**MEMORANDUM**

**TO:** District of Columbia Zoning Commission

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

**DATE:** February 3, 2012

**SUBJECT:** Setdown Report: ZC 11-24, Consolidated PUD and related Map Amendment from the R-4 to C-2-B zone at Square 901, Lot 801 (former Hine Jr. High School)

## I. APPLICATION AND OP RECOMMENDATION

Stanton-EastBanc LLC (Applicant) submitted an application for a Consolidated Planned Unit Development (PUD) and related map amendment from the R-4 to the C-2-B zone for Lot 801 in Square 901. The proposed project would demolish the former Hine Junior High School building and redevelop the property with a mixed use development consisting of residences, office and retail uses. The development will include the re-dedication and opening of C Street, SE through the property and the Eastern Market weekend flea market.

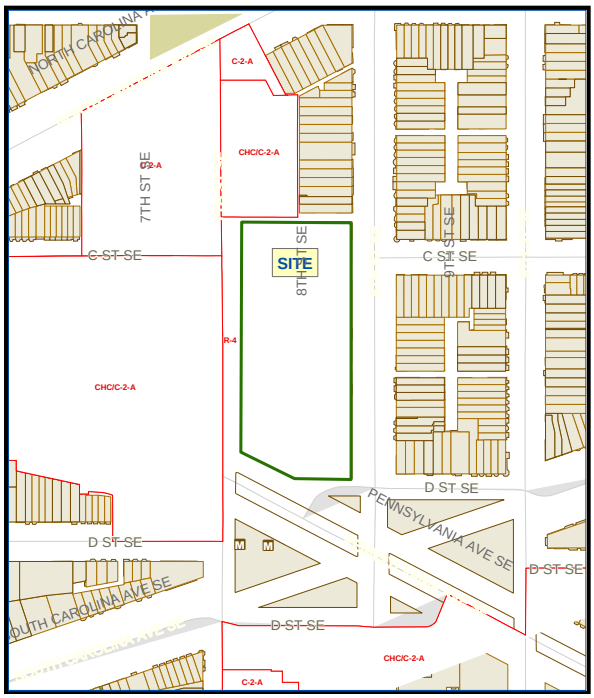
In its submission, the Applicant proposed a hotel as an alternate use to residential use of one of the buildings. However, subsequent to the submission the applicant has informed OP that they are withdrawing the hotel alternative. The applicant has stated that the market for hotels has declined and they have been unable to secure a hotelier for the site.

The Office of Planning (OP) is supportive of the redevelopment of the site and **recommends the Zoning Commission set down this application for a public hearing**. The proposal is not inconsistent with the 2006 Comprehensive Plan amended 2011, which recommends moderate density residential and moderate density commercial uses for the site, In order to fully review the application, OP has identified issues which the Applicant should fully address prior to the public hearing, including;

1. Address the design issues from the Historic Preservation Office identified on Attachment A.
2. Identify "amenity space" uses within the penthouse of the Plaza Building.
3. Provide information on access to/from the 8th Street alternate below grade retail space.
4. Redesign the 20.75 feet high elevator over ride on the Office Building be no taller than the 18.5 feet zoning requirement.
5. Provide a completed LEED checklist.
6. Provide details of the loading management plan.
7. Provide information regarding the retail strategy.

## II. SITE DESCRIPTION

The site, Square 901, Lot 801, is bound by a twenty-foot wide public alley to the north; 8th Street to the east; Pennsylvania Avenue and D Street to the south; and 7th Street to the west. The 137,614 square feet (3.16 acres) property is currently developed with a building which formerly housed the Hine Junior High School and a tent which housed the Eastern Market while the original building underwent renovation after a fire. The property is zoned R-4.



Site Location, Zoning and Aerial Photograph

## III. AREA DESCRIPTION

The property is within the Capitol Hill neighborhood which is developed with a variety of residential, office, retail and institutional uses. The square to the north is divided by a ten-foot wide alley with properties fronting on 8th Street developed with two and three-story rowhouses in the R-4 zone. The properties fronting on 7th Street are developed with two and three-story buildings with ground floor retail and office or residential use above in the C-2-A/Capitol Hill Commercial (CHC) Overlay zone. To the east of the site are two-story rowhouses in the R-4 zone. To the south is the Eastern Market Metro Station and plaza with the 8th Street Barracks Row area beyond. To the west and southwest along 7th Street and Pennsylvania Avenue are buildings with a mixture of ground floor retail and office use on the upper floor. These properties are in the C-2-A zone with the CHC Overlay. To the northwest is the Eastern Market in the C-2- A zone.

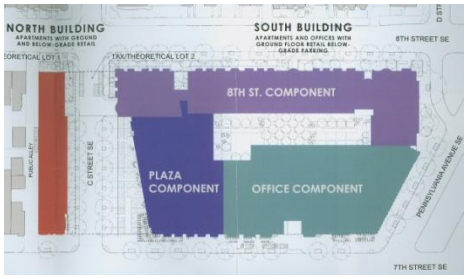
## IV. BACKGROUND

The District Government is the current owner of the property and on July 2010 the City Council approved a Limited Land Disposition Agreement (LLDA) with Stanton-EastBanc LLC to redevelop the property. The LLDA stipulates the following requirements:

1. The North Parcel rental building will provide 35 affordable rental units of which at least 50% will be age restricted (55 years and older). Additionally, 28 units at 60% of AMI and 5 units at 20% of AMI should be provided.
2. The South Parcel residential condominium building will have 10 units at income levels required under the IZ regulations.
3. The construction of C Street, SE through the property.
4. The development will include two multifamily residential buildings; office space; retail space; and a hotel as an alternative use.
5. Below grade parking with parking spaces leased separately from the units at market rate.
6. The buildings will be developed in accordance with the Green Building Act of 2006.
7. The applicant will provide a Noise Control Plan.
8. The applicant will provide a Retail Plan.

## V. PROPOSAL

The subject property is to be developed with two buildings identified in the Applicant's submission as the "North Building" and the "South Building" (See below). Overall, the development would have 468,619 gross square feet of space resulting in an FAR of 3.4. The buildings will have a range of heights between 47 to 88 feet. The development will reopen C Street to reconnect the L'Enfant grid as a public right of way.



North Building:
The North building will accommodate thirty-four (34) affordable residential units[1] and 14,679 square feet of ground floor and below grade retail. The building will have a maximum of four-stories (47 feet), stepping down to two-stories where it fronts on 8th Street to complement the existing two-story row houses and to three-stories along 7th Street to complement the Eastern Market and adjacent buildings along 7th Street. The residential use will be accessed off 8th and C Streets while the ground floor retail will be accessed from C and 7th Streets and the below grade retail from 7th Street only. Other facilities within the building include a fitness room, storage, computer room, and a bike storage room.

South Building:
The South Building will have a number of "components" within a single building around a 14,482 square feet internal open space area.

*8th Street Component*
The 8th Street Component fronts on 8th and D Streets and will have eighty-two units, eight of which will be affordable units. The main portion of the 8th Street component will be at 4 stories (42 feet) with a 5th floor portion (54 feet) above the 8th Street entrance and setback between the entrance and D Street. The residences are accessed from an entrance along 8th Street with some of the eight of the first floor units also having an entrance directly from 8th Street. The D Street portion will extend to six floors (64 feet) and the Applicant is requesting flexibility to allow residential, office or retail uses in the ground floor of the portion of this component which fronts on D Street. The residential use will be complemented by a roof-top pool and terrace, green roof, and a fitness center.

*Office Component*
The Office Component fronts on Pennsylvania Avenue and 7th Street and will have 163,392 square feet of office and 14,621 square feet of ground floor retail space. The offices will be accessed from Pennsylvania Avenue via a one-story lobby while each retail use will have individual access from Pennsylvania Avenue or 7th Street. At its highest point at 7th Street and Pennsylvania Avenue, the building is 88 feet or 7 stories high and has a terrace on the roof. Along 7th Street, the 7th floor is setback and the northern portion of this component steps down at each floor to the 4th floor at a height of 51 feet. A one-story portion extends into the courtyard area and will house conference rooms and a fitness center. This component will also have the entrance to the loading dock accessed from 7th Street.

*Plaza Component*
The Plaza Component at 7th and C Streets will accommodate forty-two residential units, four of which are affordable, and 12,328 square feet of ground floor retail. The Plaza Component will have a maximum height of 74 feet in 6-stories. Entrance into the Plaza Component will be on the eastern portion of the building along C Street while the retail use will have individual entrances along C Streets. The Plaza Component has a rear one-story portion that will house a variety of uses such as a conference room, a meeting room, management office, internet bar/clubroom. The residences will be further complemented by a roof top terrace and "amenity space". The Applicant should provide addition details as to what constitutes amenity space.

[1] Financed through Low Income Housing Tax Credits (LIHTC)

The following table summarized the uses and square footage in each component.

| | Residential | Retail | Office |
|---|---|---|---|
| North Building | 32, 234 gsf. | 14,679 gsf. | |
| South Building: | | | |
| • 8th Street Component | 137,292 gsf. | 5,071 gsf. | |
| • Plaza Component | 84,611 gsf. | 12,328 gsf. | |
| • Office Component | | 14,621 gsf. | 163,392 gsf. |
| TOTAL | 240,137 gsf | 46,669 gsf. | 163,392 gsf. |

*Alternate Use*
The Applicant has requested the flexibility to replace 26,000 gross square feet of garage space on the P-1 level with a gym/health club, a medical office, a library or a grocery store (Sheet A 43). The non-parking use would result in the removal of the parking as shown on Sheet A 12 and would lead to the expansion of parking level P-2. Both parking levels would be reconfigured to accommodate the displaced spaces as well as the 31 additional spaces required to service the new space. As habitable space, it is required to have heights that are greater than that of both parking levels. Therefore, the space will occupy the P-1 level as well as a portion of the P-2 level. Access to the space will be via an elevator which is accessed from Pennsylvania Avenue. On the alternate parking layout the Applicant needs to demonstrate how patrons would access the new space from the garage.

*Garden Area*
The development has a 14,482 square feet, private, internal courtyard accessible only by the residents and office users of the South Building. The courtyard is divided into three sections, will be extensively landscaped and have seating areas. The courtyard will be directly accessible from the office building's fitness center and conference rooms; from the lounge of the 8th Street residential building, and from the meeting space and clubroom of the Plaza Building. Exit only emergency access from the courtyard is provided to 7th and 8th Streets.

*C Street Plaza*
In addition to reopening C Street, the applicant has created a plaza between the North and South Buildings. The highlight of the C Street plaza will be to host some of the flea market vendors who currently operate on the site. On weekends, the area beyond the parking entrance will be closed to vehicular traffic to accommodate the flea market. The Applicant is building a portion of the property in front of the Plaza Building as public open space, which will be improved with seating areas and a water feature. The Applicant is still working on the details of the type and design of the water feature. The plans show tents and outdoor sitting areas within public open space and will need review and approval by the Public Space Committee.

*Parking and Loading*
Parking to serve both buildings will be located below the South Building and accessed from C Street (Sheets A11 and A12). The one and a half level garage would have a total of 260 parking spaces. Of the total 260 spaces, 112 will be for the residential use, 90 for office use, and 58 for retail use. In addition, on parking level P-1, 50 spaces to accommodate pick-up trucks, vans and mini-vans will be provided for the weekend vendors. The vendors will also be allowed to use the spaces assigned to the office use on week-ends. The number of spaces provided for the retail and office uses meet the zoning requirement while the residential requirement is 53 spaces and an additional 59 for a total of 112 being provided. If the below grade retail alternative is pursued, the parking level P-2 will be enlarged and the reconfigured to accommodate an additional 31 spaces, bringing the total number of spaces to 291.

Loading facilities will be on the first floor of the South building and will also serve the North Building. The facilities will consist of five, 30-feet berths; five platforms and two service delivery spaces.

*Historic Preservation Review*
The property is within the Capitol Hill Historic District. The application has submitted the proposal to the Historic Preservation Office in OP and has also been reviewed by Historic Preservation Review Board (HPRB) which has provided comments on the height, density, and compatibility of the buildings with the adjacent neighborhood buildings. The HPRB and HPO have extensively reviewed the façade of the buildings and have given recommendations on how to improve the design of the facades. The applicant is still working on making the recommended. (Attachment A - Applicants response to the latest HPRB comments)

## VI. ZONING AND PUD RELATED MAP AMENDMENT

The proposed map amendment would change the zoning from the R-4 district to the PUD related C-2-B district. The R-4 district is designed to include those areas now developed primarily with row dwellings, but within which there have been a substantial number of conversions of the dwellings into dwellings for two (2) or more families.

The C-2-B District is designated to serve commercial and residential functions but with high-density residential and mixed uses in compact areas and located on arterial streets, in uptown centers, and at rapid transit stops. These areas may be entirely residential or a mixture of commercial and residential uses.

The following table shows the zoning requirements for the existing matter-of-right and proposed PUD zones and the Applicant's specific proposal.

Table 1

| | **R-4 MOR** | C-2-B PUD | **PROPOSAL** | **COMPLIANCE** |
|---|---|---|---|---|
| Min. Lot Area | 4,000 square feet | 15,000 sf. | 137,614 sf. | Complies |
| FAR | 3.0 | 6.0 maximum<br>2.0 commercial | 1.8 residential<br>1.6 commercial<br>3.4 total | Complies |
| Lot Occupancy | 40% residential | 80% residential<br>100% non-residential | 48.5%<br>100% non-residential | Complies |
| Height | 40 ft. | 90 ft. | 47 to 88 ft. | Complies |
| Side Yard | None required but if provided, 8 ft. minimum | None required but if provided, 8 ft. minimum | None provided | Complies |
| Rear Yard | 20 ft. | 15 ft. | 50 ft. | Complies |
| Court | See note | See note | See note<br>27.65 ft. wide<br>27.65 ft. wide | Relief required<br>See Sheet A 39. |
| Parking<br>§ 2101.1 | Residential<br>1 per 3 du. | Residential<br>1 per 3 du. = 53 | Residential<br>112 | Complies |

| | | | | |
|---|---|---|---|---|
| | Retail:<br>1/300 sf. gfa >3,000sf<br><br>Office: | Retail<br>1/750 sf. gfa >3,000sf = 58<br><br>office<br>1/1,800 sf. gfa >2,000sf = 90<br><br>Total: 201<br><br>Compact Spaces in groups of 5 | Retail<br>58<br><br>Office<br>90<br><br>Total: 260<br><br>Compact Spaces in groups of 5 | Relief required |
| Bike Parking<br>§ 2119.1 | 5% required retail and service uses | 5% for commercial uses = 8 | 108 | Complies |
| Loading<br>§ 2201.1 | Residential<br>1 @ 55 ft. deep<br>1 platform @ 200 sf.<br>1 service space @ 20 ft. | 2 berths @ 55 ft. deep<br>3 berth @ 30 ft.<br>3 platforms @ 200 sf.<br>3 platforms @ 100 sf.<br>3 service space @ 20 ft. | 5 berths @ 30 ft.<br>5 platforms @ 100 sf.<br>2 service space @ 20 ft. | **Relief requested** |
| Enclosure height | Uniform height | Uniform height | Unequal heights | **Relief requested** |
| Roof Structure Setback | 1:1 setback from exterior walls | 1:1 setback from exterior walls | North Building setbacks less than required**.** | **Relief requested** |
| IZ requirements | 8% of residential space | 8% of residential space or | 17% but not distributed evenly | **Relief requested** |

**Zoning Flexibility**

The Applicant has requested flexibility from several zoning requirements, under the provisions of § 2405.7. In several instances the Applicant will need to supply additional information if the case is set down.

*Associated Map Amendment from R-4 to C-2-B*

The proposed C-2-B zone is not inconsistent with the Comprehensive Plan land use designation for mixed use: moderate density residential and moderate density commercial development on the site. The Comprehensive Plan designates moderate density residential and moderate density commercial uses to correspond to the C-2-B zone, among others (*225.9*). Properties in the vicinity of the site are zoned R-4 (rowhouse) and CH/C-2-A (commercial); the PUD process allows for the density to be distributed appropriately across the site and to respect the adjacent R-4 townhouses to the east and north while locating the higher portions of the development along Pennsylvania Avenue and 7th Street. The Applicant is proposing an overall density of 3.4 which is only 0.4 FAR above the 3.0 FAR allowed through a C-2-A PUD. Regarding the height, the maximum height allowed by the C-2-B PUD is 90 feet

while in the C-2-A PUD allows up to 65 feet. The proposal allows for a range of heights between 46.78 feet and 87.66 feet. With the site surrounded by buildings of varying heights and the proximity of the metro station the additional height and density provided through a C-2 B PUD provides an internal green area, the plaza area and the reopening of C Street.

*Two Buildings on a Single Lot*
Due to the reopening of C Street, the fact that the South building is to be developed with a long term ground lease and the requirement of the LIHTC program that the all affordable portion of the development be on its own fee simple lot, the buildings had to be separated resulting in two building on the lot. Having two buildings on the lot requires special exception review under §§ 3104, 2516. § 2516.1 states: "*If approved by the Board of Zoning Adjustment as a special exception under § 3104, two (2) or more principal buildings or structures may be erected on a single subdivided lot, subject to the provisions of this section*." The applicant has requested that the Zoning Commission retain jurisdiction to hear the requested special exception concurrently with the proposed map amendment and PUD. The analysis as to how the applicant meets the special exception requirements of Section 2516 are addressed in Section VIII of this report.

*Parking*
The proposal provides 260 parking spaces in total, 59 spaces above the required 201 spaces. Some of the spaces provided will be compact spaces and the applicant is requesting flexibility for the requirements of Section 2115.4 which requires that compact spaces be placed in groups of at least five contiguous spaces. The applicant has not stated a reason for not meeting the requirement but states that maximizing the number of compact spaces "will encourage the ownership and use of smaller cars and discourage the use of large vehicles, such as SUVs." Op will continue to work with the Applicant on the parking issues.

*Loading*
The overall development requires a total of two, 55-feet berth, three 30-feet berth, two 200-feet platforms; and three service delivery spaces. The Applicant requests relief to provide five 30-feet berths, five 100-feet platforms, and two service delivery spaces and thereby eliminating the required 55-feet berths. The Applicant states that with proper management the number and size proposed will be sufficient to serve the development without any adverse impact. It should be noted that the residential use in the North Building does not require a loading berth[2] but the retail use would require a 30 feet berth and a 100-feet platform. The Applicant is proposing that loading to serve the retail and residential use would be from the alley to the rear of the building. The applicant should provide details of the loading management if the application is set down.

*Multiple Roof Structures with less than the 1:1 setback ratio and with unequal heights*
Sheet A17 of the architectural drawings show the location of the proposed roof structures.

North Building - The Applicant has requested flexibility from the requirements of Section 770.6 (b) that requires a 1:1 setback of the roof structure. The height of the roof structure is 6.8 feet and therefore a minimum setback of 6.8 feet is required. Due to the difference in height of portions of the building it is necessary to push the structure towards the rear of the building and only be able to provide five feet of setback. The roof structure encloses a number of HVAC systems to serve the residential units and the applicant has been asked to provide additional information to demonstrate that the reduction will have no adverse impacts pertaining to noise on the adjacent residential units.

[2] Loading facilities are not required for apartment buildings with less and 50 units (Section 2201)

South Building - The Applicant has requested flexibility from the requirement of Section 770.6(d) which requires that the enclosure heights not exceed 18.5 feet. The applicant is proposing an enclosure height of 20.75 feet to accommodate an elevator override within the penthouse on the Office Building at 7th Street/Pennsylvania Avenue portion of the building. OP does not support this flexibility. The penthouse was identified by HPRB as an element that needs to be reconsidered and reduced. The applicant has stated that they are studying ways to address this issue.

*Courts*
On page A39 of the architectural drawings the applicant identifies a number of open, closed or court niche some of which do not meet the required width or areas. The flexibility requested is to address and provide architectural articulation on the façade of the building.

*Affordable Units*
In relation to the North Building, the applicant has requested flexibility from Section 2602.3(f) which states:

> *"Any development financed, subsidized, or funded in whole or in part by the federal or District government and administered by the Department of Housing and Community Development (DHCD), the District of Columbia Housing Finance Agency, or the District of Columbia Housing Authority and that meets the requirements set forth in § 2602.7."*

Section 2605.6 states. *"Inclusionary units shall not be overly concentrated on any floor of a project*." OP will work with the applicant to determine the IZ requirement for the buildings and will require additional information on the phasing of the buildings.

## VII. PUD EVALUATION STANDARDS

Section 2403 outlines the standards under which the application is evaluated.

> *"The impact of the project on the surrounding area and the operation of city services and facilities shall not be found to 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."*

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 development that provide public benefits." In order to maximize the use of the site consistent with the zoning regulations and to utilize opportunities for additional FAR, the Applicant is requesting that the proposal be reviewed as a consolidated PUD to allow the utilization of the flexibility stated in Section 2400.2. The objectives of a PUD are to permit flexibility of development in return for the provision of superior public benefits, provided the PUD process is not used to circumvent the intent and purposes of the Zoning Regulations, or results in an action inconsistent with the Comprehensive Plan.

Public amenities are defined in Section 2407.3 as including "one type of public benefit, specifically a functional or aesthetic feature of the proposed development that adds to the attractiveness, convenience or comfort of the project for occupants and immediate neighbors." Benefits and amenities evaluation is based on an assessment of the additional development gained through the application process. In this instance, the map amendment from R-4 to a C-2-B PUD would allow the site to be developed at a greater density and height as shown on Table 1. The Applicant has listed a number of areas which they feel contribute towards the proposed projects benefits and amenities. The development is covered by a LLDA with the District Government and the Commission has in past cases asked for clarification of what is

required by other government agreements or legislative action. OP notes that while certain items may not qualify as "amenities" they definitely are benefits and exceed what could result as a matter-of-right.

**Urban Design and Site Planning**

The application proposes an urban, contextual and consistent site plan that is compatible with the Capitol Hill Historic District. There are no historic or contributing structures on the site and therefore the development is all new construction. The buildings incorporate some of the traditional historical elements of the Victorian-era residential and commercial building design instead of copying all the elements of the nearby historic buildings or those which contribute to the historic district. HPRB has reviewed the height and massing of the buildings and given concept approval with the comments noted in Attachment A. The building design has taken care to place all parking, loading and trash functions either underground or fully away from the adjacent streets. As stated above, the Applicant continues to work with the Historic Preservation Office to study and address various elements of the development facade design and elements.

**Landscaping and Streetscape Design**

The public space around the building is proposed to be improved with landscaped strips, street trees, benches, bike racks and trash receptacles and other elements (Sheet L01). The overall streetscape design around the building consists of a number of components and is affected by the topography of the site. Along 8th Street, the lower floor units have entrances directly to the sidewalk. Along the northern portion of 8th Street, the building is separated from the street by a 5-feet wide tree planting zone, 7.5 feet wide sidewalk, a 10-feet wide raised planter beds, and a 7-feet area well to buffer the units on the lower floors which have entrances directly from the sidewalk. Going south along 8th Street where the topography changes, there are walkways going directly from the units to the sidewalk. Between the entrances are extensively landscaped areas.

The layout and design of tree boxes, sidewalk, and landscaping along D Street, Pennsylvania Avenue and 7th Street follow the DDOT standards. Along theses streets a wider pedestrian clear zone of 10-feet is provided. The landscaping along C Street accommodates the weekend flea market and the associated tents as required by the LLDA. The area incorporates a public plaza adjacent to the residential building with a seating area, fountain, a pedestrian walk zone, tents and a tree zone. Adjacent to the North Building are pedestrian walkways and tree boxes with the tents within the C Street right-of-way.

The submission shows PEPCO vaults within the public space along 7th Street. The location of vaults in public space is of serious concern to the District and the policy of not having electrical vaults in public space is being enforced by both OP and DDOT. Currently, there are vaults along the 7th Street frontage with additional vaults proposed by the Applicant. Sheet L01 of the Applicant's submission shows enclosed outdoor seating areas in the public space possibly associated with ground floor eating establishments. The combination of the seating area and the vault grills could negatively impact pedestrian movements in this area. It is recommended that the vaults be therefore relocated on-site. Although these issues will be reviewed by the Public Space Committee they should be addressed at this point as they may be likely to impact the interior configuration of the building.

**Housing**

The proposed housing component of the development will have 158 units composed of; one studio apartment; 80, 1-bedroom units; 74, 2-bedroom units; and 3, 3-bedroom units. The development proposes a total of 46 or 36% of the units to be affordable.

Under the LLDA the North building is required to provide approximately 35 affordable units financed by the LIHTC program. The LLDA requires that approximately 28 units be available to individuals/families

at 60% of AMI and approximately 5 units be available to individuals at 30% of AMI. Further, 50% of the units should be age restricted and available only to persons 55 years and older. The proposal is providing 34 units but the applicant has not stated at what levels of AMI and should provide the information. The development proposes 12 units in the South Building to meet the projects IZ requirement.

**Retail**

The development will provide approximately 39,300 gross square feet of ground floor retail as well as approximately 7,400 square feet of below grade space in the North Building for a total of 46,700 gross square feet of space. The retail spaces front on all adjacent streets and will be a combination of neighborhood serving and other retail uses. The LLDA requires that the applicant reserves a minimum of 20% of the retail space for small and locally owned retailers and at least 1,000 square feet of retail space at below market rents to a single outlet local retailer. The Applicant should provide additional information regarding how the small and locally owned retailers will be chosen, the period of time that the space will be available, and what is the percentage of markdown on the below market rents.

Concerns have been expressed by the community regarding the introduction of retail use along a portion of 8th Street which is predominantly residential. To address this issue, the retail space proposed for the corner of the 8th and D Streets will have its access from D Street and the 8th Street portion of the space will be a black wall. Concerns have also been expressed regarding the introduction of the large amount of retail use that will compete with the existing retail uses in the area and that it may extend the restaurant use into this block similar to what has occurred along Barracks Row to the south of the property. Information regarding the retail strategy should be provided if the application is setdown.

**Local Business Opportunities and First Source Agreements**

The Applicant has stated that they will implement an agreement with the District of Columbia Department of Small and Local Business Development (DSLBD) and through a Certified Business Enterprise Utilization and Participation Agreement provide equity and development opportunities. The applicant should provide signed agreements to implement these programs if the application is setdown for public hearing.

**Green Elements**

The submission states that the project will be designed to LEED Gold or Silver standards but has not specified the elements which would be incorporated into the development except for approximately 39,000 square feet of green roof. The applicant should submit additional information addressing sustainable design and a completed LEED checklist for the public hearing.

**Transportation Demand Management**

As per the schedule outlined by the District Department of Transportation (DDOT), a Phase 1: Initial Evaluation was submitted to DDOT of review. The evaluation will review the Site and Travel Demand Analysis, Study Area Identification and Data collection Plan on which the Traffic Impact Study, Transportation Demand Management (TDM) plan and Loading Management Plan will be based if the application is setdown. Additional information is needed to address how the parking figures are consistent with the transit-oriented development and TDM.

OP is very supportive of the bike parking spaces (Sheet A12). However, there are 18 spaces which are located close to the Stormwater Management room. OP suggests that their location be reconsidered as there may be accessibility and security concerns which could lead to their underutilization. The bike space should therefore be relocated closer to the elevators to address these concerns.
P-1 parking level shows five sets of elevators, one each for the 8th and C Street residential buildings, two for the Office Building and one to exit the garage at the D Street/Pennsylvania Avenue frontage. This

elevator would be used by the flea market vendors to exit the garage after parking their vans. This exit seems to be located some distance from the market location and is not readily accessible to vendors who may have to go back and forth to their vans. The alternative access to C Street would be via the ramp leading from C Street. The applicant should consider relocating the elevator in a more central location or providing an exit directly onto C Street.

Table 2 below is OP's preliminary summary and categorization of the proposed items.

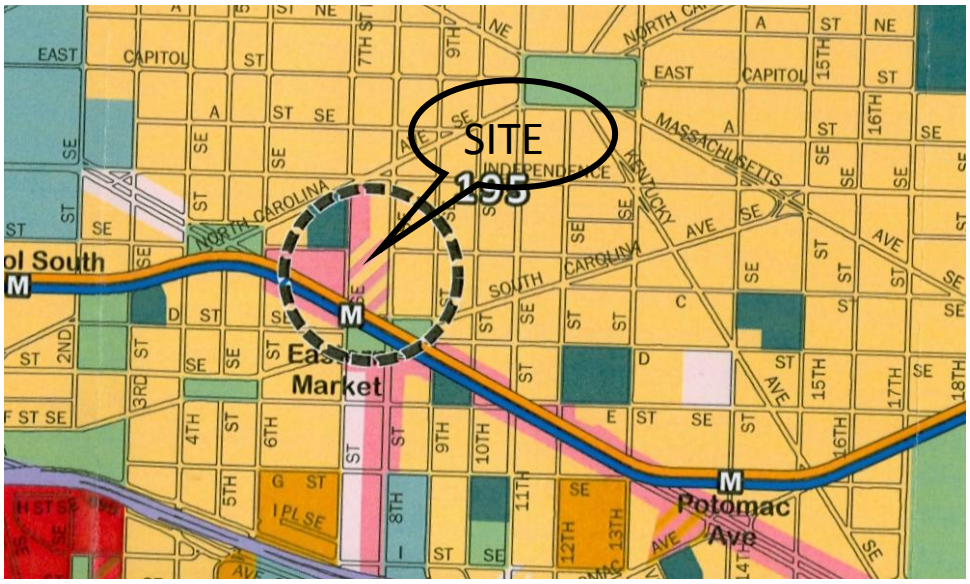
| **Applicant's Amenities/Benefits** | **Required** | **Mitigation** | **Public Benefit** | **Project Amenity** |
|---|---|---|---|---|
| Reopening, construction and maintenance of C Street | **X** | | **X** | **X** |
| Public Plaza | | | **X** | **X** |
| Use of C Street for flea market | **X** | | **X** | **X** |
| Additional bicycle spaces than required | | | **X** | |
| Outdoor bike racks | | | **X** | **X** |
| Car share space | | **X** | | **X** |
| New Housing and retail | **X** | | **X** | **X** |
| Affordable housing | **X** | | **X** | **X** |
| Environmental Benefits, including LEED-Gold or Silver | **X** | **X** | **X** | **X** |
| Contextual Arch/Urban Design | | | **X** | |
| Extensive Landscaping | | | **X** | **X** |

The applicant highlighted items such as employment and training opportunities and other TDM measures as benefits and amenities that the project will provide. However, additional information should be provided to allow evaluation against the relief requested. The Applicant is also working with the ANC to discuss other benefits and amenities the development may provide.

## VIII. COMPREHENSIVE PLAN

### Generalized Future Land use map

The 2006 Comprehensive Plan's Future Land Use Map, was amended by the Comprehensive Plan Amendment Act of 2010 and became law on April 8, 2011. The amended Future Land Use Map (Amendment #30) designates the property as Mixed use: Moderate density residential and moderate density commercial. The site is within an area with properties to the east and northeast of the site designated for moderate density residential while the properties to the south, west and northwest are designated for moderate density commercial. The property's designation as a mixture of uses allows for a development that relates to both the adjacent residential and commercial uses. Moderate density residential uses allows low-rise apartment buildings while the moderate density commercial where retail, office and service businesses are the predominant use. A PUD related C-2-B zoning for the site would not be inconsistent with the Comprehensive Plan.



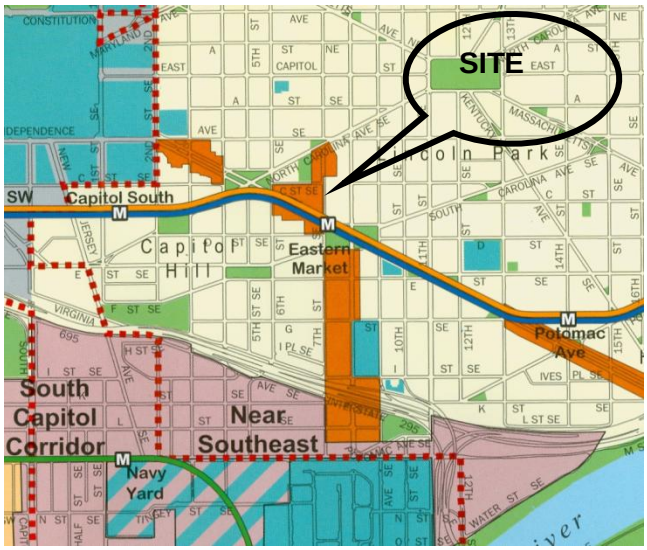

**2006 Comprehensive Plan's Future Land Use Map, amended by the Comprehensive Plan Amendment Act of 2010**

**Generalized Policy Map**

The site is located within an area designated as a neighborhood Conservation Area. The guidance and guiding philosophy toward development in these areas is to:

> *"conserve and enhance established neighborhoods. Limited development and redevelopment opportunities do exist within these areas but they are small in scale. The diversity of land uses and building types in these areas should be maintained and new development and alterations should be compatible with the existing scale and architectural character of each area. Densities in Neighborhood Conservation Areas are guided by the Future Land Use Map."*

The proposal to redevelop the site with a mixture of housing, retail and office uses is not inconsistent with the designation as a Land Use Change area.




**2006 Comprehensive Plan Policy Plan Map**

**Comprehensive Plan City-Wide Elements**
The Comprehensive Plan text provides a considerable number of policy guidance which is applicable to the proposal.
The proposed development is not inconsistent with the following policies of the Land Use Element:

***Policy LU-1.3.1: Station Areas as Neighborhood Centers***
Encourage the development of Metro stations as anchors for economic and civic development in locations that currently lack adequate neighborhood shopping opportunities and employment. The establishment and growth of mixed use centers at Metrorail stations should be supported as a way to reduce automobile congestion, improve air quality, increase jobs, provide a range of retail goods and services, reduce reliance on the automobile, enhance neighborhood stability, create a stronger sense of place, provide civic gathering places, and capitalize on the development and public transportation opportunities which the stations provide. This policy should not be interpreted to outweigh other land use policies which call for neighborhood conservation. Each Metro station area is unique and must be treated as such in planning and development decisions. The Future Land Use Map expresses the desired intensity and mix of uses around each station, and the Area Elements (and in some cases Small Area Plans) provide more detailed direction for each station area.

***Policy LU-1.3.3: Housing Around Metrorail Stations***
Recognize the opportunity to build senior housing and more affordable "starter" housing for first-time homebuyers adjacent to Metrorail stations, given the reduced necessity of auto ownership (and related reduction in household expenses) in such locations.

***Policy LU-1.3.5: Edge Conditions Around Transit Stations***
Ensure that development adjacent to Metrorail stations is planned and designed to respect the character, scale, and integrity of adjacent neighborhoods. For stations that are located within or close to low density areas, building heights should "step down" as needed to avoid dramatic contrasts in height and scale between the station area and nearby residential streets and yards.

***Policy LU-1.4.1: Infill Development***
Encourage infill development on vacant land within the city, particularly in areas where there are vacant lots that create "gaps" in the urban fabric and detract from the character of a commercial or residential street. Such development should complement the established character of the area and should not create sharp changes in the physical development pattern.

***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.

***Policy LU-2.2.4: Neighborhood Beautification***
Encourage projects which improve the visual quality of the District's neighborhoods, including landscaping and tree planting, façade improvement, anti-litter campaigns, graffiti removal, improvement or removal of abandoned buildings, street and sidewalk repair, and park improvements.

The proposed development is not inconsistent with the following policies of the Transportation Element:

**Policy T-1.1.2: Land Use Impact Assessment**
Assess the transportation impacts of development projects using multimodal standards rather than traditional vehicle standards to more accurately measure and more effectively mitigate development impacts on the transportation network.

**Policy T-2.3.3: Bicycle Safety**
Increase bicycle safety through traffic calming measures, provision of public bicycle parking, enforcement of regulations requiring private bicycle parking, and improving bicycle access where barriers to bicycle travel now exist.

**Action T-2.3.A: Bicycle Facilities**
Wherever feasible, require large new commercial and residential buildings to be designed with features such as secure bicycle parking and lockers, bike racks, shower facilities, and other amenities that accommodate bicycle users.

**The proposed development is not inconsistent with the following policies of the 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-1.1.3: Balanced Growth**
Strongly encourage the development of new housing on surplus, vacant and underutilized land in all parts of the city.

**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 proposed development is not inconsistent with the following policies of the Environmental Protection Element:**

**Policy E-1.1.3: Landscaping**
Encourage the use of landscaping to beautify the city, enhance streets and public spaces, reduce stormwater runoff, and create a stronger sense of character and identity.

**Policy E-2.2.3: Reducing Home Heating and Cooling Costs**
Encourage the use of energy-efficient systems and methods for home insulation, heating, and cooling, both to conserve natural resources and also to reduce energy costs for those members of the community who are least able to afford them.

**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 large paved surfaces.

**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 proposed development is not inconsistent with the following policies of the 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-3.2.2: Small Business Incubators**
Provide low-cost rental space ("incubators") for small, home-grown businesses and start-up companies, particularly companies that are responsive to technological and economic innovation in the marketplace. A variety of spaces should be considered for business incubators, including vacant storefronts and surplus public buildings.

**The proposed development is not inconsistent with the following policies of the Urban Design Element:**

**Policy UD-2.2.1: Neighborhood Character and Identity**
Strengthen the defining visual qualities of Washington's neighborhoods. This should be achieved in part by relating the scale of infill development, alterations, renovations, and additions to existing neighborhood context.

**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-2.2.6: Maintaining Facade Line**s
Generally maintain the established facade lines of neighborhood streets by aligning the front walls of new construction with the prevailing facades of adjacent buildings. Avoid violating this pattern by placing new construction in front of the historic facade line, or by placing buildings at odd angles to the street, unless the streetscape is already characterized by such variations. Where existing facades are characterized by recurring placement of windows and doors, new construction should complement the established rhythm.

**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-3.1.2: Management of Sidewalk Space**
Preserve the characteristically wide sidewalks of Washington's commercial districts. Sidewalk space should be managed in a way that promotes pedestrian safety, efficiency, comfort, and provides adequate

space for tree boxes. Sidewalks should enhance the visual character of streets, with landscaping and buffer planting used to reduce the impacts of vehicle traffic.

**Policy UD-3.1.3: Streetscape Design and Street Function**
Use variations in lighting and landscaping to highlight and clarify the function of different streets. The design features of streets should make the city's circulation system easier to navigate and understand for residents and visitors.

**Policy UD-3.1.5: Streetscape and Mobility**
Ensure that the design of public space facilitates connections between different modes of travel, including walking, public transit, bicycling, and driving. Bus shelters, benches, bicycle parking, safe pedestrian connections, and clear way finding signage should be provided to facilitate multi-modal travel.

**Policy UD-3.1.6: Enhanced Streetwalls**
Promote a higher standard of storefront design and architectural detail along the District's commercial streets. Along walkable shopping streets, create street walls with relatively continuous facades built to the front lot line in order to provide a sense of enclosure and improve pedestrian comfort.

**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 development is not inconsistent with the following policies of the Community Services and Facilities Element:**

**Policy CSF-1.1.4: Addressing Facilities That Are Functionally Obsolete**
Develop reuse or disposition plans for public buildings or sites that are functionally obsolete, that cannot be rehabilitated cost-effectively, or that are no longer needed.

**The proposed development is not inconsistent with the following policies of the 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.

**Policy ED-3.1.1: Neighborhood Commercial Vitality**
Promote the vitality and diversity of Washington's neighborhood commercial areas by retaining existing businesses, attracting new businesses, and improving the mix of goods and services available to residents.

### Capitol Hill Area Element

**Policy CH-1.1.1: Conserving Residential Uses**
Maintain the integrity and quality of Capitol Hill's residential uses, and recognize the importance of its historic architecture and housing stock to the entire District of Columbia. Ensure that Comprehensive Plan and zoning designations for Capitol Hill neighborhoods sustain its moderate density land use pattern.

**Policy CH-2.2.7: Hine Junior High School Site**
Promote continued investment and redevelopment of Hine Junior High School, an important community public facility, which was closed in the summer of 2008. Redevelopment of the site should complement the adjacent neighborhood.

## IX. SPECIAL EXCEPTION REVIEW

**Section 2516 Exceptions to Building Lot Control (Residence Districts)**
Section 2516.1 states: "If approved by the Board of Zoning Adjustment as a special exception under § 3104, two (2) or more principal buildings or structures may be erected on a single subdivided lot, subject to the provisions of this section." The proposal is to subdivide the existing property into two building lots each with a principal building.

Should the application be setdown, the applicant will provide additional information to address the requirements of Section 2516.

## X. AGENCY REFERRALS AND COMMENTS

If this application is set down for a public hearing, it will be referred to the following District government agencies for review and comment:

- Department of Employment Services (DOES);
- Department of Housing and Community Development (DHCD);
- Department of Public Works (DPW);
- District Department of Transportation (DDOT); and
- Fire and Emergency Medical Services Department (FEMS).

## XI. COMMUNITY COMMENTS

The property is within the area governed by ANC-6B. The Applicant outlined in their submission the meetings they have had with the ANC and other community organizations. The community has also met with OP and expressed concerns regarding density, FAR, height, height of the proposed penthouse, noise, traffic impacts, the provision of public open space, compatibility with the historic district, benefit and amenities, and the effect on light and air among other issues. The Applicant has committed to working with the ANC and the community groups to address these and other outstanding issues.

## XII. RECOMMENDATION

OP recommends the Zoning Commission set down this application for a public hearing and encourage the Applicant to give additional consideration to the items noted in this report. OP would continue to work with the Applicant, other District agencies, the ANC and neighbors to ensure coordination of this PUD, and the resolution of concerns.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
HISTORIC PRESERVATION OFFICE

**Areas for further study and refinement cited by HPO and HPRB**
**Hine Redevelopment**

Note: Applicant has added annotations in red below to HPO's summarizing memo (in black). Numbers relate to notes on attached drawings.

In its three reviews of the Stanton-Eastbanc Hine redevelopment project (April 28th, June 30th, and August 4th, 2011), the Historic Preservation Office (HPO) staff reports and Historic Preservation Review Board (HPRB) have made a number of suggestions for additional study, refinement or modification to the proposed conceptual plans. As requested by ANC 6-B, this list summarizes the design issues that remain to be addressed:

**Landscape and Plaza**

- Various concerns were expressed by HPRB about the proposed water features, including that they are often not successful year-round and potentially take up space that could be used for other uses (e.g. more market tents). Suggestions made for further study included that water features be eliminated, that they have ledges that could double as seating, and that they be flush with ground plane so that space can be programmed for alternative uses when not in use.
  See drawing note #1. Being actively studied. Final proposal will be presented to HPRB.

- Street paving material through the plaza should extend seamlessly to the intersection of 8th Street. Plaza paving material should have commonality and compatibility with surrounding street paving rather than sharp contrast.
  Extension of street paving has been done; final paving material will be presented to HPRB.

- While the number of vendor tents was ultimately determined not to be a preservation issue, HPRB asked HPO to seek assistance of the Deputy Mayor's Office for Economic Development in coordinating a discussion with the community, CM Wells' office and appropriate District agencies (DDOT, Fire Department, HPO, OP) on the topic. If that conversation results in the Plaza being reconfigured or redesigned, the project should return for further review.
  This meeting was held in November and the Applicant, Councilmember, and DMPED will continue working with the Community to address concerns.

**8th Street Residential**

- The individual entrances should be given greater prominence and distinction, and the fenestration refined with the goal of introducing additional variety.
  See drawing note #2. Being actively studied. Final proposal will be presented to HPRB.

- The use of rounded, non-rectilinear elements – windows, dormers, oriels, ironwork – should be explored to break up the rectilinear character of the row.
  See drawing note #3. Being actively studied. Final proposal will be presented to HPRB.

- The five story lobby entrance element doesn't need to be lower or set back from the face of surrounding buildings but could be less abrupt.
  See drawing note #4. Being actively studied. Final proposal will be presented to HPRB.

**8th & D Residential**

- Building is still a little too square and with perhaps too much of the lacey, patterned brick work.
  See drawing note #5. Being actively studied. Final proposal will be presented to HPRB.

- Further evaluation should be given to the materials and coloration to include additional color or contrast within the brick work.
  See drawing note #6. Being actively studied. Final proposal will be presented to HPRB.

- The 8th Street elevation should be developed with comparable fenestration in the bay as the D Street elevation so that it doesn't read as the back of the building.
  The PUD Application drawings already reflect the resolution of this item.

**7th and Pennsylvania Avenue Office**

- The retail base needs further development to ensure that it has visual interest and an appropriate scale for pedestrians; should relate more closely with the feel of retail on Capitol Hill. Study using projecting or smaller scaled storefronts, solid bases to the storefronts, and/or awnings that would provide a three-dimensional character. The corner in particular should be reevaluated to encourage connection and continuity between 7th Street and Barrack's Row.
  See drawing note #7. Being actively studied. Final proposal will be presented to HPRB.

- Two-story entrance element to office building is a "weak link." Evaluate incorporating into the architecture of one of the two larger buildings flanking it.
  See drawing note #8. Being actively studied. Final proposal will be presented to HPRB.

- To minimize their footprints, the penthouse levels should be utilized exclusively for mechanical equipment; alternative locations within the body of each building should be found for amenity spaces. Where possible and necessary to reduce their size, absorbing mechanical functions within the body of buildings should be explored. Explore use of geothermal systems to reduce size of penthouses, and study eliminating the public roof deck to allow penthouse to be pushed further back.
  See drawing note #9. Being actively studied. Final proposal will be presented to HPRB.

- Materials and coloration should be studied on 7th Street; looks a little grim and foreboding.
  See drawing note #10. Being actively studied. Final proposal will be presented to HPRB.

- The design and setback of the seventh floor on 7th Street should be reevaluated to eliminate "wedding cake" profile. Alternative setbacks and architectural treatments should be explored.
  See drawing note #11. Claddings will match and will be presented to HPRB.

**Plaza Building**

- HPRB evenly split between those that felt that the C Street elevation was "too chaotic," "not there yet and less than delightful," and that the bays on the two sides "looked like they were coming from two different hands" and those that supported it and thought it was "complex without losing control" and "complex without being overdone."
  No change required.

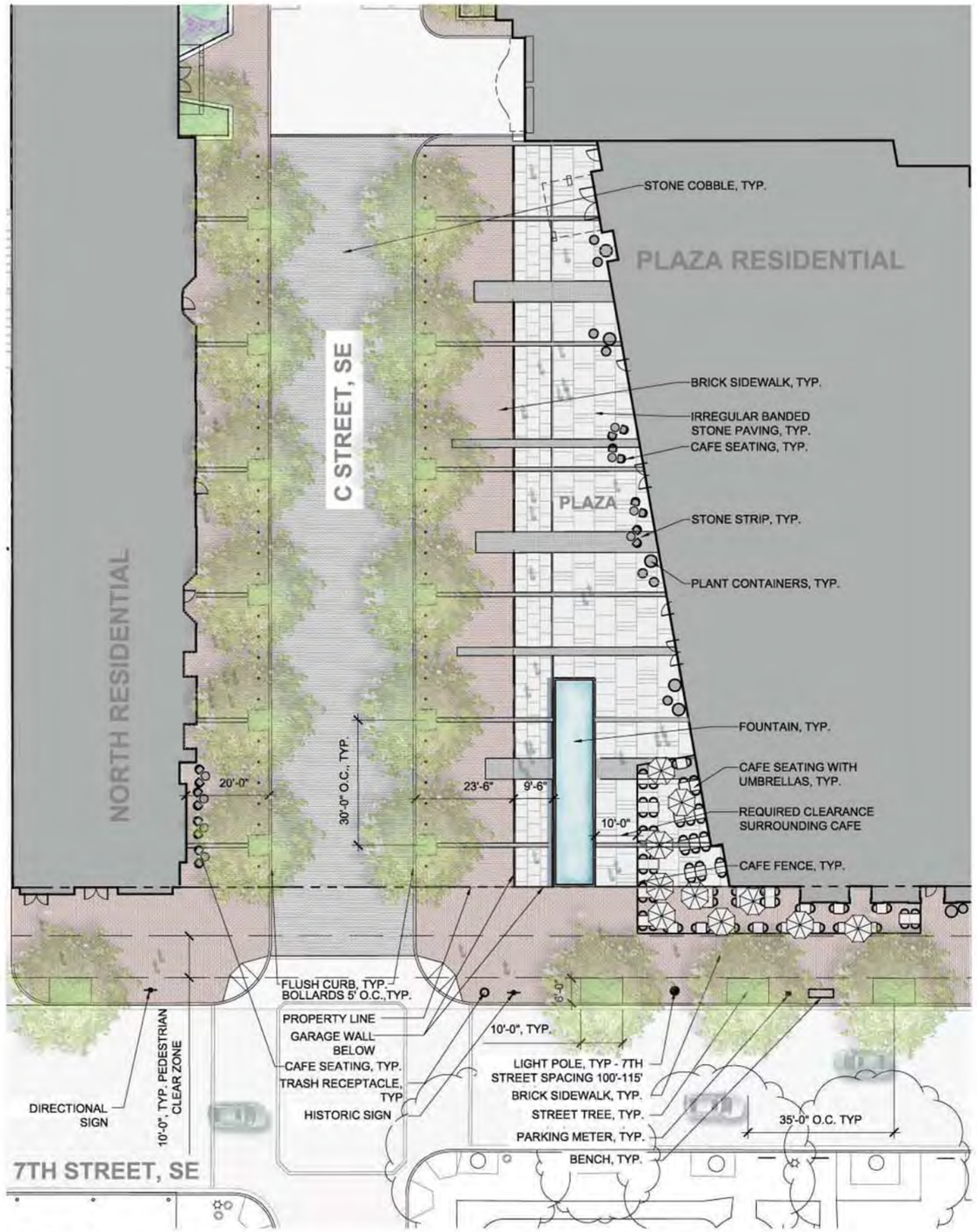
- Entrance to apartment building needs further development to be made residential in character. Suggestions for study included redesigning canopy, relocating entrance, and eliminating two-story projecting pavilion.
  See drawing note #12. Being actively studied. Final proposal will be presented to HPRB.

- Treatment of first floors of the projecting bays on 7th Street should be evaluated to ensure that they will make for strong retail spaces.
  See drawing note #13. Being actively studied. Final proposal will be presented to HPRB.

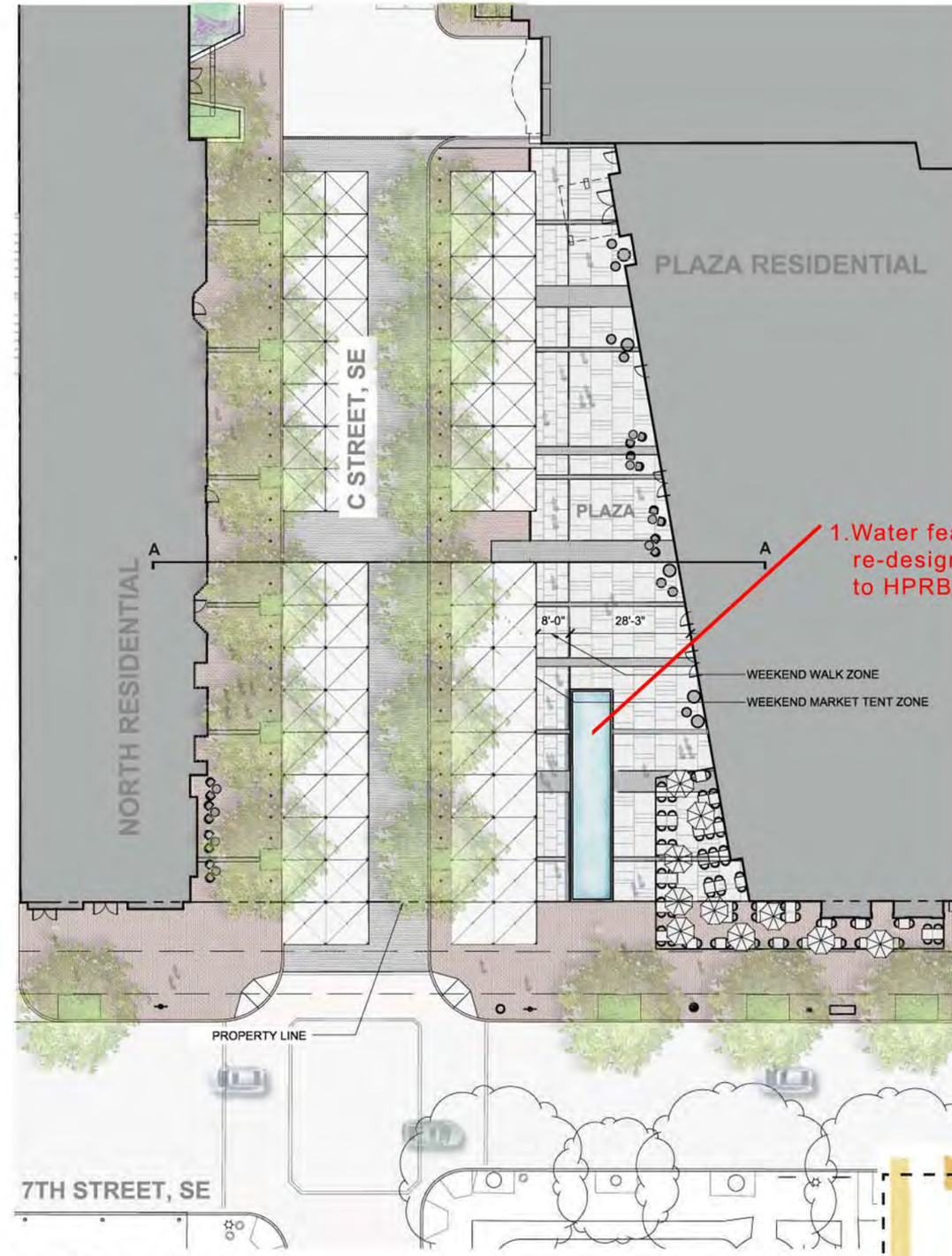
**North Residential Building**

- Rear (alley) elevation of four-story element needs additional development; does not need to be made commensurate in design to front elevation, but will be visible and needs to have a stronger sense of being designed.
  See drawing note #14. Being actively studied. Final proposal will be presented to HPRB.

- Entrance to residential portion of building is too austere; needs to be made more prominent and welcoming.
  The PUD Application drawings already reflect the resolution of this item (entry porch added).

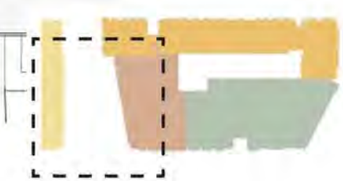



PLAZA PLAN: WEEKDAY




1.Water feature will be re-designed in response to HPRB comments.

PLAZA PLAN: WEEKEND



# L02 PLAZA WEST + 7TH ST. NORTH / DETAILED SITE PUBLIC SPACE + LANDSCAPING PLAN

0' 16' 32'

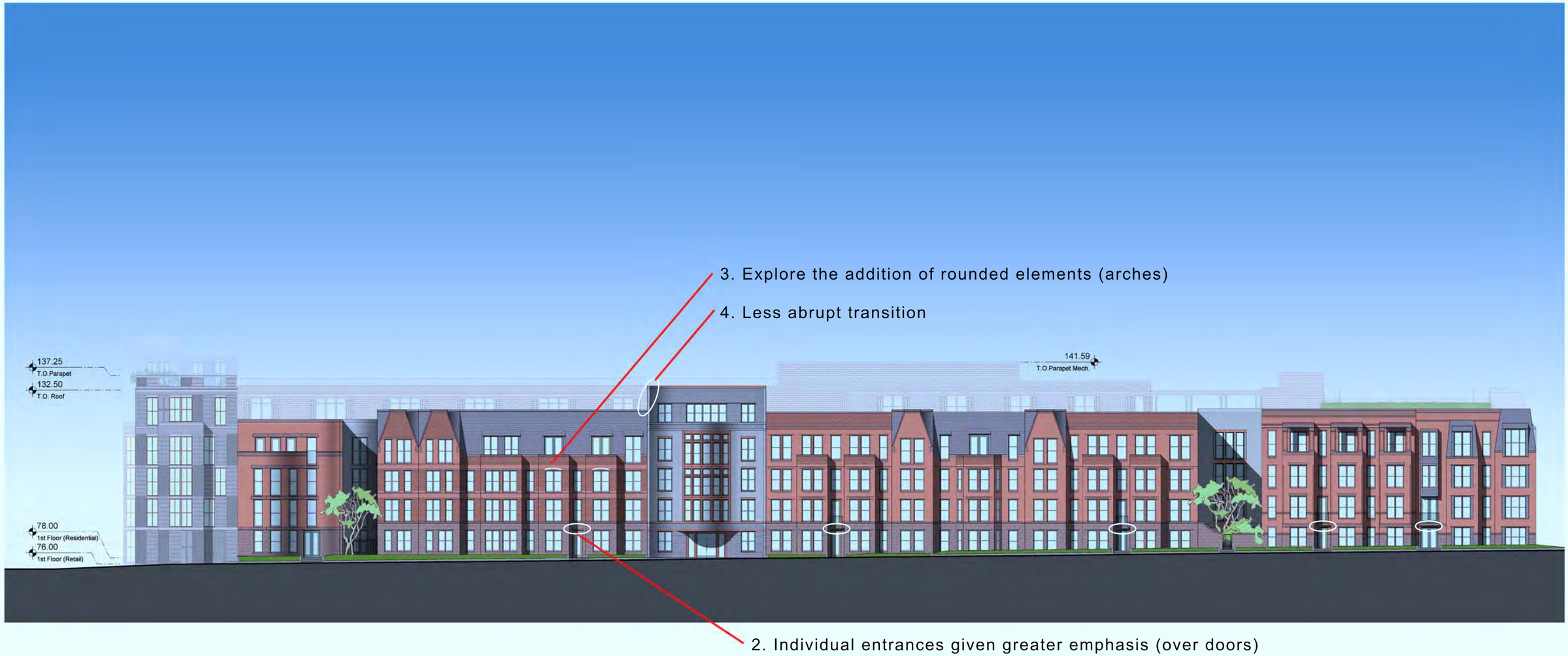
N

November 23, 2011

HINE PROJECT

Stanton - EastBanc LLC

WEINSTEIN STUDIO • ESOCOFF & ASSOCIATES | architects OEHME, VAN SWEDEN & ASSOCIATES, INC.




## HPRB Comments

**A 35 SOUTH BUILDING - ENLARGED ELEVATION - 8TH STREET COMPONENT - LOOKING WEST**

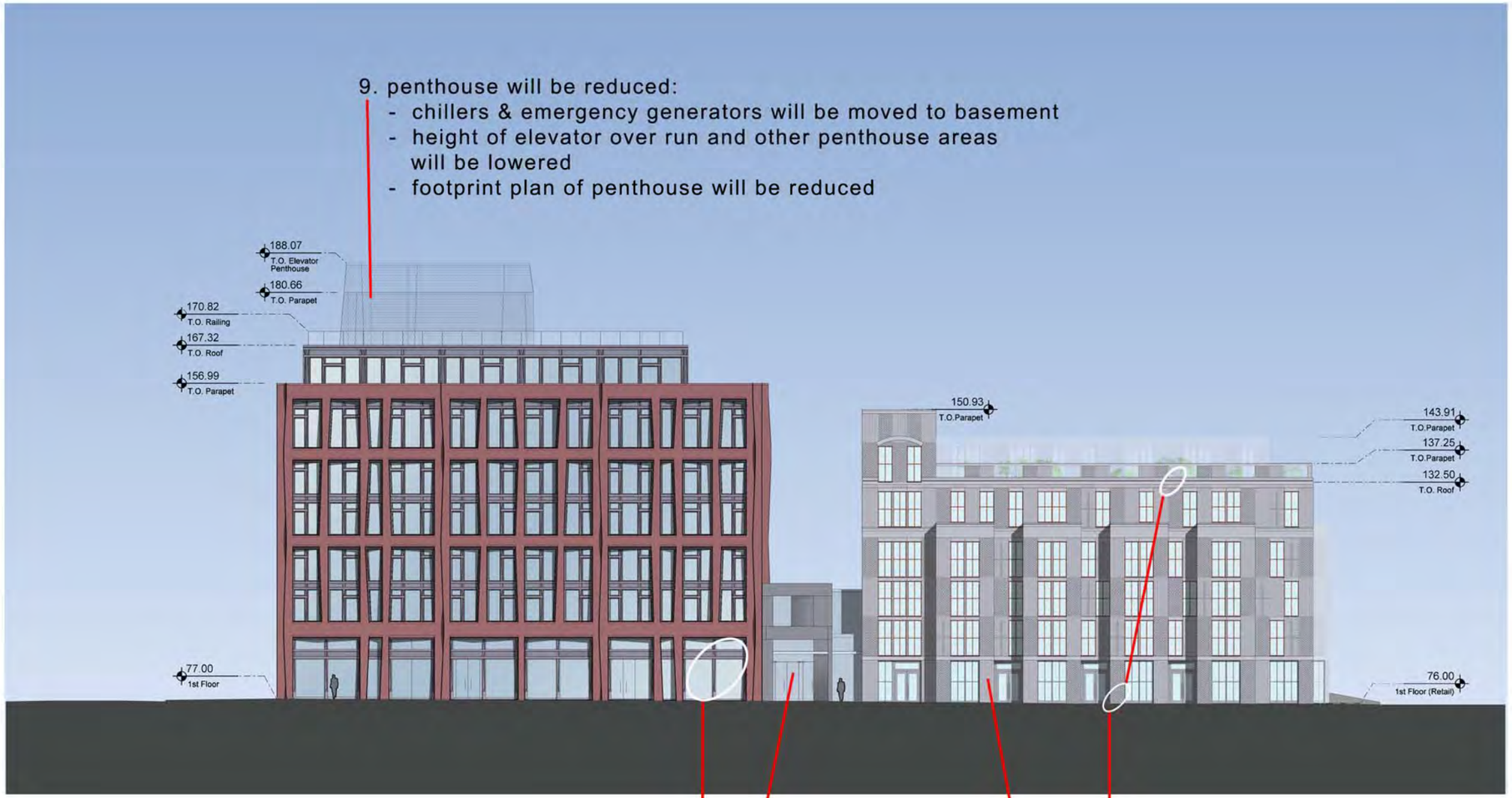
0' 16' 32' 64'

**HINE PROJECT**

WEINSTEIN STUDIO • ESOCOFF & ASSOCIATES | architects

November 23, 2011

Stanton - EastBanc LLC




9. penthouse will be reduced:
   - chillers & emergency generators will be moved to basement
   - height of elevator over run and other penthouse areas will be lowered
   - footprint plan of penthouse will be reduced

7. Scale retail storefronts to pedestrian Capitol Hill scale

8. stronger visual connection to red brick facade

5. Introduce flat brick courses at building's base (other flat brick already added after HPRB) Study cornice to relieve "squareness".

6. Study coloration of brick

## HPRB Comments

## HPRB Comments

A 37 SOUTH BUILDING - ENLARGED ELEV. - PLAZA & OFFICE COMPONENT - LOOKING EAST

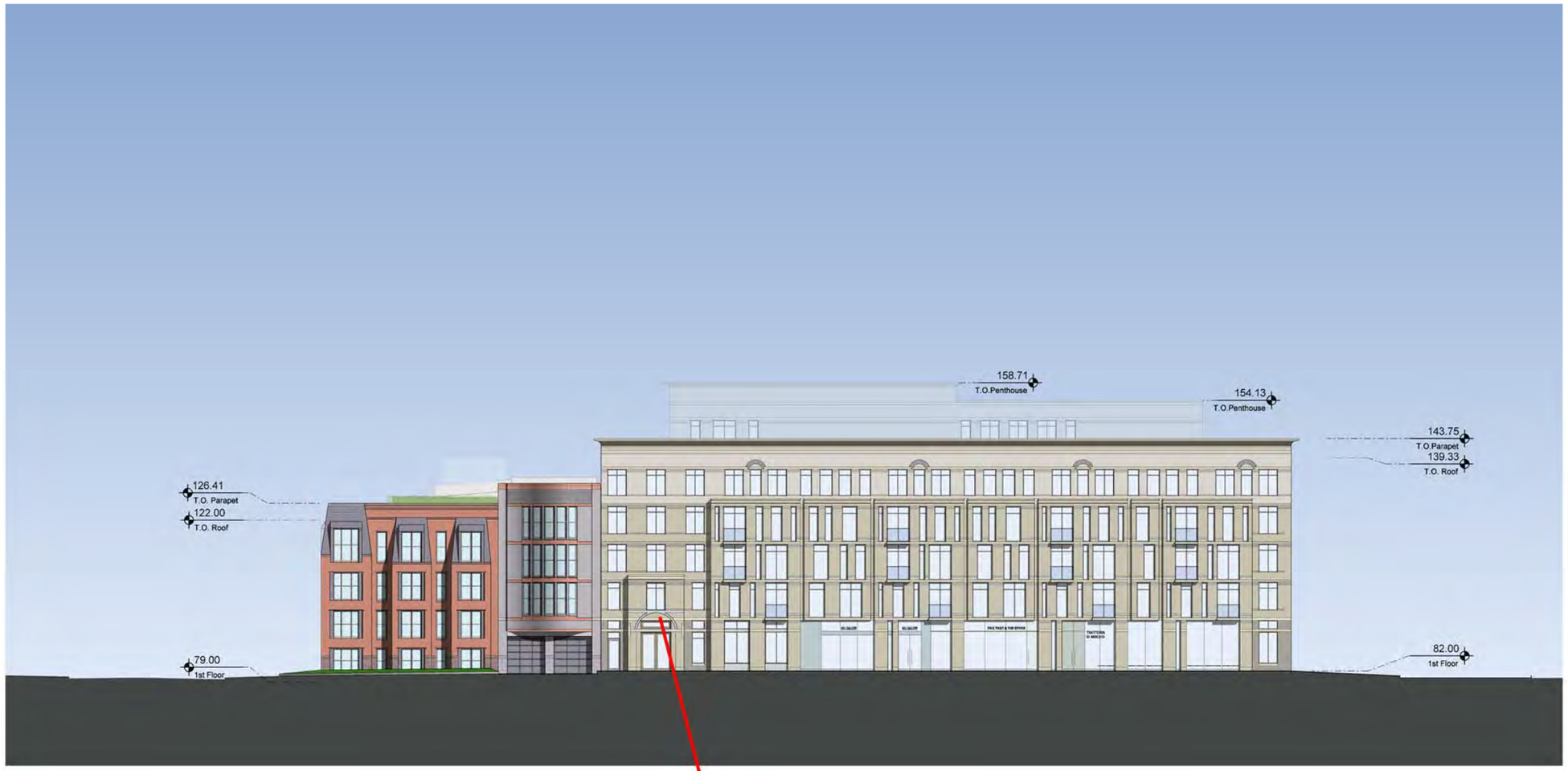
0' 16' 32' 64'

HINE PROJECT

WEINSTEIN STUDIO • ESOCOFF & ASSOCIATES | architects

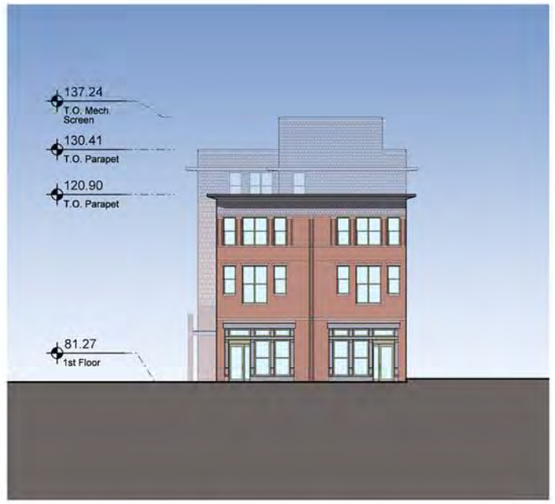
November 23, 2011

Stanton - EastBanc LLC




## HPRB Comments

12. re-design entry canopy,
study 2 story projection

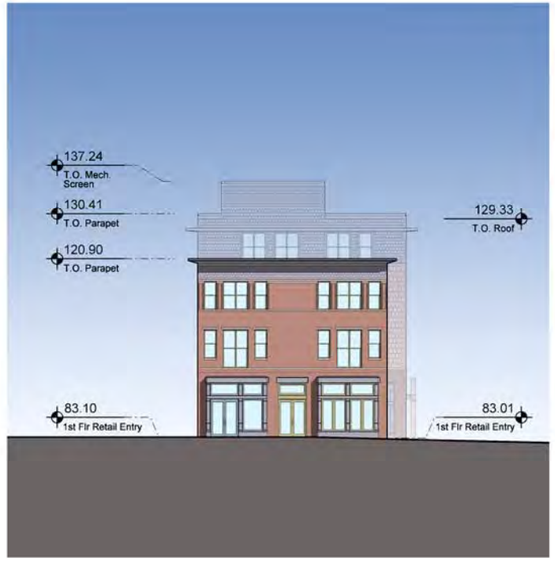



EAST - 8TH STREET SE

14. add "stronger sense of design to alley elevation - will study adding base for tri-partite reading

NORTH - PUBLIC ALLEY

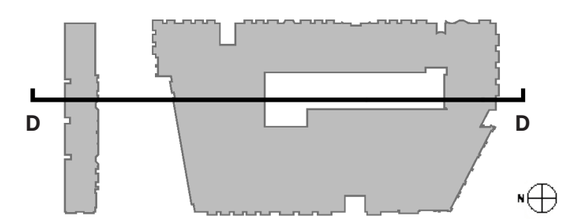
HPRB Comments




WEST - 7TH STREET SE

SOUTH - C STREET SE

SECTION **D-D**




**HINE PROJECT**

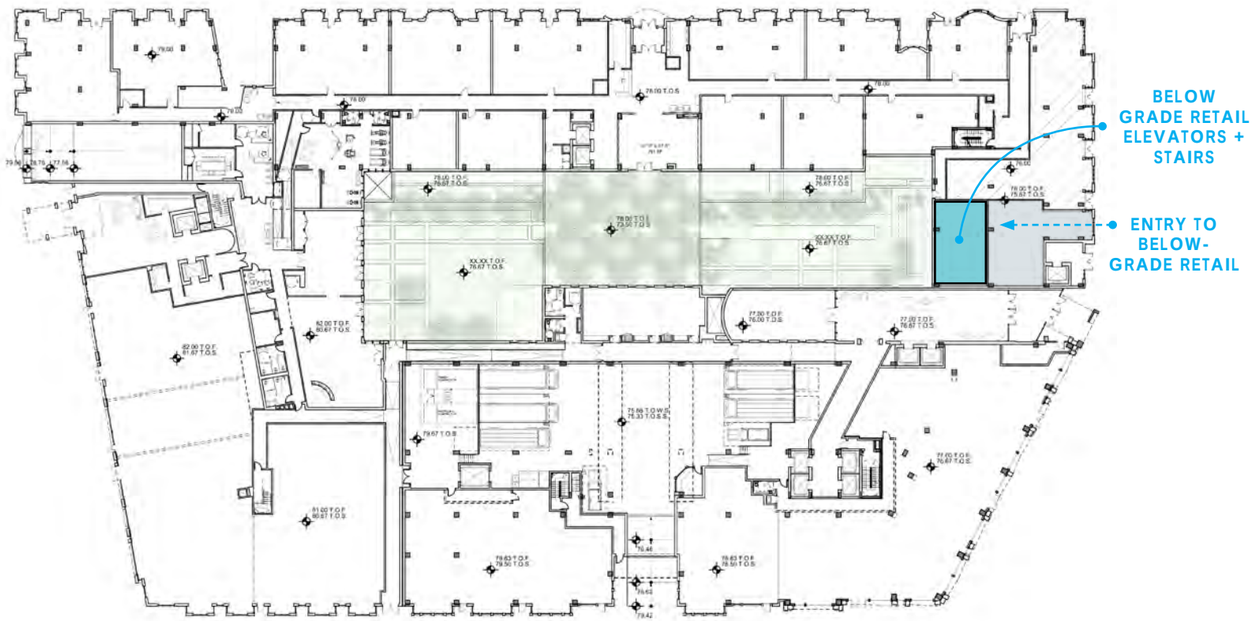
Stanton - EastBanc LLC

0' 25' 50' 100'

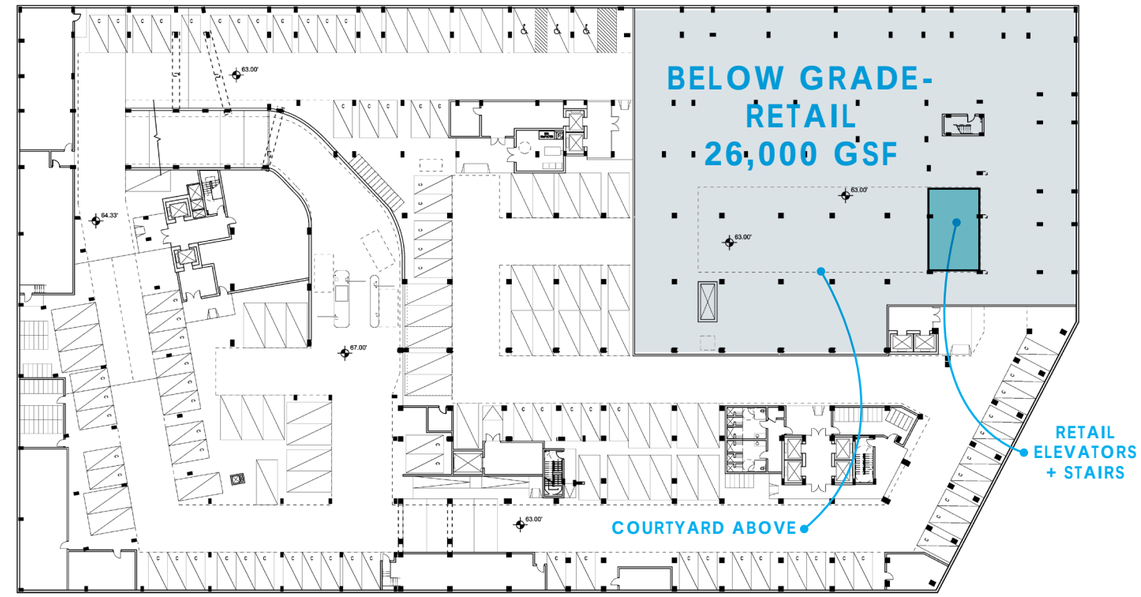
January 24, 2012

**BELOW-GRADE RETAIL ALTERNATE – NORTH-SOUTH SITE SECTION D** A43a

WEINSTEIN STUDIO • ESOCOFF & ASSOCIATES architects



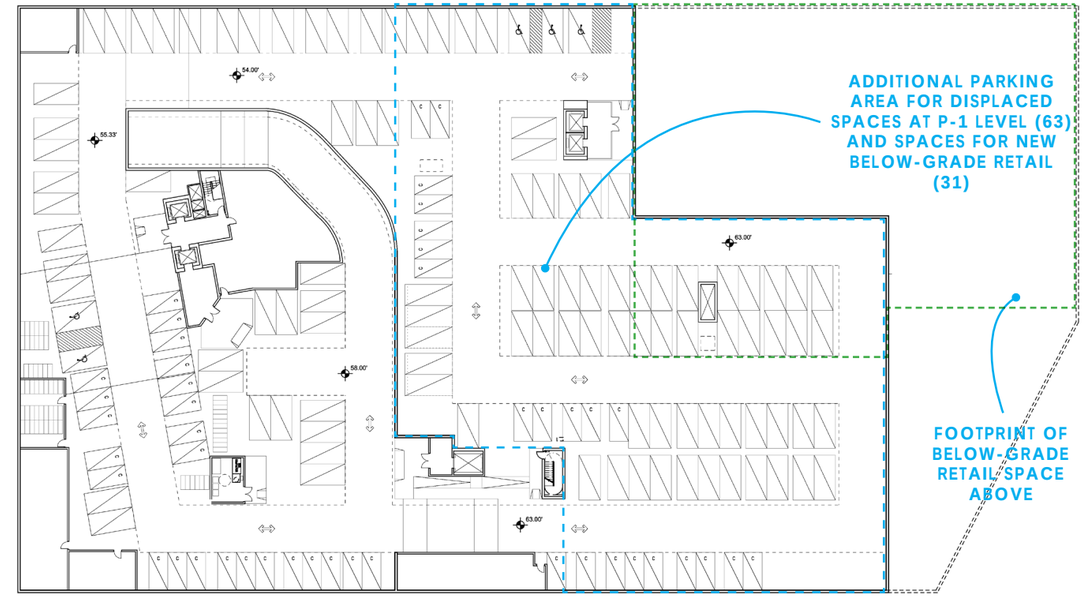

## 1ST FLOOR




## BELOW-GRADE RETAIL / P1 PARKING

| BELOW-GRADE RETAIL OPTION | |
|---|---|
| SQUARE FOOTAGE | |
| AT GRADE | 2,000 GSF |
| NEW AT P.I. LEVEL | 26,000 GSF |
| **TOTAL** | **28,000 GSF** |

| PARKING | | |
|---|---|---|
| BELOW-GRADE RETAIL PARKING REQUIREMENT | 31 SPACES | |
| PARKING SPACES PROVIDED | P-2 | 161 |
| | P-1 | 130 |
| **TOTAL** | **291 PARKING SPACES** | |




## GARAGE P-2