




Memorandum

TO: District of Columbia Zoning Commission

FROM:  Jennifer Steingasser, Deputy Director
Historic Preservation and Development Review

DATE: February 21, 2013

SUBJECT: **ZC 12-20 – Public Hearing Report** for Consolidated Planned Unit Developments and Zoning Map Amendments for 13th and U Streets NW

I. SUMMARY RECOMMENDATION

The Office of Planning (OP) recommends approval of this Planned Unit Development (PUD) application and Zoning Map Amendment as it conforms to the 2010 Comprehensive Plan's objectives for the area and to the Generalized Land Use and Policy Maps, and would contribute to the redevelopment of the U Street Corridor. As a response to OP and Zoning Commission requests during the setdown meeting on December 10, 2012, the Applicant provided additional information pertaining to street-level views, building height and massing, elevation details, sustainability, roof plan, affordable housing, and community outreach and benefits. There have also been extensive discussions and meetings within the community and with OP which have led to improvements in the proposal since its original submission, although OP has suggested to the Applicant that additional refinement and detail of the proffered benefits and amenity package is needed. Overall, the Project's design, including the proposed massing, articulation, and use of materials, is exemplary.

II. PROPOSAL

The Applicant, 13th and U Lessee, LLC, has petitioned the Zoning Commission for a PUD and related map amendment from ARTS/C-2-A to ARTS/CR to permit construction of a mixed-use residential with ground floor retail development at Square 237, Lots 198-202. The proposal consists of:

- A mixed use building with an FAR of 6.85 and combined gross floor area of 172,820 square feet, of which 152,041 square feet would be dedicated to residential uses and 15,241 square feet to ground floor retail use fronting U Street;
- A maximum height of 86 feet at the U Street frontage, stepping down in height towards the lower scale rowhomes across the alley to the south;
- 134-138 residential units with 12 units assigned to residents earning up to 80% of the area's median income in accordance with the District IZ program; and
- Approximately 48 parking spaces below grade, and loading accessed from 13th Street and the alley.

Pursuant to the District's PUD guidelines, the Applicant seeks flexibility in the following areas:

1. Rooftop Structures (§ 411.11);
2. Required Public Space at Ground Level (§ 633);
3. Lot Occupancy (§ 634);
4. Rear yard (§ 636);
5. Parking (§ 2101.1);
6. Loading (§ 2201.1); and
7. ARTS Overlay Setback (§ 1902).

The Applicant worked with OP and the community to address the height, massing, and design of the building prior to the public hearing. The proposed building’s exterior design utilizes setbacks and bay projections to articulate the massing and create a strong, symmetrical arrangement that would highlight the residential lobby entrance along U Street, and create a pedestrian scaled building facade along U Street.

Among other features, the building’s detailing would include cast stone lintels and sills, band courses and cornice elements that reference the scale, character, and materials of the historic district.

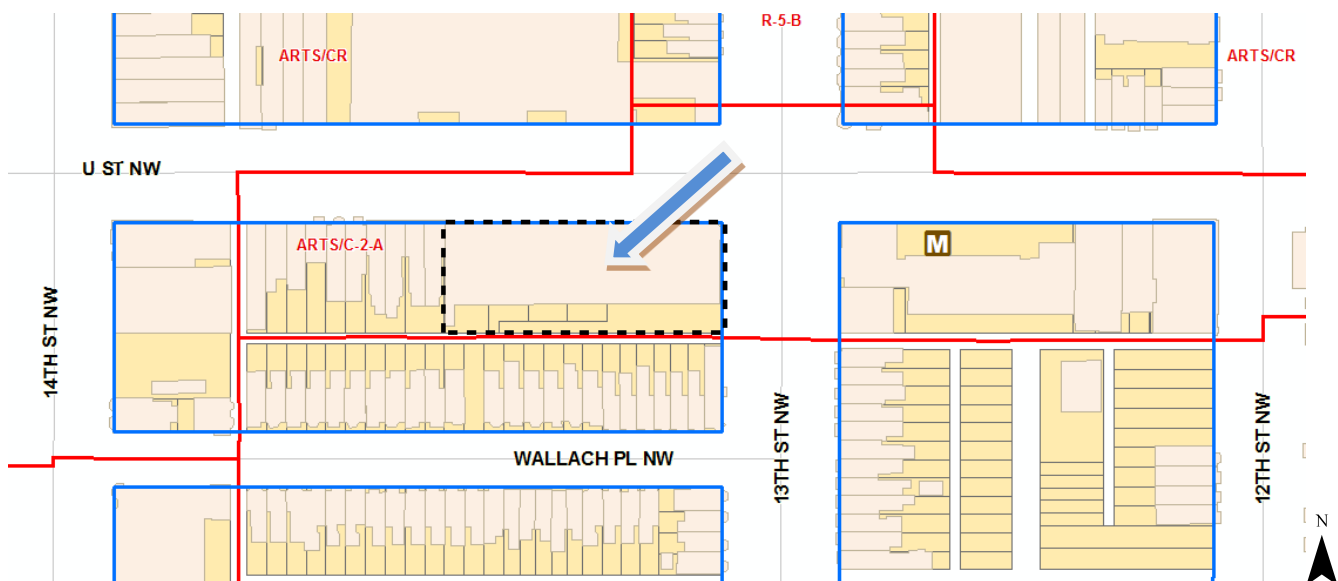
The Project would include one level of below grade parking accessed from the southeast corner of the site. Loading would be accessed from the public alley, portions of which would be widened by the setback to a width of approximately 20 feet.

III. SITE and AREA DESCRIPTION

The combined lots of 198-202 create a 25,230 square foot parcel located in Square 237. To the rear of the Property is a 10 ft. wide public alley. The Property currently includes an 18,804 sf. retail structure and approximately two dozen surface parking spaces. Generally, the square is comprised of low-scale retail and rowhouses.

Surrounding squares have some mixed-use, medium density structures. The site is directly across 13th Street from the entrance to the U Street Metrorail Station. To the east of the Property, across 13th Street and above the Metro entrance, is a four-story commercial development. To the north of the Property, across U Street, is an eight story mixed use residential and retail structure. To the west of the Property are three and four story commercial properties. One block west is the eight-story Reeves Center, a District of Columbia administrative office building, and a nine-story mixed-use residential and retail development. To the south of the Property, across the public alley, are townhouses that front on Wallach Place, NW.

The U Street right-of-way is 90' wide and the 13th Street right-of-way is 110' wide. U Street accommodates four lanes of vehicular traffic and two parking lanes. The subject site is approximately one block from the U Street Metro Station and also is served by several bus lines and Capital Bikeshare.



Location and Zoning

IV. MAJOR CHANGES SINCE SETDOWN

Historic Preservation

The Property is located within the U Street Historic District. A concept plan was submitted to the Historic Preservation Office (HPO) and the Historic Preservation Review Board (HPRB), which reviewed the proposed height, density, and the compatibility of the buildings with the adjacent neighborhood buildings, and the historic district. HPRB conducted a public hearing in 2011-2012, and the Project was modified and refined in response to their guidance and comments. On December 20, 2012, the HPRB directed the applicants to: 1) continue studying the height, massing, setbacks and reveals, along the perimeter of the building and particularly on the north elevation; 2) revise the 13th Street elevation to better address the scale of buildings across the street and on Wallach Place; 3) provide further detailing to the retail base; and 4) further differentiate the retail and residential entrances.

As a response to HPRB recommendations, the Applicant revised the drawings - these revisions are reflected in the Applicant's most recent submission, dated February 12, 2013 (see sheets A-06, A-11, A-23, A-24, and A-25¹), and include:

- Recessing the top floor on the north elevation an additional five feet in the hyphen elements between the three towers, and the projecting balcony railing eliminated;
- Reducing the rounded corners from seven to six stories on the corners of 13th and U Streets and 13th Street and the alley;
- Reducing the 13th St. cornice line by 10 feet (to the 6th floor).
- Setting back the 'hyphens' on the 8th floor to add articulation to the 13th Street façade;
- Modifying the distribution of balconies on the rear elevation by eliminating two vertical banks; and
- Increasing the width of the east tower on the rear (alley) elevation by one window bay so that it mirrors the width of the corresponding mass on the north elevation.

The HPRB is scheduled to review the modifications on February 28, 2013. In a report to the HPRB (Attachment 3), HP staff noted support for these modifications and recommended that the HPRB find the revised concept to be compatible with the character of the historic district and consistent with the historic preservation law.

Street Level Design

In response to comments by the Zoning Commission during the project setdown, the Applicant provided updated renderings of the building which show retail façades customized to individual tenants. OP supports that design direction because it would provide an organic feel to the streetscape and a more interesting pedestrian experience. The large windows at the ground floor would provide significant visual interaction between pedestrians and the interior of the retail level of the building, in accordance with the ARTS Overlay provisions and as shown in Tab B of the pre-hearing statement. At setdown the Zoning Commission expressed concerns regarding activation of the proposed drug store windows; the Applicant's most recent rendering appears to show large windows open to the interior of the building (Sheet A-09).

Sustainable Features

In response to OP's comments included in OP's setdown report, the Applicant provided additional information regarding several sustainable features for the Project, most notably a green roof of approximately 6,200 square feet. In addition, the Applicant proposes to include bike storage for approximately 45-50 bikes. OP supports the inclusion of these and other sustainable elements, outlined in Applicant's Tab C.

¹ Throughout this report, references to applicant drawings refer to the most recent, supplemental pre-hearing submission

Parking

In response to ANC 1B’s concerns regarding parking, the Applicant agreed to restrict tenants from participating in the Residential Parking Permit (“RPP”) program. This restriction, if acceptable to DDOT and the Commission, should be included in the order as a condition of approval. As noted in Tab D of the supplemental pre-hearing statement, the Applicant proposed the creation of a Transportation Demand Management (TDM) program to analyze the proposed Project’s impact on traffic and parking.

Affordable Housing

The Applicant provided a breakdown of dwelling units by type, including the number of each type of affordable units, as well as their locations, shown on Sheet A-36 of the Applicant’s most recent submission, dated February 12, 2013. OP supports both the proposed breakdown of affordable units and their proposed locations. The breakdown of the units by type is below:

Total Unit Mix			ADU Unit Mix		
Type	Total Units	%	Type	Total Units	%
1 BR	21	16%	1 BR	2	17%
1B + Den	73	54%	1B + Den	6	50%
2 BR	26	19%	2 BR	3	25%
2 BR + Den	15	11%	2 BR + Den	1	8%
Total	135	100%	Total	12	100%

IV. COMPREHENSIVE PLAN AND PUBLIC POLICIES

The proposed PUD must be determined by the Zoning Commission to be not inconsistent with the Comprehensive Plan and with other adopted public policies (§ 2403.4). The development proposal would particularly further the Land Use, Housing, Economic Development, Historic Preservation, and Urban Design Citywide Elements, as well as the Mid-City Area Elements and policies:

Land Use Element

- *The city’s aging building stock still requires refurbishment and replacement. The renewed popularity of city living generates the need for more housing and new amenities. 300.4*
- *Land use changes have the potential to make the city more vibrant, economically healthy, exciting, and even more environmentally sustainable than it is today. 300.5*
- *Fully capitalizing on the investment made in Metrorail requires better use of the land around transit stations and along transit corridors. 306.2*
- *Looking forward, certain principles should be applied in the management of land around all of the District’s neighborhood stations. These include:*
 - *A preference for mixed residential and commercial uses rather than single purpose uses, particularly a preference for housing above ground floor retail uses;*

- *A preference for diverse housing types, including both market-rate and affordable units and housing for seniors and others with mobility impairments;*
- *A priority on attractive, pedestrian-friendly design and a de-emphasis on auto-oriented uses and surface parking; 306.4*

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 mixed use development would capitalize on the site's proximity to several transit options, and would help to address the District's housing demand. It would help to enliven and transform this section of U Street between 13th and 14th Streets. OP worked with the Applicant to refine the project's height and density so that the Project's scale would be appropriate given its context.

Housing Element

Policy H-1.1.1: Private Sector Support Encourage the private sector to provide new housing to meet the needs of present and future District residents at locations consistent with District land use policies and objectives.

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 development proposes to add 134-138 residential units along a mixed use corridor consistent with the policies of the Housing Element.

Economic Development Element

Policy ED-2.2.3: Neighborhood Shopping Create additional shopping opportunities in Washington's neighborhood commercial districts to better meet the demand for basic goods and services. Reuse of vacant buildings in these districts should be encouraged, along with appropriately-scaled retail infill development on vacant and underutilized sites. Promote the creation of locally-owned, non-chain establishments because of their role in creating unique shopping experiences.

Policy ED-2.2.5: Business Mix Reinforce existing and encourage new retail districts by attracting a mix of nationally-recognized chains as well as locally-based chains and smaller specialty stores to the city's shopping districts.

The proposed Project would include ground-floor retail which could help the U Street corridor better meet the demand for basic goods and services.

Historic Preservation Element

Policy HP-2.2.2: Neighborhood Preservation Planning Give full consideration to preservation concerns in neighborhood plans, small area plans, major revitalization projects, and where appropriate, applications for planned unit developments and special exceptions. Promote internal coordination among District agencies and the HPO at the earliest possible stage of planning efforts and continue coordination throughout. Involve

Advisory Neighborhood Commissions and community preservation groups in planning matters affecting preservation.

Policy HP-2.4.3: Compatible Development *Preserve the important historic features of the District while permitting compatible new infill development. Within historic districts, preserve the established form of development as evidenced by lot coverage limitations, yard requirements open space, and other standards that contribute to the character and attractiveness of those areas. Ensure that new construction, repair, maintenance, and improvements are in scale with and respect historic context through sensitive siting and design and the appropriate use of materials and architectural detail.*

The Project would enhance the form and identity of the U Street Historic District and would be respectful of its historic context. Buildings of similar height and scale currently exist on the U Street corridor. In addition, the treatment of the façade would not be out of character with the surrounding historic neighborhood. As noted above, HPRB is reviewing the proposal and HP staff indicated support for the current design.

Urban Design

Policy UD-2.2.4: Transitions in Building Intensity *Establish gradual transitions between large-scale and small-scale development. The relationship between taller, more visually prominent buildings and lower, smaller buildings (such as single family or row houses) can be made more pleasing when the transition is gradual rather than abrupt. The relationship can be further improved by designing larger buildings to reduce their apparent size and recessing the upper floors of the building to relate to the lower scale of the surrounding neighborhood.*

Policy UD-2.2.5: Creating Attractive Facades *Create visual interest through well-designed building facades, storefront windows, and attractive signage and lighting. Avoid monolithic or box-like building forms, or long blank walls which detract from the human quality of the street.*

Policy UD-2.2.7: Infill Development *Regardless of neighborhood identity, avoid overpowering contrasts of scale, height and density as infill development occurs.*

Policy UD-3.1.11: Private Sector Streetscape Improvements *As appropriate and necessary, require streetscape improvements by the private sector in conjunction with development or renovation of adjacent properties.*

The Project is consistent with the Comprehensive Plan's policy to establish gradual transitions between large-scale and small-scale developments. Except for the end bays, the entire south elevation would be set back approximately 9 feet 9 inches from the property line to widen the existing alley and increase the amount of open space between the Project and the property to the south. Setbacks at the seventh and eighth floors would reduce the height and massing of the building and transition to the lower density areas to the south. The façade would be articulated through setbacks, projections, and other design elements consistent with the character of the neighborhood. The Applicant has had extensive discussions on the building height, massing, and articulation with OP (including the HP Office), the ANC, and the community.

The Project would enhance the vibrancy of the U Street corridor through infill development, while protecting the surrounding lower density uses from light, noise, and disturbances.

The Applicant is also committed to streetscape improvements consistent with current District standards.

Mid-City Area Element

The property is located in the U Street/Uptown policy focus area of the Mid-City Area Element:

Policy MC-1.1.2: Stimulate high-quality transit-oriented development around the....U St./African American Civil War Memorial/Cardozo Metrorail station areas....Opportunities for new mixed income housing, neighborhood

retail, local-serving offices, and community services should be supported in these areas, as shown on the Comprehensive Plan Policy Map and Future Land Use Map.

Policy MC-2.3: As development takes place, continued efforts to improve the streetscape and public space, provide affordable housing, preserve historic buildings, and mitigate development impacts (particularly those associated with the increased concentration of restaurants, night clubs and entertainment uses) should be included.

Policy MC-2.3.3: Uptown Design Considerations Ensure that development in the Uptown Area is designed to make the most of its proximity to the Metro Stations at Shaw and 13th Street, to respect the integrity of historic resources, and to transition as seamlessly as possible to the residential neighborhoods nearby.

The Proposal would provide a mixed-use, transit-oriented development near the U Street Metro. In addition, the project would include affordable units, which is consistent with District policies pertaining to the addition of affordable housing.

B. Comprehensive Plan Generalized Policy Map

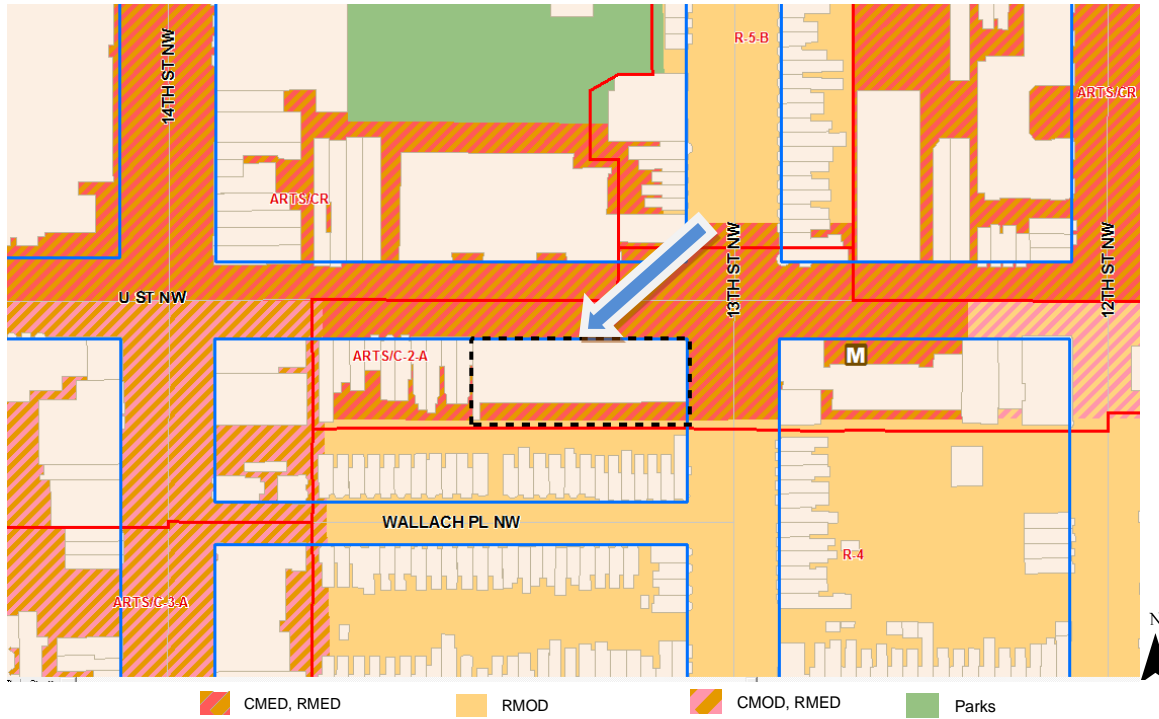
The Generalized Policy Map locates the subject site within a main street mixed use corridor, a traditional commercial business corridor with a concentration of older storefronts along the street. Conservation and enhancement of these corridors is desired to foster economic and housing opportunities and serve neighborhood needs. Any development or redevelopment that occurs should support transit use and enhance the pedestrian environment.



Comprehensive Plan Generalized Policy Map

C. Future Land Use Map

The Future Land Use Map designates the subject site for medium density commercial and residential mixed use. The proposed development is not inconsistent with the land use designation.



Future Land Use Map

V. ZONING

The site is currently zoned ARTS/C-2-A. To the west (across 14th Street) and northwest (across U Street) is an ARTS/CR zone. To the east is an R-5-B zone, to the east (across 13th Street) is a continuation of the C-2-A zone, and to the south (across the alley) is an R-4 zone. While the C-2-A zone is characterized by moderate density residential use, the proposed CR (Mixed Use Commercial Residential District) encourages a diversity of compatible land uses that may include a mix of residential, office, retail, recreational, light industrial, and other miscellaneous uses at a medium density.

The following table compares the matter of right standards of the underlying ARTS/C-2-A, with the ARTS/CR, the ARTS/CR/PUD, and the design proposed for the project.

Standard	ARTS/C-2-A	ARTS/CR	ARTS/CR/PUD	Proposed
Height (ft.)	50 ft.	100 ft.	110 ft.	86 ft.
Lot Occupancy %	75%	80%	80%	86% Flexibility Requested
FAR residential/non res.	3.0 max/ 1.5 max	7.2 max/ 3.0 max	8.0 max/ 4.0 max	6.85 max/ 0.6 max
GFA (sf) residential/non-residential	76,590/37,845	181,656/75,690	201,840/100,920	172,820/15,241
Number of units	-	-	-	134-138
IZ	10 % of gfa of res. Use (7,659 sf)	8% of gfa of res. uses (14,532 sf)	8% of gfa of res. uses (16,147 sf)	12 units

Standard	ARTS/C-2-A	ARTS/CR	ARTS/CR/PUD	Proposed
Rear Yard (ft.):12 ft. min. or 2.5"/ft. ht	15'	17.61'	17.61'	1-9.75' Flexibility Requested
Parking (spaces) residential	1 per 2	1 per 3 units (46 spaces)	1 per 3 units (46 spaces)	47 spaces conforming + 1 tandem space
Parking (spaces) retail in excess of 3,000 sf , 1 per each of 300 sf	1 per 300 sf gfa	1 per 750 sf gfa (17 spaces)	1 per 750 sf gfa (17 spaces)	0 Flexibility Requested
Loading berth residential (ft. deep) Loading berth retail Loading berth drugstore	1 berth @ 50 1 berth @ 30 1 berth @ 30	1 berth @ 50 1 berth @ 30 1 berth @ 30	1 berth @ 50 1 berth @ 30 1 berth @ 30	2@30 Flexibility Requested

VI. FLEXIBILITY

In addition to the PUD-related map amendment from ARTS/C-2-A to ARTS/CR, the following zoning flexibility is requested²:

- Roof Structures of Unequal Height and Substandard Setback (§ 411.11)
 The Applicant requests flexibility for multiple roof structure enclosures of unequal height and deficient setbacks from bounding walls. The roof structures vary in height between 11 feet and 15 feet 4 inches. The application indicates that flexibility is necessary to accommodate the Project’s interior layout, reduce the size and impact of the building’s roof structure needs, and accommodate historic preservation concerns, given the narrow lot width. At setdown, the Zoning Commission requested additional roof plan detail, provided as Sheets A-21 and A-22 of the Applicant’s most recent submission, dated February 12, 2013. The proposed design would have less visual impact than one large and taller roof structure that meets the letter of the regulations. Overall, the location and design of the rooftop structures should minimize their visual impact.
- Required Public Space at Ground Level (§ 633)
 Pursuant to § 633, projects in the CR zone are required to designate 10% of the lot area adjacent to the primary entrance as publicly accessible and open to the sky as a transitional space between the sidewalk and the building. The Applicant states that this requirement conflicts with the ARTS Overlay, which requires that at least 75% of the streetwall along U Street be constructed to the property line in order to activate the public right-of-way with pedestrian-oriented uses. OP agrees and has no concerns with this request.
- Lot Occupancy (§ 634)
 Pursuant to § 634, the Project is permitted to occupy up to 80% of the lot starting at the second floor. The Applicant requests flexibility to accommodate the design and uses within the Project given the narrow dimensions of the Property. Given the proposed structure’s setbacks and the alley’s widened dimensions for most of its length, the proposed lot occupancy should not adversely impact neighboring properties.
- Rear yard (§ 636)
 Pursuant to § 636, a rear yard is required of three inches per foot of building height (but not less than 12 feet). In this case, a rear yard of approximately 17.61 feet starting at the second floor would be required. The requested flexibility would allow a more workable building footprint, given the narrow width of the

² See § 2405.7.

lot. The building form realized through this flexibility should not have undue impact on the surroundings and would not be out of character with a dense urban area.

- Parking (§ 2101.1)

Pursuant to § 2101.1, 63 parking spaces (46 spaces for residential use and 17 spaces for retail use) are required. The Applicant proposes to provide 48 spaces (including one non-conforming tandem space) in one level of below-ground parking, and these spaces appear to be exclusively for residential use. As such, the property would provide the required residential spaces, but would not provide the required retail spaces. Given the dimensions and narrow configuration of the Property, additional levels of parking would be inefficient, it would be practically difficult to split the parking level to provide both retail and secured retail parking. Given the location and type of retail, it is likely that most of the retail traffic will arrive by foot from the neighborhood or the metro station located one block away. The Applicant is providing bicycle parking in the parking level; OP would support the provision of dedicated retail staff bicycle parking and the addition of employee showers and lockers. According to the transportation study, 48 spaces should be sufficient given the Property's proximity to Metro and other transportation alternatives ("Transportation Impact Study", September 19, 2012). As such, OP has no concerns with the requested relief.

- Loading (§ 2201.1)

§ 2201.1 requires that structures include loading facilities for each proposed use. The Project as proposed would provide two 30 foot deep loading berths and one 20-foot deep delivery space as required under the regulations. The Applicant requests flexibility from the requirement for an additional 55-foot deep loading berth and associated 200-square foot loading platform because such a berth would not be required to accommodate the building's loading needs. In response to inquiries from DDOT, the Applicant has confirmed that the maneuvering area at the rear of the Project is wide enough to permit service vehicles to enter the alley front-in, make their deliveries or pick-up, and turn around and exit the alley front-out.

This program of loading facilities would be slightly less than prescribed by the regulations, but according to the transportation study should be sufficient for the building's use ("Transportation Impact Study", September 19, 2012). The study indicates that the number of expected trips should be adequately handled by the number of berths. OP has no concerns with this request.

- ARTS Overlay Setback (§ 1902)

For most of its length, the Project would be consistent with the setback requirement of the ARTS Overlay, which requires that the upper floors be stepped back at a 45-degree angle starting at the seventh floor. The Applicant requests flexibility from this requirement for the two end bays of the Project, which project into the setback area. OP has no objections to the Applicant's request because the setback would meet the requirements of the ARTS Overlay for the majority of its length. Relief would only be necessary for the two end bays, which are needed to accommodate the building's architecture, configuration, and layout.

VII. PUD EVALUATION STANDARDS AND PUBLIC BENEFITS AND AMENITIES

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 which would allow approximately 36' of additional building height above C-2-A limits. The project proposes an FAR of 6.85, less than the 8.0 FAR permitted under a CR PUD, but more than the 3.0 FAR permitted under the C-2-A zoning, a gain of close to 100,000 sf.

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 application lists several benefits, some of which may be considered amenity items. Refer to Tab D of the Applicant’s February 12, 2013 submission for a list of the proposed community benefits. The Applicant has offered the following amenities and benefits as an offset to the additional development gained through the application process:

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

The design attempts to address the neighborhood’s character through the building’s materials and its articulation along U Street. The design makes extensive use of setbacks, projections, and other elements to articulate the massing. The Project’s design is typical of other mixed-use buildings recently completed on U Street. The Project’s height and form would balance that of the Ellington apartment building across U Street to the north. The high-quality materials selected for the façade and the massing articulation would augment the character of the U Street corridor and would be in context with the surrounding historic neighborhood. Shadow studies provided by the applicant indicate that the structure would have minimal light and shadow impacts on the surrounding residential properties, particularly the townhouses to the south. In OP’s view the Project’s design, including the proposed massing, articulation, and use of materials, is exemplary.

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

The proposal would enhance a currently underused site located within close proximity to a Metro station and several Metrobus lines. The Project would activate the surrounding street network with a combination of active retail uses, additional residents, and streetscape improvements.

(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 Applicant’s statement indicates that a preliminary traffic analysis concluded that the proposal would not have any appreciable adverse traffic impacts on the local area. This benefit is contingent on DDOT review and concurrence.

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

The Applicant states that the proposed design, street orientation, and materials palette is consistent with the historic character of the U Street Historic District. OP agrees that the proposed design, street orientation, and materials palette are consistent with the Historic District; OP will provide an update of HPRB review at the public hearing.

(e) *Housing and affordable housing*

As detailed on Page 2 of the of the Applicant's most recent submission, dated February 12, 2013, the Applicant has committed to approximately 134-138 new residential units, of which up to 12 units would be designated as affordable housing, in accordance with IZ. Under a by-right scenario, it is estimated that about 60 residential units (5 affordable) would be likely.

(g) *Environmental benefits:*

The proposed development provides a number of environmental benefits shown in Tab B of the Applicant's most recent submission, dated February 12, 2013. Among other sustainable features, the Project includes a green roof of approximately 6,200 square feet and bike storage for approximately 45-50 bikes. OP supports the inclusion of these environmental benefits into the proposed Project.

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

The Applicant worked with the Advisory Neighborhood Commission ("ANC") 1B, to develop additional benefits and amenities identified as needs within the community. Benefits and Amenities include the following:

- Community Education and Recreational Facilities and Programs - The Applicant proposes to provide new equipment and improvements to the nearby Harrison Recreation Center. The Applicant also proposes to fund after school programs (recreation, art, and music) through non-profits or schools. Additionally, the Applicant proposes to upgrade to the ball fields at Garrison Elementary and to provide funds for improvements at Meridian Public Charter School, St. Augustine School, and Shaw Middle School. OP is supportive in concept of these initiatives, but if they are to count as a PUD benefit of the project, the Applicant should provide additional detail regarding the types of equipment or improvements, how and to whom the funds are to be allocated, and timelines for the allocation of funds and completion of the projects.
- Creation of a Business Improvement District (BID) - The Applicant proposes to participate in an exploratory committee dedicated to researching a BID and would make a capital contribution towards its creation. Funding would be used as seed money to start the BID. The Applicant should provide additional detail regarding how the funds would be used, the recipients of the funding, and timelines for the allocation of funds and completion of the projects.
- Traffic and parking impact mitigation - The Applicant proposes to create a Transportation Demand Management (TDM) plan by analyzing the projected impact of the proposed development on neighborhood traffic and parking. This benefit is contingent on DDOT review and concurrence. In addition, the Applicant proposes to offer Metro, Zipcar, and/or Bikeshare benefits to building residents. The Applicant should provide more specificity. The Applicant also proposes to fund improvements to the Capital Bikeshare station at the southwest corner of 13th & U St, or expand an existing station nearby.
- Public space improvements - As a public benefit, the Applicant has committed to streetscape improvements between U Street and the alley. In addition, the Applicant proposes to incorporate public art into the streetscape. OP is supportive of this initiative, which would require DDOT public space review and concurrence.

The proposed amenities and benefits package is, given the size and nature of the project, appropriate in scope, but additional detail is needed for some of the items.

VIII. AGENCY REFERRALS AND COMMENTS

The Office of Planning received comments from DC Water and the Metropolitan Police Department (MPD). Please find those comments attached. OP understands that DDOT will submit comments under separate cover.

DC Water indicated that, overall, there is adequate water supply and wastewater treatment plant capacity to support this Project and local infrastructure is available for connections. It will be incumbent upon the Applicant to extend water and sewer service laterals to the site and provide local public water and/or sewer infrastructure upgrades as may be necessary. DC Water’s full comments are included as Attachment 1.

MPD indicated that the proposal would increase pedestrian and vehicular traffic in an area that is already dense with ABC establishments, but did not indicate opposition to the proposal. MPD’s full comments are included as Attachment 2.

IX. COMMUNITY COMMENTS

The Property is within ANC-1B, which, on December 12, 2012, voted 5-3 to approve the Application contingent upon an agreement between the Applicant and DDOT that residents would not be allowed on street parking for the life of the building (regardless of the building’s owner).

OP has met with other community residents who expressed concerns regarding the proposed development, including the building’s height and mass, compatibility with the historic district, and adequacy of the benefits and amenities package. Other members of the community indicated that they are supportive of the proposed development’s uses, density and height.

X. 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 setback submission. The Applicant has addressed all of these requests prior to the public hearing.

Zoning Commission Comment	Applicant Response	OP Analysis
<p>The Applicant should provide improved streetscape renderings. A pharmacy is proposed for part of the retail space. The Applicant should indicate what the building’s retail windows will look like and how the space will be activated.</p>	<p>The Applicant provided additional streetscape renderings.</p>	<p>The streetscape renderings show retail façades customized to individual tenants, which would provide an organic feel to the streetscape and a more interesting pedestrian experience. The large windows at the ground floor would provide significant visual interaction between pedestrians and the interior of the retail level of the building; these windows should remain clear to provide unobstructed view into and out from the retail space.</p>
<p>The Applicant should provide renderings which show the articulation of the balconies, the appurtenances that are on the side of the building, and a better roof plan.</p>	<p>The Applicant provided additional renderings depicting the articulation, appurtenances, and roof plan.</p>	<p>OP is supportive of the massing and design of the building as proposed.</p>

OP Comment	Applicant Response	OP Analysis
<p>The Applicant should provide additional details regarding the project’s sustainable design elements.</p>	<p>The Applicant provided additional details, including plans for the inclusion of a green roof of approximately 6,200 square feet. In addition, the Applicant proposes to include bike storage for approximately 45-50 bikes, as well as information on several other sustainable features.</p>	<p>OP supports the inclusion of these proposed sustainable elements.</p>
<p>The Applicant should provide a breakdown of units by type/number of bedrooms, and plans to locate the affordable units.</p>	<p>The Applicant provided a breakdown of units and their proposed locations.</p>	<p>OP supports both the proposed breakdown of affordable units and their proposed locations.</p>
<p>The Applicant should clarify the specific amenities and benefits and to work with the ANC to ensure that the benefits and amenities package is sufficiently robust.</p>	<p>The Applicant worked with the ANC and, to some extent, clarified the amenities and benefits package.</p>	<p>The proposed amenities and benefits package, given the size and nature of the project, appear to be appropriate in scope, but significant additional detail is needed for some of the items in order to complete an evaluation and to ensure that they are acceptable proffers.</p>

ATTACHMENTS

1. Referral Comments
 - a. DC Water
 - b. MPD
 - c. HP Staff

Attachment 1 Referral Comments

DC Water Comments

The following DC Water comments are collated from a series of emails to the Office of Planning:

“DC Water is aware of this proposed development and has considered the potential impacts to the water and sewer infrastructure. On January 18th, 2013, DC Water held a conceptual meeting with the civil engineer for this project (Bowman Consulting). The language below reflects some of the talking points of that meeting. Overall, there is adequate water supply and wastewater treatment plant capacity to support this project and local infrastructure is available for connections. It will be incumbent upon the applicant to extend water and sewer service laterals to the site and provide local public water and/or sewer infrastructure upgrades as may be necessary.

With regard to water infrastructure, there is an existing 6-inch cast iron water main (constructed in 1927) along the south side of U Street NW fronting Lots 198, 199, 200 and 201, an existing 8-inch ductile iron water main (constructed in 1997) along the south side of U Street NW fronting Lot 202, an existing 12-inch ductile iron water main (constructed in 1997) along the north side of U Street NW, an existing 8-inch cast iron water main (constructed in 1950) along the west side of 13th Street NW, and an existing 8-inch ductile iron water main (constructed in 1997) along the east side of 13th Street NW. These water mains are available for new connections. Subsequent to water distribution system testing, analysis of flow demand for the proposed development, and analysis of the age, break history, water quality and capacity of the surrounding water system, large connections (3-inch diameter and larger) may require replacement or upsizing (i.e., replacement with larger water main) of portions of the 6-inch and/or 8-inch water mains adjacent to this project site. A 6-inch fire service and a 6-inch domestic water service are proposed for this project. The applicant is advised that the preferred connection point for these large services is to the 1997 8-inch ductile iron water main fronting Lot 202 along U Street NW. Large connections to the 1950 8-inch cast iron water main in 13th Street NW or the 1927 6-inch cast iron water main in U Street NW will likely require water main replacement to serve this project.

With regard to sewer infrastructure, the project site is located in an area with a combined sewer network along U Street NW and 13th Street NW. All proposed sanitary and storm sewer services must connect to the combined sewer mains. There is an existing 36-inch RCP combined sewer main (constructed in 1997) in U Street NW and an existing 12-inch PVC combined sewer main (constructed in 1932) along the west side of 13th Street NW. These combined sewer mains are available for new sewer connections. Connection to the 12-inch combined sewer main within the alley is not desirable and the applicant is encouraged to avoid connections to an alley sewer. Relining of this sewer would be required if new connections cannot be avoided. The applicant is advised that the preferred connection point for sanitary sewer is to the 12” PVC combined sewer main in 13th Street NW. The stormwater discharge pipe proposed for this project should connect to the 36-inch combined sewer main U Street NW.

The information above describes the existing infrastructure in the vicinity of the project. A final determination of the ability of those lines to service this project can only be made after site development plans and supporting application documentation has been submitted to and reviewed by DC Water. If

as a result of that review DC Water finds the existing water and sewer systems to be unsuitable for the proposed connections, the plans will not be approved. The applicant is advised that, under DC Water's infrastructure renewal program, priority is given to replacement of infrastructure that serves the most critical needs of our customers, as determined by DC Water. Any upgrades to the water and sewer systems that may be needed to accommodate this project are unlikely to be included in DC Water's renewal program in the immediate future. The applicant may at their option elect to replace or extend water and sewer, at their expense, to meet their project needs.”

Attachment 2 Referral Comments

MPD Comments



GOVERNMENT OF THE DISTRICT OF COLUMBIA
METROPOLITAN POLICE DEPARTMENT

FEB 20 2013

Stephen Gyor, AICP
Development Review Specialist
D.C. Office of Planning
1100 4th Street, S.W., Suite E650
Washington, D.C. 20024

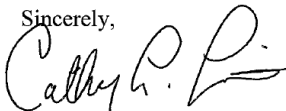
Dear Mr. Gyor:

This is in response to the request that the Metropolitan Police Department (MPD) offer comments regarding a proposed development (Zoning Commission Case Number 12-20). The proposed site is located at 13th and U Streets, N.W.

The proposal was forwarded to Third District Commander Jacob Kishter, as the development would be located within the confines of the Third District. Commander Kishter reviewed the plans and noted that the development would increase the pedestrian and vehicular traffic in an area already dense with ABC establishments. Consequently, the D.C. Department of Transportation should also be consulted regarding the impact of the vehicular traffic in the area. I have also reviewed the plans and concur with Commander Kishter's assessment.

Thank you for the opportunity to provide comments on matters that impact the Metropolitan Police Department, as well as the service that we provide to citizens in the District of Columbia.

Sincerely,



Cathy L. Lanier
Chief of Police

Attachment 3

**HISTORIC PRESERVATION REVIEW BOARD
STAFF REPORT AND RECOMMENDATION**

Property Address: 13th & U Streets, NW Landmark/District: U Street Historic District	Meeting Date: February 28, 2013 H.P.A. Number: 12-432 Staff Reviewer: Steve Callcott	X Agenda Consent Calendar X Concept Review X Alteration X New Construction Demolition Subdivision
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Architect David M. Schwarz, representing the JBG Companies (13th & U Lessee, LLC), seeks on-going conceptual design review for construction of an eight-story apartment building with ground level retail at the southwest corner of 13th and U streets, in the U Street Historic District.

When reviewed in December, the Board complemented the quality of the design but expressed concern regarding the proposed height, mass and the treatment of its edge conditions as it related to its surrounding context. The HPRB asked the applicants to: 1) continue studying the height, massing, setbacks and reveals along the perimeter of the building and particularly on the north elevation; 2) revise the 13th Street elevation to better address the scale of buildings across the street and on Wallach Place; 3) provide further detailing to the retail base; and 4) further differentiate the retail and residential entrances.

Revised Proposal

The design has been revised to respond the concerns raised by the Board. While the building’s height has remained the same, changes have been in the massing on the north (U Street), east (13th Street) and south (alley) elevations to recess the top floor, help lower the building’s apparent height and weight, and provide a greater unity between the three elevations. On the north elevation, the top floor has been recessed an additional five feet in the hyphen elements between the three towers, and the projecting balcony railing eliminated. On the 13th Street elevation, the rounded corner elements have been lowered by one floor (topping out at the sixth floor rather than the seventh) and the projection on the eighth floor reduced in width by 16 feet. On the rear (alley) elevation, the east tower has been increased in width by one window bay so that it mirrors the width of the corresponding mass on the north elevation, and two vertical banks of balconies have been eliminated to reduce the large expanses of these elements shown in the previous design.

Evaluation

The revisions illustrate how relatively small changes in massing can substantially change the perceived height, weight and bulk of a large scale building. While harder to appreciate in photographs of the model, in comparing the previous and current perspective views from the east along U Street (A-16), the elimination of the balconies and relatively modest recess of the eighth floor between the hyphens illustrates how these changes result in a very different reading of the building. In the previous design, the viewer’s eye was drawn straight to the building’s top; the structure reads emphatically as an eight story building. However, with the increased set back of the top floor, the hyphens now visually step

down resulting in greater variety and ambiguity to the building's overall height, and at the same time improving the verticality and sculptural quality of the towers. A similar effect results from the changes in massing and height as seen from the south on 13th Street (A-18, North 13th Street Perspective). By dropping the height of the projections to the top of the sixth floor, a datum line is established lower on the building which serves as a visual bridge between the surrounding three-story rowhouses and the eight story building. The result is a building which reads lower, lighter and more varied at its roofline, and which relates more compatibly with its surrounding context.

The change in width of the tower element on the rear elevation closest to 13th Street, to have the same proportions as the front towers, is also an architectural improvement. This end of the building will always be experienced in the round, and the consistent width of the north and south towers is appropriate for a classically-inspired design. After considering and studying options for widening the mid-block west tower on the rear elevation, it has been decided to maintain it at the narrower dimension previously proposed. While achieving a precise balance between the two towers on this elevation might be the ideal classical solution, widening this mid-block tower results in a more substantial impact on the abutting houses, as well as internal inefficiencies to the building, that all parties are eager to avoid. The differences between the narrower and wider tower options in this mid-block location are minor to the public perception of the building and its architectural composition.

The elimination of one vertical tier of balconies on each side central section of the rear elevation has improved the scale and composition of the north elevation. The slight decrease in the proportion of the elevation that is open balconies is more elegant and residential.

The applicants acknowledge that further development will be needed to refine the building's base, articulate the storefronts and entrances, and distinguish the residential and commercial entrances. Work on these is ongoing and will be presented to the Board for review when ready.

Recommendation

The HPO recommends that the Review Board find the revised concept to be compatible with the character of the historic district and consistent with the historic preservation law.