

1600 North Capitol Street

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**STATEMENT
OF THE APPLICANT
TO THE
DISTRICT OF COLUMBIA ZONING COMMISSION
FOR A
CONSOLIDATED PLANNED UNIT DEVELOPMENT
AND
ZONING MAP AMENDMENT**

February 2, 2006

ZONING COMMISSION

CASE No. 06-04

EXHIBIT No. 2

ZONING COMMISSION
District of Columbia
CASE NO.06-04
EXHIBIT NO.2

PREFACE

This statement and attached documents is submitted by Florida & Q Street, LLC (the "Applicant") in support of its application for consolidated approval of a planned unit development in conformity with Chapter 24 of the District of Columbia Zoning Regulations and related Zoning Map Amendment before the Zoning Commission for the District of Columbia. The subject property is located at the intersection of two major arterial streets at the corner of Florida Avenue, N.W. and North Capitol Street. More specifically, the property is located along the north side of Q Street and Florida Avenue, N.W. and the west side of North Capitol Street and is located only 2200 feet from the recently opened New York Avenue Metro Station. The subject property consists of Lot 48 in Square 3100. The property is zoned C-2-A and is proposed to be rezoned to C-2-B as part of this PUD Application. The Applicant is seeking PUD approval under the C-2-B District in order to construct a mixed use development. The project site is designated by the Comprehensive Plan as low density commercial. According to the Land Use Policies Map, the property is located in a local neighborhood commercial center and is located diagonally across the intersection from the Northeast No. 1 / Eckington Yards Special Treatment Area.

As set forth below, this statement and the attached documents meet the filing requirements for a PUD application under Chapter 24 of the District of Columbia Zoning Regulations.

DEVELOPMENT TEAM

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TABLE OF CONTENTS

	<u>Page</u>
I. INTRODUCTION	1
A. Summary of the Project	1
B. The Applicant.....	2
II. PROJECT DESCRIPTION	2
A. Site Location and Description	3
1. The Site.....	3
2. Land Use and Zoning of Surrounding Area	3
B. Project Design	4
1. Design Approach.....	5
C. Matter of Right Development Under Existing Zoning	9
D. Matter of Right Development Under Proposed Zoning.....	9
E. Tabulation of Development Data	10
F. Flexibility Under the PUD Guidelines.....	11
III. THE PROJECT MEETS THE STANDARDS OF THE ZONING REGULATIONS AND PUD REQUIREMENTS	12
A. PUD Process is Appropriate Mechanism for the Project	12
B. PUD Requirements Under Chapter 24 of the Zoning Regulations.....	13
1. Area Requirements Under Section 2401.1(c).....	13
2. Height and FAR Requirements Under Sections 2405.1 and 2405.2	13
3. Impacts of the Project Under Section 2403.3.....	13
4. Not Inconsistent with Comprehensive Plan Under Section 2403.4.....	14
C. Public Benefits and Project Amenities.....	15
1. Urban Design, Architecture, Landscaping and Open Space (Section 2403.9(a))	16
2. Site Planning and Efficient Economical Land Utilization (Section 2403.9(b))	16
3. Transportation Features (Section 2403.9(c))	18
4. Special Value to the Neighborhood (Section 2403.9(i))	18
5. Housing (Section 2403.9(f)).....	20
6. Other Public Benefits and Project Amenities (Section 2403.9(j)).....	21
IV. COMPLIANCE WITH COMPREHENSIVE PLAN	21
A. Compliance with Major Themes.....	22
B. Compliance with Major Elements.	23
1. Economic Development Element.....	23
2. Environmental Protection Element.....	24

3.	Housing Element.....	25
4.	Transportation Element.	26
5.	Urban Design Element.	26
6.	Land Use Element.....	28
7.	Generalized Land Use Maps.....	28
C.	Compliance with Major Elements of the Ward 5 Plan.....	29
1.	Ward 5 Economic Development.....	29
2.	Ward 5 Housing.....	30
3.	Ward 5 Transportation	30
4.	Ward 5 Urban Design Element	30
5.	Ward 5 Land Use Element	31
V. AREAS OF FLEXIBILITY		32
VI. CONCLUSION		32

LIST OF EXHIBITS

<u>Description</u>	<u>Exhibit</u>
Architectural Plans and Drawings, including: Tabulation of Development Data Existing Survey Utility Plan Sediment and Erosion Plan Estimated Quantities of Potable Water, Sanitary Sewage, and Storm Water Run-off Detailed Landscaping and Grading Plan Circulation Plan	A
Completed Zoning Commission Application Forms: PUD Application (Form 5) Map Amendment (Form 1)	B
Zoning Map and Real Estate Maps	C
Building Plat	D
Economic Analysis	E
Notice of Intent to File, Certificate of Service, and List of Property Owners within 200 Feet of Project	F

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**I.
INTRODUCTION**

This statement and the attached documents support the application of Florida & Q Street, LLC (the "Applicant") to the Zoning Commission for the District of Columbia (the "Commission") for the consolidated review and one-step approval of a Planned Unit Development ("PUD") and related Zoning Map Amendment. The proposed PUD contemplates the construction of a mixed use development to be located on property between North Capitol Street, Truxton Circle, Florida Avenue, and Q Street, N.W., consisting of Lot 48 in Square 3100 (the "Site" or "the Property"). The Site, which contains a land area of 18,984 square feet, is currently vacant and unimproved. The Site is currently zoned C-2-A. The Site is located within 2,200 feet of the New York Avenue Metro station and is located at a major intersection on the corner along the north side of Q Street and Florida Avenue, N.W. and the west side of North Capitol Street. Located diagonally across the intersection from the Site is the Northeast No. 1 / Eckington Yards Special Treatment Area. The Applicant seeks an amendment to the Zoning Map to rezone the Site to the C-2-B District. The requested zoning change is fully consistent with the District of Columbia Comprehensive Plan ("Comprehensive Plan").

A. Summary of the Project

The proposed PUD contemplates the construction of a mixed use development having a combined gross floor area of approximately 85,428 square feet, and two levels of underground parking ("1600 North Capitol Street" or the "Project"). Approximately 81,428 square feet will be residential providing between 65-85

dwelling units and 1,030 square feet of gross floor area will be devoted to neighborhood serving retail and service uses (a total of 4,970 square feet will be provided for retail use in the cellar). The Project will have an approximate FAR of 4.5 and a maximum building height of approximately seventy-nine feet at the corner of North Capitol Street and Florida Avenue, with substantial setbacks at the sixty-five foot level on all street fronts. The required parking under the Zoning Regulations is approximately 26 parking spaces. The Project will provide 84 parking spaces. Access to the parking garage and the loading dock area will be from Florida Avenue.

B. The Applicant

Florida & Q Street, LLC, as the current property owner, submits this PUD application for the development of the Project. Eyob "Joe" Mamo, the managing member of the LLC, has been in business and active in the development community in the District for more than twenty years.

**II.
PROJECT DESCRIPTION**

The Project proposes a new mixed use development. The proposed building consists of ground floor retail with residential use on the floors above. Underground parking will provide 84 parking spaces.

The main entrance to the residential building will be located at the corner of Florida and North Capitol Street. There will be separate entrances to the retail uses. The entrance to the parking garage and loading facilities will be located off Florida Avenue.

A. Site Location and Description

1. The Site

The Site consists of Lot 48, in Square 3100. The Site is located at a major intersection on the corner along the north side of Q Street and Florida Avenue, N.W. and the west side of North Capitol Street. The property extends approximately 150 feet north along North Capitol Street.

The Site is located approximately 2200 feet from the entrance to the New York Avenue Metrorail Station. North Capitol Street and Florida Avenue are major through streets with six (6) Metrobus routes. The Generalized Land Use Map of the Comprehensive Plan designates the Site as low density commercial, and the Policies Map designates it as a local neighborhood commercial center. According to the Policies Map, the Site is located diagonally across the intersection from the Northeast No. 1 / Eckington Yards Special Treatment Area.

The total land area of the Site is approximately 18,984 square feet (subject to survey).

2. Land Use and Zoning of Surrounding Area

1600 North Capitol Street is prominently located at a major intersection along the eastern edge of the Florida Avenue commercial corridor and North Capitol Street. The Site is currently zoned C-2-A. The Site is proposed to be rezoned to C-2-B under the PUD and Map Amendment application.

Directly north of the Site along North Capitol Street is a commercial area zoned C-2-A. To the northwest and northeast off of North Capitol Street are residential neighborhoods zoned R-4. East of the Site, along the north side of

Florida Avenue, the C-2-A District becomes C-M-2 with warehouse facilities, the XM Satellite Radio building and the Federal Express Distribution Center. The south side of Florida Avenue in this area is zoned C-3-C and there is an existing high-rise office building at 64 New York Avenue, N.W. This area east of the Site is within the Northeast No. 1 / Eckington Yards Special Treatment Area.

To the south of the Site, the east side of North Capitol Street is zoned C-3-C with the parking lot for the large office building. The west side of North Capitol continues as a commercial area zoned C-2-A. The area west of the Site along Florida Avenue is also zoned C-2-A. There are mainly 2-story row structures interspersed with a gas station on the south side of Florida Avenue and a 5 story multifamily building at the corner of Florida Avenue and Quincy Street. There is also a park located along this portion of Florida Avenue. There are several gas stations located on Florida Avenue both east and west of the Site.

B. Project Design

This Site, situated at the eastern gateway of the Florida Avenue corridor, and capping the north end of the North Capitol commercial district, requires a building of substantial quality and significant character consistent with the prominence of this location. The design proposed meets this challenge in several notable ways. 1600 North Capitol Street project will signal its status as a gateway through the use of expressive architectural embellishments at this important intersection. The proposed massing of the building is stepped up at the intersection to frame a raised entry plaza that features a public art piece. A round “tower” with a canopied main entrance will act as a connector between the North Capitol and Florida Avenue

“wings” and between two significant corridors. The wings vary in character relative to the street that each fronts – at North Capitol the proposed design relates more to the townhouses to the north, and at Florida Avenue the architecture speaks more of the commercial intent of this corridor.

Overall, the proposed building’s massing and architectural character is designed to integrate sympathetically with the existing structures along both Florida Avenue and North Capitol Street. The architectural drawings, including civil, landscape and circulation improvements, are attached as Exhibit A.

1. Site Context

The Site is located at the northwest corner of Florida Avenue and North Capitol Street, on the southeast side of Square 3100, which is bounded by Florida Avenue, North Capitol Street, Truxton Circle, and Quincy Place. The site is within 2200 feet of the New York Avenue Metro station. The existing buildings that occupy the same square are composed of 2-story single and multi-family townhouse dwellings, and a 5-story multi-family apartment building fronting Florida Avenue at the west end of the square. Existing structures on the surrounding squares are composed of mixed-use, moderate density commercial buildings and moderate density single-family and multi-family dwellings.

2. Design Approach

The project design proposed here provides a number of features that will benefit both corridors and the surrounding residential neighborhoods. Currently, the Site is vacant which creates a derelict appearance at this major intersection.

The Project will provide a strong building form that will anchor this important intersection and improve its appearance. Other benefits include an architectural design that is both fresh and engaging, while seeking to complement the existing contextual setting in both form and materials. Particular attention has been paid to the design of the building massing to create both a strong overall form for this important intersection and smaller secondary massing with more intricate detail that will complement the residential scale of the neighborhood.

The building consists of a 6-story, L-shaped building, with a 7-story central “tower” at the intersection of the two streets. The approximate gross floor area is 85,428 gsf. The project will provide two levels of below-grade parking accessed from Florida Avenue. The maximum building height at the wings is roughly 65 feet with 15 foot and 10 foot setbacks at the sides and front respectively, and a building height of approximately 79 feet at the “tower”. Additionally, at the North Capitol wing, 35 foot bays are proposed to compliment the massing of the residential townhouse bays to the north.

For the entire length of the North Capitol Street front, the building massing is treated with a clear residential vocabulary. Individual entries with private stairs between 35-foot high bays mimic the rhythm of a townhouse neighborhood. A mansard roof with dormer windows at the 5th floor creates a strong roofline. The 6th floor is setback 10 feet from the main building face and 14 feet from the projecting bays to minimize the apparent height of the building from below. Additionally, to ease the transition between the proposed project and adjacent

townhouses to the north, a 13.5' portion of building is setback above the 3rd floor, creating a massing that is roughly in line with the adjacent townhouse roof at approximately 35 feet.

The detailing of the proposed façade along North Capitol Street is mainly of a residential scale. The pairs of double hung windows, French doors with transoms, and dormer windows that are the basis of the design are similar to those found on other buildings in the square.

The central portion of the design, which is comprised of the 7-story "tower", raised entry plaza, and the double sided, double bays that flank the corners of the plaza, speak of the building's key location in the neighborhood. The architectural vocabulary is bolder with larger planes of glass and punctuated with strong verticals. Rooftop pavilions that flank the corners of the plaza are directed towards the Capitol Building. A decorative crown marks the top of the tower.

The building is a mixed-use structure, with a ground floor retail space for a small to moderate sized establishment that will be accessed from Florida Avenue. Additionally, the garage entry and loading dock is located at the west end of the Florida Avenue wing. The massing and detail on the Florida Avenue building front, though similar to the North Capitol front in its residential feel, utilizes some larger elements to communicate its commercial aspect. Double bays similar to those that flank the corners of the plaza and strong vertical pilasters visually break down the long facade. The retail space will occupy roughly 4,950 square feet of the cellar. However, only approximately 20% of that retail space is counted toward the gross

floor area, resulting in commercial FAR of approximately .05 for the Project. Particular attention has been taken to design the entrance to mitigate its impact and enhance its visual appearance.

The remainder of the cellar level and all levels above will be comprised of residential components. The building will include between 65 and 85 units, with a current estimate of 77 units. The residential entrance lobby is located in the ground floor of the “tower” at the raised entry plaza. The project design provides two areas for outdoor recreation for shared use by the residents, one in the first floor courtyard, the other on the roof deck with views to the Capitol, and Union Station.

The building facades are designed in a style that complements and respects the adjacent buildings, particularly those with a distinct historic character. Material selected for the facades will be of superior quality, such as brick, stone, precast accents, aluminum windows and doors, decorative metal railing and metal frame architectural embellishments.

The project also proposes to employ sustainable features where feasible. One significant component will be an integrated heat exchange system that will link the retail and residential HVAC system. The other sustainable feature will be a green roof at the first floor rear courtyard and at the public roof deck.

The design proposal also includes substantial improvements to the streetscape. These improvements will include new paving for the sidewalks, new street lighting fixtures, new and replacement tree boxes, bike racks and trash receptacles, as well as a piece of public art proposed for the raised entryway.

C. Matter of Right Development Under Existing Zoning

The C-2-A District is designed to provide facilities for shopping and business needs, housing and mixed uses. 11 DCMR § 720.2. The C-2-A District permits development to medium proportions, a maximum height of 50 feet, with no limit on the number of stories, and a maximum FAR of 2.5. 11 DCMR §§ 770.1, 771.2. A mixed use commercial/residential building in the C-2-A District is permitted as a matter of right. Parking is required at a rate of one space for each additional 600 square feet of gross floor area and cellar floor area in excess of 2,000 square feet for general office use; 1 space for each additional 300 square feet of gross floor area and cellar floor area in excess of 3,000 square feet for retail use; and 1 space for every 2 apartment house or multiple dwelling units. 11 DCMR § 2101.1. A total development of 47,460 square feet is permitted as a matter of right with commercial development of approximately 28,476 square feet permitted with additional residential development of approximately 18,984 square feet also permitted. A PUD in the C-2-A District may have a maximum height of sixty-five feet, with no limit on the number of stories, and a maximum FAR of 3.0 or 56,954 square feet. 11 DCMR §§ 2405.1, 2405.2.

D. Matter of Right Development Under Proposed Zoning

Under the PUD, the zoning of the entire Site would be C-2-B. The C-2-B District is designated to serve commercial and residential functions similar to the C-2-A District. 11 DCMR § 720.6. It permits a maximum height of sixty-five feet, with no limit on the number of stories, and a maximum FAR of 3.5. 11 DCMR §§

770.1, 770.2. Under the PUD guidelines for the C-2-B District, the maximum height is ninety feet and the maximum FAR is 6.0. 11 DCMR §§ 2405.1, 2405.2. Parking is required in the C-2-B District at a rate of one space for each additional 1800 square feet of gross floor area and cellar floor area in excess of 2,000 square feet for general office use; 1 space for each additional 750 square feet of gross floor area in excess of 3,000 square feet for retail use; and 1 space for every 3 apartment house or multiple dwelling units. 11 DCMR § 2101.1.

Commercial development of approximately 28,476 square feet is permitted as a matter-of-right under C-2-B. Additional residential development of approximately 37,968 square feet is also permitted as a matter-of-right. If the Site were developed entirely with residential development, approximately 66,444 square feet would be permitted as a matter-of-right on the Site under the proposed C-2-B zoning.

E. Tabulation of Development Data

	C-2-B Matter of Right	C-2-B PUD Guidelines	Project
Minimum Area	None	15,000 s.f.	18,984 s.f.
Gross Floor Area	66,444 s.f. (maximum)	113,904 s.f. (maximum)	85,428 (approx.)
TOTAL FAR	3.5	6.0	4.5 (approx.)
Height	65 ft	90 ft	79 ft.
Lot Occupancy	80%	80%	76.5%
Rear Yard	15	15	40 (from center line Florida Avenue) ¹
Side Yard	None	None	None
Parking	26 spaces	26 spaces	84 spaces

¹ According to the Surveyor's Plat, the Site fronts on four streets, North Capitol St., Q Street, Florida Avenue, and Truxton Circle. See Section 774.11.

The estimated quantity of potable water, sanitary sewage and storm water run-off is included in the plans attached hereto as Exhibit A. Storm water runoff will be reduced by the development's sustainable design and storm water management.

F. Flexibility Under the PUD Guidelines

The PUD process was created to allow greater flexibility in planning and design than may be possible under conventional zoning procedures.

The Applicant requests relief from the residential recreation space requirement. Section 773.3 requires that an area equal to fifteen percent of the residential gross floor area to be dedicated to recreation space. The Project proposes to provide an area equal to approximately 8.22% of residential gross floor area for recreation space, totaling approximately 6,204 square feet. Additional space of approximately 4,392 square feet, equal to approximately 5.82% percent of residential gross floor area, will be devoted to private outdoor terraces.

The Applicant also requests relief from the court regulations. The width of the closed court along the northern property line is 15.2 feet wide. Pursuant to the regulations, the width of the court must be 4 inches for every foot of height. The height of the court is 64 feet and therefore the required width is 21 feet. The Applicant is attempting to provide more open space at the rear of the property to allow for additional buffer to the nearby residences, and therefore would like to provide this court space. However, the applicant cannot increase the width of the court by the additional six feet to meet the requirement, since that would impact the ability to offer full sized units along the west side of the North Capitol Street wing. The reduced court area will not be visible from the street.

Last, the Applicant requests relief from the loading requirements. The regulations require loading for the residential component of 1 berth at 55', 1 platform at 200 square feet and one delivery area at 20'. The retail component is less than 5,000 square feet and therefore has no loading requirement. Due to the configuration of the entryway off Florida Avenue, the Applicant proposes to provide a loading berth and a delivery area at a minimum of 30' deep and a conforming platform.

III. THE PROJECT MEETS THE STANDARDS OF THE ZONING REGULATIONS AND PUD REQUIREMENTS

A. PUD Process is Appropriate Mechanism for the Project

The PUD process is the appropriate mechanism for guiding the development of the Site. By doing so, the Applicant consolidates the review of the Project within the purview of the Zoning Commission while at the same time providing opportunities for input from various agencies and the community. The Applicant has engaged the community, the ANC, the Department of Transportation, and the Office of Planning in productive discussions regarding the Project. Through the PUD process, all of these interested parties will have further opportunities for participation to fulfill the District's planning objectives for this area. Thus, the use of the PUD process gives the community and District agencies an opportunity to work with the Applicant to ensure a well-planned development. Furthermore, the PUD will lock in the Applicant's commitments and ensure that the approved development with public benefits and project amenities will be completed for the area.

B. PUD Requirements Under Chapter 24 of the Zoning Regulations

1. Area Requirements Under Section 2401.1(c)

The land area of the Site is approximately 18,984 square feet, which exceeds the minimum area requirement of 15,000 square feet for a PUD in the C-2-B District. 11 DCMR § 2401.1(c).

2. Height and FAR Requirements Under Sections 2405.1 and 2405.2

The Project has been evaluated under the PUD guidelines for the C-2-B District. As noted above, a PUD in the C-2-B District permits development of approximately 113,904 square feet of gross floor area devoted to residential use on the Site, or 6.0 FAR. The Project will have an FAR of 4.5 with approximately 85,428 square feet of gross floor area (.05 FAR or 1,030 square feet of commercial and 4.45 FAR or 84,398 square feet of residential) and will be constructed to a building height of approximately seventy-nine feet with the predominant height of the building being sixty-five feet which is the height permitted for a PUD in the C-2-A District. The maximum permitted height for a PUD in the C-2-B District is ninety feet.

3. Impacts of the Project Under Section 2403.3

The Project will not have an unacceptable impact on the operation of city services and facilities. In fact, 1600 North Capitol Street will have a positive impact on the immediate area. The Project constitutes appropriate commercial and residential development in an area designated by the Comprehensive Plan as a local neighborhood commercial center.

1600 North Capitol Street will bring additional housing stock and retail development to this developing area. Additionally, there will be a financial benefit to the District as shown by the report of Economic Analysis Report submitted as Exhibit F.

The design complements the commercial areas to the north, south, east and west of the Site and the step down in height of the building is the appropriate scale for the residential neighborhood to the west and across the alley to the north, particularly considering the setbacks from those residences and the open spaces that are planned for the interior of the Site.

The Project is not expected to have a significant impact on local roadways in terms of level-of-service and travel time, nor is it expected to be objectionable to the adjacent properties and the local neighborhood from the perspectives of traffic and parking.

Moreover, the Project will not have an adverse impact on light and air. As stated above, 1600 North Capitol Street incorporates open space at the interior of the Site and includes reduced height for the portions of the building near the residential community to the north and west.

Finally, the District's existing water and sewer services are adequate to serve this facility.

4. Not Inconsistent with Comprehensive Plan Under Section 2403.4

As discussed at length below in Section IV, the Project is not inconsistent with the Comprehensive Plan.

C. Public Benefits and Project Amenities

The PUD guidelines require the Zoning Commission to evaluate specific public benefits and project amenities of a proposed project. Public benefits are defined as “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.” 11 DCMR § 2403.6. “A project amenity is one type of public benefit, specifically a functional or aesthetic feature of the proposed development, that adds to the attractiveness, convenience or comfort of the project for occupants and immediate neighbors.” 11 DCMR § 2403.7. Furthermore, in deciding a PUD application, the Zoning Commission is required to “judge, balance and reconcile the relative value of the project amenities and public benefits offered, the degree of development incentives requested, and any potential adverse effects according to the specific circumstances of the case.” 11 DCMR § 2403.8.

In the present case, the Applicant is requesting approval of approximately 85,428 sq. ft. of development or 4.5 FAR. Development equal to approximately 66,444 square feet is permitted as a matter of right on the Site under the C-2-B District. The maximum gross floor area under the C-2-B PUD Guidelines is 113,904 square feet.

Public benefits and project amenities may be exhibited in a variety of ways and may overlap with furthering the policies and goals of the Comprehensive Plan. In the present case, the location of new mixed use development in this area as well

as the proposed on-site amenities provide significant benefit to the neighborhood and the District as a whole and satisfy the requirements of Chapter 24.

1. Urban Design, Architecture, Landscaping and Open Space
(Section 2403.9(a))

The Applicant has presented an exceptional and appropriate architectural design for the Project. The project design provides a number of features that will benefit both the North Capitol Street Corridor and the surrounding residential neighborhoods.

Currently, the Site is vacant which creates a derelict appearance at this major intersection. The Project will provide a strong building form that will anchor this important intersection and improve its appearance. Other benefits include an architectural design that is both fresh and engaging, while seeking to complement the existing contextual setting in both form and materials. Particular attention has been paid to the design of the building massing to create both a strong overall form for this important intersection and smaller secondary massing with more intricate detail that will complement the residential scale of the neighborhood.

For the entire length of the North Capitol Street front, the building massing is treated with a clear residential vocabulary. Individual entries with private stairs between 35-foot high bays mimic the rhythm of a townhouse neighborhood. A mansard roof with dormer windows at the 5th floor creates a strong roofline. The 6th floor is setback 10 feet from the main building face and 14 feet from the projecting bays to minimize the apparent height of the building from below. Additionally, to ease the transition between the proposed project and adjacent

townhouses to the north, a 13.5' portion of building is setback above the 3rd floor, creating a massing that is roughly in line with the adjacent townhouse roof at approximately 35 feet.

The massing and detail on the Florida Avenue building front, though similar to the North Capitol front in its residential feel, utilizes some larger elements to communicate its commercial aspect. Double bays similar to those that flank the corners of the plaza and strong vertical pilasters visually break down the long facade.

The building facades are designed in a style that complements and respects the adjacent buildings, particularly those with a distinct historic character. Material selected for the facades will be of superior quality, such as brick, stone, precast accents, aluminum windows and doors, decorate metal railing and metal frame architectural embellishments.

The project design provides two areas for outdoor recreation for shared use by the residents, one in the first floor courtyard, the other on the roof deck with views to the Capitol, and Union Station.

The design proposal also includes substantial improvements to the streetscape. These improvements will include new paving for the sidewalks, new street lighting fixtures, new and replacement tree boxes, bike racks and trash receptacles, as well as a piece of public art proposed for the raised entryway.

2. Site Planning and Efficient Economical Land Utilization
(Section 2403.9(b))

1600 North Capitol Street is designed such that its primary bulk is at the corner of North Capitol and Florida Avenue, away from the nearby residential community. The building design provides relief to the adjacent neighborhood by having the building transition from a maximum of eighty-six feet down to approximately sixty-five feet for the majority of the building then to fifty-five feet on the north and west exposures. This reduction in height will serve to minimize any potential adverse impacts resulting from the height on the adjacent residential community. The Applicant also proposes significant improvements to the streetscape.

3. Transportation Features (Section 2403.9(c))

The proposed development is situated in proximity to the City's Employment Core, and is immediately accessible via two (2) principal arterial roadways, i.e., North Capitol Street and Florida Avenue. Several Metrobus routes are located along those roadways, and the site is within 2,200 feet of the New York Avenue Metrorail Station on the WMATA Red Line. A significant proportion of the site trips would therefore occur via transit, walk and other alternative modes. The current development proposal would generate less than thirty (30) peak hour trips which would represent a very significant reduction from that of the previous use of the site as a gas station. The proposed development would include eighty-four (84) parking spaces which would be more than adequate, considering the requirements of the Zoning Regulations and the projected parking demand. Based on these

factors, the proposed development would not be objectionable to the adjacent properties or have any appreciable adverse impacts, from the perspective of traffic and parking.

4. Special Value to the Neighborhood (Section 2403.9(i))

This Project adds special value to the surrounding neighborhood by bringing a mixed use development to the community. The Property is currently vacant and underutilized. The Project provides additional housing stock and appropriate commercial development that will serve the community.

5. Employment and Training Opportunities (Section 2403.9(e))

1600 North Capitol Street promotes residential, retail and commercial development at an appropriate location that will add to the economy of the District as well as provide expanded employment opportunities for District residents. The submitted Economic Impact Analysis projects that the equivalent of 15 full time jobs will be located at 1600 North Capitol Street and estimates annual District tax reserves of \$1.36 million resulting from the project. Moreover, the development will stimulate economic activity in an area targeted for further revitalization and in accordance with the Comprehensive Plan and its objectives. See Economic Impact Analysis attached hereto as Exhibit F.

As an additional public benefit and in order to further the policies established in Mayor's Order No. 83-265 and D.C. Law 5-93, the Applicant will work with the Department of Employment Services (DOES) to execute a First Source Employment Agreement in order to achieve the goal of utilizing District residents for at least

fifty-one percent of the jobs created by 1600 North Capitol Street. The Applicant's consultants will use DOES as its first source for recruitment, referral and placement of new hires for employees whose jobs are created by 1600 North Capitol Street. Likewise, as another public benefit and in order to further the policies established in D.C. Law 1-95, D.C. Code Section 1-1-1141 *et seq.* (1987 Ed. as amended), the Applicant will commit to make a bona fide effort to utilize Local, Small or Disadvantaged Business Enterprises ("LSDBE") certified by the D.C. Local Business Opportunity Commission ("LBOC") in order to achieve, at a minimum, the goal of thirty-five percent participation in the contracted development costs in connection with design, development, construction, maintenance and security of 1600 North Capitol Street. The Applicant will use the Department of Human Rights and Local Business Development, including the LBOC's Directory of Certified Business Enterprises, as the primary referral sources for LSBDEs.

5. Housing (Section 2403.9(f))

This Project will create additional housing stock as encouraged by the City. Approximately 29 percent of the units will be one bedroom units, approximately 44 percent of the units will be one bedroom and den units, approximately 26 percent of the units will be two bedroom units and approximately 1 percent of the units will be three bedroom units. The Project will comply with current policies by providing fifteen percent of the increase in gross floor area as housing units affordable to households making no more than eighty percent of the area median income.

6. Other Public Benefits and Project Amenities (Section 2403.9(j))

The Project provides for new development in an area which according to the Comprehensive Plan is recognized by the Office of Planning as a Priority Economic Development area. 10 DCMR 1666.1(c)(2) The Applicant's proposal to locate a mixed use development will give a much needed boost to the economic development of the area, as shown by the Economic Impact Analysis submitted as Exhibit F.

The Applicant will submit and agree to abide by a Construction Management Plan with the community in an effort to minimize any potential adverse impacts resulting from the construction of the Project. The Construction Management Plan will address issues such as pre-construction surveys, construction site management, construction site cleanliness, work hours, traffic and parking, and complaint procedures and communication.

In addition the Applicant has been in dialogue with community members, the ANC, and the Office of Planning regarding this project.

**IV.
COMPLIANCE WITH COMPREHENSIVE PLAN**

The proposed PUD is consistent with and, in fact, fosters the goals and policies stated in the elements of the District of Columbia Comprehensive Plan, [D.C. Law 5-76, 10 DCMR (Planning and Development) § 100 et seq. (1984)].

The purposes of the District of Columbia Comprehensive Plan Act are to:

- (1) Define the requirements and aspirations of District residents, and accordingly influence social, economic and physical development;
- (2) Guide executive and legislative decisions and matters affecting the District and its citizens;
- (3) Promote economic growth in jobs for District residents;
- (4) Guide private and public development in

order to achieve. District and community goals; (5) Maintain and enhance the natural and architectural assets of the District; and (6) Assist in conservation stabilization and improvement of each neighborhood and community in the District.

[D.C. Code §1-245(b) (1994 Supp).]

The Project significantly advances these purposes by promoting the social and economic development of District residents through the provision of quality commercial retail and residential development, achieving the community goal of adequate parking, promoting economic growth for the District and its residents, increasing employment opportunities in the District, and stabilizing and improving the surrounding area.

A. Compliance with Major Themes.

Among the major themes advanced under the Comprehensive Plan (“Plan”) is the goal of respecting and improving the physical character of the District. The Applicant’s proposal is consistent with this theme through the development of an exceptional design that will significantly enhance the prominence of the North Capitol Street corridor and improve the appearance of the vicinity as a whole.

The Comprehensive Plan encourages making maximum use of the District’s location at the center of the region’s radial Metrorail and commuter rail systems. *See* 10 DCMR §109.1(b). The Project takes advantage of this asset by its location along major Metro bus routes and its proximity to the New York Avenue Metro Station which is connected by the Red Line to Union Station with local and regional train service.

The Comprehensive Plan also encourages the active involvement and input of local communities. The Applicant has worked with the Office of Planning, the local ANC and others in an effort to gather community input on the project and modify the design of the Project to address community concerns. The Applicant will continue to work with the community to address any identified issues with respect to the Project.

The Project advances the purposes of the Comprehensive Plan, is consistent with the Generalized Land Use Map, and furthers and complies with the major themes and elements for the District and Ward 5 in the Comprehensive Plan.

B. Compliance with Major Elements.

The Comprehensive Plan contains eleven major elements. The Project furthers the objectives and policies of several of these elements as follows:

1. Economic Development Element

According to the Economic Development element of the Comprehensive Plan, the objective of economic development outside of the Central Employment Area is to create and expand economic activity and employment centers. 10 DCMR 206.1 This Project brings appropriate economic development to the area. A major policy of this element is "the generation of sufficient tax revenues to fund the District's budget is a top government priority. Economic development programs that contribute to this goal should be promoted." 10 DCMR 200.13

An additional policy of this element is to enhance the environmental quality of areas of significant development through guidelines related to access and egress, setbacks, landscaping, lighting, facades and structural relationship to adjacent

buildings. 10 DCMR 204.2(c) The Project continues a sense of place in the area and is sensitive to the nearby residential communities, acknowledging their low rise nature by a decrease in height of the proposed building. 1600 North Capitol Street also proposes significant improvements to the surrounding streetscapes and will enhance the overall environmental quality of the area. The Project also adheres the policy to "strengthen public safety in an around economic activity areas as well as in residential neighborhoods" by developing a vacant tract and providing additional eyes and ears of new residents to the area. 10 DCMR 204.2(b)

2. Environmental Protection Element.

It is the goal of the District to “protect the environment, to resist threats to its overall quality, and to act to maintain and enhance its positive features in the interest of residents, workers and visitors....” 10 DCMR § 401.1.

The Applicant will comply with all the applicable rules and regulations of the District to promote energy conservation, improve air quality and protect the natural environment. The project proposes to employ sustainable features where feasible. The Project will have a green roof over the first floor courtyard and the roof deck areas, and will utilize exterior façade materials that are energy efficient. Another significant sustainable component will be an integrated heat exchange system that will link the retail and residential HVAC systems. By linking the two systems, excess heat captured from the mechanical systems servicing the retail tenants can be recycled through the mechanical systems for the residents, providing a source for both heating and hot water. Additional benefits of this system are the reduced load

on the retail cooling towers, reduced electrical consumption, and reduced heat exchange into the ambient external air.

3. Housing Element

The general objectives for housing are to stimulate production of new and rehabilitated housing to meet all levels of need and demand and to provide incentives for the types of housing needed at desired locations. 10 DCMR §302.1

Policies in support of these objectives are:

- to encourage the private sector to provide new housing to meet the needs of present and future District residents at locations consistent with District land-use policies and objectives (See 10 DCMR §302.2(a));
- to designate, as residential development opportunity areas, sites where significant housing development can occur and encourage multi-unit housing development near selected metrorail stations, at locations adjacent to Downtown, and adjacent to proposed employment centers and office areas (See 10 DCMR §302.2(d)).
- Encourage housing on suitably located public or private properties that are vacant, surplus, underutilized, or unused, and encourage adaptive reuse of surplus schools and other available public buildings as housing, with particular emphasis upon the needs of low and moderate income residents. 10 DCMR 302.2(e)

The Project is consistent with the objectives and policies of this element.

1600 North Capitol Street will provide approximately 65-85 new housing units.

Fifteen percent of the increased floor area will be Affordable Housing Units. 1600

North Capitol Street is located approximately 2200 feet from the New York Avenue

Metrorail Station.

4. Transportation Element.

It is the goal of the District to “[p]romote the increased use of mass transit, in the District and the region.” 10 DCMR § 503.2(c).

The policies and objectives of the Transportation element are supported by the PUD. First, the PUD, as a multi-unit development, is appropriately located within 2200 feet of the New York Avenue Metrorail Station and will provide potential new riders for the Metrorail system at this location. Second, its proximity to Metrorail, Downtown, and the Central Employment Area help to reduce dependence on the private passenger automobile. Third, with immediate access to Metrorail, North Capitol Street, Florida Avenue and other regional roadways, residents of the PUD have the opportunity for reverse commute options surpassing that afforded to suburban residents commuting to the District, in terms of level-of service and travel time. This situation presents a more balanced use of the transportation system, which is consistent with the goals and objectives of the City.

5. Urban Design Element.

The policy...in support of the urban design objective is to enhance the physical image and symbolic qualities of the District that establish its character as an urban center and the nation’s Capital. 10 DCMR 702.2.

The proposed PUD will enhance the quality of the area through superior design elements that respect the special character of this prominent commercial corridor.

It is the goal of the District to “encourage new development within areas of strong architectural character to contribute to the physical identity and character of the area.” 10 DCMR 710.2(d).

The Project proposes a distinguished design that provides a rich and vibrant texture to this prominent gateway and enhances the vibrancy of this commercial corridor.

The Urban Design element states that it is the District's goal to "promote the protection, enhancement and enjoyment of the natural environs and to promote a built environment that serves as a complement to the natural environment, provides visual orientation, enhances the District's aesthetic qualities, emphasizes neighborhood identities, and is functionally efficient." 10 DCMR § 701.1.

The Project has been designed to enhance the physical character of the area and complement the materials, height, scale and massing of the moderate density commercial area along Florida Avenue and North Capitol Street and the moderate density residential community to the west and north. 10 DCMR § 708.2. High density development with 130' heights is permitted in close proximity to the Site and the architectural design of 1600 North Capitol Street provides an appropriate transition. As previously stated, the Project's height steps down significantly – from eighty-six feet to approximately 65 feet and then to 55 feet to better fit with the nearby residential community. In this regard, the Project's massing and scale are sensitive to the established patterns of development in the area. 10 DCMR §710.2(e).

The streetscape objective of this element is to establish a clear classification of streets and sidewalks that is functionally efficient and visually coherent, enhances the pedestrian environment, and provides for the orderly movement of

goods and services. 10 DCMR § 709.1. The Project proposes significant enhancements to the surrounding streetscape.

6. Land Use Element.

It is the goal of the District to "promote appropriate commercial development, including centers for retail and office uses, to serve the needs of the economy of the District and its neighborhoods...." 10 DCMR § 1108.1(a).

Promote the establishment and growth of mixed use commercial centers at appropriate Metrorail stations and major transportation interchange points to reduce automobile congestion, improve air quality, increase jobs, reduce reliance on the automobile, and ensure neighborhood stability through cooperative public and private efforts to increase the use of Metrorail and Metrobus through "park-and-shop" subsidies, shuttle buses, signs, promotional programs and more mixed use developments. 10 DCMR 1108.1(j)

The Project responds to this goal by providing mixed use development within a local neighborhood commercial center that will foster the continued growth of the District's economy and employment base while providing additional residential stock for its citizens.

7. Generalized Land Use Maps.

The Comprehensive Plan Generalized Land Use Map depicts the Site as low density commercial. The Generalized Land Use Policies Map depicts the Site as located in a local neighborhood commercial center. The proposed PUD is consistent with the Generalized Land Use Maps.

Furthermore, as set forth in the legislative history of the Comprehensive Plan where the commercial categories are listed it is stated as follows:

FAR means the range of permitted commercial floor area ratio under matter-right-zoning; numbers listed do not include maximum permitted residential floor area ratio, nor do they include the additional commercial floor area ratio permitted under planned unit development guidelines of the Zoning Regulations.

Report on Bill 8-2 p.14, October 3, 1989

This Site which is only 2200 feet from the New York Avenue Metro Station is a perfect example of where the maximization of residential on a commercially designated site should occur. The commercial FAR is far less than 1.0 while the residential FAR is proposed to be increased.

C. Compliance with Major Elements of the Ward 5 Plan

A vision of the Ward 5 plan is that neighborhoods like..... Eckington, Bloomingdale, Truxton Circle and Hanover Place will benefit from new and rehabilitated housing, increased retail and public services, and expanded employment opportunities. 10 DCMR 1600.4.

1. Ward 5 Economic Development

An objective of the Plan is to enhance and expand the ward's economic activity and employment centers, particularly in the underused industrial and commercial area. 10 DCMR 1605.1(a).

The Ward 5 Plan recognizes that retail and service facilities in the area are woefully inadequate to respond to the needs and demands of the resident population and other potential patrons and clients. The eastern sector, along North Capitol Street, Florida Avenue, N.E., and First Street, N.E., can readily accommodate major large tract development activity... In addition, North Capitol

Street, New York Avenue and First Street, N.E., are recognized by the Office of Planning as "Priority economic development areas". 10 DCMR 1606.1(c)(2).

The Project complies with this element by bringing appropriate economic development to the area.

2. Ward 5 Housing

"An objective of this element is to stimulate the production of new housing.... and rehabilitate and improve housing....to meet the needs of all the ward's residents..." 10 DCMR 1608.1(b).

A policy in support of the housing objective is to provide affordable new or rehabilitated housing for low and moderate income residents. 10 DCMR 1609.1(c). The Project will bring additional housing stock to the city and approximately fifteen percent of the increased floor area will be Affordable Housing Units.

3. Ward 5 Transportation

An objective of this element is to increase the use of mass transit while minimizing problems associated with parking around Metrorail stations and commercial areas. 10 DCMR 164.1(a). This mixed use development is located in close proximity to Metro rail and Metrobus routes, thereby encouraging the use of mass transit.

4. Ward 5 Urban Design Element

Objectives for urban design are:

- Promote a physical environment that upgrades the ward's aesthetic qualities, enhances neighborhood stability, emphasizes neighborhood identity and function, and physically enhances the gateways and entrance ways into the city; 10 DCMR 1620.1(a).

- Give special design attention to those areas within the ward that have a poor physical image, where new development can improve the neighborhood's visual qualities while providing needed services; 10 DCMR 1620.1(b).
- Strengthen the design and visual character of commercial nodes and corridors that serve ward neighborhoods; 10 DCMR 1620.1(d).
- Through the design of new structures, decrease the potential for illegal activity by eliminating sites or locations that would attract and harbor the criminal element. 10 DCMR 1620.1(e).

The Project improves the aesthetic quality of the area with strong visual character and utilizes otherwise vacant property.

5. Ward 5 Land Use Element

Encourage and support an appropriate mix of uses in all economic development, where appropriate, including uses such as housing, parks and open space. 10 DCMR 1629.1(c). The Project is an appropriate mixed use development with superior design elements.

6. Ward 5 Environmental

Environmental objectives and policies are:

- Plant and maintain street trees in sections of the ward, where needed 10 DCMR 1611.1(e).
- Promote and encourage private planting and maintenance of public spaces within the ward by citizens of the ward. 10 DCMR 1612.1(a)(2)(D).

The Project furthers these goals.

V. AREAS OF FLEXIBILITY

The Applicant has made every effort to provide a level of detail that conveys the significance and appropriateness of the Project's design for this location while at the same time provide a design that requires only nominal flexibility from the requirements of the Zoning Regulations. Nonetheless, some flexibility is necessary that cannot be anticipated at this time.

The Applicant requests flexibility in the following areas:

1. To vary the location and design of all interior components, including partitions, structural slabs, doors, hallways, columns, stairways, and mechanical rooms, provided that the variations do not change the exterior configuration of the building;
2. To vary location and arrangement of parking spaces.
3. 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 the materials; and to make minor refinements to exterior details and dimensions, including curtainwall mullions and spandrels, window frames, glass types, belt courses, sills, bases, cornices, railings and trim, or any other changes to comply with the District of Columbia Building Code or that are otherwise necessary to obtain a final building permit.

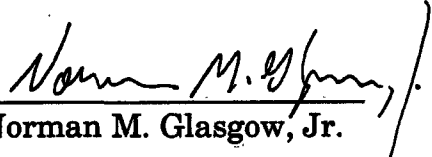
VI. CONCLUSION

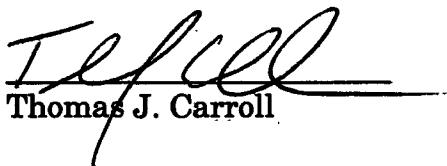
For the foregoing reasons, the Applicant submits that the PUD plan meets the standards of Chapter 24 of the Zoning Regulations; is consistent with the purposes and intent of the Zoning Regulations and Zoning Map; is consistent with the land use objectives of the District of Columbia; will enhance the health, welfare, safety and convenience of the citizens of the District of Columbia; satisfies the requirements for approval of a consolidated PUD; provides significant public

benefits and project amenities; advances important goals and policies of the District of Columbia and, therefore, should be adopted by the Zoning Commission. Accordingly, the Applicant requests that the Zoning Commission approve the PUD application with relief from the residential recreation space, court width and loading requirements, and the concurrent change in zoning to C-2-B.

Respectfully submitted,

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By: 
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List of Exhibits

- A. PUD Plans
- B. PUD Application, Map Amendment Application
- C. Zoning Map and Atlas Maps
- D. Plat
- E. Economic Analysis
- F. Certificate of Service, Notice of Intent to File, and 200' Radius Property Owner List