

TESTIMONY AND REPORT OF FRED L. GREENE

CASE NO. 06-04

1600 NORTH CAPITOL STREET, N.W.

JULY 27, 2006

I. Introduction

This Testimony and Report is submitted by Fred L. Greene in support of the application of Florida and Q Street, LLC (the "Applicant") to the Zoning Commission of the District of Columbia for a consolidated review and one-step approval of a Planned Unit Development ("PUD") and related Zoning Map Amendment.

The property that is the subject of this application consists of Lot 48 in Square 3100 (the Subject Property").

The proposed PUD contemplates the construction of a mixed use development having a combined gross floor area of approximately 85,428 square feet on a lot area of 18,894 square feet, for a proposed FAR of 4.5, and two levels of underground parking for 84 cars ("1600 North Capitol Street" or the "Project"). Approximately 81,535 FAR square feet will be devoted to residential use (approximately 76 units), and an additional 7,498 square feet of non-FAR space will be devoted to commercial retail use in a cellar created by the site's grade change and accessed off Florida Avenue, NW. The proposed building height maximum is 86 feet at the corner of North Capitol Street and Florida Avenue, NW.

II. Nature Of Application

A. Consolidated review of planned unit development

This application is for a consolidated plan review and one-step approval of a PUD as defined in 2402.3 through 2402.5 of the Zoning Regulations of the District of Columbia. The Subject Project is eligible for a PUD as its lot size of 18,894 square feet exceeds the required minimum of 15,000 square feet in a Commercial district. The Applicant has previously filed a PUD Statement and supporting documents on February 2, 2006 (the "PUD Submission"), and received comments from the Zoning Commission and the Office of Planning that were addressed in a Prehearing Submission dated May 22, 2006. On April 20, 2006 the Project was set down for a public hearing by a vote of 5-0-0.

B. Map amendment from C-2-A to C-2-B

The Subject Property is currently zoned C-2-A. In addition to the approval of the proposed PUD, the Applicant requests an accompanying Map Amendment to re-zone the Subject Property from C-2-B to C-2-A.

III. Site Location

The Subject Property is located at the intersection of two major arterial streets at the northwest corner of North Capitol Street and Florida Avenue, NW. More specifically, the Subject Property is located along the north side of Q Street, NW and Florida Avenue, NW and along the west side of North Capitol Street.

The Subject Property is located 2200 feet from the recently opened New York Avenue/Gallaudet University Metro Station.

IV. Site Description

A. Size and shape

The site consists of 18,894 SF on an irregularly shaped site. The site is relatively flat, but has a grade change of approximately five feet sloping southward along N. Capitol Street.

B. Street frontage

Principal building frontage follows the property lines which are parallel to the ROW of North Capitol Street (101.13'); with a frontage perpendicular to that frontage facing Florida Avenue, NW (109.72') but parallel to Q Street, NW which joins the intersection at that point; both joined by an arc ($r=115.0'$) boundary of the original historic Truxton Circle, with its center located within the intersection.

C. Existing condition: vacant

D. Abutting streets:

The abutting streets are North Capitol Street, Florida Avenue, NW, and Q Streets, NW with a rear yard facing the remainder of a public alley.

North Capitol Street is a two-way principal arterial running north-south. North Capitol Street has a six-lane cross-section. There are three lanes operating in each direction and the posted speed limit is 25 mph.

Florida Avenue is a two-way principal arterial principally running east-west, but at the Subject Property it runs northwest to southeast. Florida Avenue operates as a three-lane facility in each direction.

V. Description Of The Surrounding Area

A. General area

The general area reflects a mix of moderate density Residential and relatively low-density Commercial uses. A narrow strip of Commercial zoning (C-2-A) exists along both North Capitol Street and Florida Avenue in the vicinity of the site.

- B.** Remainder of Square 3100: Facing North Capitol Street strip directly to the north, from the Subject Property to the Square's boundary at Quincy Place, are two-story residential rowhouse structures. Facing Florida Avenue, NW to the west are two-story residential rowhouses and a 6-story condominium conversion at the intersection of Quincy Place and Florida Avenue. The remainder of the Square to the north facing Quincy Place is occupied by two-story rowhouses.
- C.** To the north: Further to the north along North Capitol Street the character is predominantly Residential zoned R-4, and occupied by two-story rowhouses.
- D.** To the east: Directly across North Capitol Street to the east are two-story residential rowhouses. These are continued several more blocks to the east north of Florida Avenue, NE. Slightly to the south and east, at the southeast corner of the intersection of Q Street, NE and Florida Avenue, NE is a one-story KFC fast food operation.
- E.** To the south: Directly south of the Subject Property, at the intersection of Q Street and North Capitol Street, is a three-story Commercial building housing a liquor store, a fast food fish shop, and a nail salon facing Q Street. Immediately to the west the Florida Avenue frontage is currently occupied by a vacant lot. The corner of Florida Avenue and Q Street is occupied by a gas station and a used hubcap lot. Beyond this Commercial strip further to the south is a wide swath of Residential.
- F.** To the south and east: The southeast corner of North Capitol Street and Florida Avenue NE is currently occupied by another gas station but will in the near future be occupied by a very large C-3-C PUD, as yet unbuilt. Further along Florida Avenue, and visible from the Subject Property, is the New York Avenue/Gallaudet Metro Station at the intersection of Florida and New York Avenues, NE.

- G. To the west: The Commercial strip frontage along Florida Avenue NW continues to the west, but it is abutted to the north and south by two-story Residential.
- H. The surrounding area, therefore, has a narrow band of Commercial development along the major arterials, with Residential behind. The Commercial uses are second- or third-tier operations of marginal quality. This once beautiful major intersection, readily accessible to a Metro Station, is ready for a significant upgrade to return its sense of prominence in the L'Enfant Plan.

VI. Zoning

- A. Existing zoning: C-2-A, the principal defining elements of which are:
 - 1. General commercial district, permitting a broad range of retail, service and office uses, hotels, residential uses (single and multi-family) and many institutional uses
 - 2. Maximum height: 50 feet
 - 3. Maximum FAR: 2.5, of which no more than 1.5 may be for other than residential purposes
 - 4. Maximum percentage of lot occupancy for residential use: 60%
 - 5. Side yards: not required
 - 6. Minimum rear yard: 15 feet
 - 7. Off-street parking:
 - a) For retail or service use: 1 space for each 750 square feet of gross floor area in excess of 3,000 square feet
 - b) For residential use: 1 space for each 3 dwelling units
 - 8. PUD guidelines
 - a) Height: 65 feet
 - b) FAR: 3.0, of which no more than 2.0 may be for commercial uses
 - c) Yards and courts: as otherwise provided, subject to the Zoning Commission's discretion to approve greater or lesser

- d) Parking and loading: as otherwise provided, subject to the Zoning Commission's discretion to approve greater or lesser

B. Proposed zoning: C-2-B, the principal defining elements of which are:

1. General commercial district, permitting a broad range of retail, service and office uses, hotels, residential uses (single and multi-family) and many institutional uses
2. Maximum height: 65 feet
3. Maximum FAR: 3.5, of which no more than 1.5 may be for other than residential purposes
4. Maximum percentage of lot occupancy: 80%
5. Side yards: not required
6. Minimum rear yard: 15 feet
7. Off-street parking:
 - a) For retail or service use: 1 space for each 750 square feet of gross floor area in excess of 3,000 square feet
 - b) For residential use: 1 space for each 3 dwelling units
8. PUD guidelines
 - a) Height: 90 feet
 - b) FAR: 6.0, of which no more than 2.0 may be for commercial uses
 - c) Yards and courts: as otherwise provided, subject to the Zoning Commission's discretion to approve greater or lesser
 - d) Parking and loading: as otherwise provided, subject to the Zoning Commission's discretion to approve greater or lesser

C. History

The Subject Property is located at the intersection of two main arterial streets at the NW corner of North Capitol Street (north/south orientation) and Florida Avenue, NW (northwest/southwest orientation). Q Street, NW joins this major intersection at this point (east/west orientation). This intersection was previously the location of Truxton Circle.

According to information posted at www.truxtoncircle.org:

Truxton Circle was named after Revolutionary War commodore Thomas Truxtun (1755-1822), whose estate was later granted to the District. Until 1940, Truxton Circle was located at the intersection of Florida Avenue and North Capitol Street. It linked Shaw, Bloomingdale, Eckington and the Northwest and Northeast sections of the District.

The area traditionally known as the Truxton Circle neighborhood of Shaw, lies between Florida Avenue on the North and New York Avenue on the South, and between North Capitol Street on the East and New Jersey Avenue on the West.

Technically, Truxton Circle is bounded on the north by Florida Avenue, on the east by North Capitol Street, on the south by New York Avenue, and on the west by New Jersey Avenue. Truxton Circle contains a mixture of residential, community, and commercial buildings resulting in a balanced neighborhood. Historically, the neighborhood was mostly Victorian and Federal style rowhouses. Now over a century old, many of these houses are being renovated to reflect the original architecture or converted to multi-unit residential buildings. Driving the renaissance in Truxton Circle is its proximity to commercial development, both recently finished and still underway, such as the XM Satellite Radio headquarters, a DC government building (the Peoples Building), the Bureau of Alcohol, Tobacco, and Firearms, and the New York Avenue Metro Station, all at the intersection of New York and Florida Avenues. To the south and west are the new DC Convention Center, Chinatown, Logan Circle, and the MCI Center. The continued growth of Howard University and the U Street Corridor to the north and west are also contributing to the growth of the neighborhood. Community retail establishments have recently opened to serve the community, with more in development. This centrality to many DC resources is without a doubt the greatest advantage of residing in the Truxton Circle. Only slightly farther away are Penn Quarter, Capitol Hill, Dupont Circle, and Columbia Heights, which are rich in retail and dining opportunities.

According to information posted at DDOT's website
<http://www.northcapitolstudy.com/ch1.pdf>

Before 1946, the intersection of North Capitol Street with Florida Avenue, Q Street, and Lincoln Avenue operated as a traffic circle (Truxton Circle). The feasibility of reconstructing Truxton Circle section of this report describes the different alternatives analyzed in the study and the measure of effectiveness of each alternative. The report also presents a feasibility assessment of reconstructing the circle. Appendix A shows a picture of Truxton Circle prior to its removal.

DDOT does not recommend the reconstruction of Truxton Circle, either at-grade (due to excessive queuing) or as a grade-separated intersection (due to excessive cost), but does make several recommendations for improvements to both pedestrian and traffic flow. Thus the Subject Property and its relation to abutting streets will not change for the foreseeable future.

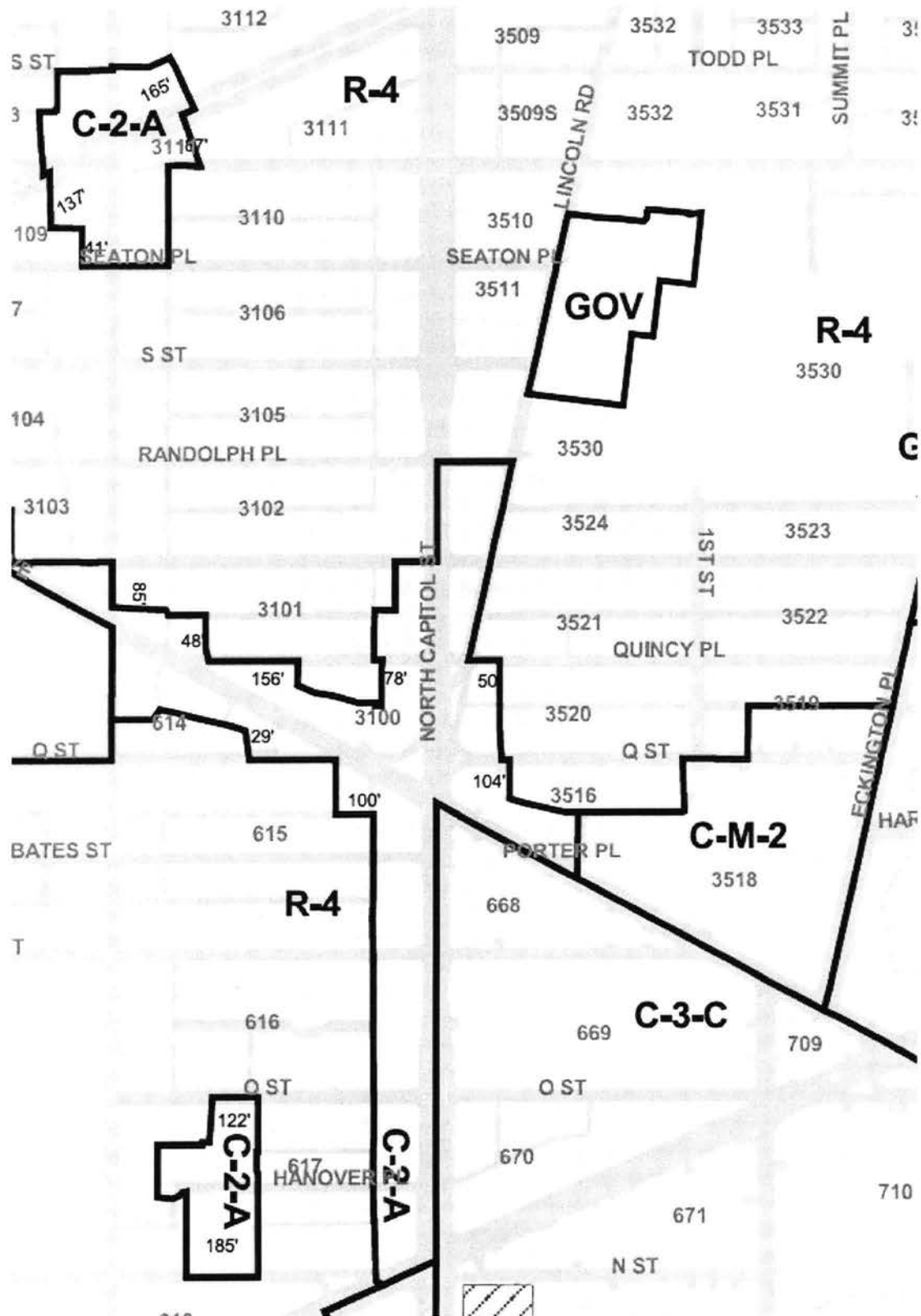
See the following page for the illustration of the original Truxton Circle.

D. Zoning of the area

In general, three of the four quadrants surrounding the intersection of North Capitol Street and Florida Avenue are zoned Residential R-4. The street frontages along both North Capitol Street and Florida Avenue in these three quadrants is zoned Commercial C-2-A. The fourth quadrant, that to the southeast, is zoned C-3-C PUD. More specifically:

1. To the north: North of R Street, NW along North Capitol Street the zoning is Residential R-4 with no Commercial street frontage.
2. To the east: Directly across North Capitol Street the street frontage is zoned Commercial (C-2-A). Further to the east, the area north of Florida Avenue, NE, is currently zoned Residential (R-4) with Florida Avenue frontage zoned C-M-2. Slightly to the south and east, the southeast corner of the intersection of Q Street, NE and Florida Avenue, NE is also zoned C-2-A.
3. To the south: Directly south of the Subject Property, the frontage along Florida Avenue is zoned C-2-A in a strip that then turns south along the east side of North Capitol Street. Further to the west the Florida Avenue frontage is zoned C-2-A. Beyond this Commercial strip further to the south is a wide swath of R-4 Residential.
4. To the west: The C-2-A strip along Florida Avenue NW continues to the west, but it is abutted to the north and south by R-4 Residential.
5. To the south and east: The southeast corner of North Capitol Street and Florida Avenue NE is zoned C-3-C PUD.

See the following page for the relevant portion of the Zoning Map.



VII. Description Of The Proposed Project

The proposed PUD contemplates the construction of a mixed use development having a combined gross floor area of approximately 85,428 square feet on a lot area of 18,894 square feet, for a proposed FAR of 4.5 ("1600 North Capitol Street" or the "Project").

A. Use:

Approximately 81,428 FAR square feet will be devoted to residential use (approximately 76 units), and an additional 4,970 square feet of non-FAR space will be devoted to commercial retail use in a cellar created by the Subject Property's grade change and accessed off Florida Avenue, NW.

B. Height

The proposed building height maximum is 81.0 feet at the corner of North Capitol Street and Florida Avenue, NW, with substantial setbacks at 65.0 feet above grade.

C. Design:

Due to the Subject Property's prominent location at the eastern gateway of the Florida Avenue corridor, and at a major intersection of two L'Enfant Plan avenues at the boundary of the original City street system, the Subject Property requires a building of substantial quality and significant character consistent with the prominence of this location and the context of the neighborhood.

The proposed design meets this challenge in several notable ways. Currently, the Subject Property is vacant, which creates a derelict appearance at this major intersection. The proposed project will replace this void with a strong building form giving structure and boundary to the large undifferentiated space that now exists. Particular attention has been paid to the design of the building massing to create both a strong overall form to anchor the urban space and to smaller, secondary massing with more intricate detail that will integrate the overall building mass into the scale of the neighborhood.

The proposed project is a precursor to other planned development in the immediate area, most notably the C-3-C PUD on the southeast corner of this intersection.

The building consists of a 6-story, L-shaped building, with a 7-story central architectural element at the intersection of the two streets. The wings rise to a height of approximately 65.0 feet to the 7th floor roof. At the 6th floor level the wings step back from the Florida Avenue and North Capitol Street facades by 10.0 feet, and from the side properties by 15.0 feet. The central architectural element has a roof height approximately 77.5 feet above grade, while an architectural embellishment above that rises to a height of 81.0 feet.

For the entire length of the North Capitol Street façade, the building massing is treated with a clear residential vocabulary, with several projecting bays reflecting the massing of the residential townhouse bays to the north.

A mansard roof with dormer windows at the 5th floor creates a strong roofline, while minimizing apparent building height. The building setback at the 6th floor further reduces the building's apparent height from adjoining sidewalks.

In this manner, from a maximum height of 81.0 feet at its furthest point away from adjoining residential rowhouses the building then transitions down to 65.0 feet for the majority of the building elevations, and then down to 55.0 feet on the north and west ends of the wings abutting the residential rowhouses. This reduction in height will serve to minimize any potential adverse height impacts on the adjacent residential community.

Two outdoor recreation areas are provided: one in the form of a courtyard on the first floor, and another on the main building roof consisting of two private areas and one public area. These decks will utilize green roof technology, and provide 5,920 square feet of residential recreation space.

D. Floor area ratio: 4.5 total

1. Commercial

The building is arranged in a classic Washington manner, with a raised first floor with an occupiable cellar, or English Basement, that is excluded from the calculated FAR. The slope of the site from north to south creates the potential for greater floor-to-floor height in the cellar along Florida Avenue, and a slight lowering of the cellar slab further increases this height. It is within this space, and facing Florida Avenue, that the Commercial (retail) component of the Project is located. Approximately 4,970 gross square feet is used for retail at this location; 970 square feet for storage and 4,000 square feet of actual retail shop space.

2. Residential

The Residential component consists of five units located on the Cellar Level, three of which are accessed from North Capitol Street via an areaway and stairs, with the remaining two units accessed from an internal corridor served by the building's elevators.

The Loading Dock is accessed from Florida Avenue, as is the ramp to the underground parking garage. The remainder of the Cellar Level consists of storage and utility rooms.

The First Floor is elevated approximately 5'-0" above the sidewalk level. The upper volume of the Loading Dock occupies a portion of the volume of this Floor. There are ten residential units on this Floor, along with the building Lobby and an exterior Courtyard.

The Second and Third Floors contain thirteen residential units each, six of which have exterior projecting balconies over the Courtyard. The Fourth and Fifth Floors also contain thirteen residential units each, six of which have exterior projecting balconies over the Courtyard, but with slight variations in the unit arrangement and sizes.

At the Sixth Floor the building setbacks at the fronts and sides affect the unit layouts and so, although larger, only eight units occur on this Floor.

The Seventh Floor consists of only one generously sized unit with private exterior roof decks facing both Florida Avenue and North Capitol Street. The remainder of the floor plate is given over to a mix of outdoor space (including green roof elements) accessible to all tenants. There is also, on the north end of the North Capitol Street wing, a field of rooftop condensing units for the apartment heating and cooling mechanical system.

The total FAR for these levels is 81,428 square feet, and a total of 76 residential units.

3. Material Description

The proposed project materials and detailing are typical of a high quality contemporary Washington apartment building. The project has been designed with an approach similar to one that would be employed in an historic district, with great sensitivity to the surrounding urban fabric through the massing, detailing and selection of similar materials. The color palette is refined but warm to create a friendly but not overbearing presense at the corner. The building is primarily masonry, with brick facades, a granite base, and pre-cast at the tower, piers and retail bay. For contrast, accent brick and/or ground face masonry, split face masonry, and cast stone are used to create striping at the base. A standing seam metal roof is used at the mansard. High quality aluminum double hung windows are proposed throughout with matching storefront systems at the retail bay and the corner tower. Steel framed glass canopies are proposed at the main corner entrance and at the retail entrance.

D. Parking & Traffic:

The project will provide 84 spaces on 2 levels, with access via a drive ramp from Florida Avenue. The project provides a minimum of one car per dwelling unit. In keeping with current condominium parking practices, the parking and pedestrian access to the garage is controlled by a security gate, controlled by passcards held by the unit tenants. This level of security is expected by potential condominium purchasers.

Access to the Loading Dock is from Florida Avenue, and requires trucks to back into the loading berth. To mitigate any impact this maneuver may have on peak hour traffic, time-of-day delivery restrictions will be enforced. In reality, the major use of the Loading Dock will be during the initial condominium move-in period. The relatively small Retail element (4,000 square feet) will not likely generate any significant number of loading dock deliveries.

E. Comparison to matter-of-right and PUD standards for C-2-B

The proposed project uses (residential and retail) are permitted both in C-2-A and C-2-B matter-of-right zoning.

Under C-2-B matter of right zoning a building height of 65.0' is allowed, while the C-2-B PUD Guidelines allow a height of 90.0'.

Under C-2-B matter of right zoning a maximum FAR of 3.5 is allowed, with up to 3.5 FAR Residential and a maximum of 1.5 Commercial. The C-2-B PUD Guidelines allow a maximum Residential of 4.5 FAR, a maximum Commercial of

2.0 FAR, with a total combined maximum FAR of 6.0. The proposed project provides 4.5 FAR of Residential use.

VIII. Compliance With PUD Evaluation Standards of §2403

The proposed project provides a favorable impact on the Subject Property and immediate neighborhood, with any identified potential impacts being favorable or capable of being mitigated as described herein.

As demonstrated in Section IX, below, the project is not inconsistent with the Comprehensive Plan.

The proposed project reconciles the requested development incentives by providing the following public benefits and project amenities:

1. Affordable housing developed from the incremental density;
2. Efficient and economical land utilization of an irregular site with limited accessibility;
3. Quality architectural design and appropriate urban design response to a prominent site;
4. Increased residential density near a Metro station in support of the District's policy of Transit Oriented Development;
5. Use of a green roof to mitigate stormwater quantity and quality; and
6. Substantial neighborhood assistance proffers.

The proposed project develops no more than the maximum permitted density under C-2-B PUB Guidelines (4.5 FAR), and actually develops less than the maximum 90.0' height permitted (78.1' to the roof, 86.0' to the top of the architectural embellishment).

IX. Consistency with the Comprehensive Plan

A. Major Themes

The proposed project responds to the major themes of the District element of the

Comprehensive Plan in that (a) the residential character of neighborhoods will be maintained and improved; (b) that by recognizing and responding to the importance of the North Capitol Street and Florida Avenue intersection the project respects and improves the physical character of the District, especially with regard to the L'Enfant Plan which determined the expansive nature of this intersection; and (c) the project has encouraged and responded to community input and has received the approval of ANC 5C.

B. Land Use Element

The Generalized Land Use Map of the Comprehensive Plan designates the Site as low density commercial. This designation does not preclude the development of residential densities at higher densities as encouraged by the District's policy of Transit Oriented Development. This greater residential density also makes the creation of additional affordable residential units on the site more economically feasible.

The Policies Map designates the Site as a local neighborhood commercial center. The proposed project is consistent with the Comprehensive Plan's Land Use element in that it provides mixed use development within local neighborhood commercial center that will foster the continued growth of the District's economy while providing additional residential stock for its citizens. Additionally, according to the Policies Map, the Site is located diagonally across the intersection from Northeast No. 1/Eckington Yards Special Treatment Area.

The square to the south east of the Site is located in the North Capitol transferable development rights (TDR) receiving zone and thus could be developed to a maximum height of 130.0 feet and a density of 10.0 FAR.

The Site is located 2200 feet from the entrance to the New York Avenue/Gallaudet Metro Station.

All of these elements demonstrate that the Site is a perfect location for a project that maximizes residential density.

C. Economic Development Element

The proposed project is in conformance with the Economic Development element of the Comprehensive Plan as it satisfies the objective of economic development outside the Central Employment Area objective by creating a "...well-planned economic activity center along a major commercial corridor, at [a] Metrorail station, at [a]currently underused commercially ... zoned site, and at the neighborhood level."

D. Housing Element

The proposed project responds to the Housing element of the Comprehensive Plan by providing new infill housing to meet the needs of present and future District residents at locations consistent with District land-use policies and objectives. This PUD is the type of zoning incentive specifically contemplated by (§303.2(d) for developers prepared to build low-and moderate-income housing.

E. Environmental Protection Element

The proposed project is in conformance with the Environmental Protection element of the Comprehensive Plan as by virtue of its location and the proposed increased residential density the Project promotes a land use that helps to improve air quality by clustering residences where they can be served efficiently by Metrorail or frequent bus service.

The use of energy efficient materials, appliances, and building systems is reinforced by use of an energy efficient green roof.

F. Transportation Element:

The proposed project is in conformance with the general transportation objective of the Transportation element of the Comprehensive Plan as it promotes higher density residential development at strategic locations, particularly near appropriate Metrorail stations.

G. Urban Design Element:

The proposed project is in conformance with the land use objectives of the Urban Design element of the Comprehensive Plan in that in the selection of materials such as brick and stone it maintains and enhances the physical integrity and character of the District as the Nation's Capital.

By giving definition to a corner of what was once a coherent Circle, but which is currently a large undifferentiated and confusing intersection, the Project enhances the physical qualities of its District neighborhood.

The L'Enfant plan was not conceived as lines on paper, but rather a dynamic interaction with the environment. Vistas along avenues and major streets were terminated by natural features at focal points that occurred at locations along Boundary Road or across the Potomac and Anacostia rivers. As one traveled the broad avenues these focal points would occupy more or less of the field of vision. Today, the expansion of the city and the hand of man has rendered most of these focal points non-existent. The prominence of the Project's central building feature is, in this context, entirely appropriate, occurring as it does at the intersection of North Capitol Street, one of the Plan's grandest streets, with Boundary Road, now Florida Avenue.

The proposed project is in conformance with the built environment objectives of the Urban Design element of the Comprehensive Plan in that the addition of an architectural embellishment encourages a more detailed articulation of the building's roof lines and facades. While a C-2-B PUD allows a building to a height of 90.0 feet, the Project's main cornice line is at 65.0 feet, the highest roof level is at 77.5 feet, and the architectural embellishment tops out at 81.0 feet, all of which are significantly within the PUD guidelines.

The proposed project supports the policies established in support of the streetscape objective by a carefully considered plan of streetscape pavers and the planting of 3.5" white oaks along both North Capitol Street and Florida Avenue. The incorporation of the grade change to provide a retail opportunity on Florida Avenue helps to create a visually interesting environment that utilizes the design opportunities present in the public space, and the overall design defines a special image for this prominent intersection.

Further, this well-designed development creates a new physical identity in an area that currently lacks character.

H. Ward 5 Element

The proposed project responds to the Ward 5 elements of the Comprehensive Plan as follows:

1. Housing:

By providing a mix of new market and affordable housing, the proposed project reinforces and helps to stabilize the residential character of the surrounding neighborhood. (1608.1)

2. Urban design:

The proposed project develops streetscape and other design elements that enhance the aesthetic and historic qualities of the surrounding streets (Florida Avenue and North Capitol Street as defined in 1621.1), and creates a strong design element that reinforces a major L'Enfant Plan gateway into the city. Further, the project complements the adjacent area by providing an aesthetically pleasing physical transition through the appropriate use of materials, scale, height, bulk, and architectural design.

3. Land use

By protecting and enhancing the stability of the surrounding residential neighborhood, and by proposing an appropriate mix of uses, the proposed project responds to the land use element of the Ward 5 Plan (1629.1).

X. Compatibility With The Area

The proposed project is particularly well-suited to, and compatible with, its surrounding area. The site is located in a commercial strip located in the midst of a fairly large Residential (R-4) district, so both residential and commercial uses are appropriate. The commercial use fronts on Florida Avenue, facing a three-story commercial structure across the street to the south, so it helps to stabilize the commercial use by providing retail on both sides of the street – a preferred urban arrangement.

The multifamily residential use, while among predominantly single-family dwellings, is not entirely out of place as a number of the immediately surrounding residential properties have been subdivided into apartments and other uses. Further, the multifamily aspect does not intrude on the surrounding residential streets, confining its presence to a major urban intersection.

While the requested C-2-B PUD allows height greater than the immediately surrounding C-2-A, the proposed project does not utilize all of the height available under C-2-B. Additionally, the southeast corner of the intersection of Florida Avenue and North Capitol Street has been zoned C-3-C PUD, and is a TDR receiving area, with a maximum theoretical height of 130.0'. While all of this height may not be used in the future immediately at the intersection, it is certain that a structure in excess of the height requested for the Subject Property will be erected there. In the near future it appears likely that development forces, coupled with the proximity of the Metrorail station, will result in additional zoning modifications in this area that will maximize density and height within the limits of the 1910 Height of Buildings Act. Thus, it is entirely likely that, instead of being a dominating presence at this intersection, the proposed project will in the near future appear appropriately scaled.

The proposed materials are compatible with the brick and stone palette of the surrounding structures.

XI. Conclusions

The proposed project is not inconsistent with the Comprehensive Plan. By specifically supporting applicable District and Ward elements the proposed project reinforces the objectives of the Plan.

The proposed project is within the applicable height and bulk standards of the PUD Guidelines of the Zoning Regulations.

The proposed project provides an appropriate balance between the development proposed, the flexibility requested, and the benefits and amenities provided. The building provides a strong but appropriate urban image, creates more residential units (including affordable units), and stabilizes and reinforces the immediate residential neighborhood.

The applicant acknowledges that the PUD provisions of the Zoning Regulations allow the Zoning Commission to condition approval to what is specifically proposed, without allowing more density or uncontrolled development.

For these and other reasons set forth herein the proposed project should be approved.