building the encroachments are relatively small in width, and interior encroachments would be visible only from limited viewpoints.

**3. Flexibility to Replace the Cogeneration Plant**

The applicant requests flexibility to replace the cogeneration plant with other power sources that could be located on Parcel 2 and / or other parcels. Although unstated, OP assumes that this flexibility could also involve additional residential units on Parcel 2 in lieu of the power plant. The request also states that rooftop equipment for alternative power sources could be enclosed “with walls of unequal height and in separate enclosures...” (April 8<sup>th</sup> Written Statement, pg. 6). OP does not recommend approval of this area of flexibility. Such changes would be more appropriately handled as a modification to the PUD, especially as the rooftop structures proposed to date seem large, and additional changes to them could impact the appearance of buildings in the project.

**4. Flexibility to Vary the Selection of Public Space Fixtures and Materials**

OP does not object to this area of relief. The request states that any replacement fixtures or materials would be similar in type, color and quality to those shown in the application.

**5. Loading Requirements (§ 2201)**

The uses on Parcel 2 require loading relief as shown in the table below. Please refer to the Overall Plan Elements plan set, Sheet 1.10.

**Parcel 2 Loading Requirements**

Facility Type	Required	Provided
55 Foot Berths	2	2
30 Foot Berths	2	0
100 sf Loading Platforms	2	2*
200 sf Loading Platforms	2	2*
Delivery Spaces	2	0

\* Although separate loading platforms are not distinguished, the total loading platform area exceeds the total area required.

In general OP does not object to relief from loading, provided the applicant justifies the reduction in size or number of facilities and commits to loading management techniques such as limited loading hours and a loading coordinator for the building. In this case more information should be provided about retail loading for Parcel 2.

## 6. Parking

Parking flexibility is required based on the current proposal. The total parking requirement for all uses on Parcels 2 through 4, and including the Day Docks at the Market Pier, is 1,039 spaces. According to sheets 1.13 and 1.14 of the OPE plan set, the parking garage under Parcels 2 through 4 would have a total of 1,095 parking spaces.

However, OP does question aspects of the parking allocation. Much of the garage parking would be reserved for residential, hotel, office and Capital Yacht Club use. The remaining uses would have a requirement of 682 spaces, but only 457 parking spaces would remain to share among them. Parking relief for the number of spaces is therefore required. Please refer to the table below.

	<b>Total Required Per Use</b>	<b>Dedicated Garage Parking Per Use*</b>	<b>"Leftover" Parking Requirements</b>
<b>Residential</b>	197	418	0
<b>Music Venue</b>	418	0	418
<b>Retail</b>	156	0	156
<b>Office</b>	124	50	74
<b>Hotel</b>	87	100	0
<b>CYC</b>	23	70	0
<b>Day Docks</b>	17	0	17
<b>Co-gen</b>	17	0	17
<b>Total</b>	1,039	638	682
Total number of parking spaces in the garage*			1,095
Number of Spaces Available to Satisfy the "Leftover" Parking Requirement			457 (1,095 minus 638)

\* Please refer to Sheets 1.13 and 1.14 of the OPE plan set.

OP strongly supports a shared approach to parking, and can support the required parking relief, provided that spillover parking does not negatively impact nearby streets. The transportation study (pp. 61 – 65) shows that peak auto demand can be accommodated with garage parking and temporary surface parking on Parcels 1 and 6 through 10. In addition, the transportation study identifies, within walking distance of the site, public parking garages or lots with over 5,000 available parking spaces that could potentially be used for events at the music venue. Given that

analysis, OP can support the parking flexibility required, and notes that the parking supply will be reevaluated as part of future second stage PUD applications.

## **7. Distribution of Affordable Housing Units**

As part of the First Stage PUD approval, the entire SWW was required to provide at least 160,000 square feet of affordable housing. In order to achieve a balanced distribution of units throughout the project, 70,000 square feet was required to be provided in “Phase 1” (Parcels 2 – 5), and 70,000 square feet was required to be provided in “Phase 3” (Parcels 6 – 10). The remaining 20,000 square feet could be located at the applicant’s discretion. The current application proposes approximately 99,000 square feet of affordable units in Phase 1, 9,000 square feet above what would be permitted by the First Stage order. OP does not object to slight deviations from the geographic mix of affordable units, but the applicant has not yet provided a rationale for this flexibility.

## **VII. PURPOSE AND EVALUATION STANDARDS OF A PUD**

The purpose and standards for Planned Unit Developments are outlined in 11 DCMR, Chapter 24. The PUD process is “designed to encourage high quality developments that provide public benefits.” Through the flexibility of the PUD process, a development that provides amenity to the surrounding neighborhood can be achieved.

The applicant is requesting approval of a second stage PUD. The PUD standards state that the “impact of the project on the surrounding area and upon the operations of city services and facilities shall not be unacceptable, but shall instead be found to be either favorable, capable of being mitigated, or acceptable given the quality of public benefits in the project” (§2403.3). OP to date has received no comments from referral agencies that would indicate that the project would have a negative impact on city services.

## **VIII. PUBLIC BENEFITS AND AMENITIES**

Sections 2403.5 – 2403.13 of the Zoning Regulations discuss the definition and evaluation of public benefits and amenities. In its review of a PUD application, §2403.8 states that “the Commission shall judge, balance, and reconcile the relative value of the project amenities and public benefits offered, the degree of development incentives requested, and any potential adverse effects according to the specific circumstances of the case.” Sections 2403.9 and 2403.10 state that a project must be acceptable in all the listed proffer categories, and must be superior in many. To assist in the evaluation, the applicant is required to describe amenities and benefits, and to “show how the public benefits offered are superior in quality and quantity to typical development of the type proposed...” (§2403.12).

The first stage PUD included a number of benefits, including urban design, affordable housing, workforce housing, the creation of a BID, First Source Employment and CBE agreements,

funding for a workforce intermediary program, coordinating apprenticeships with the construction contractor, leasing space to local or unique retailers, and environmental design. As part of the first stage PUD, the Commission required that the applicant prepare an implementation chart with each subsequent second stage PUD. That chart is shown at Exhibit E of the February 3<sup>rd</sup> written statement. Benefits are also described beginning on page 37 of that written statement. The benefits proffered with the current application are consistent with the first stage approval and are described below. The benefits are generally commensurate with the flexibility provided through the PUD.

## **1. Affordable and Workforce Housing**

Sheet 4.1 of the OPE plan set breaks down the affordable and workforce housing units provided in each parcel. The provisions for Parcels 2A, 2B, 4A and 4B generally appear to be consistent with the first stage Order. Of the total of 160,000 square feet of required affordable housing, the Order required at least 70,000 square feet to be located in Parcels 2, 3 and 4, and at least 70,000 square feet in Parcels 6 through 10. The remaining 20,000 square feet could be distributed anywhere in the development. The current proposal for Parcels 2, 3 and 4 includes 99,071 square feet of affordable housing; Parcels 6 through 10 would provide the remainder of the affordable housing requirement. Flexibility is required to provide over 90,000 square feet of affordable units in this phase of development.

The Office of Planning and the Office of the Attorney General note that Parcel 11B is subject to Inclusionary Zoning (IZ) requirements as it was not part of the Land Disposition Agreement with the District and was not exempted from IZ. Nor did the Commission grant relief from IZ for that component of the project. The affordable housing component of that part of Parcel 11 will be examined in more detail at a later public hearing.

In addition to the affordable housing, 20% of all residential floor area above 500 units will be dedicated to workforce housing. Please refer to Sheets 4.2 – 4.7 of the Overall Plan Elements for plans showing the location of affordable and workforce units in each of the buildings.

## **2. Environmental Design**

The February 3<sup>rd</sup> written statement (p. 43) indicates that the development would achieve LEED Gold – ND (Neighborhood Development) standards, and that all buildings except the church on Parcel 11A would achieve LEED Silver ratings or higher in the NC (New Construction) or CS (Core and Shell) categories. These standards are consistent with the first stage approval. Plans for Parcel 2 show that a considerable amount of the roof would be green roof (1.28, 1.30). A large stormwater cistern will be located under the wharf that will capture runoff from the most of development (OPE 6.1 – 6.3), and the cogeneration plant would re-use all runoff from up to a 3.2” storm event (OPE, 6.4).

### **3. Business Improvement District**

The proposed business improvement district, or project association, would be responsible for maintenance of “private roadways, alleys, bicycle paths, promenade, sidewalks, piers, parks, and signage within the Project Site boundary” (February 3<sup>rd</sup> Written Statement, p. 47). The association would also be responsible for event programming at the SWW. The developer would create the association initially, and then it would be funded by assessments to each use in the project.

### **4. CBE and First Source Employment Agreements and Related Actions**

As noted in the first stage PUD, the applicant has entered into a CBE agreement with the Department of Small and Local Business Development (DSLBD), which applies to project development costs. According to the application, the applicant has already begun, with the help of DSLBD, to employ CBE firms for some pre-development tasks.

The applicant also committed to reserve 20% of the retail space in the project for unique or local retailers. In addition, the application states that kiosks along the wharf and in other open spaces could be leased to start-up retailers (February 3<sup>rd</sup> Written Statement, p. 48). The kiosks are included in the 20% floor area devoted to unique and local retailers. The retail commitment is for the life of the project.

The applicant has also committed to help fund a workforce intermediary program with a total contribution of \$1,000,000, \$250,000 of which has already been paid. The balance, according to Exhibit E of the February 3<sup>rd</sup> written statement, is due when the applicant closes on the land lease with the District, which is anticipated at the end of 2012 or the beginning of 2013.

First stage PUD proffers also include the establishment of apprenticeship programs in the construction trades. Exhibit E of the February 3<sup>rd</sup> written statement provides a generalized summary of progress to date, but OP requests that more details about the progress of the apprenticeship programs be provided.

### **5. Other Benefits**

In addition to the above-referenced benefits, which are described on pages 37 – 48 of the February 3<sup>rd</sup> written statement, other benefits will begin to be implemented during construction of the second stage PUD, including the urban design of the project, improvements to Maine Avenue, reservation of private property along Maine Avenue for additional publicly accessible space, construction of temporary dock facilities including utility connections, and the inclusion of approximately 1,450 bicycle parking spaces. The public park at the southern end of the SWW will also be constructed during the first phase of development and will be a significant open-space resource for the neighborhood.

## **IX. AGENCY COMMENTS**

In response to a request for comments sent to various city agencies, the Office of Planning received a reply from the Metropolitan Police Department (MPD) stating that they had no comments or objections to the project. OP expects that the Department of Transportation (DDOT) will submit a report under separate cover. No other responses were received.

## **X. COMMUNITY COMMENTS**

The site is located in ANC 6D. The ANC considered this application at their June 11 meeting and voted to not support the application. The applicant has held and attended many community meetings and is expected to continue their outreach efforts to the neighborhood and the ANC.

JS/mrj