GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
ZONING COMMISSION ORDER NO. 08-34
Z.C Case No. 08-34
Center Place Holdings, LLC
(First-Stage Planned Unit Development, Consolidated Planned Unit Development and Related Zoning Map Amendment)
May 23, 2011

Pursuant to notice, the Zoning Commission for the District of Columbia (the "Commission") held a public hearing on December 6, 2010, to consider applications from Center Place Holdings LLC, on behalf of the District of Columbia, through the Office of the Deputy Mayor for Planning and Economic Development, the current owner of the property (collectively, the "Applicant"), in support of the applications to the Commission for a first-stage PUD ("First-Stage PUD") for the land and air rights above the Center Leg Freeway in the area generally bounded by Massachusetts Avenue, N.W., to the north, 2nd Street, N.W., to the east, E Street N.W., to the south, and 3rd Street, N.W., to the west (the "Site"), for a consolidated PUD ("Consolidated PUD") for a portion of the Site, and for a PUD-related change to the District of Columbia Zoning Map to C-4 under Chapter 24 of the District of Columbia Zoning Regulations, 11 DCMR ("Zoning Regulations") (collectively, the "Applications"). The Commission considered the Applications pursuant to Chapters 24 and 30 of the District of Columbia Zoning Regulations, Title 11 of the District of Columbia Municipal Regulations ("DCMR"). The public hearing was conducted in accordance with the provisions of 11 DCMR § 3022. For the reasons stated below, the Commission hereby approves the Applications.

FINDINGS OF FACT

Applications, Parties, and Hearings

1. On December 31, 2008, the Applicant filed the Applications for approval of the First-Stage PUD for the Site, the Consolidated PUD for a portion of the Site, and a related zoning map amendment to rezone the Site to C-4 (the "PUD Submission"). The PUD Submission is in the record at Exhibit 4 (the "PUD Submission Statement"), Exhibit 5 (the "First-Stage PUD Plans"), and Exhibit 6 (the "Consolidated PUD Plans").

2. At its July 26, 2010, public meeting, the Commission set the case for hearing.

3. The Applicant filed materials in its Prehearing Submission on September 2, 2010, (the "Prehearing Submission"). (Exhibit 23.) The Applicant then filed additional materials in its Supplemental Prehearing Submission on November 15, 2010 along with fully re-issued plans and elevations (the "Supplemental Prehearing Submission") in the record at Exhibit 30 (the "Supplemental Prehearing Statement"), Exhibit 32 (the "Updated Consolidated Plans"), and Exhibit 31 (the "Updated First-Stage PUD Plans").

4. A description of the proposed development and the Notice of Public Hearing were published in the *D.C. Register* on September 24, 2010. The Notice of Public Hearing was mailed to all property owners within 200 feet of the Site as well as to Advisory Neighborhood Commission ("ANC") 6C.

5. The Commission held a public hearing on the Applications on December 6, 2010. The parties to the case were the Applicant and ANC 6C, the ANC within which the Site is located.

6. The Applicant presented the following witnesses: Robert Braunohler representing the Applicant; Rod Garrett, architect with the firm of Skidmore Owings and Merrill ("SOM"); Roger Courtenay, landscape architect with the firm of AECOM; Kevin Roche, architect with the firm of Kevin Roche John Dinkeloo Associates; Martin Wells, traffic consultant with Wells + Associates; and Steven Sher, land planner with Holland & Knight. Messrs. Garrett, Courtenay, Roche, Wells, and Sher were accepted as experts in their respective fields. In addition, Eric Smart with the firm of Bolan Smart Associates was available for questions and was accepted as an expert in his respective field.

7. Matt Troy IV, representing the office of the Deputy Mayor for Planning and Economic Development, testified in support of the project.

8. The Office of Planning (“OP”) testified generally in support of the project. In its testimony and report, OP identified issues that needed further clarification or information. The District Department of Transportation ("DDOT") submitted a report generally in support of the project, but requested a reduction in the number of parking spaces provided, which is discussed below in Findings 94 through 97.

9. ANC 6C was represented by Rob Amos, the chairperson of ANC 6C Planning, Zoning and Environment Committee. ANC 6C supported the project and Mr. Amos's testimony reflected that support, as is discussed in Findings 98 through 103.

10. Monte Edwards, on behalf of the Zoning Subcommittee of the Committee of 100 on the Federal City, testified in general support of the project but stated concerns about the measurement of height, arguing that the Center and South Blocks are not permitted a maximum height of 130 feet and that the point of measurement for the Center and South Blocks should not be from F Street. The Commission requested that the Applicant

provide additional information to respond to these issues, which is set forth in Findings 45 through 51.

11. The record included many letters of support for the project, including from the following abutting neighbors: the Holy Rosary Church, the Jewish Historical Society of Greater Washington, and Georgetown Law School.

12. At the conclusion of the hearing, the Commission requested that the Applicant respond to a variety of questions and issues raised during the hearing. On January 10, 2011, the Applicant submitted its Post-Hearing Submission (the "Post-Hearing Submission"). (Exhibits 47 and 48.)

13. OP responded to the Post-Hearing Submission with a Supplemental Report dated January 18, 2011. (Exhibit 51.) In this report, OP continued to generally support the project but re-iterated concerns regarding the location of the retail use, arcade design, eco-chimneys and plaza design.

14. ANC 6C submitted a letter dated January 18, 2011, in support of the modifications to the project set forth in the Post-Hearing Submission. (Exhibit 49.)

15. At its regularly scheduled public meeting on January 24, 2011, the Commission considered this case for proposed action. While the Commission was supportive of the project overall, the Commission expressed concerns regarding the design of the North Block, the proposed retail, the covered Pedestrian Way, and the massing and density of the office component of the South Block. The Commission requested that the Applicant reevaluate these elements of the project.

16. Following that meeting, the Applicant worked closely with OP to reevaluate these elements and to reconsider other facets of the project. The result was a redesigned North Block, modifications to the location of proposed retail, a redesigned Pedestrian Way and G Street, a proposed re-massing and reduction in scale of the South Block, and the addition of technology incubator space. The modifications, refinements and updates were described in detail in the Applicant's Supplemental Post-Hearing Submission dated March 25, 2011 ("Supplemental Post-Hearing Submission"). (Exhibits 56 and 57.)

17. OP responded to the Supplemental Post-Hearing Submission with an additional Supplemental Report dated April 1, 2011. (Exhibit 58.) OP noted that it had worked with the Applicant to refine the proposal in response to the Commission's comments. OP commended the Applicant for the modification to the design of the project and supported the modified plans. OP recommended approval of the revised application.

18. ANC 6C submitted a letter dated March 14, 2011, in support of the revisions presented in the Supplemental Post-Hearing Submission. (Exhibit 55.)

19. At its regularly scheduled public meeting on April 11, 2011, the Commission took proposed action to approve with conditions the Applications, including the PUD plans, as presented in the written record. The Commission requested that the Applicant provide additional clarifying information regarding certain elements of the project prior to final action. The Commission also issued a procedural order requiring the Applicant to file its final statement of public benefits being proffered with the PUD, a list of potential adverse effects of the PUD, and requiring the Applicant to provide a draft condition to include in the PUD order that renders the proffered public benefit enforceable and adequately mitigates the identified potential adverse effects.

20. The proposed action of the Commission was officially referred to the National Capital Planning Commission ("NCPC") under the terms of the District of Columbia Self-Government and Governmental Reorganization Act. NCPC, by official action dated May 5, 2011, found that the Applications would not have an adverse effect on federal interests nor be inconsistent with the Comprehensive Plan for the National Capital. The action noted that the project was also subject to separate review under § 106 of the National Historic Preservation Act and NCPC made its finding subject to the mitigation of any adverse impacts identified as part of that review. The action also requested that the District explore options to open G Street, N.W., to both vehicular and pedestrian traffic. The Commission understands this request as being directed to DDOT, which is the District agency responsible for determining the routing of traffic on District Streets. As noted in the NCPC staff report attached to the NCPC action, the Judiciary Square federal building, administered by the federal General Service Administration, presently occupies a portion of the former G Street, N.W., right-of way.

21. On April 18, 2011, and May 2, 2011, the Applicant submitted post-hearing submissions responsive to the Commission's April 11, 2011 procedural order.

22. The Applicant submitted its Final Action Submission, dated May 9, 2011, providing the clarifying information requested by the Commission. (Exhibit 64.) This submission included additional information regarding the four-story link in the North Block, confirmation that a through-lobby connecting the Pedestrian Way to 2nd Street would be included in the North Block, clarifying information regarding the appearance of the base of the building given the proposed retail ceiling heights, additional information regarding the G Street light columns, and a corrected section.

23. The Commission took final action to approve the Applications at its public meeting held on May 23, 2011. Prior to doing so, the Commission reopened the record to accept from the Applicant conforming plans incorporating all approved changes prior to final action including the detailed information set forth in the Applicant's May 9, 2011 submission described above. The conforming Final First-Stage PUD Plans and the conforming Final Consolidated PUD Plans are in the record. (Exhibits 66 and 67.) The Commission also

re-opened the record to permit OP to verbally request that the Commission add a condition to its approval prohibiting the erection of a gate or a fence restricting entry to the Pedestrian Way between Massachusetts Avenue and G Street, and requiring the Pedestrian Way to remain open to the public at all times except in association with a special event for short periods. OP stated that the condition had been inadvertently omitted from the draft order submitted by the Applicant, and the Applicant had no objection to adding this condition. The Commission agreed to include this requirement as a condition to its approval, and it appears as Condition B-21.

The Site and the Area

24. The Site consists of the land located in Squares 564, 566, and 568 (excluding Lots 849 and 850 in Square 566 and Lot 43 in Square 568) and the air rights above the Center Leg Freeway in the area generally bounded by Massachusetts Avenue to the north, 2nd Street to the east, E Street to the south, and 3rd Street, N.W., to the west. The Site contains approximately 254,670 square feet of land area (the "Site Area").

25. Most of the Site is within the air rights above the Center Leg Freeway, which was built in the 1970s with the intent of creating a link through the District to I-95. While portions of the highway were concealed beneath the U.S. Capitol Reflecting Pool, the extension to New York Avenue was created in a sunken, uncovered trench through the city. After construction of this portion of the highway, plans for linking I-95 through the District were abandoned. In addition to the Freeway and the entrance and exit ramps, portions of the Site are occupied by the Office of the Chief Technology Officer, the historic Adas Israel Synagogue now occupied by the Lillian and Albert Small Jewish Museum of the Jewish Historical Society of Greater Washington ("JHS Synagogue") and facilities for the Archdiocese of Washington.

26. Although not included in the Site Area, the rights-of-way for F and G Streets pass through the Site between 2nd and 3rd Streets. The Judiciary Square Federal Building and its below-grade parking garage, along with a garage access, sit within a portion of the G Street right-of-way. The Rectory and Annex for the Holy Rosary Church sit within the F Street right-of-way along with an associated parking lot.

27. The areas to the south and east of the Site are characterized by commercial and government office buildings of varying heights. The areas to the north and west are generally characterized by high density residential uses as well as commercial uses. Immediately to the east of the Site is the Georgetown University Law complex. The Holy Rosary Church and its related buildings are immediately to the west of the Site.

28. The JHS Synagogue is the only structure located on the Site which is a designated historic landmark. The Site is not within a historic district.

Existing and Proposed Zoning

29. The Site is zoned HR/C-3-C. The C-3-C Zone District is a major business and employment center that permits medium-high density development for employment and mixed uses. The uses permitted as a matter of right include office, residential, retail, and institutional. The C-3-C Zone District permits matter-of-right development to a height of 90 feet, and a density of 6.5 floor area ratio ("FAR"). The PUD guidelines for the C-3-C Zone District permit a height of 130 feet and a density of 8.0 FAR. The purpose of the HR Overlay is to encourage construction of hotels and apartment houses in the designated areas. Under the HR Overlay, the maximum height of a building that includes a minimum of 2.0 FAR devoted to hotel or residential use is permitted to be the height allowed by the 1910 Height Act. The maximum density is 8.5 FAR.

30. As part of the Applications, the zoning of the entire Site would become C-4. The C-4 Zone District is designed for the downtown core that comprises the retail and office centers for both the District and the metropolitan area. The uses permitted as a matter of right include office, residential, retail, and institutional. The C-4 Zone District permits a maximum height of 130 feet with no limit on the number of stories, and a maximum density of 10.0 FAR. The PUD guidelines for the C-4 Zone District also allow a maximum height of 130 feet but permit a maximum density of 11.0 FAR for a building facing a street that is at least 110 feet wide.

Nature of the Overall Project

31. The proposed project will include the construction of a mixed-use project of office, residential, retail, and institutional uses above the Center Leg Freeway, between E Street and Massachusetts Avenue, N.W., and to re-establish the connection of F and G Streets to the existing L'Enfant street grid (the "Overall Project"). The platform above the highway and the base of each of the new buildings will be at the existing grade level of the surrounding streets and avenues, creating three new city blocks.

32. These three new city blocks are referred to as the North Block, the Center Block, and the South Block. Each of the blocks will be developed as a single building on a single lot. The North Block will contain office and retail uses and will have a maximum height of 130 feet. The Center Block will include residential and office uses as well as facilities for the Holy Rosary Church and will have a maximum height of 130 feet. The South Block will include office use, the relocated JHS Synagogue, and facilities for the Jewish Historical Society and will have a maximum height of 130 feet.

33. The Overall Project will incorporate the reopening of F and G Streets through the Site to reconnect the L'Enfant grid. F Street is proposed to be re-opened as a thru-street to vehicular and pedestrian traffic, with a right of way of 100 feet. The design of F Street is proposed to incorporate a traffic calming strategy, in the vicinity of the Holy Rosary

Church and the relocated JHS Synagogue, as well as special paving and projecting curbs to enhance pedestrian safety while providing space for seasonal celebrations and festivals. Street trees at this location will serve to soften the street edge and break down the scale of the nearby buildings. At the office building and retail entries, the streetscape will be animated by means of street lights and street trees, public art, bicycle racks, and benches. The design of F Street will be as finally approved by the Public Space Division of DDOT.

34. G Street is proposed to be re-opened to pedestrian and bicycle traffic and will extend the street views of G Street. While not open to vehicular traffic, G Street has been designed with "sidewalk" and "street" zones. The sidewalk zone is proposed to extend approximately 33 feet from the property line and incorporate a walking and sidewalk café zone bordered by planters with integrated benches and filled with trees and ground cover. The "sidewalk" zone and the central "street" zone will be paved with pressed concrete pavers of neutral, complimentary colors and will provide space for additional movable chairs and tables, food carts and vendors. A Capital Bikeshare Station and public bicycle racks will be located within G Street. The design of G Street as well as the location of the Capital Bikeshare Station will be as finally approved by the Public Space Division of DDOT.

35. The Overall Project also will incorporate improvements to the existing I-395 Center Leg Freeway and the on- and off-ramps serving the same. The Applicant proposes eliminating the lightly-used southbound off-ramp, re-configuring the southbound on-ramp at 3rd Street, and reconfiguring the northbound off-ramp at 2nd Street. The I-395 mainline and the I-395 ramp terminals will not be modified by the project. These improvements are the subject of an environmental review process as required and governed by the National Environmental Policy Act and will be as finally approved through that process.

36. The Overall Project will include the physical relocation of the historic JHS Synagogue, containing the Jewish Historical Society of Greater Washington's Lillian & Albert Small Jewish Museum, from its current location at the northeast corner of 3rd and G Streets to the southeast corner of 3rd and F Streets. It was previously located at 6th and G Streets, N.W. and was moved to its current location in 1969. The relocation to the South Block will provide a significantly improved siting for the historic building, with appropriate orientation and better visibility and access. It also will provide land area for the construction of additional museum and office and support spaces for the Jewish Historical Society. This land area will be located immediately to the south and east of the historic building in the South Block.

37. The Overall Project also includes the removal of certain facilities of the Archdiocese of Washington, including the Holy Rosary Rectory and the Holy Rosary Annex, from their current locations within the F Street right-of-way, and the construction of new facilities

partially on land in the Center Block and partially on land owned by the Church outside of the Site. These new facilities will be located immediately to the east of the existing Casa Italiana and Holy Rosary Church.

38. The Overall Project is planned to be a model for sustainable design, with the Applicant committing to design the project to meet the U.S. Green Building Council (USGBC) LEED Platinum standards for the core and shell of the office buildings and the LEED Gold standard for the residential building through a variety of sustainable strategies, including high performance building envelopes, energy efficient mechanical systems, and the use of recycled and sustainable building materials. Eco-chimneys will be incorporated to maximize filtration of air containing automotive exhaust from the below-grade parking facilities and service corridor. In addition, the new platform infrastructure will incorporate a ground and storm water collection and grey water re-use system. Moreover, the green-roofed development will comprehensively act as an eco-system that works towards sustaining itself and that establishes a viable ecosystem within the city.

39. With the exception of the North Block, discussed in Findings 62 through 67, the site plan for the Overall Project has remained generally the same from the time of the PUD Submission to the public hearing. Changes that were made during that time included re-orientation and massing modifications to the facilities for the Holy Rosary Church, reduction in the F Street right-of-way from 110 feet to 100 feet, and refinement of transitions from the lower scale facilities to the taller buildings.

40. At the public hearing, the Commission requested additional information relating to the distance between the office and residential components of the building in the Center Block. The residential component will be separated approximately 30 feet from the office component in the Center Block. In the Post-Hearing Submission, the Applicant provided examples of successful residential buildings with less separation from adjacent office buildings. The Applicant also noted that in the Center Block, the residential component will only be proximate to the office component for approximately 67% of the south façade, with greater separations existing for the remainder of the south façade and all other façades. The Commission finds that the proposed separation will provide adequate light and air between the two components of the building.

41. At the public hearing and at the public meeting on January 24, 2011, the Commission raised concerns as to the width of the sidewalk along E Street as well as to the massing and density of the office component of the South Block. As set forth in the Post-Hearing Submission, the Applicant proposed to set back the portion of the South Block building abutting E Street to match the building line to the west. The setback resulted in an approximately 10-foot sidewalk, providing general continuity of the urban streetwall in this location. OP then requested that the building façade be set back further at least at the ground level to create a 14-foot sidewalk along E Street. In the Supplemental Post-Hearing Submission, the Applicant agreed to this request.

42. The Applicant also reduced the density and modified the massing of the South Block office component to respond to the Commission's concerns. In the Post-Hearing Submission, the Applicant reduced the density by approximately 30,000 square feet of gross floor area and proposed a variety of options including carve outs at the edges of the building, atriums at various levels, and mid-block openings, all of which would serve to reduce the appearance of the mass of the building. Even with those changes, the Commission continued to express concern regarding the mass of that building. In the Supplemental Post-Hearing Submission, the Applicant further reduced the gross floor area of the South Block office building by an additional 42,174 square feet, which was achieved through a combination of setbacks between the two portions of the building and increased setbacks between the South Block building and the adjacent properties to the west. The resulting density of the South Block is 9.0 FAR.

43. The Commission finds that the revisions to the South Block massing address its concerns relating to the sidewalk on E Street and to the perceived mass and density of the building. The setback from the property line abutting E Street will create a wider, more uniform sidewalk condition. In addition, with the reduced maximum gross floor area for the South Block and based on the massing options presented in the Supplemental Post-Hearing Submission, the Applicant will be able to present a fully-articulated design in a second-stage PUD application that will be acceptable to the Commission.

44. With the proposed revisions to the South Block, the Overall Project will include an approximate gross floor area of 2,226,625 square feet, or 8.74 FAR based on the Site Area, with approximately 1,910,386 square feet of gross floor area devoted to office uses, a minimum of 62,687 square feet of gross floor area devoted to retail uses, approximately 180,384 square feet of gross floor area devoted to residential uses, and approximately 73,168 square feet of gross floor area devoted to institutional uses related to the Holy Rosary Church and the Jewish Historical Society.

<u>Measurement of Height</u>

45. The Commission requested clarification as to how 3rd Street can be used to determine height and how 130 feet will be achieved for each of the three blocks. The Applicant provided additional information in its Post-Hearing Submission describing the measuring points and the basis for height for each of the three blocks. Having requested this information, the Commission makes the following findings, with the understanding that the Zoning Administrator is ultimately responsible for determining compliance with the 1910 Height Act.

46. The North Block will be comprised of a single building in two parts devoted to office and retail uses which will be connected by a solid glass and steel canopy connecting the entrance lobbies across the Pedestrian Way and providing access between the east and west portions of the building, as shown in the Final Consolidated PUD Plans. Based on

the North Block's frontage on both Massachusetts Avenue and 3rd Street, which have widths of 160 feet and 110 feet respectively, the North Block building is entitled to a maximum height of 130 feet under the 1910 Height Act and the C-4 Zone District.

47. The Center Block will include an apartment house with ground floor retail, an office component with ground floor retail and facilities for the Holy Rosary Church. All of these components will be connected internally at or above the level of the main floor to form a single building with frontage on 3rd Street, generally as shown on Sheets 2.3a and 2.3b of the Final First-Stage PUD Plans. Based on the Center Block's frontage on 3rd Street, which has a right-of-way width of 110 feet, the Center Block building is entitled to a maximum height of 130 feet under the 1910 Height Act and the C-4 Zone District.

48. The South Block will include an office component with ground floor retail, the relocated JHS Synagogue and additional facilities for the Jewish Historical Society. All of these components will be connected internally at or above the level of the main floor to form a single building with frontage on 3rd Street, generally as shown on Sheets 2.3a and 2.3b of the Final First-Stage PUD Plans. Based on the South Block's frontage on 3rd Street, which has a right-of-way width of 110 feet, the South Block building is entitled to a maximum height of 130 feet under the 1910 Height Act and the C-4 Zone District.

49. The Commission finds that the Zoning Regulations permits each single building in each block to have a maximum height of 130 feet. The Commission finds that the North Block is a single building with meaningful connections at the level of the main floor and therefore that it can be constructed to a maximum height of 130 feet measured from a single measuring point. The Commission further finds that when one or more second-stage PUD applications are presented for the Center and South Blocks, the Commission will confirm that sufficient meaningful connections exist to create a single building in each block with frontage on 3rd Street.

50. Furthermore, in response to Mr. Edwards' concerns noted in Finding 10, the Applicant reiterated the location of the measuring points for each of the three blocks in its Post-Hearing Submission and addressed the concerns that he raised regarding the location for the Center and South Blocks. The height of the North Block building will be measured from the level of the curb opposite the middle of the front of the building on 3rd Street. The height of the buildings in the Center Block and South Block buildings will be measured from the level of the curb opposite the front of the center of each building on F Street. The grade of F Street is a continuation of the grades that exist on F Street to the east of 2nd Street and to the west of 3rd Street. Thus, the Center Block building and the South Block building will not be measured from a bridge or viaduct in contravention to the Zoning Regulations.

51. The Commission finds that the measuring points for each of the buildings are in compliance with the Zoning Regulations.

Parking and Loading for Overall Project

52. The Overall Project will provide the minimum number of parking spaces required by § 2101.1 of the Zoning Regulations. The total number of parking spaces proposed in the Final Consolidated PUD Plans for the Overall Project is 1,146 spaces.

53. The Overall Project will locate parking entirely in a below-grade garage on the western portion of the Site. The primary public access to the below-grade parking garage will be from 3rd Street, with one entrance in the North Block and one in the South Block. There will be an additional entrance to the parking facility from F Street in the Center Block. Limited parking to service only the Holy Rosary Church will be provided in an at-grade parking facility which will be located behind the Holy Rosary Church, below the raised courtyard and will be accessed from 3rd Street.

54. The Overall Project will incorporate one 55-foot loading berth with one 200 square feet platform, eight 30-foot loading berths with 100-square-foot platforms, and four service delivery spaces.

55. All service and loading areas for the project are included within a consolidated, below-grade loading facility accessed from E Street. This below-grade location enables all service activities to occur outside the view of passing pedestrians. The consolidation of loading for three city blocks in one below-grade facility, with a single curb cut in the South Block for front-in and front-out access, results in greater safety and minimizes conflicts with pedestrians in public.

Consolidated PUD

56. The Applications include a request for a Consolidated PUD for the following elements of the Overall Project: (1) the construction of the entire platform and base infrastructure; (2) the mix of uses, the height and density of each building, and the site plan for the Overall Project; (3) the North Block; (4) the construction of all below-grade parking, concourse and service levels; and (5) the proposed landscaping and streetscape design for the Overall Project.

57. The Consolidated PUD includes construction of the entire platform and base infrastructure. The platform and base infrastructure will be the first step in the development of the Site and will be constructed as the first phase of development. The platform will be constructed such that the base of each building will be at the existing grade level of the adjacent existing streets and avenue. The platform's design allows each building to have its own support structure that spans the highway drive lanes. The platform will also include construction of G Street and F Street.

58. The Consolidated PUD includes the mix of uses, the height and density of each building and the site plan for the Overall Project. The project requires a fully designed platform in order for the project to commence. This construction is complex and expensive, and it incorporates significant risks and obligations not normally associated with development in the District. Therefore, the uses, height and density as well as the site plan must be finally determined prior to construction of the platform and base infrastructure. The Commission, however, wishes to make clear that its review of each future second-stage application for the Center and South Blocks will analyze all other aspects of the proposal for compliance with second-stage criteria for approval in Chapter 24 of the Zoning Regulations. The Commission therefore retains the authority to deny any second-stage application in which the utilization of the approved height and density results in an unacceptable project. The Applicant may of course avoid this result by using less height and density than approved and the Commission reserves its right to comment during a meeting or hearing when it would be advisable for the Applicant to do so.

59. The Consolidated PUD includes the construction of the entirety of the North Block. The design of the North Block is discussed in Findings 62 through 67.

60. The Consolidated PUD includes the construction of all below-grade parking, concourse and service levels. All parking and loading are located in a centralized below-grade parking and loading facility that is located within the terra firma on the western side of the Site and will serve all buildings within the three block development by a series of below-grade service corridors and elevator cores, as set forth in Findings 52 through 55. This facility will be constructed contemporaneously with the platform and is part of the base infrastructure.

61. The Consolidated PUD includes the proposed landscaping and streetscape design for the Overall Project. The streetscapes around the North Block have been designed to include wide sidewalks and plantings. On Massachusetts Avenue, the streetscape includes two walkways, separated by planting strips. Emphasizing its identity as a major L'Enfant diagonal, Massachusetts Avenue presents street lights at the curb line with street trees and groundcover planting aligning with the typical Massachusetts Avenue second row trees offset from the curb. Trees are elevated in planter boxes, where required by bridge structural constraints, and are surrounded with groundcover to soften the pedestrian edge. The streetscape design of 2nd and 3rd Streets follows the basic downtown grid street palette of street trees and street lights. South of the I-395 access ramp on 3rd Street, a median of groundcover planting provides aesthetic variety, while keeping open the 3rd Street view. These improvements are part of the Consolidated PUD to ensure that the streetscapes around the Site are completed within the early phases of the project, irrespective of the timeframe for development within the Center and South Blocks. The landscaping and streetscape design in public space will be as finally approved by the Public Space Division of DDOT.

North Block Design

62. The North Block building will be the first phase of vertical development for the Overall Project. The design of the North Block has been revised several times to address comments raised by both the Commission and OP. At set down, the North Block included two towers with a central retail arcade bisecting the ground floor of the building and being covered by a glass roof at the 130-foot height. At the public hearing, the North Block included three towers with an internal, covered arcade system. The design of the North Block was further revised in the Supplemental Post-hearing Submission, which is described in this section.

63. The North Block incorporates a single building that will read as three towers, separated by a north-south, open-air Pedestrian Way. The east portion of the building will extend from Massachusetts Avenue along 2nd Street to G Street, having a maximum height of 130 feet. The west portion of the building will front on Massachusetts Avenue, extending along 3rd Street to G Street, and will incorporate two distinct floor plates above the fourth floor level, each rising to a maximum height of 130 feet. The development of the North Block is connected such that all of the structures constitute a single building for zoning purposes with the single measuring point being taken from 3rd Street.

64. A central, open-air Pedestrian Way will run through the middle of the North Block extending from Massachusetts Avenue to G Street. The building will be accessed through ground floor lobbies from the mid-point of the Pedestrian Way, with each lobby extending through the building to either 2nd or 3rd Streets. The lobbies are connected across the Pedestrian Way by a stainless steel and glass, 30-foot wide canopy. The canopy material will be a translucent-laminated glass with ceramic frit pattern. The suspended structure of the canopy allows for a column-free design.

65. At the ground level, the building includes a two-story base façade with column pilasters of natural stone and a cornice clad in natural stone and polished stainless steel creating a base to the overall building. The stone columns are lit from below to allow added architectural interest at night. This two-story stone expression is clad in a darker, thermal-finish granite and unifies the various interior retail and office occupancies levels by providing a consistent overall external appearance of the building's base. The architectural design of the retail storefronts is proposed to be flexible so that it is capable of responding to the needs of the retailers, allowing the retailers to create their own identity.

66. Above the articulated cornice, the architecture of the North Block consists primarily of high performance glass and curtain wall construction. The curtain wall module will include expressed framing members that include dimensional relief, subtly conveying both the floor level and the typical five-foot planning module. The four corners of both the east and west portions of the building incorporate a 10-foot by 10-foot notch from the

third floor level to the roof to reduce the perception of building mass as viewed from the street. Additionally, the classical, tri-partite vertical organization of the façade is created by division of the base, center, and top, acting as a reducing and balancing characteristic of the design.

67. The four-story "link" on 3rd Street will be set back from the property line approximately 10 feet and will connect the two towers of the west portion of the building. The four-story link will be clad in a smoothly-finished Indiana limestone, contrasting with the adjacent dark granite, and will have a vegetated "green" roof visible from the office spaces above. The first floor level is divided into three sections inset from the finished face of the limestone. The central portion will function as an entrance to the lobby which extends through to the Pedestrian Way. Access to the underground-parking vehicular entrance and tenant office or retail use will flank the north and south sides respectively. The upper three levels will provide space for office tenants with large eight feet square clear glass windows, inset from the limestone to further animate the façade and detailed with stainless steel surrounds at the head, jamb, and sill conditions.

Pedestrian Way

68. The Pedestrian Way will be an open, pedestrian street, having a width of 55 feet, being open to the air and extending the full length of the block from Massachusetts Avenue to G Street. The entire Pedestrian Way will be available exclusively for pedestrian and bicycle access, but natural and man-made paver materials will be used to define the "sidewalk" and "street" zones within it. The "sidewalk zone" extends approximately 15 feet on each side of the building and will incorporate opportunities for outdoor dining, wooden benches, and D.C. standard streetlight fixture. Seasonal plantings will be featured at both the ground plane in planters and in mounted planters at the mid-point of streetlight poles. The "street" zone will include the approximately 25 feet in the center and will be flush with the sidewalk zone.

69. Two eco-chimneys will be located on each side of the Pedestrian Way within the sidewalk zone at approximately equidistant locations from the main building entrances in the Pedestrian Way. The exterior appearance of the eco-chimney will look somewhat like a greenhouse, or a contemporary glass structure with a plant wall inside. The eco-chimneys will each rise to a height of approximately 18 feet above the ground level, so that the exhaust air will be released well above the level of the Pedestrian Way and retail shops. The eco-chimneys are generally rectangular in shape, and each will comprise approximately 100 square feet.

70. The terminus of the Pedestrian Way at G Street is marked by four artistic lighting columns sitting prominently within a specially paved central plaza within the G Street right-of-way. Each light column is anchored by a light grey, natural stone base, complementing neighboring materials. The column above consists of a series of tapering

translucent light panels with an integrated art lighting system. This system can be programmed to create specific effects to enhance the visual atmosphere for people attending special events and activities.

Retail Commitments

71. The Applicant commits to a minimum of 62,687 square feet of gross floor area devoted to the retail use, with approximately 22,000 square feet devoted to retail use located in the North Block. The retail is focused on Massachusetts Avenue and wraps around to the south, continuing down the street-like Pedestrian Way to the building lobby entrances. Opportunities for retail use, depending upon market conditions, continue further south along the Pedestrian Way and along the north side of G Street.

72. The project will incorporate appropriate ceiling heights for the proposed and potential retail spaces. For this project, the Applicant proposes a range of ceiling heights. Along Massachusetts Avenue, the minimum retail ceiling height is more than 18 feet, ranging up to 20 feet, six inches. The retail lining the north portion of the Pedestrian Way has a minimum ceiling height of 11 feet, three inches. In the areas identified for potential additional retail space, the minimum ceiling heights range from almost 13 feet to more than 14 feet.

73. The Applicant anticipates that the retail uses will be comprised of food and service uses that serve the project and the immediate environs. Other retail uses may include notable food or food-related uses that draw patrons from a broader area. In order to promote more active retail on the Massachusetts Avenue, the Applicant agreed to exclude banking tenants from the retail space on that frontage.

Phasing of the Project

74. The Applicant requested that the Commission grant approval of the First-Stage PUD for a period of five years from the effective date of the order granting the same. Within such time, a second-stage PUD application must be filed for one or more additional buildings or portions of a building on the Site. Second-stage PUD applications must be filed for all of the remaining buildings or portions of buildings no later than 10 years from the effective date of the order granting approval of the First-Stage PUD. These second-stage applications may be submitted individually, at the same time, or in any combination thereof.

75. The approval of the Consolidated PUD Project will be valid for a period of two years from the effective date of the order granting the same. Within that time, the Applicant shall file for a building permit for the construction of the platform. Construction of the platform shall begin within three years of the effective date of the order approving the Consolidated PUD. Within two years of the completion of the construction of the

platform, the Applicant shall apply for a building permit for the construction of the North Block. The Applicant shall commence construction of the North Block within four years of the completion of the construction of the platform

Development Flexibility and Incentives

76. The Applicant requested flexibility from the loading required for a project located in the C-4 Zone District, which requires two 55-foot loading berths with 200-square-foot platforms, four 30-foot loading berths with 100-square foot platforms, and three service-delivery spaces. The Overall Project will provide one 55-foot loading berth with one 200-square-foot platform, eight 30-foot loading berths with 100-square foot platforms, and four service delivery spaces, all within the below-grade loading facility. Thus, the Applicant requested to reduce the number of 55-foot loading berths by one and to provide for shared use of that loading berth by the retail and residential uses.

77. The Commission requested that the Applicant provide information as to the acceptability of shared use of the 55-foot loading berth by the retail and residential uses. In its Post-Hearing Submission, the Applicant responded that, based on the number of residential units proposed, the anticipated demand for the 55-foot loading berth would be very low. In addition, the Overall Project will have a loading dock manager who will supervise and coordinate use of the docks in an efficient manner to ensure no conflicts between the retail and residential needs for use of the larger berth. Furthermore, in the Supplemental Report to the Transportation Impact Analysis, the traffic consultant concluded that the provision of one 55-foot loading berth would adequately serve the demands of the project.

78. As part of the PUD, the Commission may grant such flexibility without the need for variance approval from the Board of Zoning Adjustment or compliance with the variance standards that might otherwise apply. The Commission finds that the development flexibility requested is acceptable.

Public Benefits and Project Amenities

79. The Overall Project incorporates a variety of public benefits and project amenities that include the following:

    a. ***Construction of Platform over the Center Leg Freeway and Re-Opening of F and G Streets, N.W. (11 DCMR § 2403.9(b).)*** The Applicant will re-open F Street, originally a major east-west thoroughfare in the L'Enfant Plan, as a through street to vehicular and pedestrian traffic, with a width of 100 feet to match the existing right-of-way to the east and west. The streetscape design of F Street will include tree-lined sidewalks of precast concrete pavers with continuous pedestrian zones, a variety of plantings, bicycle stations, retail on each edge, and

streetlights. Traffic-calming street designs will promote pedestrian activities and allow for periodic closing of the street to vehicular traffic on weekends. G Street will be re-opened to pedestrian and bicycle traffic and will relate to the form and function of the Pedestrian Way. G Street will incorporate designated "sidewalk" and "street" zones and be paved with pressed concrete pavers of neutral, complimentary colors. The design of both F and G Street will be as finally approved by the Public Space Division of DDOT. The reopening of these streets will create three new city blocks over what is now an active highway and will re-knit the East End of downtown Washington with Capitol Hill. The construction of the platform will also incorporate improvements to the existing interstate highway and the local transportation system, including increasing intersection capacity and pedestrian convenience and safety along Massachusetts Avenue, F Street, G Street, 2nd Street and 3rd Street.

b. ***Environmental Benefits (11 DCMR § 2403.9(h).)*** The Overall Project will incorporate cutting-edge sustainable design including the following: water collection and re-use system, such that all rainwater and ground water entering the Site will be captured, processed and re-used throughout the buildings on site; development of an electrical co-generation plant that will have the ability to service not only this development, but also approximately five to eight million square feet of nearby, existing development; eco-chimneys to provide for air filtration from the below-grade parking garage and service corridor; and green roofs on every building in the development to reduce the heat island effect and mitigate storm water run-off. The Applicant will design the project to meet the USGBC LEED Platinum standard for the core and shell of the office buildings and the LEED Gold standard for the residential building.

c. ***Housing and Affordable Housing (11 DCMR § 2403.9(f).)*** The Overall Project will include approximately 180,000 square feet of gross floor devoted to residential use to be constructed in the Center Block. The Applicant will set aside a minimum of 50 units for affordable housing. The affordable housing will be affordable to individuals earning no more than 80% of the Metropolitan Statistical Area median and paying no more than 30% of the family's household income for rent or housing ownership costs. Affordable restrictions will remain for a period of 40 years from the date that the first unit in the residential building is occupied. The affordable housing units will be distributed across the housing mix (e.g., if the market-rate units have a mix of 30% studios, 40% one-bedrooms, and 30% two-bedrooms, the affordable units shall have a similar mix). In addition, the affordable housing units may not be concentrated on any one floor or within a floor of the residential building, without the approval of the Deputy Mayor for Planning and Economic Development, provided that the affordable housing units

do not need to be located on the top three levels of the residential building, have prime views or include bay windows or balconies.

d. ***Historic Preservation for the Historic JHS Synagogue (11 DCMR 2403.9(d).)*** The Applicant will relocate the historic JHS Synagogue to the corner of F and 3rd Streets, allowing for superior siting, more appropriate orientation, and enhanced visibility and access. The Applicant will provide land area within the South Block to accommodate museum space and additional office and supporting space for the Jewish Historical Society. The Synagogue will be relocated to its newly configured permanent location upon completion of the platform. The museum and office space will be brought forward as a second-stage PUD application by the Jewish Historical Society in accordance with the approved phasing of the project.

e. ***Holy Rosary Church (11 DCMR § 2403.9(i).)*** The Applicant will remove the Holy Rosary Church's existing Annex and Rectory, both of which currently sit in the right-of-way of F Street, and will construct new facilities which will re-establish the original relationship of the Church, the Annex, and the Rectory to a similar orientation to that which existed prior to construction of the freeway back in the 1960's. The re-construction of the Annex and Rectory will be brought forward by the Applicant and Holy Rosary Church as a second-stage PUD application in accordance with the approved phasing of the project.

f. ***Space for Technology Incubators (11 DCMR § 2403.9(i).)*** The Applicant will reserve a minimum of 5,700 square feet of gross floor area along portions of G Street as space for technology incubators. The Applicant also agrees to rent this space at below-market levels, equal to 50% of the rent charged for the third-floor office space. The Applicant will have flexibility to locate this space in any of the ground floor space along G Street, so long as it totals a minimum of 5,700 square feet, fronts on G Street and is rented at the proposed reduced rent. This commitment will be in place for 10 years following the issuance of a certificate of occupancy for the North Block.

g. ***Urban Design, Landscaping and Creation of Open Spaces (11 DCMR § 2403.9(a).)*** The Overall Project will create three new city blocks that will link neighborhoods in the District that have historically been separated by a vast canyon. The proposed ground floor retail will line the newly created streetscapes, to attract visitors, residents and office workers into a heretofore inaccessible part of the District. The Applicant will construct important public open spaces in the Overall Project, including G Street between the North and Center Blocks and the Pedestrian Way located in the North Block.

The Applicant also will make a $50,000 contribution to Casey Trees to improve the existing park at 2nd and H Streets and Massachusetts Avenue, located immediately to the north of the Site. At the public hearing, the Commission requested greater specificity as to what types of improvements the contribution will fund. In its Post-Hearing Submission, the Applicant submitted a letter from Mark Buscaino, the Executive Director of Casey Trees, indicating that the contribution will fund the anticipated design and project management fees as well as the first phase of anticipated improvements, in significant part. The Commission finds that given this additional information, the amenity is appropriate and can be included in the balancing test for public benefits and project amenities.

h. ***Transportation Management Measures (11 DCMR § 2403.9(c).)*** The Applicant will provide a variety of important transportation management measures. The Overall Project will incorporate centralized below-grade loading and parking facilities with limited curb cuts to minimize impacts on pedestrians and vehicles. The Applicant will also provide a Transportation Management Program for all office tenants, as is described in Supplemental Report to the Transportation Impact Analysis attached at Tab 4 to the Supplemental Prehearing Submission. Furthermore, the Applicant will incorporate a Capital Bikeshare Station within the project to be paid for by the Applicant. This amenity will be completed prior to the opening of F and G Streets through the project and put into service for public use at such time that G Street opens, subject to any required approval by DDOT.

i. ***Employment and Training Opportunities (DCMR § 2403.9(e).)*** The Applicant has entered into a First Source Employment Agreement under which the Applicant will fill 51% of all new jobs resulting from the construction of the project with District residents, and will fill 67% of all new apprenticeship positions with District residents. In addition, Certified Business Enterprises will represent 20% of the developer's equity and development participation in the project, and the Applicant will contract with Certified Business Enterprises for at least 35% of the contract dollar volume of the project.

80. The Commission finds that the relative value of the project amenities and public benefits offered is sufficient given the degree of development incentives requested and any potential adverse effects.

<u>Compliance with PUD Standards</u>

81. The Applications comply with the standards for a PUD set forth in Chapter 24 of the Zoning Regulations.

82. The Commission finds that the Overall Project and Consolidated PUD offer a high level of public benefits and project amenities. When compared with the amount of development flexibility requested and project impacts, the Applications satisfy the balancing test required in § 2403.8 of the Zoning Regulations.

83. The Site Area is approximately 254,670 square feet in land area, which exceeds the minimum area requirement of 15,000 square feet for a PUD in the C-4 Zone District, in accordance with § 2401.1(c) of the Zoning Regulations.

84. The Overall Project and Consolidated PUD have been evaluated under the PUD guidelines for the C-4 Zone District. The density of the Overall Project, including the Consolidated PUD, is below the density permitted for a PUD within the C-4 Zone District, and the maximum height is within that permitted for a PUD in the C-4 Zone District.

85. The Overall Project and Consolidated PUD have been evaluated by the relevant District agencies.

86. The Overall Project will provide additional economic boost to the District of Columbia, as indicated in the Economic Impact Overview which is at Tab 3 to the Supplemental Prehearing Submission.

Consistency with Comprehensive Plan

87. The Commission finds that the Overall Project, including the Consolidated PUD, advances the purposes of the Comprehensive Plan, is consistent with the Future Land Use Map, complies with the guiding principles in the Comprehensive Plan, and furthers a number of the major elements of the Comprehensive Plan, as follows:

    a. *Land Use and Policy Maps*. The Applicant's proposal to construct a mixed-use development that includes office, retail, residential, and institutional uses on the Site is consistent with the Future Land Use Map and Generalized Policy Map. The Future Land Use Map designates the Site for High-Density Commercial land uses. The High-Density Commercial land use designation defines the central employment district of the city and other major office employment centers on the downtown perimeter. It is characterized by office and mixed office/retail buildings greater than eight stories in height, although many lower scale buildings (including historic buildings) are interspersed. The Generalized Policy Map designates the Site within Central Washington and the Central Employment Area. The Overall Project and the Consolidated PUD are consistent with these designations.

b. *Guiding Principles of the Comprehensive Plan*. The project is consistent with many guiding principles in the Comprehensive Plan for managing growth and change, creating successful neighborhoods, increasing access to education and employment, connecting the city, and building green and healthy communities.

1) Managing Growth and Change. The Overall Project will help to sustain and enhance the surrounding area by attracting a diverse population with the inclusion of a mix of housing types for households of different sizes, ages, and incomes. The Applicant is providing a minimum of 50 residential units as affordable housing units. The Applicant's proposal to develop mixed uses, including office, retail, residential and institutional uses, is also consistent with the Comprehensive Plan's acknowledgement that the growth of both residential and non-residential uses is critical. In addition, the proposed development respects the broader community context and is located in close proximity to the Judiciary Square Metrorail Station.

2) Creating Successful Neighborhoods. The Overall Project furthers the guiding principles for creating successful neighborhoods by improving the residential character of neighborhoods and encouraging commercial uses that contribute to the neighborhood's character and make communities more livable. Another guiding principle for creating successful neighborhoods is obtaining public input in decisions about land use and development. The Applicant has worked closely with ANC 6C, and the ANC has expressed its support numerous times for the project.

3) Increasing Access to Education and Employment. The Overall Project is fully consistent with the goals set forth in this guiding principle, including increasing economic activity in the District, increasing access to jobs by District residents, encouraging a broad spectrum of private and public growth, supporting land development policies that create job opportunities for District residents with varied job skills, and increasing the amount of shopping and services for many District neighborhoods. The office and retail uses in the Overall Project will help to attract new jobs to Central Washington and the District as a whole.

4) Connecting the City. The reopening of F and G Streets will reinforce the L'Enfant Plan grid which is one of the city's most distinctive land planning features.

5) Building Green and Healthy Communities. The Overall Project will incorporate cutting-edge sustainable design elements, which will minimize

the use of non-renewable resources, promote energy and water conservation, and reduce harmful effects on the natural environment.

c. *Land Use Element*. The Overall Project is consistent with the policy of concentrating redevelopment efforts near 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. This project is within two blocks of the Judiciary Square Metrorail station and within four blocks of the Union Station Metrorail station, both of which will support transit and reduce reliance on automobile use while providing the highest utilization of the Site. The project's significant amount of office use is consistent with its location in the Central Employment Area, which takes advantage of this prominent location and makes the most efficient use of transportation. The project also incorporates approximately 150 residential units, which supports the policy of establishing housing adjacent to Metrorail stations. The project has been designed to encourage transit use and helps to enhance the safety, comfort, and convenience of passengers walking to the Judiciary Square or Union Station Metrorail Stations or transferring to and from local buses. In addition, the Applicant's commitment to providing only the number of parking spaces required by the Zoning Regulations further increases transit usage. The project will incorporate the reopening of F and G Streets and the redevelopment of the streetscapes surrounding the Site, which will increase the accessibility to public transit. The Overall Project remedies a gap in the urban fabric that has detracted from the character of this commercial area. The creation of three new city blocks and the scale of development complement the established character of the area.

d. *Transportation Element*. The Overall Project is an example of transit-oriented development, providing a mix of uses in a location that is in close proximity to two Metrorail stations. The Overall Project will reconnect the Site to the urban fabric of the District, with the creation of three new city blocks and reopening of F and G Streets.

e. *Housing Element*. The overarching goal of the Housing Element is to "[d]evelop and maintain a safe, decent, and affordable supply of housing for all current and future residents of the District of Columbia." (10 DCMR § 501.1.) The project helps to meet the needs of present and future District residents at locations consistent with District land use policies and objectives. The project is consistent with the goal of promoting mixed use development, as it includes housing, office, and retail uses in close proximity to a Metrorail Station.

f. *Environmental Protection Element*. The Environmental Protection Element addresses the protection, restoration, and management of the District's land, air,

water, energy, and biologic resources. This element provides policies and actions on important issues such as energy conservation and air quality. The Overall Project incorporates cutting-edge sustainable design elements that will set a new standard for urban infill and air rights development projects, including a water collection and re-use system, development of an electrical co-generation plant, eco-chimneys to provide for air filtration from the below-grade parking garage and service corridor, and green roofs on every building. The sustainable design elements will contribute to the Applicant designing the project to meet the USGBC LEED Platinum standard for the core and shell of the office buildings and the LEED Gold standard for the residential building.

g. *Economic Development Element*. The Overall Project furthers the policies of this element with its proposal for almost two million square feet of commercial office space, which will accommodate growth in a diverse array of office industries. The element cites the primary location for this growth to be in Central Washington and other emerging office centers. The Overall Project also includes at least 62,687 square feet of retail use which will increase access to basic goods and services for the downtown area and will create new and unique shopping experiences. These retail uses will help to reinforce existing and encourage new retail districts in the immediate neighborhood and will help to improve the mix of goods and services available to residents.

h. *Parks, Recreation and Open Space Element*. This element references the development of “podium” type open spaces and parks in the air rights over below-grade freeways, including for the Site. The Overall Project incorporates the Pedestrian Way as a prominent public space in the North Block as well as the proposed re-opening of G Street for pedestrian use.

i. *Urban Design Element*. The goal of the Comprehensive Plan's Urban Design Element is to "[e]nhance the beauty and livability of the city by protecting its historic design legacy, reinforcing the identity of its neighborhoods, harmoniously integrating new construction with existing buildings and the natural environment, and improving the vitality, appearance, and security of streets and public spaces." (10 DCMR § 901.1.) The Overall Project creates three new city blocks and reconnects the city. With the re-opening of F and G Streets in furtherance of the L'Enfant Plan, the Overall Project furthers the policy that specifically seeks to restore as appropriate and where possible previously closed streets. The re-establishment of these streets along with the site planning of the Overall Project creates a street wall to enhance the urban form and associated views. The project significantly reduces the negative effects of the freeway and improves pedestrian and bicycle access through the creation of aesthetically-pleasing and functional streetscapes.

j. *Historic Preservation Element*. The Historic Preservation Element guides the protection, revitalization and preservation of the city's valuable historic assets. The re-opening of F and G Streets preserve the defining features of the L'Enfant and McMillan plans for Washington in furtherance of this element. In addition, the Overall Project furthers this element as a result of the physical relocation of the historic JHS Synagogue. This historic structure's current location lacks visibility and is not easily accessible. The new location will be a vast improvement for the structure, allowing for superior siting, more appropriate orientation, and enhanced visibility and access

k. *Central Washington Area Element*. The Site is included in the Central Washington Area Element, and more specifically in the Downtown East/Judiciary Square Policy Focus Area. The proposed development will include office, retail, residential and institutional uses that will attract a broad variety of activities and help to sustain Central Washington as the hub of the metropolitan area. The office space will advance the goal of retaining Central Washington as the premier office location in the Greater Washington region uses while the retail, residential and institutional uses can help lend vibrancy to the area. The Site is specifically identified by the Comprehensive Plan as a Catalytic Site, or a site with the potential to significantly shape the future of Central Washington. The careful planning that has created the Overall Project will help further shape this area for the better. In addition, the Overall Project protects and enhances Central Washington's historic resources by returning its surrounding street grid to the original L'Enfant pattern and relocating the JHS Synagogue. Finally, this element specifically calls for and envisions this project. The Overall Project responds to the goals set forth in the Comprehensive Plan by providing a mixed-use development that includes housing, office, ground floor retail and restoring the street rights-of-way along F and G Streets while preserving important views.

88. The Overall Project, including the Consolidated PUD, is not inconsistent with the Comprehensive Plan of 2006.

<u>Office of Planning</u>

89. By report dated November 26, 2010 ("OP Report"), and through testimony presented at the public hearing, OP generally recommended approval of the Applications, subject to clarification and additional information regarding a variety of issues, including massing and design of the North Block and Pedestrian Way, retail façade design and strategy, South Block revisions and clarifications regarding timing for road improvements and design flexibility. (Exhibit 33.)

90. OP testified at the hearing and also set forth in the OP Report that the benefits generated by the Overall Project qualify under all categories and are commendable. OP had no

objection to the requested zoning relief. OP testified and also set forth in the OP Report that the project is consistent with the land use maps of the Comprehensive Plan and with numerous policies in the Plan.

91. OP set forth in the OP Report that the Applications are being or will be reviewed by DDOT, Federal Highway Administrator, and District Department of the Environment. OP did not provide comments from any of those or other agencies.

92. In its Supplemental Report dated January 18, 2011, OP continued to generally support the project but re-iterated concerns regarding the location of the retail use, arcade design, eco-chimneys, and plaza design. (Exhibit 51.)

93. In response to the Supplemental Post-Hearing Submission, OP issued an additional Supplemental Report dated April 1, 2011, fully in support of the revised project. Accordingly, OP has no unresolved issues to be addressed by the Commission. (Exhibit 58.)

District Department of Transportation

94. DDOT filed a report dated December 6, 2010, conditionally supporting the Applications. While DDOT noted in its report that the Overall Project is a noteworthy development and that the Applicant has performed a significant amount of work with DDOT, DDOT requested a reduction in the number of parking spaces for the Overall Project, referencing a reduction of more than 300 spaces.

95. The Applicant's traffic consultant testified at the hearing that the parking proposed is the minimum number of parking spaces required by the Zoning Regulations. This parking ratio is appropriate for the project and is the minimum number required to successfully market the office building and to meet tenant parking demands. In addition, the amount of parking provided is directly related to the number of vehicles that can drive to and from the Site, and the Applicant proposed a robust Transportation Management Plan to encourage alternative means of transportation.

96. The Commission requested that the Applicant provide additional information with respect to the required number of parking spaces and whether the minimum parking requirements are reduced by virtue of § 2104 of the Zoning Regulations. In its Post-Hearing Submission, the Applicant provided information that portions of the South Block were within 800 feet of a Metrorail Station and would be entitled to a minimum parking requirement equal to 75% of the total number required. However, the North and Center Blocks are not within 800 feet and are not entitled to such reduction. Based on the Applicant's experience and the opinion of the traffic consultant, providing parking to meet the zoning requirements set forth in § 2101.1 is the minimum needed to successfully market the office building and meet tenant parking demands.

97. The Commission finds that the number of parking spaces based on the minimum required by § 2101.1 of the Zoning Regulations is appropriate for this Site and is a modest amount of parking when viewed as part of the Overall Project.

ANC 6C Report and Testimony

98. By letter dated November 15, 2010, ANC 6C indicated that it voted to support the Applications by a vote of 6-0-0, subject to the Applicant making a good faith effort to explore methods of increasing the retail space height along the four corners of central retail corridor in the North Block. The ANC also noted two aspirations for the project, including the following: (1) to include more residential in the years going forward if possible; and (2) to consider using F and G Streets for pedestrian use and public purposes such as street vendors and farmers' markets so long as 2nd and 3rd Streets retain pedestrian sidewalks. These aspirations were not conditions to the ANC's approval. (Exhibit 28.)

99. In its testimony to the Commission, Rob Amos testified in support of the Applications and noted that the project as presented to the Commission had addressed the ANC's concerns relating to the retail ceiling heights.

100. ANC 6C filed a supplemental letter with the Commission on January 18, 2011, in supporting the modification to the project presented in the Post-Hearing Submission and requesting that the project provide First Source employment to District residents. (Exhibit 49.)

101. In response to the Supplemental Post-Hearing Submission, ANC 6C filed another letter dated March 14, 2011. (Exhibit 55.) This letter noted ANC 6C's support for the proposed modifications to the project.

102. The Commission finds that the ANC's one condition relating to First Source employment opportunities for District residents has been addressed by the Applicant based on its commitment set forth in Finding 79(i). Based on the ANC's supplemental letter dated March 14, 2011, the Commission finds that the ANC supports the project and has no outstanding issues for this project.

103. The Commission afforded the views of ANC 6C the "great weight" to which it is entitled.

CONCLUSIONS OF LAW

1. Pursuant to the Zoning Regulations, the PUD process is designed to encourage high-quality development that provides public benefits. (11 DCMR § 2400.1.) The overall goal of the PUD process is to permit flexibility of development and other incentives, provided that the PUD project "offers a commendable number or quality of public

benefits, and that it protects and advances the public health, safety, welfare, and convenience." (11 DCMR § 2400.2.)

2. Under the PUD process of the Zoning Regulations, the Commission has the authority to consider and approve the First-Stage PUD and the Consolidated PUD. The Commission may impose development conditions, guidelines, and standards which may exceed or be less than the matter-of-right standards identified for height, density, lot occupancy, parking, loading, yards, or courts. The Commission may also approve uses that are permitted as special exceptions and would otherwise require approval by the Board of Zoning Adjustment.

3. The development of the Overall Project carries out the purposes of Chapter 24 of the Zoning Regulations to encourage the development of well-planned developments which will offer a variety of building types with more attractive and efficient overall planning and design, not achievable under matter-of-right development.

4. The Overall Project meets the minimum area requirements of § 2401.1 of the Zoning Regulations.

5. The Overall Project is within the applicable height, bulk and density standards of the Zoning Regulations for a PUD within the C-4 Zone District. This mixed-use project which serves to reconnect the city is appropriate for the Site. The impacts of the Overall Project are not unacceptable.

6. The Applications can be approved with conditions to ensure that the potential adverse effects on the surrounding area from the development will be mitigated.

7. The number and quality of the project benefits and amenities offered are a more than sufficient trade-off for the flexibility and development incentives requested.

8. Approval of the Applications is not inconsistent with the Comprehensive Plan.

9. The Commission is required under Section 13(d) of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law 1-21; D.C. Official Code § 1-309.10(d)) to give great weight to the affected ANC's recommendations. The Commission has carefully considered ANC 6C's support for the project and has given that support great weight.

10. The Commission is required under § 5 of the Office of Zoning Independence Act of 1990, effective September 20, 1990 (D.C. Law 8-163, D.C. Official Code § 6-623.04) to give great weight to OP recommendations. The Commission has carefully considered OP’s support for the project and has given that support great weight.

11. The approval of the Applications will promote the orderly development of the Site in conformity with the entirety of the District of Columbia zone plan as embodied in the Zoning Regulations and Zoning Map of the District of Columbia.

12. The PUD related rezoning of the Site to C-4 is consistent with the purposes and objectives of zoning as set forth in the Zoning Enabling Act, § 6-641-.01 of the D.C. Official Code.

13. Notice was provided in accordance with the Zoning Regulations and applicable case law.

14. The Applications are subject to compliance with the provisions of the Human Rights Act of 1977, D.C. Law 2-38, as amended.

DECISION

In consideration of the Findings of Fact and Conclusions of Law contained in this Order, the Zoning Commission **ORDERS APPROVAL** of the application for a First-Stage PUD and the application for a Consolidated PUD for the following: (a) the entire platform and base infrastructure; (2) the mix of uses, the height and density of each building, and site plan for the Overall Project; (3) the North Block; (4) the construction of all below-grade parking, concourse and service levels; and (5) the landscaping and streetscape design for the Overall Project. The Zoning Commission also **ORDERS APPROVAL** for the PUD-related Zoning Map amendment to rezone the Site from HR/C-3-C to C-4. This approval is subject to the following guidelines, conditions, and standards. Whenever compliance is required prior to, on or during a certain time, the timing of the obligation is noted in bold and underlined text.

A. PROJECT DEVELOPMENT

1. The Overall Project shall be developed substantially in accordance with the plans prepared by SOM, dated May 23, 2011, in the record at Exhibit 66 (the "Final First-Stage PUD Plans"), as modified by the guidelines, conditions, and standards herein.

2. The North Block and Consolidated PUD shall be developed substantially in accordance with the plans prepared by SOM, dated May 23, 2011, in the record at Exhibit 67 (the "Final Consolidated PUD Plans"), as modified by the guidelines, conditions and standards herein.

3. The Consolidated PUD shall include the following elements of the Overall Project: (1) the construction of the entire platform and base infrastructure; (2) the mix of uses, the height and density of each building, and site plan for the Overall Project; (3) the North Block; (4) the construction of all below-grade parking,

concourse and service levels; and (5) the proposed landscaping and streetscape design for the Overall Project.

4. The Overall Project shall have an approximate gross floor area of 2,226,625 square feet, or 8.74 FAR based on the Site Area. As shown on the Final First-Stage PUD Plans, the Overall Project shall include approximately 1,910,386 square feet of gross floor area devoted to office uses, a minimum of 62,687 square feet of gross floor area devoted to retail uses, approximately 180,384 square feet of gross floor area devoted to residential uses, and approximately 73,168 square feet of gross floor area devoted to institutional uses related to the Holy Rosary Church and the Jewish Historical Society.

5. The North Block shall have an approximate gross floor area of 957,700 square feet, or 8.91 FAR based on the land area of the North Block. As shown on the Final Consolidated PUD Plans, the North Block shall include approximately 935,636 square feet of gross floor area devoted to office uses and approximately 22,064 square feet of gross floor area devoted to retail uses.

6. The lot occupancy of the Overall Project shall be a maximum of 89% based on the Site Area. The lot occupancy of the North Block shall be a maximum of 84% based on the land area of the North Block.

7. The maximum height of the structures in the Center and South Blocks shall be 130 feet, as shown on the Final First-Stage PUD Plans. The maximum height of the structures in the North Block shall be 130 feet, as shown on the Final Consolidated PUD Plans.

8. The Overall Project shall include approximately 1,146 parking spaces in the below-grade, consolidated parking area, with access as shown on the Final Consolidated PUD Plans.

9. The Overall Project shall include one 55-foot loading berth with one 200 square foot platform, eight 30-foot loading berths with eight 100 square foot platforms, and four service delivery spaces, all within the below-grade loading facility and with access as shown on the Final Consolidated PUD Plans.

10. The Applicant shall have flexibility with the design of the PUD in the following areas:

    a. To vary the location and design of all interior components, including partitions, structural slabs, doors, hallways, columns, stairways, atria and

mechanical rooms, provided that the variations do not change the exterior configuration of the building.

b. To make refinements to the garage configuration, including layout, parking spaces and other elements, so long as the total number of parking spaces provided meets the number of spaces required by the PUD approval.

c. To vary the final selection of the exterior materials within the color ranges and material types as proposed, based on availability at the time of construction without reducing the quality of materials.

d. To vary the location, attributes and general design of the public spaces and streetscapes incorporated in the project to comply with the requirements of and the approval by the District Department of Transportation Public Space Division, including but not limited to the street, sidewalk and roadway widths within the rights-of-way proposed.

e. To locate retail entrances in accordance with the needs of the retail tenants and vary the façades as necessary within the general design parameters proposed for the project and to locate retail or service uses where "retail" is identified and to locate retail, service or office uses where "retail/office" is identified.

f. To vary components of the project to coordinate or comply with modifications to the I-395 ramp systems resulting from the environmental review process required by the National Environmental Policy Act, including but not limited to modifications to ramp systems and freeway configuration, so long as such changes do not change the exterior configuration of the buildings or modify the site plan for the Overall Project.

g. To make minor refinements to exterior materials, details and dimensions, including belt courses, sills, bases, cornices, railings, roof, skylight, architectural embellishments and trim, window mullions and spacing, or any other changes to comply with the District of Columbia Building Code or that are necessary to obtain a final building permit or any other applicable approvals.

B. PUBLIC BENEFITS

11. **Prior to the issuance of a building permit for construction of the platform**, the Applicant shall donate $50,000 to Casey Trees for improvements to the existing park at 2nd and H Streets and Massachusetts Avenue, located immediately

to the north of the Site in accordance with the letter dated December 28, 2010, attached at Tab 10 to the Post-Hearing Submission in the record at Exhibit 47.

12. **The Applicant shall submit with its building permit application** a checklist evidencing that the portion of the project for which the permit is submitted has been designed to meet the USGBC LEED Platinum standard for the core and shell of the office buildings or the LEED Gold standard for the residential building.

13. **During construction of the project**, the Applicant shall abide by the First Source Employment Agreement attached at Tab J to the PUD Submission, in the record at Exhibit 4, under which the Applicant has agreed to fill 51% of all new jobs resulting from the construction of the project with District residents and to fill 67% of all new apprenticeship positions with District residents.

14. **During construction of the project**, the Applicant shall abide by an agreement that provides for Certified Business Enterprises to represent 20% of the developer's equity and development participation in the project and that provides for the Applicant to contract with Certified Business Enterprises for at least 35% of the contract dollar volume of the project.

15. **Prior to the opening of G Street through the project and subject to approval by the Public Space Division of the District Department of Transportation if required**, the Applicant shall incorporate a Capital Bikeshare Station to be paid for by the Applicant within the project or the abutting public space.

16. **Concurrently with the construction of the platform and base infrastructure and with the permission of the District Department of Transportation**, the Applicant shall reconstruct F and G Streets and the streetscape surrounding the Site, as shown on the Final Consolidated PUD Plans, subject to final approval by the Public Space Division of District Department of Transportation, as required.

17. **No later than 60 months following the issuance of a building permit for the construction of the platform and base infrastructure in the South Block**, the Applicant shall relocate the historic JHS Synagogue, containing the Jewish Historical Society of Greater Washington's Lillian & Albert Small Jewish Museum, from its current location at the northeast corner of 3rd and G Streets to the southeast corner of 3rd and F Streets.

18. **Within 180 days following the issuance of a final certificate of occupancy for the core and shell of the North Block building**, the Applicant shall submit all required paperwork to USGBC to apply for USGBC Platinum certification for the core and shell of the North Block and provide a copy to the Zoning Administrator.

19. **<u>During the life of the project</u>**, the Overall Project shall include a minimum of 62,687 square feet of gross floor area devoted to retail uses generally in the locations shown on the Retail Diagram attached as Sheet 2.4 of the Final First-Stage PUD Plans. The North Block shall include available ceiling heights as shown on the 1st Floor Plan - Retail Heights - North Block attached as Sheet 4.8 of the Final Consolidated PUD Plans. In order to encourage retail uses that will maximize activity along Massachusetts Avenue, the Applicant will not locate banks in the retail space fronting on Massachusetts Avenue.

20. **<u>During the life of the project</u>**, the Applicant shall provide a Transportation Management Program for all office tenants, as set forth in the Supplemental Report to the Transportation Impact Analysis attached at Tab 4 to the Supplemental Prehearing Submission in the record at Exhibit 30.

21. **<u>During the life of the project</u>**, there will be no gate or fence restricting entry to the Pedestrian Way between Massachusetts Avenue and G Street, which shall remain open to the public at all times except in association with a special event for short periods.

22. **<u>For a period of 40 years from the date that the first certificate of occupancy is issued for the residential building</u>**, the Applicant shall provide a minimum of 50 residential units set aside for affordable housing for individuals earning no more than 80% of the Metropolitan Statistical Area median and paying no more than 30% of the family's household income for rent or housing ownership costs. The affordable housing units shall be distributed across the housing mix (e.g., if the market-rate units have a mix of 30% studios, 40% one-bedrooms, and 30% two-bedrooms, the affordable units shall have a similar mix). Except as provided as provided in the land disposition agreement[1], the affordable housing units shall not be concentrated on any one floor or within a floor of the residential building. Nothing in this condition shall be constructed as requiring the affordable housing to be located on the top three levels of the residential building, have prime views or include bay windows or balconies.

23. **<u>For a period of 10 years following the issuance of a certificate of occupancy for the North Block</u>**, the Applicant shall reserve a minimum of 5,700 square feet of gross floor area in the North Block to be devoted to space for technology incubators. The Applicant shall rent this space at below-market levels, equal to 50% of the average achieved rent charged for the third-floor office space in the

[1] The agreement allows flexibility from this requirement is agreed to in writing by the Deputy Mayor for Economic Development.

North Block or, in the event that the third-floor office space in the North Block is vacant, equal to 50% of the asking rent for the third-floor office space in the North Block. The space for technology incubators may be located in any of the ground floor space along G Street so long as it totals a minimum of 5,700 square feet, fronts on G Street and is rented at the proposed reduced rent.

24. **Following approval by the Zoning Commission in a second-stage PUD application and within the timeframes set forth therein**, the Applicant shall provide land area within the South Block to accommodate museum space and additional office and supporting space for the Jewish Historical Society, generally as shown on the Final First-Stage PUD Plans.

25. **Following approval by the Zoning Commission in a second-stage PUD application and within the timeframes set forth therein**, the Applicant shall construct new facilities for the Holy Rosary Church within the Center Block, generally as shown on the Final First-Stage PUD Plans.

C. MISCELLANEOUS

26. No building permit shall be issued for this PUD until the Applicant has recorded a covenant in the land records of the District of Columbia, between the owner of the Site and the District of Columbia, that is satisfactory to the Office of the Attorney General and DCRA. Such covenant shall bind the Applicant and all successors in title to construct on and use this property in accordance with this Order or amendment thereof by the Zoning Commission.

27. The Consolidated PUD approved by the Zoning Commission shall be valid for a period of two (2) years from the effective date of this Order. Within such time, an application must be filed for a building permit for the construction of the platform and base infrastructure as specified in 11 DCMR § 2409.1. Construction of the platform and base infrastructure shall begin within three years of the effective date of this Order. Within two years of the completion of the construction of the platform and base infrastructure, the Applicant shall apply for a building permit for the construction of the North Block. The Applicant shall commence construction of the North Block within four years of the completion of the construction of the platform and base infrastructure.

28. The First-Stage PUD Approval for the Overall Project shall be valid for a period of five (5) years from the effective date of this Order. Within such time, a second-stage PUD application must be filed for an additional portion of the project. Second-stage PUD applications must be filed for all of the remaining portions of the project no later than ten years from the effective date of this Order.

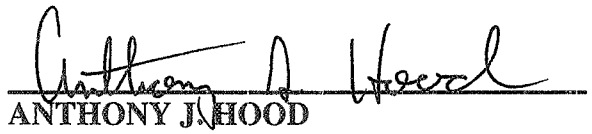
These second-stage applications may be submitted individually, at the same time, or in any combination thereof.

29. The Applicant is required to comply fully with the provisions the D.C. Human Rights Act of 1977, D.C. Law 2-38, as amended, D.C. Official Code § 2-1401.01 et seq., ("Act"). This Order is conditioned upon full compliance with those provisions. In accordance with the D.C. Human Rights Act of 1977, as amended, D.C. Official Code §§ 2-1401.01 et seq. (Act), the District of Columbia does not discriminate on the basis of actual or perceived: race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, or place of residence or business. Sexual harassment is a form of sex discrimination which is prohibited by the Act. In addition, harassment based on any of the above protected categories is prohibited by the Act. Discrimination in violation of the Act will not be tolerated. Violators will be subject to disciplinary action.

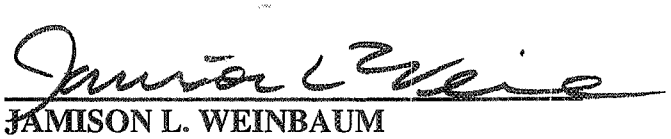
On April 11, 2011, upon the motion of Chairman Hood, as seconded by Commissioner May, the Zoning Commission **APPROVED** the Applications at its public meeting by a vote of 5-0-0 (Anthony J. Hood, Konrad W. Schlater, Peter G. May, and Greg M. Selfridge to approve; Michael G. Turnbull to approve by absentee ballot).

On May 23, 2011, upon the motion of Chairman Hood, as seconded by Commissioner May, the Order was **ADOPTED** by the Zoning Commission at its public meeting by a vote of 5-0-0 (Anthony J. Hood, Konrad W. Schlater, Peter G, May, Greg M. Selfridge, and Michael G. Turnbull to adopt).

In accordance with the provisions of 11 DCMR § 3028, this Order shall become final and effective upon publication in the *D.C. Register*; that is on July 1, 2011.



ANTHONY J. HOOD
CHAIRMAN
ZONING COMMISSION



JAMISON L. WEINBAUM
DIRECTOR
OFFICE OF ZONING

DISTRICT OF COLUMBIA GOVERNMENT
OFFICE OF THE SURVEYOR

Washington, D.C., December 19, 2008

Plat for Building Permit of SQUARE 564 LOT 58
SQUARE 566 LOTS 849 & 850
SQUARE 568 LOTS 43, 858 & 859

Scale. 1 Inch = 60 feet Recorded in Book 203 Page 127

Receipt No 00637

Furnished to ANTHONY HOSLE (LOUIS DREYFUS)

For Surveyor, D.C.

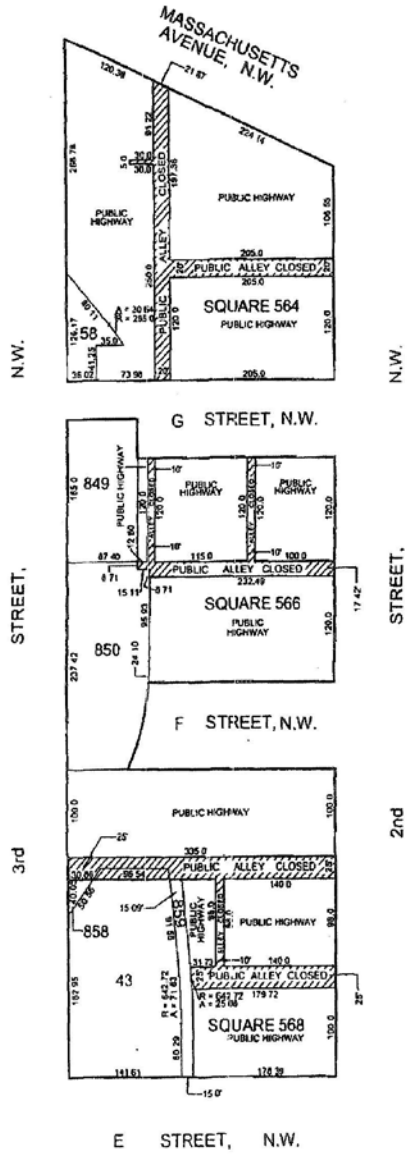
By A.S.

I hereby certify that all existing improvements shown hereon, are completely dimensioned, that are correctly plotted; that all proposed buildings or construction, or parts thereof, including covered porches, are correctly dimensioned and plotted, and agree with plans accompanying the application; that the foundation plan as shown hereon is drawn, and dimensioned solely to the same scale as the property lines appear on this plat and that the support of the proposed improvements to be erected or shown hereon the side of any adjoining lot or premises is not determined to an extent less than is required by the Zoning Regulations for light and ventilation; and I do further certified and agreed that accessible parking areas where required by the Zoning Regulations will be provided in accordance with the Zoning Regulations, and that this area has been correctly drawn and dimensioned hereon, and further agreed that the elevation of the accessible parking area with respect to the Highway Department approved curb and alley grade will not result in a rate of grade rising elevation of driveway at any point on private property in excess of 20% for single-family dwellings or 15% in excess of 12% at any point for other buildings. (The public of the Highway Department permits a maximum driveway grade of 12% across the public parking and the private restricted property.)

Date _____

_____
(Signature of owner or his authorized agent)

NOTE Data shown for Assessment and Taxation Lots or Parcels are in accordance with the records of the Department of Finance and Revenue, Assessment Administration, and do not necessarily agree with deed description.



SO-00637(2008)
* E-MAIL

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of Zoning

Z.C. CASE NO.: 08-34

As Secretary to the Commission, I hereby certify that on JUN 30 2011 copies of this Z.C. Order No. 08-34 were mailed first class, postage prepaid or sent by inter-office government mail to the following:

1. *D.C. Register*
2. Christine Mosley Shiker, Esq.
   Holland & Knight
   2099 Pennsylvania Ave., N.W., #100
   Washington, D.C. 20006
3. ANC 6C
   P.O. Box 77876
   Washington, D.C. 20013-7787
4. Commissioner Kevin Silver
   ANC/SMD 6C01
   909 New Jersey avenue, N.W. #410
   Washington, D.C. 20001
5. Gottlieb Simon
   ANC
   1350 Pennsylvania Avenue, N.W.
   Washington, D.C. 20004
6. Councilmember Tommy Wells
7. DDOT (Martin Parker)
8. Melinda Bolling, Acting General Counsel
   DCRA
   1100 4th Street, S.W.
   Washington, DC 20024
9. Office of the Attorney General (Alan Bergstein)

ATTESTED BY: S. S. Schellin
Sharon S. Schellin
Secretary to the Zoning Commission
Office of Zoning