

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING



Office of the Director

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MEMORANDUM

TO: D. C. Zoning Commission
FROM: Jennifer Steingasser, Deputy Director
DATE: January 24, 2008

SUBJECT: Hearing Report on Zoning Commission Case Number 05-15A Requesting to Modify a Planned Unit Development on Property Known as 318 I Street, N.E (Square 775 Lot 50)

APPLICATION

Broadway I Associates LLC, the applicant, requests consolidated Zoning Commission review and approval of a modification to the existing Planned Unit Development (PUD) at 318 I Street, NE (Zoning Commission Order 05-15).

RECOMMENDATION

The Office of Planning (OP) concludes the proposed benefits and amenities exceed the requested flexibility, and recommends approval of the proposed modification. This recommendation is predicated on the following information being added to the public record prior to proposed action by the Commission:

- A breakdown showing the total floor area of affordable one and two bedroom units, and confirm that these percentages mirror the ratio of one and two bedroom units in the overall project;
- A copy of a Leadership in Environmental Engineering and Design (LEED) checklist with the various project elements;
- Signed agreements to participate in the Department of Employment Services' First Source Employment and Minority Business Opportunity Commission ("MBOC") Programs; and
- Documentation explaining how the \$25,000 grant from applicant to Advisory Neighborhood Commission 6C would be used and when it would be provided.

ZONING COMMISSION
District of Columbia
CASE NO. 05-15A
EXHIBIT NO. 24

BACKGROUND

During a Zoning Commission meeting on September 10, 2007, the Commission and Office of Planning raised several issues needing further examination including:

- **Building Architecture:** Questions were raised about the abrupt transition in building height between the proposed building and the adjacent dwellings along 4th Street NE, and why the increased building height is necessary;
- **Affordable Housing:** Specifics about the size, type (1, 2, and 3 bedroom), and location of the affordable rental units and how these units would be classified according to HUD affordability standards;
- **Environmental Impacts:** Consideration of additional environmental benefits such as engineering the building design and systems to qualify for Leadership in Energy and Environmental Design (LEED) certification; and
- **Streetscape Improvements:** Specifics about whether proposed I Street streetscape and alley improvements are acceptable to the District of Department of Transportation.

Applicant responses are summarized under the Benefits and Amenities section below.

SITE AND AREA DESCRIPTION

The subject development, Lot 50 on Square 775, is located immediately northeast of the I Street intersection with 4th Street, NE. According to District Land Records the property totals 28,311 square feet (0.65 acre). The site is developed with a one-two story industrial building formerly occupied by Uptown Bakers and is within a Community Business Center (C-2-B) zone district (please refer to Exhibit 1). The paved parking area around the building for the associated vehicles is surrounded by metal chain link fence. The abutting public alley along the western boundary is 15-feet wide and extends between I and K Streets, NE. Surrounding development consists primarily of two-story row dwellings with two to four-story office buildings to the west (refer to Exhibit 2).

PROJECT

In response to changes in the residential housing market since this PUD was approved, the applicant now wishes to construct a rental apartment development. To that end this application proposes to:

- Increase the unit count from 125-140 for-sale apartments to 160-180 rental units;
- Develop smaller apartment units with less depth;
- Increase the building height from 65 feet to 70 feet and depress the ground level to add an eighth floor;
- Reduce the lot occupancy percentage from 85% to 80%; and
- Change the vehicle parking on-site from a ratio of one-to-one, to between 140-180 spaces (approximately 0.9-to-1.0)

ZONING REVIEW

The C-2-B zoning district allows a maximum 3.5 FAR for residential uses as a matter-of-right, a maximum lot occupancy percentage of 80% and maximum height of 65 feet. The current PUD increased the allowable bulk and height to a maximum 6.0 FAR for residential uses and 90 feet, respectively while continuing the maximum 80% lot occupancy percentage. This project is also subject to the following provisions of the Zoning Regulations.

| Standard | C-2-B PUD Requirement | Approved Project | Proposed Modification | Required Relief |
|--------------------------------|--|--|--|-----------------|
| Min. Area for PUD | 15,000 s.f. | 28,311 s.f. | 28,311 s.f. | None |
| Height | 90 feet unlimited stories | 65 feet 7 stories | 70 feet 8 stories | None |
| Floor Area Ratio (residential) | 6.0 FAR (max.) (169,860 s.f.) | 160,000 s.f. 140 units/5.65 FAR | 160,000 s.f. 180 units ¹ /5.65 FAR | None |
| PUD bonus density | -- | 60,869 s.f. | 60,869 s.f. ² | -- |
| Affordable Housing | -- | 9,120 s.f. (12 units) (15% of bonus density) | 9,120 s.f. (13 units ³) | -- |
| Side Yard | None | None | None | None |
| Rear Yard | 15 feet | Less than 15 feet | More than 15 feet | None |
| Lot Occupancy | 80% | 85% | 80% | None |
| Penthouse Height | 18.5 feet | 18.5 feet | 18.5 feet | None |
| Loading/Service | 1 berth @ 55 ft. deep 1 platform 200 sq. ft. 1 service sp. 20 ft. deep | 1 berth @ 55 ft. deep 1 platform 200 sq. ft. 1 service sp. 20 ft. deep | 1 berth @ 55 ft. deep 1 platform 200 sq. ft. 1 service sp. 20 ft. deep | None |
| Open Court | 4 in./vertical ft., not less than 15 ft. | 15+ feet | 15+ feet | None |
| Parking (on-site) | 1 space/3 units (0.33) | 140 spaces (1 space per unit) + 12 visitor spaces | 140+ spaces (0.78-1.0 space per) + 12 visitor spaces | None |
| Penthouse Height | 18.5 feet | 18.5 feet | 18.5 feet | None |

While reducing the depth of the proposed apartment units brought the building lot occupancy percentage into conformance, this proposal appears to include: multiple roof structures of different heights that require relief from § 711.1 (per §§ 411.3 and 411.5) that is allowed by special exception under § 411.11. The applicant also previously requested relief from § 2115.2 to allow more than 40% of the vehicle spaces to be compact in order to accommodate 12 visitor spaces requested by the community for occasional use in the below-grade garage (all 60 required parking spaces would meet regulation size requirements) and drive aisles less than the minimum width of 20 feet required per § 2117.5. Widths of some portions of the garage drive aisle would be reduced to 17 feet 9 inches when the referenced visitor spaces are in use. So although the standards established as a result of the PUD approval would generally accommodate this modification, additional zoning relief is still required.

¹ Maximum proposed unit counts

² 5.65 FAR (proposed under PUD) – 3.5 FAR (allowed under matter-of-right) x 28,311 s.f. (site square footage)

³ Increase appears to be the result of smaller unit floor areas

In response to community comments, building architecture was further modified to return to entirely masonry facades with changes to window and mullion patterns, and the use of different brick patterns with deeper, richer colors of masonry. The parking garage would still open onto a paved courtyard accessed from the adjacent public alley although the garage ramp would now be open to the sky. Plans also include a pedestrian buffer area between the public alley from I Street and the building as requested by the District Department of Transportation (DDOT). Otherwise the project continues to comply with the PUD requirements under Chapter 24, and the applicant has agreed to adhere to all existing approval conditions summarized in Exhibit 2. Note that in response to DDOT comments, proposed alley pavers will be replaced with asphalt paving.

With reference to the evaluation standards under § 2403:

- *The impact of the project on the surrounding area and upon the operation of city services and facilities shall not be found to be unacceptable, but shall instead be found to be either favorable, capable of being mitigated, or acceptable given the quality of public benefits in the project.*

The environmental analysis provided in the application concludes the impact of this residential development can be accommodated by existing public utilities. The updated transportation analysis prepared by Wells & Associates in August 2007 indicates the proposed modification would generate 11 additional vehicle trips during the AM peak hour and 20 additional trips during the PM peak hour, and concluded the project would continue to "... have negligible additional impact on traffic operations in the study area"

Regarding evaluation criteria under Section 2400 of the Zoning Regulations, the overall amenity package remains the same. This application continues to list the primary amenities of the proposal as urban design; (superior) architecture and streetscape improvements; housing (instead of home ownership) opportunities and nearly 10,000 square feet of affordable rental housing opportunities; site planning of this former industrial site, effective and safe vehicular and pedestrian access; employment and training opportunities through Department of Employment Services' First Source Employment Program and Minority Business Opportunity Commission agreements; and a \$25,000 grant the ANC for a community organization of its choice

FLEXIBILITY REQUESTED

The approved PUD increased the allowable bulk and height to a maximum 6.0 FAR for residential uses and 90 feet, respectively while continuing the maximum 80% lot occupancy percentage. However the applicant still requires zoning relief to allow:

- more than 40% compact car spaces allowed under § 2115.2 to accommodate an additional 12 visitor spaces for occasional use in the below-grade garage (all 60 *required* parking spaces would meet regulation size requirements);
- drive aisles less than minimum 20 feet required per § 2117.5 since the widths of some portions of the garage drive aisle would be reduced to 17 feet 9 inches when visitor spaces are in use; and
- multiple roof structures of different heights not allowed per § 711.1.

BENEFITS AND AMENITIES

- *Public benefits are superior features of a proposed planned unit development that benefit the surrounding neighborhood or the public in general to a significantly greater extent than would likely result from development of the site under the matter of right provisions of this title.*

The principal public benefits of this PUD would be the density of new rental housing opportunities (180 residential units) including 13 units that would be affordable to households earning 80% of the area Average Median Income (AMI) that might not otherwise be included in a market-rate residential development, and the effective widening and physical improvement of the adjacent public alley and streetscape. Since the proposed pavers in the alley have been changed to asphalt pavement, OP thinks the quality of this amenity package would be enhanced by surface improvements have

OP requested more specific information about the (now) affordable rental opportunities, and continues to request a breakdown showing the total floor area of affordable one and two bedroom units, and confirm that these percentages mirror the ratio of one and two bedroom units overall project. Besides provision of housing and affordable housing:

- proposed building design would also create a significant architectural statement on the site and in the neighborhood; and
- alley and streetscape improvements and the planned courtyard area.

- *Public benefits and project amenities of the proposed PUD may be exhibited and documented in any of the following, or additional, categories:*

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

As described in the Pre-Hearing Statement, “The massing of the building, the façade, and (window) bays will create a richness of expression appropriate for this neighborhood.” As revised, the building architecture has been changes in response to community concerns and continues to exhibit consistent attention to detail such that the overall design quality remains consistent. For the future residents, the rooftop garden and pool provide a fine example of multipurpose outdoor recreation space. The redesigned landscaped courtyard and seating provides another ground level amenity to would benefit residents and neighbors, and the proposed streetscape reflects the district current thinking and sets a standard for future developments in the vicinity of H Street.

Staff also notes that the use of masonry as prominent building construction and alley pavement material, and the darker colors reflected in revised elevations will reinforce link this new building to the buildings in the area, both residential and nonresidential *Implementing similar streetscape improvements along the opposite*

frontage of 4th Street, NE would also add to the attractiveness of this area to benefit the neighboring properties.

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

The desired increase in unit density is achieved by depressing the first floor and the addition of five feet to the building height to accommodate an eighth floor of apartments. These ends are accomplished without appreciable increasing the building height and exacerbating community concerns about the impact of taller buildings on the neighborhood.

A review of the detailed elevations shows how construction to the street frontage would be consistent with other buildings on the square and in the community. As a result, increased residential density would be accomplished while garage traffic ingress/egress, loading and deliveries continue to be accommodated in the adjacent alley that doubles as an attractive green area suitable for passive recreation.

Based on the supplemental studies to those provided in the Pre-hearing Statement, the impact of shadows cast by the modified structure on 4th Street residences north of the site would be slightly reduced

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

The Pre-hearing Statement indicates this site is 10 minutes from Union Station and the associated Washington Metropolitan Area Transit Authority (WMATA) underground rail station. The property is also one square from H Street that is served by several bus transit routes. In response to a request from DDOT the applicant modified plans in the Pre-Hearing Statement to set back the western building façade on the ground level to create a 20-foot wide drive aisle for the existing alley. The previous referenced Traffic Impact Study the project would continue to "... have negligible additional impact on traffic operations in the study area "

With regards to pedestrian circulation along the alley, the modified plans show the northern façade of the garage ramp removed to allow better visibility north along the alley, reducing pedestrian/vehicular conflicts

DDOT was requested to confirm these findings. In a response dated August 8, 2005, the agency expressed no objection to the findings but noted the planned entrance exceeds the maximum allowable curb-cut width of 25 feet. DDOT directed that the site plan be modified to provide a pedestrian walkway (buffer) at least 6 feet wide between the alley and proposed garage entrance to address this problem. Current plans include this pedestrian walkway. A Pre-Development Review Meeting (PDRM) conducted by DDOT modified and approved the proposed streetscape improvements and alley improvements. Note that as a result

of this process, proposed alley pavement improvements have been changed to standard DDOT asphalt pavers.

The proposed 140 vehicle spaces for 180 apartments, and 12 visitor spaces, are significantly more than the approximately 60 spaces required under the regulations. However to allay community concerns about the requested parking reduction and in light of the reduced level of alley improvements, OP recommends that the applicant:

- provide complimentary SmartTrip cards to tenants upon moving in and for the subsequent three-month period; and
- streetscape improvements equivalent to those proposed onsite along the opposite (eastern) frontage of 4th Street, NE.

This would represent a significant addition to amenities and benefits currently provided under this PUD. *Combined with over double the required amount of onsite parking and guest parking, staff thinks the anticipated traffic impacts are acceptable given the other benefits to this neighborhood.*

(e) Employment and training opportunities;

The applicant has included draft agreements to participate in the Department of Employment Services' First Source Employment and Minority Business Opportunity Commission ("MBOC") Program. OP continues to recommend that signed agreements be added to the public record prior to proposed action.

(f) Housing and affordable housing;

This proposal would provide 180 residential units and approximately 9,120 square feet and 13 units of affordable housing units. *OP considers this to be a significant benefit.*

(g) Social services/facilities;

No specific social services or facilities are associated with this development.

(h) Environmental benefits, such as storm water runoff controls and preservation of open space or trees;

Current storm water management controls would be maintained on the subject property, the impervious surface of the alley improved, and the applicant would add significant landscaping along I and 4th Street frontages of the site and adjacent to the existing alley.

In the supplement to the Pre-Hearing statement, the applicant documented that the environmentally sensitive standards and systems that would be implemented in development would add up to 23-28 point under Leadership in Energy and

Environmental Design (LEED) standards. *OP again requests a tabulation of the points various project elements would be eligible for under the LEED rating system.*

- (i) *Uses of special value to the neighborhood or the District of Columbia as a whole;* Replacing the existing and long-standing industrial building with up to 180 residential units including affordable housing opportunities with a distinctive architectural design is of value to this site, the neighborhood and the District.
- (j) *Other public benefits and project amenities and other ways in which the proposed planned unit development substantially advances the major themes and other policies and objectives of any of the elements of the Comprehensive Plan.* The applicant has agreed to grant \$25,000 to the ANC for a community organization of its choice.

In summary, OP finds that the relative value of the project amenities and public benefits offered is greater than the degree of zoning relief requested or anticipated impact of granting the requested relief.

COMPREHENSIVE PLAN

The Generalized Land Use Map designates the subject property for Moderate Density Commercial land use characterized by retail, office and services businesses, and Moderate Density Residential land use characterized by row houses and garden apartments as predominant uses. The underlying C-2-B zone district is designated a moderate-to-medium density mixed-use zone district. The modification also furthers several other Comprehensive Plan themes and policies:

- With regards to Citywide Policies:
 - Development Around Metrorail Stations (Policy LU-1 3.2) encourages: *“Concentrate redevelopment efforts on those Metrorail station areas which offer the greatest opportunities for infill development and growth, particularly stations in areas with weak market demand, or with large amounts of vacant or poorly utilized land in the vicinity of the station entrance. Ensure that development above and around such stations emphasizes land uses and building forms which minimize the necessity of automobile use and maximize transit ridership while reflecting the design capacity of each station and respecting the character and needs of the surrounding areas [306.11].”*
 - Infill Development (Policy LU-1.4.1), *“Encourage(s) infill development on vacant land within the city, particularly in areas where there are vacant lots that create ‘gaps’ in the urban fabric and detract from the character of a commercial or residential street. ... [307.4].”*
 - Residential Parking Requirements (Policy LU-2 1.11) seeks to, *“Ensure that parking requirements for residential buildings are responsive to the varying levels of demand associated with different unit types, unit sizes, and unit locations (including proximity*

to transit). Parking should be accommodated in a manner that maintains an attractive environment at the street level and minimizes interference with traffic flow. [309.15]"

- With regards to transportation, Action T-2 3-A, Bicycle Facilities encourages, "*Wherever feasible, require large new commercial and residential buildings to be designed with features such as secure bicycle parking and lockers, bike racks, shower facilities, and other amenities that accommodate bicycle users. [409.11]"*
- With regards to housing:
 - Expanding Housing Supply (Policy H-1.1), explains, "*Expanding the housing supply* is a key part of the District's vision to create successful neighborhoods. Along with improved transportation and shopping, better neighborhood schools and parks, preservation of historic resources, and improved design and identity, the production of housing is essential to the future of our neighborhoods. It is also a key to improving the city's fiscal health. The District will work to facilitate housing construction and rehabilitation through its planning, building, and housing programs, recognizing and responding to the needs of all segments of the community. *The first step toward meeting this goal is to ensure that an adequate supply of appropriately zoned land is available to meet expected housing needs [503.1].*" Specifically this policy highlights the need for:
 - Private Sector Support (Policy H-1.1.1) that, "*Encourage(s) the private sector to provide new housing to meet the needs of present and future District residents at locations consistent with District land use policies and objectives [503.2].*"
 - Balanced Growth (Policy H-1.1.3) that would, "*Strongly encourage the development of new housing on surplus, vacant and underutilized land in all parts of the city.* Ensure that a sufficient supply of land is planned and zoned to enable the city to meet its long-term housing needs, including the need for low- and moderate-density single family homes *as well as the need for higher-density housing [503.4].*"
 - Housing Quality (Policy H-1.1.5) that, "*Require(s) the design of affordable housing to meet the same high-quality architectural standards required of market-rate housing. Regardless of its affordability level, new or renovated housing should be indistinguishable from market rate housing in its exterior appearance and should address the need for open space and recreational amenities, and respect the design integrity of adjacent properties and the surrounding neighborhood [503.6].*"
 - Density Bonuses for Affordable Housing (Policy H-1.2.7) that, "*Provide zoning incentives to developers proposing to build low- and moderate-income housing. Affordable housing shall be considered a public benefit for the purposes of granting density bonuses when new development is proposed [504.14].*"

- Affordable Housing Production as a Civic Priority (Policy H-1.2.1) in order to, *“Establish the production of housing for low and moderate income households as a major civic priority, to be supported through public programs that stimulate affordable housing production and rehabilitation throughout the city [504.8].”*
- With regards to the environment:
 - Street Tree Planting and Maintenance (Policy E-1.1.1) says, *“Plant and maintain street trees in all parts of the city, particularly in areas where existing tree cover has been reduced over the last 30 years. ... [603.4].”*
 - Landscaping (Policy E-1.1.3) seeks to, *“Encourage the use of landscaping to beautify the city, enhance streets and public spaces, reduce stormwater runoff, and create a stronger sense of character and identity [603.7]. (emphasis added)*
- With regard to urban design, Creating Attractive Facades (Policy UD-2.2.5) supports designs that, *“Create visual interest through well-designed building facades, storefront windows, and attractive signage and lighting. Avoid monolithic or box -like building forms, or long blank walls which detract from the human quality of the street [910.12].”*
- With regard to the Capitol Hill Area Element.
 - Directing Growth (Policy CH-1.1.4) calls for, *“Directing growth in the Capitol Hill Planning Area to commercially zoned land, with a particular emphasis on the H Street/Benning Road corridor [1608 5]”*
 - Alley (Policy CH-1.1.7) says, *“Protect Capitol Hill’s system of historic alleys and develop plans for the use of large block interior spaces where appropriate [1608.8].”*
 - Conversion of Non-Residential Structures (Policy CH-1.1.9) says, *“Allow the conversion of obsolete or vacant nonresidential structures ... to housing, provided that important architectural resources are conserved and the resulting development is consistent with density in the surrounding area [1608 10]”*

The modified development would support these policies by:

- Increasing neighborhood stability by replacing a vacant and underutilized former industrial site with a residential project;
- Dramatically improving the streetscape with well-designed building facades and landscaping along 4th and I Street, NE;
- Providing sufficient vehicle parking resources onsite and bicycle parking facilities on two levels of the parking garage;

- Providing up to 180 new residential opportunities likely to simulate other residential development resulting in a more stable community of homeowners;
- Providing infill development and growth near a Metro rail station area thus the dependence on the automobile and supporting the revitalization for H Street; and
- Paying particular attention to the existing alley, making it an extension of the development through the use of paving materials and landscaping.

Smart Growth Assessment

This proposal would continue to support the following Smart Growth principles:

- Take Advantage of Compact Building Design: Providing land use flexibility that encourages compact development on this 0.65 acre property;
- Create Range of Housing Opportunities and Choices: Creating addition housing opportunities in a desirable location to live, work, worship and address daily needs (shopping for clothes, groceries, etc. along the H Street, NE corridor);
- Create Walkable Neighborhoods: Creating the potential for expanded housing and shopping opportunities near the multi-modal transportation hub at Union Station and the H Street commercial corridor;
- Strengthen and Direct Development Towards Existing Communities: Expanding development potential in an area already served by adequate infrastructure; and
- Make Development Decisions Predictable, Fair and Cost Effective: Increasing predictability by eliminating the possibility of an industrial use (vacant bakery) adjacent to a stable and developing residential community.

Based on this review, the primary benefits and amenities provided by the proposed modified project (architectural design, and provision of housing and affordable housing opportunities) would continue to be significantly greater than the relief required.

OP therefore concludes the proposed modifications are not inconsistent with Comprehensive Plan or the spirit of the original PUD order.

COMMUNITY COMMENT

According to the applicant, Advisory Neighborhood Council (ANC) 6C and Capitol Hill Restoration Society Zoning Committee have both recommended denial of this modification. It has been indicated that principal concerns were that the benefits and amenities currently offered are considered inadequate in light the change of use from homeownership to rental units, the increase in number, the reduction in the parking ratio, and the increase in height.

To date no official letters reflecting these decisions have been added to the record file.

AGENCY COMMENTS

As noted above, the District Department of Transportation conducted a Pre-Development Review Meeting (PDRM) and approved streetscape improvements proposed under this modification.

RECOMMENDATION

The Office of Planning (OP) concludes the proposed benefits and amenities exceed the requested flexibility, and recommends approval of the proposed modification. This recommendation is predicated on the following information being added to the public record prior to proposed action by the Commission:

- A breakdown showing the total floor area of affordable one and two bedroom units, and confirm that these percentages mirror the ratio of one and two bedroom units in the overall project;
- A copy of a Leadership in Environmental Engineering and Design (LEED) checklist with the various project elements;
- Signed agreements to participate in the Department of Employment Services' First Source Employment and Minority Business Opportunity Commission ("MBOC") Programs; and
- Documentation explaining how the \$25,000 grant from applicant to Advisory Neighborhood Commission 6C would be used and when it would be provided.

Attachments: Exhibit 1 Aerial with Zoning
Exhibit 2 Summary of Pertinent Approval Conditions of Order 5-15

JS/afj



**Zoning Commission Case No. 05-15A
318 I Street, N.E.**



This map was created for planning purposes from a variety of sources. It is neither a survey nor a legal document. Information provided by other agencies should be verified with them where appropriate. Oblique Imagery © Pictometry International

Legend

| | |
|------------------------------|-------------------------------------|
| Residential-Low Density | Institutional |
| Residential-Moderate Density | Federal |
| Residential-Medium Density | Local Public Facilities |
| Residential-High Density | Parks, Recreation, and Open Space |
| Commercial-Low Density | Production and Technical Employment |
| Commercial-Moderate Density | Water |
| Commercial-Medium Density | Mixed Use |
| Commercial-High Density | No Debs |
| | Trees |
| | Street Centerlines |
| | Property Squares |
| | Zoning Districts |

**Summary of Pertinent Approval Conditions of
Zoning Commission Order 05-15**

1. The approved PUD shall consist of an all-residential project that includes a minimum of 125 and a maximum of 140 residential units. There will be a minimum of one parking space for each residential unit. The entire project will include approximately 160,000 square feet of gross floor area resulting in a density of approximately 5.65 FAR. The new building will be 65 feet tall and the total lot occupancy of the project will be approximately 85%.
2. The Applicant is required to provide 12 non-sellable visitor spaces in the parking garage.
3. The project will include a minimum of approximately 9,120 square feet of gross floor area available for sale as affordable units to households having an income not exceeding 80% of Area Median Income for the Washington, DC Metropolitan Statistical Area (adjusted for family size), and consistent with the eligibility requirements and enforcement mechanisms enumerated in the District of Columbia's Department of Housing and Community Development's ("DHCD") guidelines and policies. To the extent that minor modifications are needed in the execution of this program to conform to District or Federal housing programs, the applicant will work with DHCD to make such changes comply with the same. The unit types and locations shall be as shown (in public record). Any changes to the proposed unit types and locations must be approved by OP and in no event shall the total amount of affordable housing be less than 9,120 square feet.
4. The Applicant shall enter into a First Source Employment Agreement with the Department of Employment Services.
5. The Applicant shall enter into a Memorandum of Understanding with the Office of Local Business Development in substantial conformance with the draft Memorandum of Understanding.
6. The Applicant shall have flexibility with the design of the PUD in the following areas (listed).
7. The consolidated PUD shall be valid for a period of two years from the effective date of this Order (July 21, 2006).
8. The Applicant shall contribute \$25,000 to the H Street Main Street program for use with the Ready to Work program as designated by ANC 6C. This contribution will fund Ready to Work's clean up efforts in the Capitol Hill Business Improvement District's boundaries and on H Street, N E H Street Main Street will be required to report to ANC 6C on the specific use of this contribution.