



MEMORANDUM

TO: District of Columbia Zoning Commission
FROM: *JL for* Jennifer Steingasser, Deputy Director Development Review & Historic Preservation
DATE: October 7, 2016
SUBJECT: Preliminary OP Report for Z.C. 06-14 D, Modification of Significance Request for Washington Gateway PUD --Square 3584, Lots 23, 811 – 813, at Florida and New York Avenues, N.E.

I. RECOMMENDATION

The Office of Planning (OP) recommends the Zoning Commission set down for a public hearing the proposed modification of significance to an approved Consolidated Planned Unit Development (PUD). The proposed modifications would not increase the overall height of the PUD and would decrease the FAR by approximately 1.0 FAR.

A request for a modification of significance to an approved Planned Unit Development is governed by Subtitle Z § 704. Specifically in this case, § 704.3 requires the request shall meet the requirements for, and be processed as, a second-stage PUD application.

As previously modified by Order 06-14B, the PUD is to consist of one residential building, which has been constructed on the western part of the site, and, on the eastern side of the site, a planned office building with two towers. The newly requested modification would permit a change in use from office to residential for the northern tower of the eastern building, with an option for the southern tower to be either residential or commercial. Although not noted in the text, Case Exhibit 2GA Sheet G-002 also indicates the applicant is requesting a reduction in parking for the existing building.

There are several items needing additional information, clarification or discussion. These are noted in Section V of this report.

II. APPROVED PUD & STATUS

As outlined in green in Figure 1, below, the PUD is on a triangular 3.1 acre site bounded by New York and Florida Avenues and the Metropolitan Branch (bicycle) Trail (MBT), which is adjacent to the right-of-way of Metrorail's Red Line.

As approved, the PUD is to consist of:

- A. A completed residential building on the northwestern side of the site, containing 400 units and 5,000 sf of retail space. Prior to Order 06-14B's modifications the building was to have contained both residential and hotel uses;
- B. One not-yet-constructed office building, with two-towers, on the eastern side of the site. This phase's site is highlighted in grey and is the subject of this application.



- C. A substantially completed landscaped central plaza with existing access from Florida Avenue and New York Avenue, and future access from a two-story pavilion to be built as part of proffered upgrades to a segment of the Metropolitan Branch Trail.

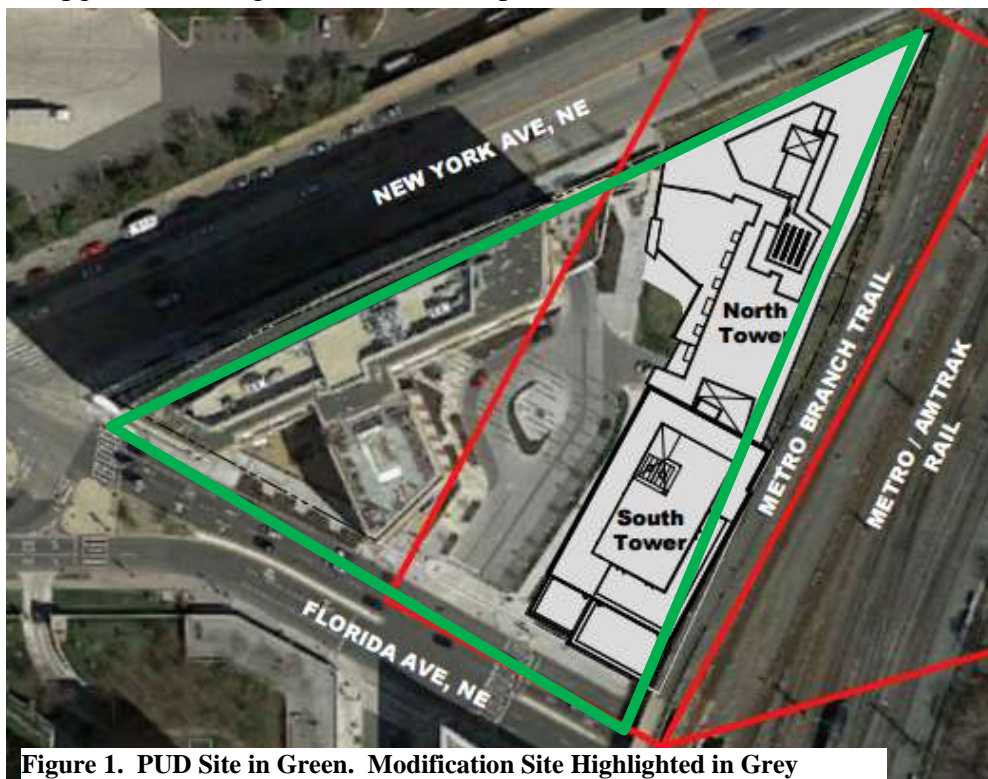


Figure 1. PUD Site in Green. Modification Site Highlighted in Grey

The approved design is modernist, mixing glass curtain walls, aluminum and masonry. The site plan is intended to extend pedestrian connectivity from Florida Avenue to New York Avenue through the site.

The Commission approved the PUD on February 12, 2007¹; granted a two year extension effective June 19, 2009; approved the modification permitting an all-residential western building on

March 7, 2011; and granted a second two-year extension effective July 22, 2011 that required the start of construction by June, 2014. The overall PUD has now been vested by the construction, and occupation, of the western residential building.

II. SUMMARY OF REQUESTED MODIFICATIONS OF SIGNIFICANCE

The future eastern building has been approved as an office building with ground floor retail along Florida Avenue. The requested modification would:

- Change the northern tower's use to residential with LEED Silver eligibility;
- Give the applicant flexibility to use the southern tower for either office or residential uses; either use will continue to provide required ground floor retail uses;
- Permit some existing parking spaces in the western building to be assigned to uses in the proposed eastern building.

Under either use option the southern tower would have the same exterior design as proposed in the modification and the two-story pavilion connecting the towers would continue to be devoted to lobby and bicycle-trail related uses. If used for offices, it would achieve a LEED Gold score.

Table 1 compares the approved eastern building with the requested modifications and options.

¹ effective June 27 2007

Architecture	Both approved and modified designs would be modernist. <i>Modified design has more varied massing, materials, finishes and opaque façade elements.</i>	Housing	<i>Up to 372 unit increase if both eastern towers are residentially developed</i>
		Affordable Housing	<i>IZ requires up to 28 more units at 80% AMI, if both eastern towers are residentially developed</i>
GSF	<i>40,662 SF reduction under either option</i>	Office Space	<i>221,691 to 594,896 SF reduction, depending on whether southeastern tower retains offices uses.</i>
FAR	<i>0.3 reduction under either option</i>	Retail Space	<i>Up to 3000 sf reduction (based, indirectly, on modification's parking allocations)</i>
Footprint	Minor	Vehicle Parking	<i>Up to 26 space reduction</i>
Height	<i>Increase in # of stories; no change in building height;</i>	Loading	<i>Elimination of 2 spaces @ 20'</i>
Lot Occupancy	<i>3% reduction</i>	Bicycle Parking	<i>None shown, although required</i>
		GAR	0.244
Roof Structure	<i>Addition of occupied space and increase of 1'6" in penthouse height</i>	Benefits/Amenities	No change

TABLE 1: Comparison of Approved Eastern Building and Requested Modifications

The applicant will be providing 17,405 square feet of green roof and a GAR of 0.244. Both options would have the same public benefits and amenities; many have already been delivered during the project's first phase.

III. ZONING ANALYSIS

The numbers in Table 2 are based on the requirements of Order 06-14B and on the zoning summaries the applicant provides in Case 06-14D Exhibit 2G1, Sheets G-002 and G-003.

TABLE 2: PROJECT DATA

Lot Area: 134,665 SF total Western Bldg. Site --48,035 sf Eastern Bldg. Site- 86,630 sf	<u>Approved C-3-C PUD With Modifications in Order 06-14B</u>	MU-9 PUD	Requested Modification Option(s) (Option 1: 1 res./1 comm. tower; Option 2: 2 res. towers)
Building Height Max for Project	130' measured from NY Avenue	130'	Same
Floor Area Ratio Aggregate Total for Project	7.8	9.36 (w/IZ)	6.78
Gross Square Feet (GSF) – Aggregate Total for Project	938,157	1,260,464	912,709 Office., Res., Retail
GSF Western Bldg., (Existing Residential)	346,405GSF (430 du max) <u>5,070 GSF retail</u> 351,475 GSF total		351,475 total GSF (372 units)

Lot Area: 134,665 SF total <i>Western Bldg. Site --48,035 sf</i> <i>Eastern Bldg. Site- 86,630 sf</i>	<u>Approved C-3-C PUD</u> <u>With Modifications in</u> <u>Order 06-14B</u>	MU-9 PUD	Requested Modification Option(s) (Option 1: 1 res./1 comm. tower; Option 2: 2 res. towers)	
GSF Proposed Eastern Bldg.	594,896 office <u>1,930 sf retail in office building</u> <u>5070 sf retail in western residential building</u> 601,896 total SF	----	Option 1 216,653 office 5,038 retail <u>339,543 res.</u> 561,234 total ²	Option 2 0 office 556,196 res. <u>5,038 retail</u> 561,234 total ³
Number of Dwelling Units (Aggregate)	400 – 430 DU total	----	772 to 1072 project total, depending on option	
Existing Western Bldg.	400 – 430 DU total		400 existing	
Proposed Eastern Bldg.	0		Option 1 + 372	Option 2 + 600 total
ADU's @ 80% AMI	8% of residential GFA @ 80% Approx. 27,712 GSF Approx. 30 ADUs@ 900 GSF/DU	----	8% of residential GFA # 80% ⁴ ~ 27,712 GSF (~ 30 units existing) ~ 59 – 78 units project total, depending on option	
			Option 1 + ~ 29	Option 2 + ~ 48
Lot Occupancy	55%	100%	52% aggregate	
Side Yard, Eastern Building Only	Not required	Not required	No side yard	
Rear Yard, Eastern Building Only	2 in./ft. of height, but at least 12 ft.	Same	<i>Information not provided</i>	
Open Court, Eastern Building Only	Not Required	Not required	No open court	
Roof Structures, Eastern Building Only	18'-6" max. height Residential bldg. relief: setback of 16'1" on SE corner and 10'11" on south side.	20' max, 1:1 setback. Occupiable space	20' max. height 2 levels. <i>Clarification needed for guard rail setbacks</i>	
Vehicle Parking Total	589 (258 res.+334 office incl. 2 for car sharing)		258 existing	
Residential Use	0.6/ DU 258 ⁵	!3DU	Project total of 401 to 515, depending on option	
			Option 1 0.5/DU (+ 186)	Option 2 0.5 /DU (+300)
Office Use 0.5/1000 sf > 3000 sf	1/1800 GSF Approx. 334	0.5/1000 sf > 3000 sf	Option 1 1/1800 sf 123	Option 2 0 0
Retail	4	1.33/1000 sf > 3000 sf	3	
Bicycle Parking Total	Not addressed in Order		274 – 350 total, depending on	

² Clarification needed. Figure based on Sheet G-002 of Case Exhibit 2G1, with retail subset noted in previous Orders,

³ Ibid.

⁴ Occupied penthouse space > 1000 sf will require provision of or contribution to housing at 50% AMI.

⁵ Modification to 0.5/DU for existing residential units in western building (reduce from 258 now to proposed 215)

Lot Area: 134,665 SF total <i>Western Bldg. Site --48,035 sf</i> <i>Eastern Bldg. Site- 86,630 sf</i>	<u>Approved C-3-C PUD</u> <u>With Modifications in</u> <u>Order 06-14B</u>	MU-9 PUD	Requested Modification Option(s) (Option 1: 1 res./1 comm. tower; Option 2: 2 res. towers)	
			option	
Res. Long-term	1 / 4 DU	(1/3 DU) 144	143 existing	
			Option 1 + 124	Option 2 +200
Office Long-term:	5% of required auto	1/2500 gsf	Option 1 6	Option 2 0
Retail Long-term:	1/750 sf > 3,000 sf	1/1000 gsf	1	
Res. Short-term:	Not originally required	1/20 DU	<i>Information not provided, but</i> <i>required</i> “ “	
Office Short-term:	“	1/4000 gsf		
Retail Short-term:	“	1/3500 gsf		
Loading Berths (North Office)	3 @ 30' deep; 1 @ 20'	3 @ 30'deep 1 @ 20'	Same	
(South Office)	2 @ 30' deep 1 @ 20'	2 @ 30' deep 1 @ 20'	Same	
(Residential)	1 @55' deep 1 @ 20'	Same	1 @55' deep 1 @ 20'	
(Retail use)	none (is < 8,000 SF)	none (is < 8,000 SF)	Same	

As noted in the footnotes on the previous page, clarification is needed regarding the requested flexibility to change uses, and the satisfaction of the contribution to affordable housing at 50% AMI required for the proposed occupied penthouse space that exceeds 1,000 sf.

IV. AFFORDABLE HOUSING

The existing residential building includes 8% of its residential square footage as housing affordable to households earning no more than 80% of the Area Median Income (AMI). This was provided as an applicant proffer prior to the effective date of Inclusionary Zoning requirements. The applicant proposes to provide, as a proffer, 8% of the newly proposed residential square footage as units affordable for 80% AMI households. However, with the requested modification, this affordable housing is now a requirement and cannot be considered a proffer. The specific IZ requirements will be those in effect at the time a PUD modification is approved.

Option 1: Eastern Building with Residential Northeastern Tower; Commercial Southeastern Tower

Residential Unit Type	Res. GFA; % Total	Units	Income Type Required	Income Type Provided	Affordable Control Period	Affordable Unit Type
Residential Total	339,543 GSF	372, +/-10%				
Market Rate	312,380 GSF	343				
IZ Total Required @ 8% of Res. GFA	27,163 GSF	29	Moderate	29 Moderate	Project duration for all IZ units	Likely Rental
IZ Total Provided, Eastern Building	27,163 GSF	51			Project duration for all IZ units	
Affordable/Non IZ	n/a	n/a	n/a		n/a	n/a

The proposed distribution of the IZ units for Option 1 has been provided on Sheets A 310 of Exhibit 2G.

Option 2: Eastern Building with Two Residential Towers

Residential Unit Type	Res. GFA; % Total	Units	Income Type Required	Income Type Provided	Affordable Control Period	Affordable Unit Type
Residential Total	556,196 GSF	600, +/-10%				
Market Rate	511,700 GSF	552				
IZ Total Required @ 8% of Res. GFA	44,496GSF	48	Moderate	48 Moderate	Project duration for all IZ units	Likely Rental
IZ Total Provided, Eastern Building	44,496 GSF	48			Project duration for all IZ units	
Affordable/Non IZ	n/a	n/a	n/a		n/a	n/a

V. MATTERS REQUIRING CLARIFICATION OR ADDITIONAL CONSIDERATION BEFORE A PUBLIC HEARING

Consistency with the PUD Regulations and the Intent of the Original PUD

The applicant has requested permission to convert the southern tower from office to residential use without returning to the Commission, as long as the southern tower retains the same exterior design regardless of use. Subtitle I § 703.6 notes a change in use as an example of what would require an application for a modification of significance. The applicant should address why it would not consider such a change from office to residential to be a modification of significance, and why it would be acceptable to retain the same exterior building design for such significantly different uses.

The applicant should discuss how the all-residential alternative will remain consistent with the intent of the original PUD to be a mixed use project. .

Additional Zoning Information Required:

- A Zoning Administrator determination that the design proposed for the alternative with a residential tower and an office tower would qualify as a single building for the purposes of height measurements;
- The Rear Yard that will be provided, or the relief to be requested;
- The Number of short term bicycle spaces provided, or the relief to be requested;
- Location and setback of rooftop guardrails, if any;
- How the affordable housing requirements pertaining to occupiable penthouse space will be satisfied.

Transportation, Parking and Loading

Exhibit 2G Sheets C 601A through C 602B contain loading and circulations diagrams. Although significant use changes from the approved PUD are requested, the applicant has provided no assessment of the proposed new uses’ transportation impacts or what transportation demand management measures may be required. The original PUD’s decade-old transportation analysis will need to be updated in

consultation the District Department of Transportation (DDOT) and provided in a timely manner for evaluation by DDOT, the ANC and community groups.

The applicant should address why the loading relief noted in Table 2, above, has been requested.

Design

The drawings and illustrations are generally sufficient for setdown, but will need additional detail before the hearing. Of particular interest are:

The Florida Avenue Ground Floor: The retail frontage needs to be shown at a larger scale, with proposed signage, colors, and public space treatments;

The “townhouse-type unit” elevations: The illustration on Sheet A-309 indicate the facades will be attractive, but detail is needed on “yards”, fencing, landscaping and the relationship to the Metropolitan Branch Trail;

New York Avenue Ground Floor Enhancements: With new residential development increasing northeast of the applicant’s site, pedestrian traffic on the New York Avenue viaduct is increasing. The applicant should consider enhancements to the design, landscaping or uses of the ground floor and public space adjacent to the viaduct’s sidewalk in order to enhance the pedestrian experience in this area.

Amount of Design Flexibility Requested: The applicant should provide justification for the requested flexibility to develop the southern tower for residential uses without also submitting a new façade design for Commission review that would reflect the tower’s use as a residential, rather than a commercial, structure;

Details and Samples of Specified Materials: These are needed.

Sustainability

The applicant proposes to develop the northern residential tower to LEED Silver standards and the southern office tower to LEED Gold standards. The applicant should explain why it is not proposing to develop both towers, under either alternative, to a LEED Gold standard, and whether the buildings would be LEED-eligible or LEED-certified. The Office of Planning and the Department of Energy and Environment strongly support LEED Gold for the south tower regardless of use.

Proffers

Bicycle Lobby: This is a previously approved proffer. The applicant should specify the hours during which each entrance of the bicycle lobby would be open to the public, and should provide details on the staffing, information and potential services that would keep the facility an active and safe environment.