

**LEVEL 2 DEVELOPMENT, LLC**  
**CONSOLIDATED APPLICATION FOR PLANNED UNIT DEVELOPMENT**

**SUPPLEMENTAL FILING  
IN SUPPORT OF AN APPLICATION  
FOR CONSOLIDATED REVIEW OF A PLANNED UNIT DEVELOPMENT**

**ZONING CASE NO. 06-24**

January 5, 2007

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**ZONING COMMISSION  
District of Columbia**

**CASE NO.** 06-24

**EXHIBIT NO.** 31A  
ZONING COMMISSION  
District of Columbia  
CASE NO. 06-24  
EXHIBIT NO. 31A

## **LIST OF EXHIBITS**

<b><u>Description</u></b>	<b><u>Exhibit</u></b>
Architectural Plans and Drawings	A (submitted separately)
Traffic Report by Wells & Associates	B (submitted separately)
Letters in Support of PUD	C
Resumes of Persons Testifying on Behalf of Applicant	D
Economic Impact Statement by Bolan Smart Associates, Inc.	E

## **TABLE OF CONTENTS**

	<b><u>Page</u></b>
LIST OF EXHIBITS.....	i
INTRODUCTION .....	1
PROJECT OVERVIEW .....	1
UPDATED/SUPPLEMENTAL PUD INFORMATION.....	1
A. REVISIONS TO ARCHITECTURAL DRAWINGS .....	1
B. TABULATION OF DEVELOPMENT DATA .....	3
C. TRAFFIC STUDY.....	4
D. FLEXIBILITY UNDER PUD GUIDELINES.....	4
1. Roof Structure.....	4
2. Residential Recreation Space.....	4
3. Lot Occupancy.....	5
4. Loading Berth.....	5
5. Location of Below Market Retail Space.....	5
6. Location of Green Roof.....	5
E. PUBLIC BENEFITS AND PROJECT AMENITIES .....	6
1. Site Planning and Efficient and Economical Land Utilization.....	6
2. Transportation Features.....	6
3. Employment and Training Opportunities.....	6
4. Housing and Affordable Housing.....	7
5. Environmental Benefits.....	7
6. Other Public Benefits and Project Amenities.....	8
F. LETTERS IN SUPPORT OF APPLICATION .....	8
G. RESUMES OF PERSONS TESTIFYING ON BEHALF OF APPLICANT .....	8

## **INTRODUCTION**

This statement and the attached documents are submitted to the Zoning Commission on behalf of Level 2 Development, LLC (the "Applicant"), in accordance with Section 3013 of the Zoning Regulations, in support of its application for consolidated review and approval of a PUD located at 2400 14<sup>th</sup> Street, N.W. (the "PUD"). The statement includes a discussion on the revised architectural drawings and a revised table of the PUD development data. It also includes updated discussions on the areas of flexibility requested and the PUD benefits and amenities. Also enclosed as part of this filing are revised architectural drawings (Exhibit A), the revised traffic study (Exhibit B), letters in support of the PUD (Exhibit C), the resume of the persons that may testify on behalf of the Applicant (Exhibit D), and the revised economic impact statement (Exhibit E).

## **PROJECT OVERVIEW**

The proposed development is a mixed-use project consisting of approximately 225 dwelling units, plus or minus 25 units, a portion of which will be affordable housing, and 18,000 square feet of retail. It also includes a two-level underground parking garage with approximately 158 parking spaces, well in excess of the Zoning Regulations requirement, and 18 surface retail parking spaces. The floor area ratio for the PUD will be 6.0. The PUD would significantly benefit the area and the District as a whole by providing new housing, affordable housing, economic and employment opportunities, and a number of other public benefits and project amenities and furthering the objectives of the Comprehensive Plan.

## **UPDATED/SUPPLEMENTAL PUD INFORMATION**

### **A. Revisions to Architectural Drawings**

Since the PUD application was set down for hearing, the Applicant has worked closely with the Office of Planning to refine the plans and address prior outstanding concerns. As a result, the drawings for the project have been revised as follows:

The massing at the top of the northwest corner of the project has been reduced to better relate to a probable future 6-story building across the alley. The brick portion of the building has been reduced by one full level and the mass of the upper levels has been set back and changed in material to minimize its effect. A trellis has been added to further break up the scale and emphasize the lowered top of the brick mass.

The walk-up units along Chapin Street have been developed to distinguish them from the main part of the building and reduce the scale of north façade.

The openings in the west façade have been redesigned to moderate the scale of the building face visible from the residential neighborhood across the alley, and the rooftop recreation space at the pool has been screened on that side to reduce sound transmission.

**B. Tabulation of Development Data**

	<b>Required/Allowed</b>	<b>Provided</b>
<b>Lot Area</b>	15,000 s.f.	39,991 s.f.
<b>Lot Width</b>	None prescribed	319.3'
<b>FAR</b> <b>Floor Area:</b> <b>Residential</b> <b>Retail</b>	6.0	6.0  5.6 (223,946 s.f.) .4 (16,000 s.f.)
<b>Lot Occupancy</b>	80% max	Commercial Floors: 100% Ground Floor: 93% Level 1: 73% Levels 2 – 7: 70% Level 8: 62% Level 9: 46%
<b>Building Height</b>	90 feet	90 feet
<b>Penthouse Height</b>	18.5 feet	Roof Structure 1: 16'-0" Roof Structure 2: 12'-0"
<b>Rear Yard</b>	15 feet	32'-6" from center line of Belmont Street
<b>Side Yard</b>	None req.	None
<b>Open Court Width</b>	4" per foot of height	Court 1: 52.5' Court 2: 33' Court 3: 77.5' Court 4: 54.4' Court 5: 52.2'
<b>Parking:</b> <b>Residential</b>	1 space per 3 units	158 spaces, or a parking ratio of not less than .7 per dwelling unit
<b>Retail</b>	18 spaces	18 spaces
<b>Loading Berth</b> <b>Loading Platform</b> <b>Service/Delivery Loading</b>	1 @ 55'-0" 1 @ 200 s.f. 1 @ 20'	1 delivery service space at 20' 2 berths @ 30'

**C. Traffic Study**

The revised traffic study for the PUD is enclosed as Exhibit B. It concludes that the proposed development would generate fewer trips than the existing shopping center on the Property; would have less traffic impact than the development permitted on the Property as a matter of right; the site-generated trips and the trips from nearby developments can be adequately accommodated at the majority of key intersections in the study area with a slight modification of the existing traffic signal timings; and the proposed parking and loading/service facilities will adequately serve the project.

**D. Flexibility Under PUD Guidelines**

The Applicant seeks flexibility from those provisions pertaining to roof structures, residential recreation space, lot occupancy and loading berth requirements. It also requests flexibility in the location of the below-market retail space and the green roof. The Zoning Commission may grant such flexibility without the need for special exception approval from the Board of Zoning Adjustment or compliance with the special exception standards that might otherwise apply. 11 DCMR §2405.8.

1. Roof Structure. The Applicant seeks flexibility from Section 770.6 of the Regulations in order to permit the mechanical penthouse to be setback two feet from the west wall of the building and the trellis to extend to the edge of the southern wall of the building. The reduced set back for the penthouse is necessary because of the stepped massing approach of the building design, which results in a smaller area available for the mechanical penthouse. The stepped massing is a response to the site topography and scales the building to its surrounding context. The resulting design, however, provides generous setbacks from the property line to the penthouse walls on the southern and western sides. On the western side of the PUD site, the building faces a 20-foot wide public alley and will be set back 50 feet from the alley. On the southern side of the PUD site, facing Belmont Street, this mechanical penthouse roof structure is set back 82 feet from the property line.

2. Residential Recreation Space. The Regulations mandate that buildings located in the C-2-B District containing a residential use, other than a one-family dwelling, flat, or hotel, have an area equal to 15% of the gross floor area dedicated for residential use as residential recreation space. 11 DCMR §773.3. The PUD provides

approximately 9,000 square feet of residential recreation space, or approximately 4% of the residential floor area, primarily in the form of a rooftop pool and terrace facing the monumental core and oriented to the south. There is also a ground floor landscaped garden and courtyard off the main residential lobby, a second floor gym and recreation room overlooking the courtyard garden, and a meeting room on the second level. In addition to these on-site amenities, the PUD is well served by local and public recreational amenities. Meridian Hill Park is located one block west of the project; Cardozo High School, located east of the Property, has a large running track; and Harrison Park, located at 14<sup>th</sup> and V Streets, has ball fields and other outdoor recreational facilities.

3. Lot Occupancy. Due to the sloping nature of the site and the location of some of the residential units on the ground floor, the lot occupancy for the PUD is 93% where 80% is permitted. However, please note that for floors 1 through 9, where the majority of the residential units are located, the lot occupancy is less than 80%. Specifically, the first floor has a lot occupancy of 73%, floors 2 through 7 have a lot occupancy of 70%, the eighth floor has a lot occupancy of 62%, and the ninth floor has a lot occupancy of 46%.

4. Loading Berth. Based on the scale and design of the project, it is highly unlikely that a 55' trailer will service the residential and commercial tenants of the PUD. Therefore, the Applicant proposes a 30' loading berth in lieu of the 55' loading berth required under the Regulations.

5. Location of Below-Market Retail Space. The Applicant has committed to lease 1,000 square feet of the PUD retail space to a public/private partnership that provides job and entrepreneurial training to teens and young adults. The lease would be for a period of five years at approximately 60% of the market rate. The Applicant seeks flexibility in the location of said retail space because the location will depend on the tenants and allocation of space within the project.

6. Location of Green Roof. 2,000 square feet of the building rooftop will be utilized for a planted "green roof." The location of the green roof will depend on a number of factors that cannot be confirmed at this stage of the project design. Therefore, the Applicant seeks flexibility in the location of that portion of the rooftop that will be devoted to the "green roof."



**E. Public Benefits and Project Amenities**

The project offers a number of the public benefits and project amenities that the PUD process is specifically designed to encourage, namely site planning and efficient and economical land utilization, transportation features, employment and training opportunities, and housing and affordable housing.

1. Site Planning and Efficient and Economical Land Utilization. 11 DCMR §2403.9(b). The site plan for the project improves the pedestrian circulation and vehicular traffic patterns on the site and the immediate area by removing the existing curb cuts along Chapin and Belmont Streets. Instead, vehicular access will be via the public alley on the west side of the Property.

2. Transportation Features. 11 DCMR §2403.9(c). The PUD incorporates measures that mitigate adverse traffic impacts. First, it will contain ground floor retail and service uses reducing the need to drive for basic neighborhood services. Second, residents will be within walking distance of the 14<sup>th</sup> and U Street Corridor, which offers a number of services and commercial uses, including stores, restaurants, and entertainment establishments. Third, the Property is well served by public transportation, including the Metrobus lines and the U Street-Cardozo Metrorail Station. Finally, the PUD will include an underground parking garage that contains approximately 158 parking spaces, or a parking ratio of not less than .7 per dwelling unit, and 20 surface retail parking spaces so that residents and users of the project will not have to compete for on-street parking spaces. Of those parking spaces, one will be reserved for a "Zip Car" or "Flex Car" car sharing program.

3. Employment and Training Opportunities. The Applicant has committed to reserve 1,000 square feet of the retail space for lease to a public/private partnership that provides job and entrepreneurial training to teens and young adults. The selected tenant(s) will be able to lease the space at 60% of the market-rate rent, which is currently \$50 per square foot. The reduced lease will be granted for an aggregate value of \$100,000, or a net present value of \$78,813, based on an interest rate of 8.5%. The tenant(s) will be required to enter into an agreement with the Department of Employment Services, Columbia Heights Development Corporation or similar organization with an employment program for District residents.

4. Housing and Affordable Housing. 11 DCMR §2403.9(f). Arguably, the single greatest benefit to the area, and the District as a whole, is the creation of new housing and home ownership opportunities consistent with the goals of the Zoning Regulations, the Comprehensive Plan and the Mayor's housing initiative. These objectives are met on two fronts. First, as a PUD, the project provides approximately 223,946 square feet of residential use on the Property instead of 189,968 square feet, which is the maximum area of residential use permitted on the Property as a matter of right under the C-2-B zoning. This new housing is characterized by an urban living system supported by the retail, commercial and entertainment establishments in the U Street Corridor and the public transportation system. It should also be noted that the residential use is proposed in lieu of an additional 59,982 square feet of commercial development that would be permitted on the Property as a PUD.<sup>1</sup>

Additionally, the Applicant will make a significant contribution towards affordable housing. At the urging of the Office of Planning, the Applicant devoted an area equal to 15% of the increase in the residential FAR permitted on the Property as a PUD,<sup>2</sup> or approximately 15,000 square feet, to persons whose income does not exceed 80% of the area median income. The proportion of affordable housing units will reflect that of the market rate units and will be distributed throughout the building, except for the top two floors. Finally, the size of these units will not be less than 95% of the size of the average size of the comparable market unit within the PUD.

5. Environmental Benefits. 11 DCMR §2403.9(h). The Applicant is committed to including the following sustainable design elements in the PUD:

- a. Sustainable Site: Erosion and sedimentation control, urban redevelopment, 15% bike storage, stormwater management (rate and quantity), stormwater management (quality) and green roof.
- b. Water Efficiency: Water efficient landscaping.

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<sup>1</sup> The Applicant is proposing only 18,000 square feet of commercial use when, as a PUD, the Property can be developed with up to 79,982 square feet of commercial use.

<sup>2</sup> The maximum residential FAR permitted on the Property under the C-2-B regulations is 3.5, or 189,969 square feet. As a PUD, the residential FAR permitted on the Property increases from 3.5 to 6.0, or 239,946 square feet, which is an increase of 99,977 square feet. 15% of the increase is approximately 15,000 square feet.

- c. Energy and Atmosphere: Fundamental building systems commissioning minimum energy performance, CFC reduction in HVAC&R equipment.
- d. Material and Resources: Storage and collection of recyclables.
- e. Indoor Environmental Quality: Minimum IAQ performance, construction IAQ management plan during construction, low-emitting materials, carpet, daylight and views 75%.
- f. Innovation and Design Process: LEED accredited professional.

6. Other Public Benefits and Project Amenities. 11 DCMR §2403.9(j). In connection with the PUD application, the Applicant commits to make monetary contributions totaling \$25,000 for a new Teen Center program at the Boys and Girls Club #10, neighborhood initiatives of the North and South Columbia Heights Neighborhood Associations, and the affordable housing program of Samaritan Inns, a non-profit organization dedicated to the rehabilitation of training for work and independence of the homeless with drug and alcohol addictions. Overall, when adding these contributions with the lease arrangement for job and entrepreneurial training discussed above, the Applicant has committed approximately \$125,000 to support programs and initiatives of neighborhood organizations.

**F. Letters in Support of Application**

In addition to the letters previously submitted to the Zoning Commission by the Applicant, the following organizations have provided letters in support of the PUD: Ward One Councilmember Jim Graham, ANC 1B, the Meridian Hill Neighborhood Association, the Mercury at Meridian Condominium Association and the Sankofa Tenants Association. Copies of the letters are attached as Exhibit C.

**G. Resumes of Persons Testifying on Behalf of Applicant**

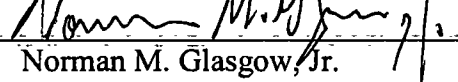
The resumes of those persons that may testify on behalf of the Applicant are attached as Exhibit D.

## CONCLUSION

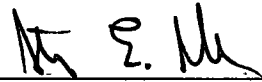
Based on the information and items contained herein, and the case presented in the original submittal and prehearing statement, the Applicant respectfully requests the Zoning Commission's approval of the application.

Respectfully submitted:

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By:   
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By:   
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