District of Columbia
Office of Planning

MEMORANDUM

TO: District of Columbia Zoning Commission

JLS

FROM: Jennifer Steingasser, Deputy Director Historic Preservation Development Review

DATE: June 20, 2016

SUBJECT: **Final Report for ZC #15-33**, Consolidated Planned Unit Development (PUD) and related Zoning Map Amendment from C-M-1 to R-5-B, 1339, 1343-1345, and 1341-1355 E Street SE (Square 1043, Lots 128, 156, 157, 818, and 819)

I. RECOMMENDATION

The Office of Planning (OP) recommends approval of the following:

- A consolidated PUD and PUD-related map amendment from C-M-1 to R-5-B to permit redevelopment of the site located in Square 1043, Lots 128, 156, 157, 818, and 819 with the requested flexibility to:
  - Exceed the maximum permitted lot occupancy with a 73.76% lot occupancy where 60% would be permitted (*§ 403.2*);
  - Provide a reduced rear yard of two feet where 16.67 feet would be required (*§ 404.1*);
  - Provide a reduced side yard of five feet where 12.5 feet would be required (*§ 404.1*);
  - Have contiguous compact parking spaces located in groupings of less than five, where the regulations require that compact spaces be placed in grouping of at least five contiguous spaces with access from the same aisle (*§ 2115.4*);
  - Provide a 30 foot loading berth and a 100 square foot loading platform where a 55 foot loading berth and 200 square foot loading platform would be required (*§ 2201.1*);
  - Construct two buildings with no meaningful connection on one record lot where one building would be permitted (*§ 3202.3*);
  - Provide a separate height for the enclosing walls of the separate stairwell located at the southeast portion of the roof (*§ 411.9*); and
  - Have an Elderly Development Center serving 25 individuals on site.

Subject to the Applicant:

- Providing a color and materials board;
- Providing turning diagrams for the site for trash, delivery, and other vehicles;
- Providing rendered views of and from the habitable penthouse space; and
- Providing a detailed unit breakdown, including a description of Inclusionary

Zoning (IZ) units provided because of the penthouse habitable space.

LEED Gold certification

OP also notes that the benefits of the project could be enhanced to better balance the flexibility requested. As such, OP encourages the applicant to achieve LEED Gold certification. Not only would LEED Gold better balance the flexibility it would also help establish that the "impact of the project on the surrounding area and the operation of city services and facilities" are found "favorable" as contemplated in § 2403.3.

The requested PUD-related map amendment to R-5-B would support the written elements of the Comprehensive Plan and would not be inconsistent with the Future Land Use and General Policy Maps.

II. COMMISSION CONCERNS

At its February 8, 2016 public meeting, the Zoning Commission voted to set down the application for public hearing. The Applicant subsequently submitted its Pre-Hearing Statement (April 8, 2016) and Supplemental Pre-Hearing Submittal (June 9, 2016), Exhibits 15, 16, 26, and 27, which respond to Zoning Commission comments and concerns.

Zoning Commission Comments	**Applicant's Response**[1]	**OP Analysis**
Transportation related items, including site circulation and turning diagrams, as well as a refined Transportation Demand Management (TDM) plan for the Project.	The Applicant provided a copy of its Comprehensive Transportation Review (CTR), dated June 2, 2016.[2]	The CTR includes a circulation diagram at Figure 7. Turning diagrams are referenced and the CTR states they are contained in the Technical Appendix; however, the Technical Appendix was not submitted in to the record. The CTR provides detailed information on the Applicant's TDM plan.
Refined architectural elevations and renderings with particular attention paid to the appropriateness of the zinc panels.	The Applicant provided additional information regarding the proposed building materials on Sheet A-004 of the April 8, 2016 submittal.	The Applicant should provide a color and materials board for review at the public hearing.
Details regarding IZ compliance.	The Applicant indicates that approximately 11,518 square feet of gross floor area would be dedicated to affordable housing in accordance with the IZ regulations	The 550 square feet generated by the habitable penthouse, as well as 5,484 square feet would be made available to households at or below 50% AMI and an additional 5,484 square feet would be made available to households at or below 80% AMI. The Applicant must provide additional information regarding the unit mix, location of IZ units, and complete the table referenced in section VIII (f) of this report.

[1] See Applicant's Pre-Hearing Statement, dated April 8, 2016, Exhibits 15 and 16.
[2] See Exhibit 27A.

Zoning Commission Comments	Applicant's Response[1]	OP Analysis
Additional information regarding the benefits and amenities package.	The Applicant's April 8, 2016 submittal provides additional information regarding the proposed benefits and amenities package for the project.	See the OP analysis in Section VIII of this report.
Upgrade to LEED Gold	The Applicant states that the project would achieve LEED Silver certification as shown on the LEED-NC v2009 USGBC Scorecard on Sheet G-106 of the April 8, 2016 submittal.	The Applicant should continue to work with the District Department of Energy and Environment to identify environmental building features that would bring the project to LEED Gold.
More information should be provided on the alley, including views down the alley, views of the loading, garage access, and parking area, and potential impacts to the alley.	The Applicant has provided additional views of the alley.	Sheets A-004, A-005, and A-006 of the April 8, 2016 submittal provide rendered perspectives of the alley, which show the parking and loading access. Revised renderings should be provided showing the proposed alley improvements (speed table, signage, building lighting, and mirrors).
View of and from the penthouse habitable space.		While the building elevations show the penthouse, the Applicant has not provided rendered views of and from the habitable penthouse space and should provide those prior to the public hearing.

III. PROJECT DESCRIPTION

The Applicant has not proposed major changes to the project since set down.

Location: 1339, 1343-1345, and 1351-1355 E Street SE (Square 1043, Lots 128, 156, 157, 818, and 819)

Applicant/Owner: Insight E Street LLC/E Street Development, LLC (Lots 128, 156, and 157) and Bowie's Inc. (Lots 818 and 819)

Current Zoning: C-M-1

Property Size: 41,183 square feet (0.95 acres)

Proposal: Together with a related map amendment to R-5-B, develop a four-story, 153 unit residential building with habitable penthouse space.

The total Gross Floor Area (GFA) is 123,549 square feet with 123,549 square feet of residential GFA. The proposed FAR for the site is 3.0, which is permitted by the R-5-B PUD.

The project would provide a total of 90 underground parking spaces and 51 bicycle spaces in a secure room in the underground parking garage.

IV. SITE AND AREA DESCRIPTION

The proposed development would be located on a property that is generally rectangular in shape and that is located within the Capitol Hill neighborhood. The site consists of Lots 128, 156, 157, 818, and 819 in Square 1043 for a total of 0.95 acres. The project would replace the Signature Collision Center, Bowie's, and parking associated with these uses. The project would retain the existing rowhouse on Lot 156.

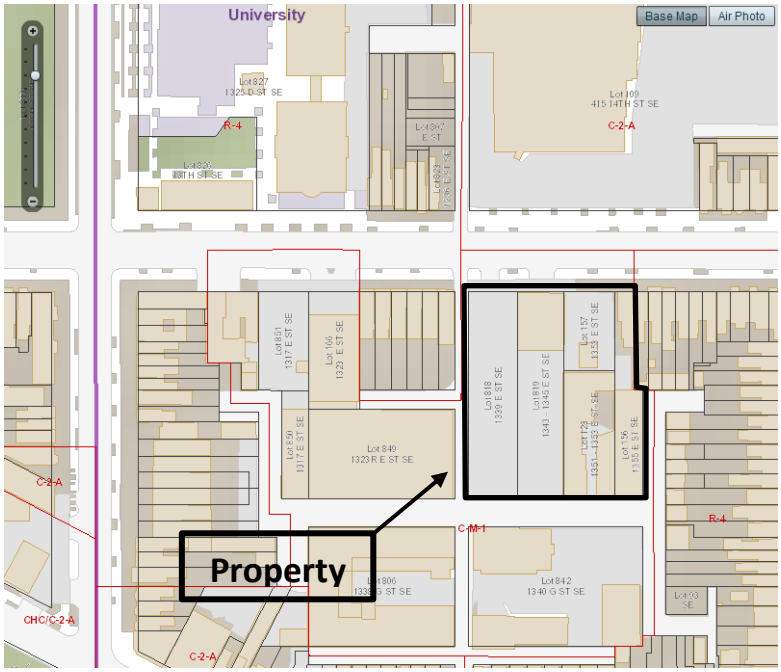

Figure 1: Location and Zoning Map

V. COMPREHENSIVE PLAN

The Property is located in the Capitol Hill Area of the Comprehensive Plan. There are several policies within the Capitol Hill Area Element, as well as policies in the Citywide Framework (primarily the Land Use and Housing Elements), which encourage the preservation and revitalization of the neighborhood's moderate density housing. A map amendment-related PUD development facilitated by the regulations of the R-5-B District would help achieve the applicable policies. A full review of the proposal against Comprehensive Plan policy statements is provided in the OP setdown report at Exhibit 11.

The Future Land Use Map designates the subject property for Moderate Density Residential Use and the Project would be consistent with this designation.

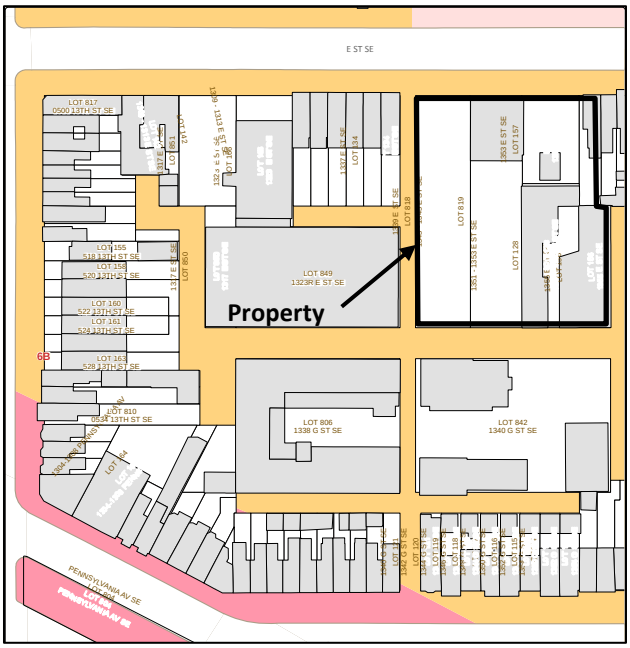

Figure 2: Comprehensive Plan Future Land Use Map

The Generalized Policy Map locates the Property within a "Neighborhood Conservation Area." New residential development is appropriate as it will aid in preserving the residential character of the neighborhood. This development and the associated zone map change would not be inconsistent with the Land Use and Policy Map designations for the surrounding residential neighborhoods.

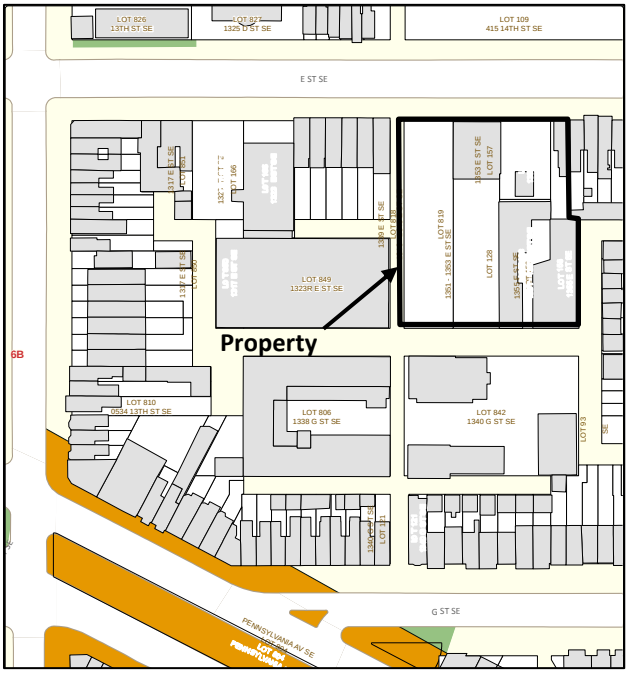

Figure 3: Comprehensive Generalized Plan Policy Map

VII. ZONING

The property is zoned C-M-1. The C-M-1 Zone District is an Industrial District intended to permit low bulk commercial-light manufacturing uses, and permits a maximum height of 40 feet and 3.0 FAR. The Applicant is requesting a map amendment to the R-5-B Zone District, which is intended to permit a moderate height and density residential. The consolidated PUD and PUD-related map amendment from C-M-1 to R-5-B would allow for the development of 153 new residential units. The project would include 123,549 square feet or an FAR of 3.0 and a maximum building height of 50 feet and 3 inches.

DCMR 11 § 350.2 states that "in R-5-B, a moderate height and density shall be permitted" and § 2400.2 specifically states:

> *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.*

In describing the Moderate Density Residential designation, the Future Land Use Map identifies zone districts that are "generally consistent with the Moderate Density Residential category" and states "the R-5-B district may also apply in some locations." Therefore R-5-B is generally "not inconsistent" with the Comprehensive Plan when mapped as part of a Planned Unit Development.

Project parameters, as provided in the application, are listed below.

Standard	**C-M-1**	**R-5-B**	**R-5-B/PUD**	**Proposed**[3]	**Flexibility**
Min. Area for PUD	None	None	1 acre minimum (43,560 sq. ft.)	.95 acre (41,183 sq. ft.)	Complies
Height	40 ft.	50 ft.	60 ft. maximum	50 ft. 3 in.	Complies
FAR	3.0	2.16	3.0 maximum	3.0	Complies
Lot Occupancy	N/A	60%	60% maximum	73.76%	**Requested**
Rear Yard	4 ft./in. of height, not less than 12 ft.	4 ft./in. of height, not less than 15 ft.	4 ft./in. of height, not less than 15 ft.	2 ft.	**Requested**
Side Yard	None	None	None required; if provided 3 in./ft. of height but not less than 8 ft.	5 ft.	**Requested**
Closed Court			4 in. /ft. of height but not less than 15 ft. and area shall be twice the square of min. width (for 67 ft. 2 in. of height, 22 ft. 5 in. of width and 1,004 sq. ft. min.)	58 ft. 8 in. and 5,970 sq. ft.	Complies
Open Court			4 in. /ft. of height but not less than 15 ft. and area shall be twice the square of	17 ft. 4 in. and 4,180 sq. ft.	Complies

[3] See the Applicant's Statement in Support.

Standard	C-M-1	R-5-B	R-5-B/PUD	Proposed[3]	Flexibility
			min. width (for 52 ft. of height, 17 ft. 4 in. of width and 601 sq. ft. min.)		
Parking	Depends on use	1 space for every 2 dwelling units	1 space for every 2 dwelling units or 77 spaces	90 spaces (18% compact)	Complies **Requested (compact)**
Bicycle Parking	None	1 per 3 dwelling units or 51 spaces	1 per 3 dwelling units or 51 spaces	51 spaces	Complies
Loading		1 55 ft. berth; 1 200 sq. ft. platform; 1 20 ft. delivery space	1 55 ft. berth; 1 200 sq. ft. platform; 1 20 ft. delivery space	1 30 ft. berth 1 100 sq. ft. platform	**Requested**

VIII. FLEXIBILITY

The proposal requires flexibility from the Zoning Regulations as detailed below.

- Lot Occupancy (§ 403.2) - The lot occupancy limit is 60%, and the Project as proposed has a lot occupancy of 73.76%.
- Rear Yard (§ 404.1) - The required rear yard for the Project is 16.67 feet; however, the Applicant is proposing to provide a rear yard of two feet.
- Side Yard (§ 404.1) - The required side yard is 12.5 feet; however, the Applicant is providing a side yard of five feet.
- Parking (§ 2115.4) - To have contiguous compact parking spaces located in groupings of less than five where the regulations require that compact spaces be placed in groupings of at least five contiguous spaces with access from the same aisle.
- Loading (§ 2201.1) – To provide a 30 foot loading berth and a 100 square foot loading platform in lieu of the required 55 foot loading berth and 200 square foot loading platform.
- Record Lot (§ 3202.3) – To construct two building with no meaningful connection on one record lot.
- Penthouse Enclosing Walls (§ 411.9) – To provide a separate height for the enclosing walls of the separate stairwell located at the southeast portion of the roof.
- Use (§ 350.4(b)) – To permit an Elderly Development Center that can accommodate up to 25 individuals.

IX. 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*." Section 2403.9 states that "Public benefits and project amenities of the proposed PUD may be exhibited and documented in any of the following categories." The relevant categories for the subject PUD are analyzed below.

PUD Gains

Standard	C-M-1 M-O-R	R-5-B PUD	Proposal	Gains Over M-O-R
Uses	Industrial, Commercial	Residential	Residential	Residential where not permitted in C-M-1
Height ft./stories	40 ft./3 stories	60 ft./# stories not specified	50 ft. 3 in.	10 ft. 3 in.
Lot Occupancy	Not specified	60% (24,709 sq. ft.)	73.67% (30,339.52 sq. ft.)	13.67% (5,630.52 sq. ft.)
FAR	3.0	3.0	3.0	0

(a) Urban design, architecture, landscaping, or creation or preservation of open spaces;

The Applicant is proposing a transit-oriented, infill residential project that will include 153 residential apartments. The project is a primarily brick, 4-story building with a recessed fourth floor clad in a zinc metal panel system, as well as habitable penthouse space. The project would include a landscaped interior courtyard and open courtyard at the eastern property line. The E Street façade features projecting bays and metal front steps that mimic the rowhouse form found in the surrounding Capitol Hill Neighborhood. The lobby for the residential project is denoted by a recessed entry featuring a metal and glass canopy that carries the metal panel cladding down to grade. The Applicant is proposing to retain the existing rowhouse on lot 156 to provide a transition between the project and the adjoining residential rowhouses.

(b) Site planning, and efficient and economical land utilization;

The northern portion of the Property, fronting on E Street SE, would contain five direct entries to residential units, as well as the main building entry and lobby. The existing rowhouse on Lot 156 also would be accessed directly from E Street SE.

The, western, southern, and eastern portions of the Property are surrounded by existing, improved alleys. The Applicant is proposing to dedicate five additional feet of width at the western property line to increase the alley width to 20 feet. Lot 156 and the open court at the eastern property line would provide a buffer between the project and the adjoining rowhouses.

The below-grade parking and loading would be accessed from the alley along the southern property line.

(c) Effective and safe vehicular and pedestrian access, transportation management measures, connections to public transit service, and other measures to mitigate adverse traffic impacts;

The Property is located approximately one-third of a mile from the Potomac Avenue Metro Station, which is served by the Orange, Blue and Silver Lines. The Property also is served by numerous Metrobus lines that run along Pennsylvania Avenue SE (30S, 30N, 32, 34, and 36 as well as the B2, J13, K11, V1, and V4). The Applicant, and two other developers who are proposing PUDs in the vicinity of the site, are proposing physical improvements and programming at the Potomac Avenue Metro Station.

The Applicant proposes to eliminate the existing curb cuts on E Street SE, which will reduce automobile-pedestrian conflicts in the neighborhood. Additionally, the closure of the curb cuts would result in 120 additional feet of curb frontage on E Street SE and 6 additional on-street parking spaces. The Applicant is proposing streetscape improvements that would include new paving for the sidewalks, street light fixtures, new and replacement shade trees, and four bike racks providing short-term parking. Within the project, the Applicant is proposing a landscaped courtyard located above the parking garage, rooftop amenity space, and open courtyard at the eastern property line. The Applicant is proposing a large solar array on the roof.[4]

Access to the site would be via the 20-foot alley that runs north-south through the square. The Applicant is proposing to provide 90 parking spaces in an underground parking garage. Eighteen percent of the proposed spaces would be compact. One parking space would be reserved for the proposed Capitol Hill Village use in the rowhouse. Residents would access the below grade parking via a ramp at the southern side of the Property. Garage access would be via a controlled-access garage door. The underground parking garage would serve all of the Project's residents. The Project would provide underground secure bicycle parking for 51 bicycles, a bicycle repair station in proximity to the bicycle storage, and four on-street short term bicycle racks.

The Applicant is proposing a TDM plan that includes the provision of a carshare or Capital Bikeshare membership for each residential unit for a period of five years from the opening of the project. In addition to providing a TDM marketing program to encourage the use of alternative modes of transportation through the provision of printed materials, the Applicant is proposing to install a TransitScreen in the residential lobby. As part of the TDM plan, the Applicant proposes to provide a cargo bike for tenant use, as well as two grocery carts with wheels for tenant shopping purposed. The Project also would feature conference room facilities, copying and printing capabilities, free Wi-Fi in common area spaces, and common areas for meeting to accommodate tenants that might telework.

The Applicant is proposing safety related improvements in the alley to include the following: a five-foot setback at the western property line to provide a 20-foot north-south alley; reconstruction of the north-south alley, along the project's extent, with stamped concrete and a four-foot pedestrian path with differentiated pavers; conversion of the intersection of the north-south and east-west alleys to a four-way stop with a raised speed table; and the provision of mirrors, lighting, and signage. As previously requested, the Applicant should provide turning movement diagrams to demonstrate how trash trucks and other large vehicles would access the site.

(d) Historic preservation of private or public structures, places, or parks;

The existing Property has no historic buildings on site. The Capitol Hill Historic District is located to the west of the subject property

[4] See Applicant's Architectural Plans, April 8, 2016, Exhibit 16A5, Sheet A-107.

(e) Employment and training opportunities;

The Project would create construction and other related jobs during the construction phase project and would provide management jobs upon completion.

(f) Housing and affordable housing;

The Project would provide 153 new residential units where none exist today. Although the Applicant indicates that affordable housing would be provided consistent with the IZ requirements[5]; however, the Applicant should provide additional information regarding the unit mix for the affordable units, as well as the proposed location of the IZ units in the project. The applicant is providing the required 10% of the penthouse net residential area (550 square feet) at 50% of the Area Median Income (AMI).

Residential Unit Type	GFA & Percentage of Total	Units	Income Type	Affordable Control Period	Affordable Unit Type
Total GFA	123,549 sq. ft. 100%	153			
Market Rate	98,709 sq. ft. 90%	138	N/A		
IZ Total	11,518 sq. ft. 10%	15	Mixed	Duration of Project	Rental
IZ Units (50%)	base 6,034 sq. ft. 52.4% prov. 6,627 sq. ft. 57.5%	9	50% AMI	Duration of Project	
IZ Units (80%)	base 5,484 sq. ft. 47.6% prov. 4,891 sq. ft. 42.5%	6	80% AMI	Duration of Project	

The proposed unit mix for the project is as follows:

Unit Type	Percent
Studio	0 - 10%
1 Bedroom	30 - 50%
1 Bedroom +Den	10 - 25%
2 Bedroom	25 - 45%
3 Bedroom	5 - 15%

(g) Social services/facilities;

The Applicant proposes to dedicate approximately 1,200 square feet to Capitol Hill Village, which is a neighborhood-based, non-profit organization providing services to help residents stay in their homes and the Capitol Hill community as they age. The Applicant proposes to renovate the existing rowhouse at 1355 E Street SE with low-impact universal design elements and dedicate it rent-free to advance the delivery of services and programs to serve seniors in Capitol Hill.[6]

(h) Environmental benefits;

The Applicant is proposing rooftop solar photovoltaic panels that would generate approximately one percent of the project's energy needs. Stormwater would be managed through plantings in the central closed courtyard and the eastern open courtyard, as well as through other natural features that would store, infiltrate, treat, and detain runoff onsite. The Applicant is proposing to reduce energy usage onsite through the selection of light fixtures, maximization of daylighting in units, use of energy sensors and energy

[5] See the Applicant's Area Tabulations and Zoning Summary, April 8, 2016, Exhibit 16A1, Sheet G-002.

[6] Exhibit 27C.

usage monitoring, and efficient mechanical systems. The Applicant is proposing to purchase power from alternative energy sources.

The Applicant has indicated that the Project would achieve a Green Area Ratio (GAR) of 0.4, which is the minimum score required.

The Applicant has provided a LEED New Construction worksheet and indicates that the Project would be designed to meet LEED Silver standards.

(i) Uses of special value to the neighborhood or the District of Columbia as a whole

The Applicant has proposed the following public benefits and amenities.

Benefit or Amenity	Mitigation	Public Benefit	Project Amenity	Required	Applicant Proffer
Capitol Hill Village		X			X
Peter Bug Site ($20,000)		X			X
Potomac Avenue Metro Plaza ($65,000)		X			X
Expanded Alley System	X	X			X
Affordable Housing		X		X	X
Screened Trash Collection Area	X				X
Site Improvements and Landscaping		X	X	X	X
Transportation Management Measures	X		X	X	X
Environmental Benefits				X	X

- Capitol Hill Village – The Applicant will dedicate approximately 1,200 square feet of space in the project to Capitol Hill Village to facilitate the delivery of programs and services assisting seniors living in the neighborhood.
- Peter Bug Site – The Applicant, in coordination with ANC 6B, proposes to either expend or place in an escrow account $20,000 for costs and fees associated with the feasibility evaluation and concept design for the future redevelopment of the Peter Bug Site into a public park.
- Potomac Avenue Metro Plaza – The Applicant commits to expend $65,000 for physical improvements and programming at the Potomac Avenue Metro Plaza.
- Expanded Alley System – The Applicant is providing for the expanded north-south alley connection, along with other safety improvements in the area.
- Affordable Housing – The Applicant will set aside the first three IZ units for households at 50% AMI, followed by each additional odd number unit being set aside for households at 50% AMI, resulting in one additional unit at 50% AMI. The Applicant also commits to dedicating a minimum of two three-bedroom units with one unit at 50% AMI and one unit at 80% AMI.
- Screened Trash Collection Area – The Applicant will provide a screened trash collection area in the eastern alley for the property owners who abut this portion of the alley (Lots 80, 81, 82, 83, 84, 840, 47, 48, and 864 in Square 1043).[7]
- Site Improvements and Landscaping – The Applicant is proposing to provide new paving for the sidewalks, street lighting fixtures, a continuous five-foot wide planting strip, new and replacement shade trees, and four bike racks. The Project

[7] Exhibit 27E.

includes 5,140 square feet of central courtyard and 4,180 square feet of open court along the east property line. Additionally, the Applicant proposes to close the existing curb cuts along the property frontage, which would result in six new on-street parking spaces.

- Transportation Management Measures – The Applicant is providing a range of TDM measures, as described in the CTR.[8]
- Environmental Benefits – The project is proposed to achieve LEED Silver certification.

(j) Other public benefits and project amenities

The Applicant has not proposed other public benefits and project amenities at this time.

OP appreciates the ongoing neighborhood interest in the Peter Bug site and notes that the Federal Government owns the site and the District Department of General Services manages the site. While a feasibility study and concept design for use of the site as a public park is laudable, it would not produce a tangible benefit that would likely be realized in the near term.

The Applicant should clearly delineate the extent of the proposed improvements in public space and coordinate the final design of the streetscape improvements with DDOT. The Applicant also should work to coordinate the proposed alley improvements with DDOT, as well as other proposed projects in the area.

OP encourages the applicant to achieve LEED Gold certification, and notes that LEED Gold would add to a determination that the "impact of the project on the surrounding area and the operation of city services and facilities" are found "favorable."

X. AGENCY REFERRALS

Comments were requested from:

- District Department of Housing and Community Development (DHCD);
- District Department of Energy and Environment (DOEE);
- District Department of Transportation (DDOT);
- DC Fire and Emergency Management Services (FEMS);
- DC Water; and
- District Department of Public Works.

Since this case was set down on February 8, 2016, OP has continued to work with the Applicant and other District agencies to obtain additional information and to address concerns noted by the Zoning Commission.

OP held an interagency meeting on March 3, 2016, at which DOEE, DDOT, and DHCD provided comment.

[8] Exhibit 27A.

XI. PUBLIC COMMENTS

Comments were received from an adjoining neighbor (Exhibit 25) requesting shadow and traffic studies. The Applicant provided the CTR at Exhibit 27A and should provide a shadow study prior to the public hearing.

ANC6B voted unanimously at its June 14, 2016 regular meeting to support the project.

JS/emv