

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OFFICE OF THE ZONING ADMINISTRATOR**



January 2, 2013

Norman M. Glasgow, Jr.
Holland & Knight LLP
Steven E. Sher
Director of Zoning and Land Use Services
800 17th Street, N.W. - Suite 1100
Washington, DC 20006

Re: 200 K Street, N.W.

Gentlemen:

This is to follow-up on our discussion on Wednesday, December 5, 2012, also including Alan Cohen of ADC Builders and Colline Hernandez-Ayala of GTM Architects, concerning the above-referenced property, also known as Lot 67 in Square 749. The property is currently divided into three assessment and taxation lots. Lot 828, on the eastern side of the site, is improved with an apartment house known as 250 K Street, N.E. Lots 826 and 827, on the western side of the site, are vacant and are to be improved with an apartment house to be known as 200 K Street, N.E. A copy of the relevant plans discussed are attached hereto.

The property is a planned unit development approved by the Zoning Commission through the following Orders:

- No. 05-36 (dated April 20, 2006, effective October 13, 2006) granting consolidated approval to the 250 K Street building and first stage approval to the 200 K Street building;
- No. 05-36A (dated July 28, 2008, effective November 14, 2008) granting second stage approval to the 200 K Street building;
- No. 05-26B (dated July 14, 2008, effective November 14, 2008) granting a minor modification to the PUD to limit the use of portions of the central plaza;
- No. 05-36C (dated December 14, 2009, effective March 5, 2010) granting a minor modification regarding the affordable housing covenant;
- No. 05-36D (dated November 8, 2010, effective May 27, 2011) granting a two year extension of the time to file an application for a building permit for the 200 K Street building; and

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ZONING COMMISSION
District of Columbia
CASE NO.05-36C
EXHIBIT NO.14

- No. 05-36E (dated December 13, 2010, effective May 27, 2011) granting a minor modification to allow the 200 K Street building to be built in two phases and to reduce the parking requirement to 0.71 space per unit for the entire development.

The overall PUD approved a total of approximately 702 dwelling units, including 78 units reserved for affordable housing, with a total gross floor area of 850,000 square feet.

We reviewed certain changes to the plans, to determine whether what you have proposed is consistent with the plans approved by the Commission and the flexibility afforded under the Regulations and the Orders. The plans as approved and the proposed plans are attached.

The basic differences are in five parts:

- The approved access to the parking garage for the 200 K Street building is shown on Sheet A1.02a as a ramp from 2nd Street. The approved location of the loading berth is also on 2nd Street immediately north of the parking garage entrance. The vehicular access area is comprised of two 25 foot curb cuts with a 6 foot safety island in the between. The proposed plan, shown on the First Floor Plan, dated December 5, 2012, would "flip" the location of the parking ramp and the loading berth, with the same total width of the access area. The exterior façade, which had the appearance of two separate garage doors, will look the same. This is consistent with the flexibility granted in Condition No. 1a of Order No. 05-36A, which allows the applicant to "vary the location and design of all interior components ... provided that the variations do not change the exterior configuration of the building."
- The approved first floor plan shows three live-work units at the southwest corner of the building and shows an indoor pool and related pool storage on the northeast corner of the building. The proposed first floor plan replaces the pool with additional residential units and replaces the live-work units with ancillary residential space, which will include lounges, meeting rooms, recreation rooms and other services for the residents. The approved second floor plan, Sheet A1.03a, shows the upper level of the pool area and the upper level of the live-work units. The proposed second floor plan inserts four units in place of the pool and three regular units in place of the three live-work units, where the open area above the pool existed and where the 2nd floor of the live-work units existed respectively, for a net increase of four units. The proposed third floor plan inserts four units in place of pool where the open upper level above the pool existed. These and other interior changes to the floor plans result in the total number of units proposed for the 200 K Street building ranging between 500 and 525 units, and increased the gross floor area of the building by approximately 7,304 square feet, as permitted by the flexibility granted in Condition No. 1e of Order No. 05-36A and for the increased FAR pursuant to Section 2409. The interior rearrangement is consistent with the flexibility granted in Condition No. 1a of Order No. 05-36A, cited above.

- The 200 K Street and 250 K Street buildings were connected through a common hallway and stairwell at the second, third and fourth floors, as shown on Sheets A1.03a, A1.04a and A1.05a. Under the proposed Second Floor Plan, dated December 5, 2012, there would be an interior connection only at the second floor level and arranged so that both buildings would have a corridor leading into a common stairwell. The interior rearrangement is consistent with the flexibility granted in Condition No. 1a of Order No. 05-36A, cited above.
- The pool which had been an indoor pool on the first floor is now proposed to be located on the southwest corner of the roof. It would meet all the appropriate height and setback requirements. The approved roof plan (Sheet A1.13a) shows a green roof totaling 16,000 square feet in area. With the revised plan, there would still be a total of at least 16,000 square feet. The approved roof plan shows four separate roof structures, some of which did not meet the setback requirements, consistent with Findings of Fact No. 32 and 33 of Order No. 05-36A. The proposed roof plan continues to show four roof structures, all of which would meet the setback requirements. Since there would be the same number of roof structures and the changes go more in the direction of compliance with the Regulations, I conclude that the proposed plan is appropriate.
- The parking garages for the two buildings were shown as connected below grade at the lowest level. It is now proposed that the garages will be separate for each building. The total number of parking spaces to be provided will be no less than 0.71 space per unit, as allowed and required by Condition No. 2 of Order No. 05-36E.

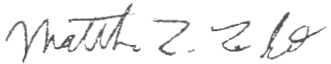
I conclude that all of the changes described above are minor modifications which are minimal deviations from the approved plans. All achieve the flexibility of design provided to the Zoning Administrator under the Regulations and specifically in the Commission's Orders. Accordingly, I conclude that construction as you have proposed above would be consistent with the overall PUD approval.

The Applicant should be aware that this application may be subject to Public Space Committee and/or Public Space permitting approval. Prior to the rendering of such a decision by the Public Space Committee or other administrative body, the District Department of Transportation (DDOT) will be asked to assess the impact of the proposed project on the District's transportation network. In order to complete its review and provide a recommendation, DDOT may require some form of a transportation analysis. This may include the completion of a Transportation Impact Study, Comprehensive Transportation Review, Transportation Demand Management (TDM) plan, and/or a Construction Management Plan/Maintenance of Traffic Plan. These materials should be provided to DDOT before any Preliminary Design Review Meeting is scheduled. The Applicant should contact DDOT in order to determine what materials, if any, are needed for DDOT to complete its transportation impact assessment.

January 2, 2013

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Please let me know if I may be of further assistance.

Sincerely, 
Matthew Le Grant
Zoning Administrator

Attachment -Plan Set Showing Changes

cc: Sharon Schellin, Secretary to the Zoning Commission

File: Det Let re 200-250 K St NW to Glasgow 1-2-13



PHASE 2: FIRST FLOOR DATA		TOTAL UNITS THIS FLOOR: 3	SF
	TOTAL RESIDENTIAL		2,769
	TOTAL ANCILLARY RESIDENTIAL USE		5,785
	TOTAL RETAIL USE (INCLUDES DAYCARE)		8,845
	TOTAL CORE/SERVICE AREA (INCLUDES ADMINISTRATIVE, ELEVATORS, STAIRWELLS, CORRIDOR, TRASH, UTILITY, SERVICE & LOADING AREAS)		18,897
TOTAL FLOOR GSF			33,976

NOTE:

1. THE INTERIOR LAYOUTS SHOWN ON THE BUILDING PLANS ARE SCHEMATIC. CHANGES TO THE LAYOUTS, NOT AFFECTING THE EXTERIOR ENVELOPE OR THE SQUARE FOOTAGE DISTRIBUTION MAY OCCUR.

2. FOR PURPOSES OF COUNTING F.A.R.:
GROSS FLOOR AREA DOES NOT INCLUDE: 1) BAYS PROJECTING OVER PROPERTY LINE AND 2) PARKING ACCESS RAMPS.

1"=20'-0"

1 FIRST FLOOR PLAN
SCALE: 1"=20'

GTH
700 OLD BROADWAY ROAD
SUITE 200
BOSTON, MA 02204
(617) 552-1000
(617) 552-1001 FAX

CAS
ENGINEERING
ONE WASHINGTON STREET
SUITE 200
BOSTON, MA 02204
(617) 552-1000
(617) 552-1001 FAX

Holland-Knight
LLP

CONIX
COMPANIES

UNION PLACE - PHASE II
FIRST FLOOR PLAN

REVISIONS:

01-11-08	
04-28-08	
05-16-08	
08-02-08	

SCALE:

DRAWN BY: KAUCHP
CHECKED BY: RUOCHA
SCALE: AS NOTED
DATE: 08-02-08
PROJECT NO: 08.0015
DRAWING NO:

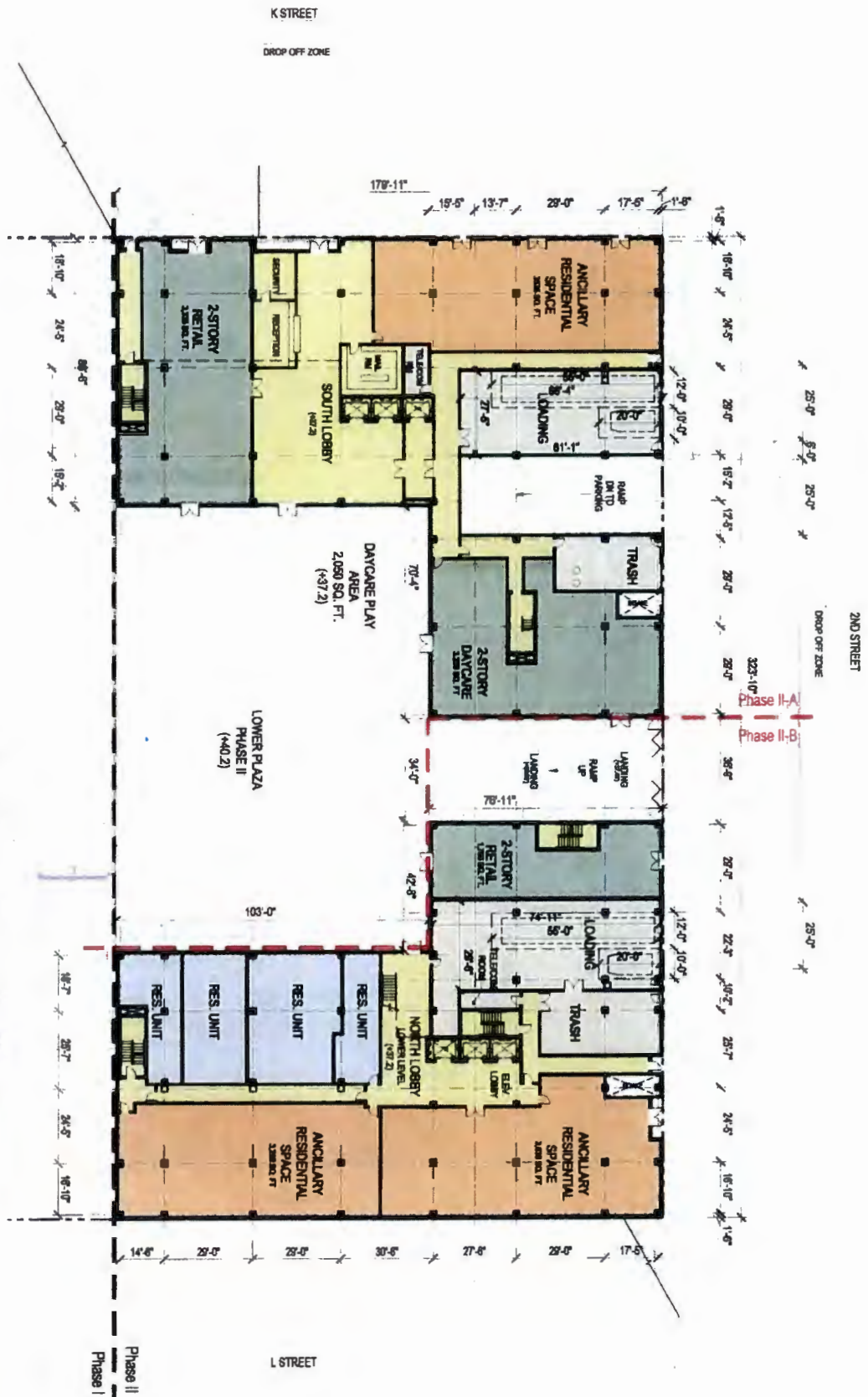
A1.02a

UNION PLACE PHASE II - PROPOSED DESIGN REVISIONS

WASHINGTON, DC PROJECT #06.0245 12-05-12

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PHASE 2, SECOND FLOOR DATA		TOTAL UNIT THIS FLOOR	SF
	TOTAL RESIDENTIAL	4,304	
	INCLUDES UPPER LEVEL OF LIVING UNIT	7,563	
	TOTAL ANCILLARY RESIDENTIAL USE	5,156	
	TOTAL RETAIL USE	7,512	
	TOTAL CORE/SERVICE AREA	24,535	
	INCLUDES ELEVATOR, STAIRWELL, CORRIDOR, TRUNK, UTILITY & SERVICE AREAS		

NOTE:
 1. THE INTERIOR LAYOUTS SHOWN ON THE BUILDING PLANS ARE SEPARATE, CHANGED TO THE LAYOUT, NOT AFFECTING THE EXTERIOR ENVELOPE OR THE SQUARE FOOTAGE DISTRIBUTION MAY OCCUR.
 2. FOR PURPOSES OF COUNTING P.A.U. GROSS FLOOR AREA DOES NOT INCLUDE: (1) BAYS PROJECTING OVER PROPERTY LINE AND (2) PARKING ACCESS TUNNELS.

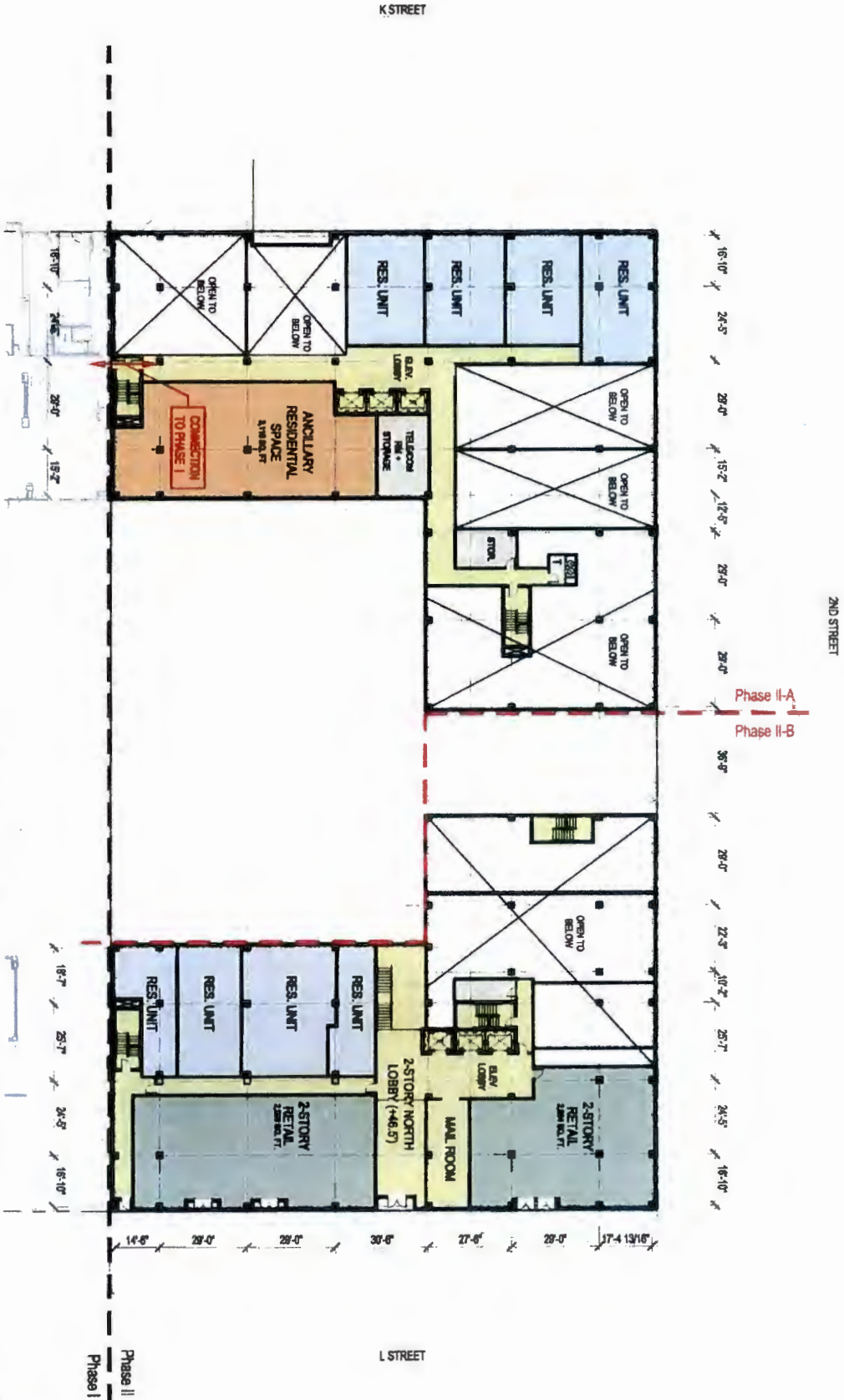


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UNION PLACE PHASE II - PROPOSED DESIGN REVISIONS

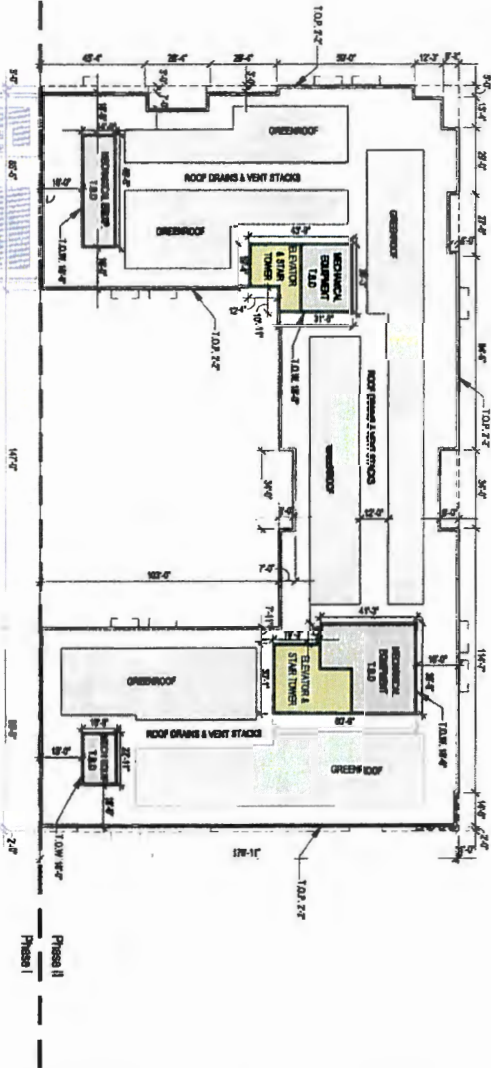
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PHASE 2: ROOF PLAN DATA	
TOTAL COVERED AREA	SF
INCLUDES ELEVATOR, MECHANICAL, & SERVICE AREAS	4,480
TOTAL FLOOR GSF	4,480
TOTAL GREEN ROOF	16,000

NOTE:
1. SEE SHEET 1A FOR GREEN ROOF PLANT LIST.
2. THE ENTIRE LAYOUT SHOWN ON THE BUILDING PLAN AND SCHEMATIC CHANGES TO THE LAYOUT, NOT AFFECTING THE EXTERIOR ENVELOPE OR THE SQUARE FOOTAGE DISTRIBUTION MAY OCCUR.



Holland-Knight
LLP

CONEN
COMPANIES

UNION PLACE - PHASE II
ROOF PLAN

DESIGNED BY: KACAP
CHECKED BY: NACCH
SCALE: AS NOTED
DATE: 08-08-08
PROJECT: BUILDING

DATE: 08-08-08
PROJECT: BUILDING

DATE: 08-08-08
PROJECT: BUILDING

DATE: 08-08-08
PROJECT: BUILDING

WASHINGTON, DC PROJECT #08.0245 12-05-12

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