



MEMORANDUM

TO: District of Columbia Zoning Commission

FROM: *JL for* Jennifer Steingasser, Deputy Director Development Review & Historic Preservation

DATE: January 12, 2015

SUBJECT: Zoning Commission Case No. 13-08: **Hearing Report** for Consolidated Planned Unit Development and Zoning Map Amendment for Square 5914 at Alabama Avenue and 13th Street, SE

I. SUMMARY RECOMMENDATION

Square 5914, LLC (Applicant) has submitted an application for a consolidated Planned Unit Development (PUD) and related map amendment for Square 5914, Parcels 229/160, 229/103, 299/151, 299/163 and Lots 6 and 7 from the R-5-A to the C-3-B zone. The property is in the Congress Heights neighborhood in the southeastern quadrant of the District.

This PUD and PUD-related Zoning Map Amendment application conforms to the Comprehensive Plan's Generalized Land Use and Policy Map designations. The proposal would result in a vibrant transit-oriented development at the Congress Heights Metro Station (Metro). It would bring new residences, retail and office uses to the area and would be a precursor to, and lead the way for the planned development of the St. Elizabeths East Campus. It would offer existing residents the opportunity to return to the neighborhood, and would offer commercial space for neighborhood businesses at reduced lease rates.

In response to OP and Zoning Commission requests during the set down meeting on June 28, 2013, the Applicant submitted the following: information pertaining to the height of the buildings; details regarding the residential look and feel of the building along 13th Street; perspectives showing the scale of the buildings in relationship to that approved on the St. Elizabeths East Campus; additional street-level renderings, plans and drawings; and a more detailed amenities package (ZC Exhibit 15A1-15A7 and Exhibit 25B).

The Office of Planning (OP) recommends **approval** of the application, with the expectation that the Applicant will provide plans showing the number and size of the IZ units and the distribution of those units throughout the residential project.

II. SITE DESCRIPTION

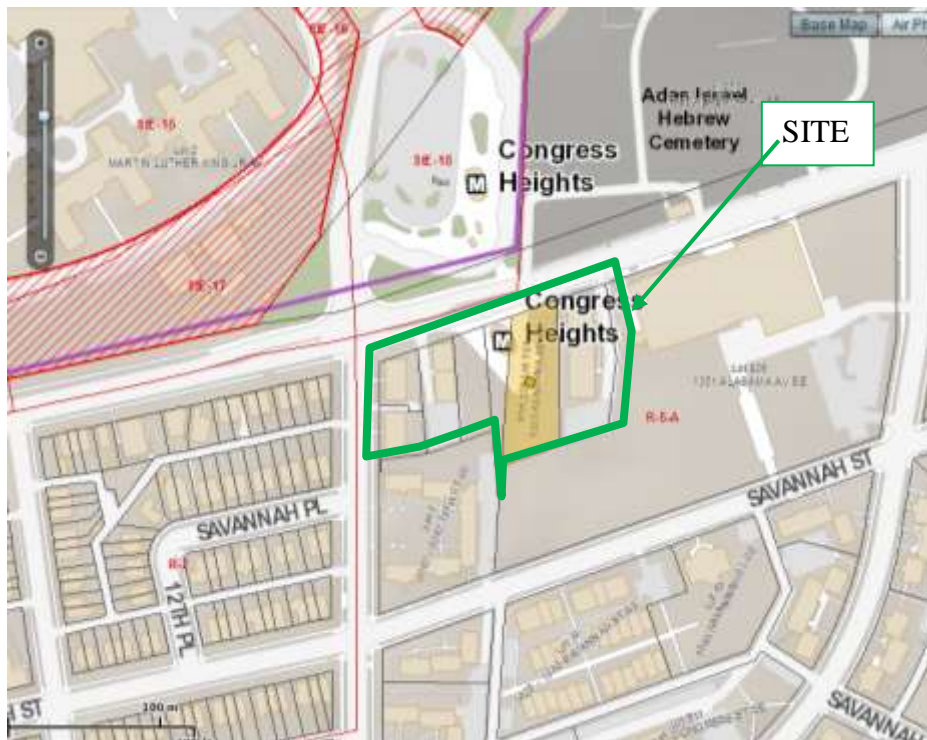
The subject property, Square 5914, Lots 6 and 7 and Parcels 229/160, 229/103, 299/151, and 299/163, has a total land area of 88,486 square feet (2.03 acres) and is located between 13th Street, SE on the west and Malcolm X Elementary School on the east and along Alabama Avenue to the north. Current improvements on the property include 4, three-story garden apartments which are vacant or substantially vacant and the Congress Heights Metro Station entrance and plaza. The property is zoned R-5-A.



III. AREA DESCRIPTION

The area north of the site is dominated by the St. Elizabeths East Campus, the Congress Heights Metro transit center with a Metro entrance and a terminus/beginning or stop for a number of bus routes, and the Adas Isreal Hebrew Cemetery. The historic St. Elizabeths East Campus has the new St. Elizabeths Hospital with the remainder of the campus Master Planned and zoned¹ to be developed with a variety and mix of uses including residential, commercial, institutional, hospitality, educational and civic uses. The portion of the campus adjacent to the Metro transit plaza would be one of the main entrance points into the campus. It is envisioned to be developed as an active center with ground floor retail and other uses to activate the area, complemented by open spaces that would allow easy pedestrian movement and congregation.

To the west of 13th Street, the properties are developed with two-story duplexes in the R-2 zone. The area to the south of the site and east of 13th Street is developed with 2- and 3-story garden apartments in the R-5-A zone. West of the site and beyond the Malcolm X Elementary School are apartments and the Shops at Park Village, a strip commercial center in the C-2-B zone.



Site Location and Zoning Map

IV. PROJECT DESCRIPTION

The proposed development would consist of two buildings, an 8-story “office building” and a 9-story “residential building”. At the base of both buildings would be ground floor retail encircling the Metro entrance plaza area and fronting on Alabama Avenue and 13th Street. The buildings would appear as one but would function independently with no internal connections. The buildings combine for a total of approximately 443,470 square feet of space at 5.01 FAR.

¹ ZC Order 12-08, March 29, 2013

The 8-story commercial building would have 236,343 square feet of office space and 8,117 square feet of ground floor retail and a height of 90 feet. 130 parking spaces would be provided below grade plus two at grade spaces. Four loading berths and associated platforms and service delivery spaces would be provided at grade, at the rear of the building. Both the loading and the parking facilities would be accessed via a newly created private alley on the eastern and southernmost portions of the site, exiting on to 13th Street. The 8th floor of the building would be set back from the building's edge to allow for a large terrace with views across the St. Elizabeths campus towards the western portion of the City.

The residential building would be 9-stories at a height of 90 feet and would have 191,057 square feet of residential space (206 units), 6,557 square feet of ground floor retail and 1,694 square feet of office space. Sixty-two (62) below-grade parking spaces and 24 above-grade parking spaces would be provided. Parking and loading facilities would be located at the rear of the building and accessed via the new private alley. The rear of the building would extend two floors with a landscaped terrace on its roof, open to the sky. This would allow light and air into the apartments and reduce the visual massing of the building to the apartments to the south. The residential building would include balconies on the upper levels and along the Alabama Avenue frontage nearest the rotunda. Townhouse-style elements with red brick would complement the residential uses along 13th Street. Both the residential and the office buildings would be a mixture of tan, red and grey colored brick, mainly with precast stone trim and glass curtain wall elements.

The approximately 6,000 square feet Metro plaza at the center of the residential and commercial buildings would form the focus of the development. The ground floor of the buildings would have retail uses with extended ceiling heights that front directly on Alabama Avenue, the Metro entrance and plaza, and on 13th Street to activate those spaces. The entrance into the office building would be accessed from an accentuated entrance off the plaza, while the residential entrance would be distinguished by a rotunda on the second level of the building. A gym with patio space on the second level of the residential building would further activate this space.

V. MAJOR CHANGES SINCE SETDOWN

Architectural Modifications

- Height of each building was lowered to ninety (90) feet;
- Height of the architectural embellishment on the residential building was reduced and the design refined;
- Additional red brick was added to the Alabama Avenue façade;
- Additional articulation was added to the 13th Street façade;
- Upper two floors were set back from the face of the building to give it a more residential feel and be more responsive to the lower residential apartment building to the west;
- Elevator penthouse structures, previously visible from the Metro Plaza, were relocated to satisfy the setback requirements along the public street frontage (1:1 setback relief remains required for other locations);
- Perspectives and sections were provided to show the relationship between the proposed building and the approved development to the north (St. Elizabeths East Campus).

Relocation Plan

The Applicant has relocated or provided relocation assistance to the existing residents for new homes within Ward 8. All existing residents would be offered the opportunity to return to the completed project within eight months of the issuance of the certificate of occupancy for the residential building. Initial rents would be equal to their current rents, with future increases limited to no more than four percent (4%) annually.

VI. ZONING AND PUD RELATED MAP AMENDMENT

The site is currently zoned R-5-A. Generally, R-5 residential districts allow flexibility of design and permit moderate height and density residential uses.

The proposed C-3-B district permits medium-density development, with a density incentive for residential development within a general pattern of mixed-use development. This zone is intended to be compact in area and located on arterial streets, in uptown centers and at rapid transit stops.

The following table is a comparison of the R-5-A, C-3-B, C-3-B/PUD standards and the proposed development.

Requirement	R-5-A (Matter of right)	C-3-B (Matter of right)	C-3-B /PUD	Proposal	Deviation
Lot Area	As prescribed by the Board pursuant to § 3104	n/a	15,000 sf. for a PUD	88,846 sf.	Conforms
Height (max.)	40 ft.	70 ft.	90 ft.	Office: 90 ft. Residential: 90 ft.	Conforms
FAR (max.)	0.9	5.0 -Total 6.0 - with IZ 4.0 - Non-residential limit	5.5 - Total 4.5 - Non-residential	5.01 - Total 2.2 - Residential 2.9 - Non-residential <u>Residential Lot</u> 4.84 - Residential 0.41 - Non-residential <u>Office Lot</u> 4.82	Conforms Conforms Relief Requested
Lot Occupancy (max)	40%	75% - Residential 100% - Non residential	75% - Residential 100% - Non residential	73% - Residential 66% - Non residential	Conforms
Rear Yard (min)	20 ft.	<u>Office Blg.</u> 2.5 ins./ft. of height but not less than 12 ft. <u>Residential Blg.</u> 2.5 ins./ft. of height but not less than 12 ft.	<u>Office Blg.</u> 2.5 ins./ft. of height but not less than 12 ft. <u>Residential Blg.</u> 2.5 ins./ft. of height but not less than 12 ft.	<u>Office Blg.</u> 22.3 ft. Residential Blg: 21.0 ft.	Conforms
Side Yard	3 in./ft. of height; not less than 8 ft.	<u>Office Blg.</u> None required but if provided 2 ins./ft. of height but not less than 6 ft. <u>Residential Blg:</u> None required on corner lot.	<u>Office Blg:</u> None required but if provided 2 ins./ft. of height but not less than 6 ft. <u>Residential Blg:</u> None required on corner lot.	<u>Office Blg:</u> 21 ft. <u>Residential Blg:</u> none	Conforms

Requirement	R-5-A (Matter of right)	C-3-B (Matter of right)	C-3-B /PUD	Proposal	Deviation
Courts	<p>Open Court: 4 ins./ft. of height, but not less than 10 ft.</p> <p>Closed Court: 4 ins./ft. of height, but not less than 15 ft.</p> <p>Court Area: 2 x the square of the width of the height of the court, but not less than 350 sf.</p>	<p><u>Residential Blg.</u> Court #3 – METRO Pedestrian level open court Width: 4 ft. Area: 250 sf minimum</p> <p>Court #4 - METRO Second Floor Residential level open court Width: 26.3 ft. Area = 1,387 sf</p> <p>Court #5 - Residential Blg. Closed Court “ Width: 26.6 ft. Area: 1,422 sf.</p> <p><u>Office Building</u> Court #1 – METRO Pedestrian level open court Width: 4 ft. Area: 250 sf minimum</p> <p>Court #2 – North @ Second Floor level open court Width: 22 ft. Area = 250 sf minimum</p>	<p><u>Residential Blg.</u> Court #3 – METRO Pedestrian level open court Width: 4 ft. Area: 250 sf minimum</p> <p>Court #4 - METRO Second Floor Residential level open court Width: 26.3 ft. Area = 1,387 sf</p> <p>Court #5 - Residential Blg. Closed Court “ Width: 26.6 ft. Area: 1,422 sf.</p> <p><u>Office Building</u> Court #1 – METRO Pedestrian level open court Width: 4 ft. Area: 250 sf minimum</p> <p>Court #2 – North @ Second Floor level open court Width: 22 ft. Area = 250 sf minimum</p>	<p><u>Residential Blg.</u> Court #3 – METRO Pedestrian level open court Width: 16.8 ft. Area: 1,401 sf</p> <p>Court #4 - METRO Second Floor Residential level open court Width: 34.6ft. Area = 3,436 sf</p> <p>Court #5 - Residential Blg. Closed Court “ Width: 42.4 ft. Area: 3,690 sf.</p> <p><u>Office Building</u> Court #1 – METRO Pedestrian level open court Width: 19.8 ft. Area: 3,836 sf</p> <p>Court #2 – North @ Second Floor level open court Width: 60.4 ft. minimum Area = 6,318 sf</p>	Conforms
Roof Structure	<p><u>Residential and Commercial Blg.</u></p> <p>One structure per building</p> <p>1:1 setbacks</p> <p>18.5 ft. high</p>	<p><u>Residential and Commercial Blg.</u></p> <p>One structure per building</p> <p>1:1 setbacks</p> <p>18.5 ft. high</p>	<p><u>Residential and Commercial Buildings:</u></p> <p>One structure per building</p> <p>1:1 setbacks</p> <p>18.5 ft. high</p>	<p><u>Residential Blg.:</u></p> <p>3 structures</p> <p>1:1 not met in all locations (courtyard)</p> <p>Variable heights</p> <p><u>Office Blg.:</u> 1 structure</p> <p>1:1 setbacks</p> <p>Variable heights</p>	<p>Relief Requested</p> <p>Relief Requested</p> <p>Relief Requested</p> <p>Conforms</p> <p>Conform</p> <p>Relief Requested</p>

Requirement	R-5-A (Matter of right)	C-3-B (Matter of right)	C-3-B /PUD	Proposal	Deviation
Parking	1 for each dwelling unit	<u>Residential Bldg.</u> 1/4 dwelling units = 52 Office: 1/1,800 sf. = 0 Retail: 1/750 sf. in excess of 3,000 sf. = 8 <u>Office Bldg:</u> Office: 1/1,800 sf. in excess of 2,000 sf = 120 Retail: 1/750 sf. in excess of 3,000 sf. = 10 TOTAL = 190	<u>Residential Bldg.</u> 1/4 dwelling units = 52 Office: 1/1,800 sf. = 0 Retail: 1/750 sf. in excess of 3,000 sf. = 8 <u>Office Bldg:</u> Office: 1/1,800 sf. in excess of 2,000 sf = 120 Retail: 1/750 sf. in excess of 3,000 sf. = 10 TOTAL = 190	<u>Residential Bldg.</u> 72 Office and Retail: 14 <u>Office Bldg:</u> Office: 120 Retail: 12 TOTAL = 218	Conforms
Loading	Apartment house or multiple dwellings over 50 units: 1 berth @ 55 ft., deep 1 platform @ 200 sf. 1 service delivery @ 20 ft. deep	<u>Residential Bldg</u> 1 berth @ 55 ft, deep 1 platform @ 200 sf. 1 service delivery @ 20 ft. deep <u>Office Bldg:</u> Office:>200,00 sf. 3 berth @ 30 ft, deep 3 platforms @ 100 sf. 1 service delivery @ 20 ft. deep Retail:> 20,000 sf. 1 berth @ 30 ft, deep 1 platform @ 100 sf.	<u>Residential Bldg</u> 1 berth @ 55 ft, deep 1 platform @ 200 sf. 1 service delivery @ 20 ft. deep <u>Office Bldg:</u> Office:>200,00 sf. 3 berth @ 30 ft, deep 3 platforms @ 100 sf. 1 service delivery @ 20 ft. deep Retail:> 20,000 sf. 1 berth @ 30 ft, deep 1 platform @ 100 sf.	<u>Residential Bldg</u> 1 berth @ 30 ft, deep 1 platform @ 200 sf. 1 service delivery @ 20 ft. deep <u>Office Bldg:</u> Office: 3 berth @ 30 ft, deep 3 platforms @ 100 sf. 2 service delivery @ 20 ft. deep Retail: 1 berth @ 30 ft, deep 1 platform @ 100 sf.	<u>Residential:</u> 1 berth @ 55 ft, deep <u>Office:</u> 2 service delivery @ 20 ft. deep on the residential lot.
Bicycle Spaces	n/a	<u>Residential Bldg:</u> 1/3 du - 69 <u>Office:</u> 5% of required parking spaces = 7 spaces	<u>Residential Bldg:</u> 1/3 du – 69 spaces <u>Office:</u> 5% of required parking spaces = 7 spaces	<u>Residential Bldg:</u> 69 <u>Office:</u> 77	Conforms

VI. FLEXIBILITY

The following flexibility has been requested from the Zoning Regulations:

Related Map Amendment from R-5-A to C-3-B

The Comprehensive Plan Land Use Map designates this site for mixed medium-density residential and medium-density commercial development for the site. The requested map amendment to the C-3-B zone is not inconsistent with this designation.

Two Buildings on a Single Lot

Currently, the subject property is divided into a number of lots and would be combined into a single lot of record with two theoretical lots for each of the buildings. Each lot meets the yard requirements except that the office building’s FAR would be 4.82, instead of the allowed maximum 4.5 FAR. While there are two theoretical lots for zoning purposes, the project is a cohesive whole

that includes an office component and a residential component, with an overall non-residential FAR of 2.82, within the zone limitations. There are no reasons to have a direct above grade connection between the buildings.

Loading

The Applicant requests relief to reduce the required loading facility for the residential building. Section 2201.1 requires a 55-foot loading berth, a 200-foot platform and a 20-foot service/delivery space. The Zoning Commission “may reduce or increase the amount of such facilities (loading berth facilities) depending on the uses and the location of the project” pursuant to § 2405.6.

The proposal includes a request to replace the 55-foot berth with a 30-foot loading berth because a large truck would have difficulty accessing a 55-foot loading berth from Alabama Avenue or 13th Street. Accommodating 55-foot trucks on the site would require a wider alley or multiple turning movements on Alabama Avenue, which would impact traffic and pedestrian movements. A Loading Management Plan is proffered, which would include a Loading Manager who would coordinate with DDOT to monitor 55-foot trucks coming to the site. Illustrations at ZC Exhibit 15A4, Sheets 5.0 to 5.6, demonstrate truck movements through the alley.

Relief has also been requested to locate the two service delivery spaces required for the office building on the residential lot as shown on ZC Exhibit 15A3, Sheet 2.2. Although the theoretical lot line is being set by the applicant, drawing the line to have the service delivery spaces on the office lot could result in changes to the lot occupancy and FAR that exceeds the maximum allowed. The service delivery spaces would be located on an area along the alley, which would not affect vehicular movements within the alley.

Multiple Roof Structures of Unequal Height and not meeting the 1:1 setback in all locations

The proposal requests relief for multiple roof structures and enclosures of unequal heights. Three smaller structures of unequal heights instead of one larger structure are proposed on the residential building in order to reduce visibility. Since set down, the roof structure setback on the residential building has been increased to satisfy the setback requirements from the exterior walls and would be less visible from street level or the Metro Plaza. The enclosures would now conform to the 1:1 setback required from the Metro plaza, but would not conform to the 1:1 setback in two other areas, as shown on ZC Exhibit 15A3, Sheets 2.8, 2.9 and 2.10. There would be one enclosure of varying heights on the office building to reduce visibility.

VII. PUD EVALUATION STANDARDS

The purpose and standards for Planned Unit Developments are outlined in 11 DCMR, Chapter 24. Section 2400.1 states that a PUD is “designed to encourage high quality developments that provide public benefits.” In order to maximize the use of the site consistent with the Zoning Regulations, and be compatible with the surrounding community, the application requests that the proposal be reviewed as a consolidated PUD. This will allow the use of the flexibility stated in § 2400.2:

The overall goal is to permit flexibility of development and other incentives, such as increased building height and density; provided, that the project offers a commendable number or quality of public benefits and that it protects and advances the public health, safety, welfare, and convenience.

The application requests a PUD-related map amendment to permit approximately 50-feet of additional building height and 4.1 FAR above R-5-A limits. The increase in FAR and height would be consistent with the Comprehensive Plan recommendation for increased density at a transit station and to the Land Use and Policy maps, and would allow for the addition of office and retail uses.

Section 2403 further outlines the standards under which the application is evaluated:

2305.3 The PUD standards further provide 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.”

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.” To assist in the evaluation, the Applicant is required to describe amenities and benefits, and to “show how the public benefits offered are superior in quality and quantity to the typical development of the type proposed...” (§ 2403.12)

The following amenities and benefits are offered to offset the additional development that would be gained through the application process:

Urban Design, Architecture, Landscaping or Creation or Preservation of Open Space

The project exhibits characteristics of exemplary urban design and architecture through the massing, height and articulation of the buildings. The office building would be mainly a tan colored brick with grey colored brick accents, precast stone trim and painted aluminum windows. The ground floor retail areas will have 11.4-foot heights with a distinctive entrance lobby. The rotunda at the residential building provides a unique feature and helps pedestrians walking along Alabama Avenue and 13th Street. The residential building also features balconies that distinguish it from the office building. Further, the side of the residential building along 13th Street would have red brick and articulated store fronts to complement the residential buildings along 13th Street. Extensive landscaping around the building frontage would be provided with the buildings pulled back from the property line to provide additional space and additional landscaping and pedestrian ways of approximately 19-feet along Alabama Avenue and approximately 22-feet along 13th Street.

Site Planning, and Efficient and Economical Land Utilization

The subject property is an underutilized site located at a Metro station also served by several Metrobus lines, and along a major arterial roadway. It would be developed with a mix of residential, office and ground floor retail uses to activate Alabama Avenue and the Metro plaza. Shadow studies demonstrate the impact of the new development on neighboring properties (ZC Exhibit 15A3, Sheet 2.11).

Transportation Features

The proposal provides only one curb cut along Alabama Avenue and one along 13th Street. Vehicles would access the parking and loading facilities through a private alley on the eastern and southern portions of the site and exit onto 13th Street.

The project proposes 86 parking spaces on the residential lot, 72 for residents and 14 for the office / retail uses. In the office building, there are 132 below- and at-grade spaces. Seventy-seven (77) interior bicycle spaces would be provided in the office building and 64 in the residential building. In addition, the plans show two sets of bike racks along Alabama Avenue and 13th Street. There are also 15 Capital Bikeshare spaces. DDOT has requested additional bike-share spaces at this Metro-accessible site, further addressed in the DDOT report. A Transportation Impact Study and Transportation Management Plan are reviewed in DDOT's report.

Environmental Benefits

The Applicant provided LEED score sheets for each building (ZC Exhibit 15A5, Sheets, 6.0 and 6.1). The residential building would be constructed to meet the LEED for New Construction and Major Renovation, while the office building would be constructed at the LEED for Core and Shell, each at the Silver level at a minimum. The Applicant is unsure if the certification process would be applied to all components of the project. OP encouraged the Applicant to strive for the Gold level for the high-quality building that is being proposed. The Applicant submitted the Green Area Ratio (GAR of 0.254), which meets the C-3-A zone requirement (ZC Exhibit 15A3, Sheet, 6.2).

Employment and Training Opportunities

The Applicant would not be entering into a First Source or CBE Agreement. The Community Benefits Agreement would address training and employment opportunities. Article VII, Employment, and Article VIII, Working Capital Fund for Contracting Opportunities, would include:

- Thirty-percent (30%) of construction jobs to be filled by Ward 8 residents;
- Two paid interns throughout the course of the construction with preference given to former residents of the site and then second preference to residents Ward 8;
- Graduates of training programs would be given first preference for positions that match their skills when available prior to construction and during each phase of the development; and
- Revolving working capital fund for subcontractors.

Housing and Affordable Housing

The project would create 206 new residential units on site, with 8% of the residential gross square footage, or 15,248 square feet of its units, devoted to affordable households earning 80% of AMI. This designation of 8% of the residential units as affordable meets the Inclusionary Zoning requirement for workforce housing. The Applicant states that in response to community sentiments additional affordable units are not being proffered. The Applicant offered all existing residents the opportunity to return to the completed project at rents equal to their current rents, with future increases limited to no more than a four percent (4%) annual increase. Although requested at set down, the Applicant has not yet provided information regarding the unit-mix and the locations of the affordable units.

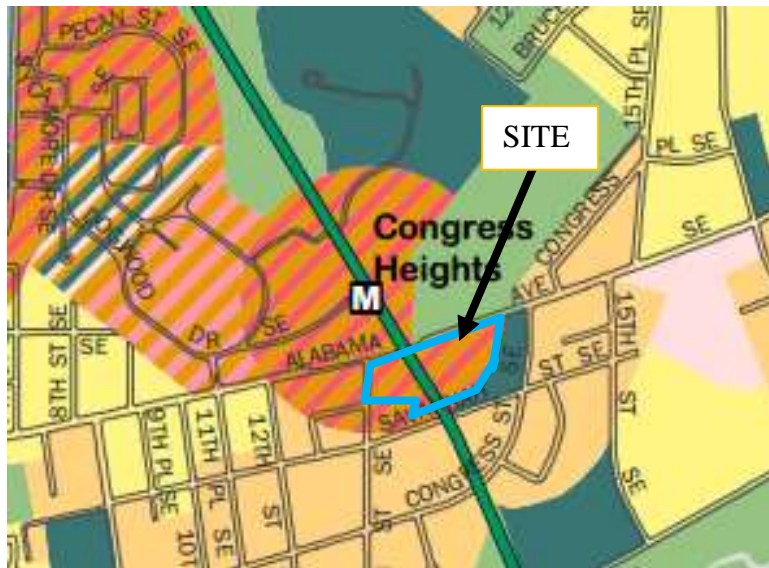
Uses of Special Value to the Neighborhood or the District of Columbia as a Whole

The proposed development would be one of the first of its type in Ward 8 and its location at the Metro station would support the neighborhood. It would accommodate new retail offerings and affordable retail space for local businesses. The Applicant would provide 1,600 square feet of retail space for local retailers at a 25% discounted rent for 10 years. OP recommends this proffer to be for the life of the project.

The Applicant has fully engaged the community and has finalized a Community Benefits Agreement with the ANC and four other community organizations. Benefits would include:

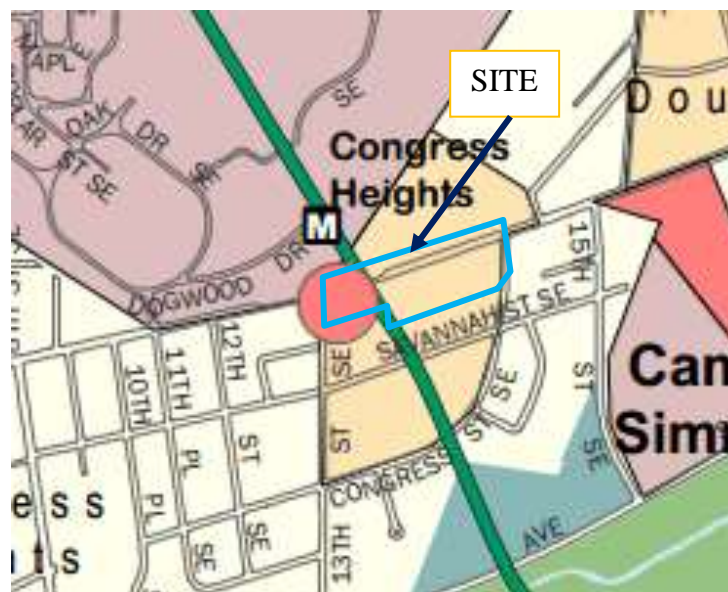
- 500 square feet of office space for the ANC at a cost of one dollar per month for five years with the possibility of three, five year extensions;
- Employment and training opportunities for Ward 8 residents; and
- Annual donations of \$5,000 to each organization for a period of 15 years or approximately \$225,000 to fund identified community activities.

VIII. COMPREHENSIVE PLAN



Future Land Use Map

The Future Land Use Map designates the subject site for a mix of medium-density residential and medium density commercial uses. The proposed C-3-A zoning, which is intended to accommodate a more intense mixed-use residential, office and retail project, is not inconsistent with the land use designation.



Generalized Policy Map

The Generalized Policy Map designates the site as a Neighborhood Enhancement Area, where the guiding philosophy is to “ensure that new development “fits-in” and responds to the existing character, natural features, and existing/planned infrastructure capacity. New housing should be encouraged to improve the neighborhood and must be consistent with the land use designation on the Future Land Use Map.” Further, the “unique and special qualities of each area should be maintained and conserved, and overall neighborhood character should be protected as development takes place.” and “New development in these areas should improve the real estate market, reduce crime and blight, and attract complementary new uses and services that better serve the needs of existing and future residents.” The property is also within an area designated a New Neighborhood Center. The proposal is consistent with these recommendations as the development would provide housing opportunities for existing residents as well as bring new residents to the area. Architectural elements such as red brick and the building’s articulation would enhance neighborhood character and set a standard for others to follow. The commercial portion of the development, with its office and retail uses, would bring new services and opportunities to the neighborhood to serve existing and new residents.

The Comprehensive Plan provides the following policy guidance:

Land Use Element

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.

The proposed development at the Congress Heights Metro Station would replace underutilized property around the station. The transit oriented development would maximize transit ridership while providing additional bike space and encouraging other transportation demand management measures. The proposed development would help to catalyze other developments in close proximity to the Congress Heights Metro Station and St. Elizabeths.

Policy LU-1.3.4: Design To Encourage Transit Use Require architectural and site planning improvements around Metrorail stations that support pedestrian and bicycle access to the stations and enhance the safety, comfort and convenience of passengers walking to the station or transferring to and from local buses. These improvements should include lighting, signage, landscaping, and security measures. Discourage the development of station areas with conventional suburban building forms, such as shopping centers surrounded by surface parking lots.

The proposal to increase the pedestrian ways along Alabama Avenue and 13th Street and activate the plaza area with retail uses would enhance the safety, comfort and convenience for those who would use the metro station. Additional bicycle racks and the existing Capital Bikeshare station would provide facilities for users of the Metro station.

Policy LU-2.1.11: Residential Parking Requirements *Ensure that parking requirements for residential buildings are responsive to the varying levels of demand associated with different unit types, unit sizes, and unit locations (including proximity to transit). Parking should be accommodated in a manner that maintains an attractive environment at the street level and minimizes interference with traffic flow. Reductions in parking may be considered where transportation demand management measures are implemented and a reduction in demand can be clearly demonstrated.*

The proposal provides below-grade parking and ingress and egress should not inhibit traffic and pedestrian movements. The proposed location would not interrupt the building facades and would provide an attractive street level for each building. The number of parking spaces provided would exceed the number required by the Zoning Regulations.

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.*

The proposed use-mix, height, massing, scale, and design are appropriate for this transit location and are not inconsistent with the Comprehensive Plan. The shadow studies show that the light and air to the adjacent residences and school should not be negatively impacted. Along the 13th Street frontage, office uses instead of retail uses are proposed to minimize the level of activity closest to the residential use.

Transportation Element

Policy T-1.1.5: Joint Development *Attract new riders to the transit system by fostering transit-supportive commercial and residential joint development projects on Washington Metropolitan Area Transit Authority (WMATA) owned or controlled land and on private properties adjacent to Metrorail stations*

WMATA is a partner in the proposed transit oriented development, which would bring new businesses and residents to the area. WMATA would retain a permanent access easement for public station access and service operations and would monitor design and construction of the development.

Housing Element

Policy H-1.1.3: Balanced Growth

Strongly encourage the development of new housing on surplus, vacant and underutilized land in all parts of the city. Ensure that a sufficient supply of land is planned and zoned to enable the city to meet its long-term housing needs, including the need for low- and moderate-density single family homes as well as the need for higher density housing.

The proposed development would better utilize the property around the Metro station, increasing workforce housing to complement other housing types, existing and planned, for the Congress Heights area. The required level of IZ units would be provided at 8% or 15,248 gross square feet of the residential space of its affordable units for households making up to 80% of AMI. The units would accommodate returning residents at various levels of AMI's, below 80%.

Policy H-1.1.4: Mixed Use Development Promote mixed use development, including housing, on commercially zoned land, particularly in neighborhood commercial centers, along Main Street mixed use corridors, and around appropriate Metrorail stations.

The subject property is recommended for a mixed-use development with residential, commercial and retail uses and is within an area designated to be a neighborhood commercial center, at a metro station.

Policy H-1.2.2: Production Targets

Consistent with the Comprehensive Housing Strategy, work toward a goal that one-third of the new housing built in the city over the next 20 years should be affordable to persons earning 80 percent or less of the area-wide median income (AMI). Newly produced affordable units should be targeted towards low-income household.

The required level of IZ units would be provided at 8% or 15,248 gross square feet of the residential space of its affordable units for households making up to 80% of AMI.

Environment

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.

The Applicant proposes LEED Silver certification for both buildings and a GAR score of 0.25

Policy E-3.1.2: Using Landscaping and Green Roofs to Reduce Runoff Promote an increase in tree planting and landscaping to reduce stormwater runoff, including the expanded use of green roofs in new construction and adaptive reuse, and the application of tree and landscaping standards for parking lots and other paved surfaces.

The proposal would increase tree planting along the public right-of-way. Additionally, 28,340 square feet of green roof would be provided to reduce runoff.

Urban Design

Policy UD-3.1.7: Improving the Street Environment Create attractive and interesting commercial streetscapes by promoting ground level retail and desirable street activities, making walking more comfortable and convenient, ensuring that sidewalks are wide enough to accommodate pedestrian traffic, minimizing curb cuts and driveways, and avoiding windowless facades and gaps in the street wall.

Policy UD-3.1.8: Neighborhood Public Space Provide urban squares, public plazas, and similar areas that stimulate vibrant pedestrian street life and provide a focus for community activities. Encourage the “activation” of such spaces through the design of adjacent structures; for example, through the location of shop entrances, window displays, awnings, and outdoor dining areas.

The proposed buildings would be set back from the property line to provide additional space for pedestrian ways and landscaping. The development would have ground floor retail uses with

entrances fronting on Alabama Avenue, as well as around the Metro plaza to provide activity and outdoor seating area. Small office uses along the 13th Street frontage would activate the street while respecting the residential street.

Far Southeast/Southwest Area Element

Policy FSS-1.1.1: Directing Growth *The presence of the Anacostia Metrorail Station and the coming redevelopment of the St. Elizabeths Hospital site, including the consolidation of the Federal Department of Homeland Security, offer an unprecedented opportunity to catalyze economic development in the Far Southeast/Southwest area. . . . Additional opportunities for future housing development and employment growth in the Far Southeast/Southwest should be directed to the area around the Congress Heights Metro Stations, and along the “Great Streets” corridors of Martin Luther King Jr., Avenue SE and South Capitol Street. Provide improved transit and automobile access to these areas and improve their visual and urban design qualities. Any increase in zoning or density around the Metro station shall only be available through a planned unit development with the expectation that commensurate benefits shall accrue to the neighborhood in terms of education and job opportunities, new and affordable housing for homeownership, improved urban design, and public infrastructure improvements. The planned unit development shall provide civic and cultural amenities, promote quality in design of buildings and public spaces, support local schools, create opportunities for cultural events and public art, and enhance the public realm by addressing safety and cleanliness issues.*

The application is being reviewed as a PUD and would promote new and affordable housing, improve transit access and promote quality in the design of the buildings and adjacent public spaces, including the Metro plaza area. The Applicant has worked with the community representative to identify specific benefits needed in the neighborhood.

Policy FSS-1.1.10: Minority/Small Disadvantaged Business Development *Provide technical assistance to minority-owned and small businesses in the Far Southeast/Southwest to improve the range of goods and services available to the community. Joint venture opportunities, minority business set-asides, business incubator centers, and assistance to community-based development organizations should all be used to jumpstart local business and provide jobs in the community.*

As outlined in the Community Benefits Agreement, the Applicant would provide commercial space at reduced rents for neighborhood businesses; provide assistance to small, sub-contractors; and provide monetary donations to neighborhood organizations to fund their programs.

Policy FSS-2.4.1: Congress Heights Metro Station Mixed Use *Encourage reuse of the Congress Heights Metro station site and its vicinity with mixed use medium density residential and commercial development through the use of planned unit developments that promote new economic development. Development on the site should be cognizant of the adjacent lower density neighborhood to the west and south, provide a connection to the future development on the St. Elizabeths Campus, and create a stronger sense of identity and gateway for the Congress Heights neighborhood. Medium density development on the portions of the northwest quadrant of Square 5814 would be compatible with the adjacent lower density neighborhood to the west and south with appropriate design review through a*

Planned Unit Development process. Strongly encourage WMATA to make its land available for joint development around the Congress Heights Metro Station.

WMATA is included in the team for the proposed medium-density mixed-use development. The building would be located so as not to affect the light and air of adjacent uses. Loading and parking areas to the rear of the buildings are set back from the property line to minimize noise to the residents to the south. Retail uses are concentrated along Alabama Avenue and around the Metro plaza area. The façade of the residential building along 13th Street would be of red brick, similar to the homes along 13th Street and with articulations to mimic townhouse units.

XI. AGENCY REFERRALS

OP sent referrals to various District government agencies for review and comment. To date, OP has not received any responses. DDOT will submit a report under Separate cover.

XI. SUMMARY OF ZONING COMMISSION AND OP REQUESTS FOR ADDITIONAL INFORMATION

The following summarizes Zoning Commission and OP requests for additional information relating to the Applicant’s set down submission.

ZC and OP Comments	Applicant’s Response	OP’s Analysis
Provide improved drawings to highlight the materials.	More detailed drawings were submitted in addition to pictures of materials to be used on the building façade.	Provided.
Provide renderings along the ground floor that shows the retail picture and the character of the building.	Revised site plan and architectural drawings were provided.	Provided. Renderings of the retail spaces along Alabama Avenue and 13 th Street are shown in detail and demonstrate the activation of the Metro Plaza.
Provide detailed elevations of the rear façade.	Revised architectural plans responding to the Commission’s concerns are provided.	Provided. The rear and side façades would be exposed and upgraded materials and articulation were provided.
Provide details of the metro entrance and the plaza area.	Perspectives of the metro entrance and the plaza area are provided on ZC Exhibit 15A1, Sheets 1.2, 1.2 and 1.4.	Provided.
Relocate elements which result in a penthouse that is visible from the metro plaza.	ZC Exhibit 15A1, Sheet 2.8 and Sheet 2.10, shows the roof structures setback to minimize visibility from the metro plaza and street levels.	Provided.
Provide street sections showing the relationship between the potential development of St E 19 and the proposed development.	ZC Exhibit 15A4, Sheets 4.0, 4.1 shows the relationship between the proposed development and the potential development at St Elizabeths East.	Provided.
Provide justification for the additional building height over 90 feet and the extent of the reduction in the “level of quality and experience” of the residential use if the additional height was not permitted.	The Applicant lowered both buildings to 90 feet. However, the Applicant would like the ZC to consider the original request as they contend that the additional height would allow for the increase in ground floor retail heights which are being requested by retailers and make the space more marketable.	OP supports the provision of higher heights for ground floor retail, but the higher heights requested for ground floor retail could be accommodated in the 90 foot-high building, with adjustments made on the upper floors.

ZC and OP Comments	Applicant's Response	OP's Analysis
<p>The Applicant should make the residential building feel like a residential building and be sensitive to the context of the residential neighborhood.</p>	<p>The west elevation of the residential building has been set back from the property line; additional brick has been added; the upper two floors have been set back; the lower two floors at the base of the building have been designed to resemble townhouses and give a more residential feel among other articulations to the 13th Street facade. ZC Exhibit 15A2, Sheet 1.5 and ZC Exhibit 15A3, Sheet 3.4.</p>	<p>Provided. The addition of brick, the partial setbacks and the additional articulations on the west façade are an improvement towards a more residential feel.</p>
<p>The Applicant should address the large alley and its activity against the open recreational area.</p>	<p>At the rear, the level of the alley is lower than the level of the recreational field. Direct views would be limited to the upper portions of the garage and loading area, as the alley would be separated by a wall (not visible from the field) topped by a 6-foot high fence. Visibility would be further limited by landscaping along the fence. Therefore, loading and parking activities along the alley would not be visible from the recreational field. ZC Exhibit 15A2, Sheet 1.7</p>	<p>Provided. Views from the recreational field would be limited due to the difference in topography and the screening that would be provided along the property line.</p>
<p>Provide details on the set aside program for local and small businesses, including the square footage of space to be set aside, the number of retailers that would be accommodated, and the time period for the reduced rate.</p>	<p>The applicant has proffered 1,600 square feet of retail space for local tenants who would receive a rent discount of 25%.</p>	<p>OP is very supportive of this proffer. The Applicant should provide additional information concerning the how retailers would be chosen and whether the 25% discount would be for the life of the project.</p>
<p>Is the roof top embellishment necessary?</p>	<p>The embellishment is projected to be a part of a landmark gateway architectural place making tower.</p>	<p>The height of the embellishment has been reduced. OP is not opposed to this embellishment.</p>
<p>Provide information on WMATA's role in the development?</p>	<p>A portion of the WMATA property will be sold to the Applicant but will retain a permanent access easement for public station access and for service and operations. WMATA will also monitor design and construction.</p>	<p>Provided.</p>

ZC and OP Comments	Applicant's Response	OP's Analysis
Provide details of the proffered benefits and amenities package.	At ZC Exhibit 15, Public Benefits and Amenities, pages 3-6, are outlined and include: the urban design features of the building, an activated Metro Plaza, green features, a community benefits agreement.	OP requested additional details regarding the location and unit types of the IZ units.
The Applicant should work with the ANC and the adjacent community.	The Applicant is working with the ANC and other community organizations to formulate a community benefits agreement and submitted a draft agreement.	The Applicant has addressed this issue.
Provide truck circulation illustrations demonstration the difficulties that would be encountered with a large truck accessing and/or exiting the property.	Exhibit 15A4, Sheets 5.0 to 5.6 demonstrates truck movements through the alley. If 55-foot trucks were to be allowed on site, a wider alley would be required and/or some turning movements would have to take place on the street, which could negatively impact traffic and pedestrian movements.	Provided.
Provide a TDM Plan.	A TDM Plan was submitted and comments will be provided in the DDOT report.	Provided.
Provide commitment to First Source Employment and CBE Agreements.	The Applicant has stated that they will not sign not First Source Employment or CBE Agreements. However, in their Community Benefits Agreement, they would provide training and employment opportunities.	Provided.

JLS/mbr