

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING



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Memorandum

TO: District of Columbia Zoning Commission

FROM: Jennifer Steingasser *JS*
Deputy Director

DATE: August 24, 2007

SUBJECT: Case No. **ZC 07-18: Setdown Report** for Consolidated Planned Unit Development for 1000 F Street, N.W., filed by Holland & Knight LLP for Jemal's Up Against the Wall LLC

APPLICATION

Jemal's Up Against the Wall LLC has applied for a Consolidated Planned Unit Development (PUD) for an 11-story office building with ground floor retail and below grade parking.

OFFICE OF PLANNING RECOMMENDATION

The Office of Planning recommends the case be set down for public hearing. This project will provide new office and retail space. It is not inconsistent with the 2006 Future Land Use Map recommendation and 2006 Comprehensive Plan policies for the area.

The applicant has requested relief from four zoning requirements and a waiver from the minimum area requirement for a PUD. The Office of Planning believes that these can be granted as proposed.

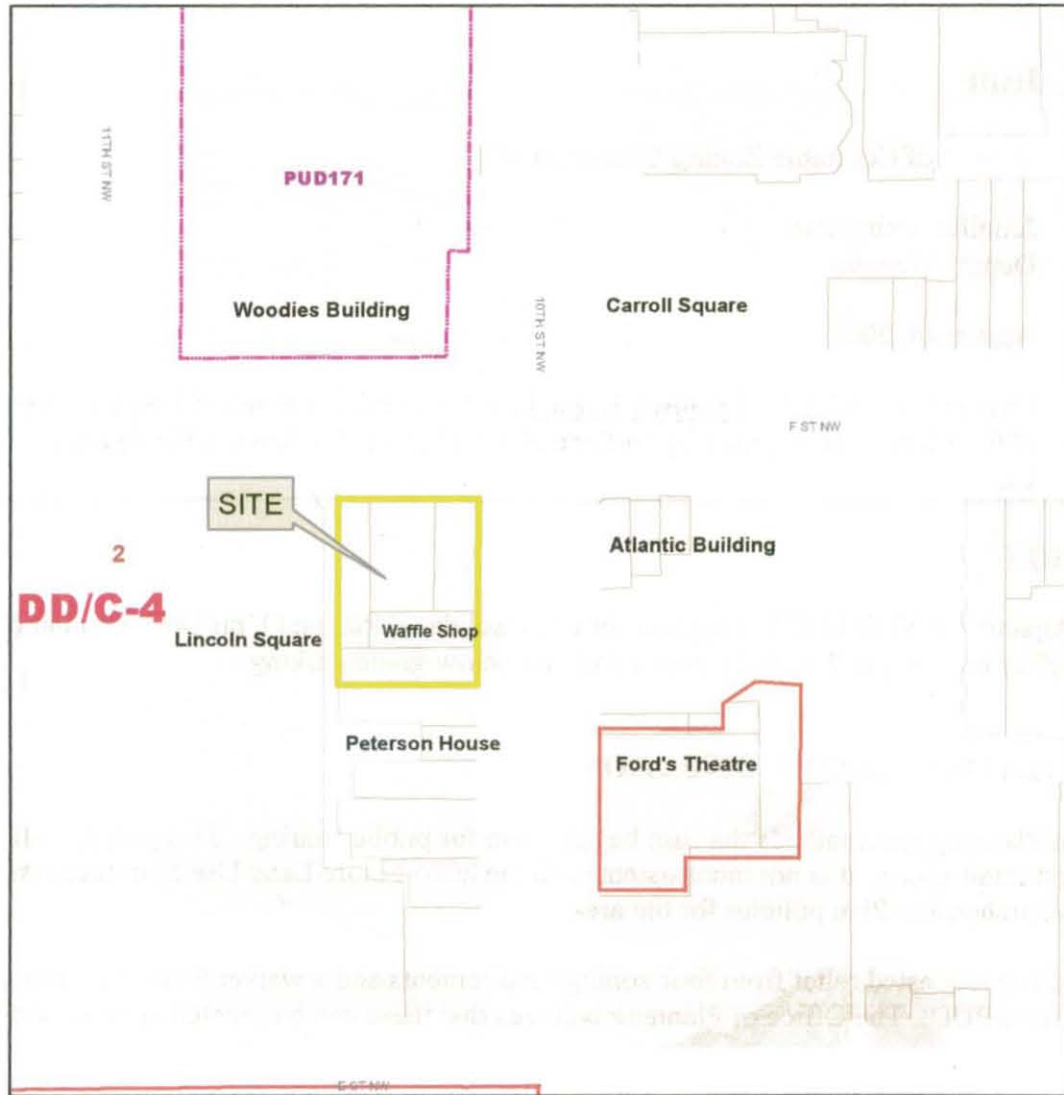
AREA DESCRIPTION

Zone District:	C-4	Overlay:	Downtown Development District
Square:	347	Lots:	18, 19, 818-821
Quadrant:	North West	Area:	11,790 SF
Building Restriction Line:	None	Alley Width:	15 feet (including 5 foot easement)
10th Street, NW Width:	85 feet	F Street, NW Width:	100 feet
Historic District:	Pennsylvania Avenue National Historic Site		
Existing Improvements:	One and two-story commercial buildings		

ZONING COMMISSION
District of Columbia

CASE NO. 07-18

EXHIBIT NO. 12



Zoning Vicinity Map

Surrounding Properties:

- North:** Across F Street, is the Woodies Building, a mixed use building of office and retail space.
- Northeast:** Across the intersection of 10th and F, is the Carroll Square building, a mixed use building of office and commercial space.
- East:** Across 10th Street, is the Atlantic Building, a mixed use building of office and retail space. South of the Atlantic Building is Ford's Theatre.

- South:** Three-story commercial building.
- West:** Across the public alley, is Lincoln Square, an 11-story mixed-use office and retail building.

All surrounding properties are located within the Downtown Development Overlay District and the C-4 District, with the exception of Ford's Theatre, which is located within the DD Overlay District but unzoned.

The subject property is located one block southeast of the Metro Center Metrorail Station on the Red, Blue and Orange Lines, and two blocks southwest of the Gallery Place-Chinatown Metrorail Station on the Red, Yellow and Green Lines.

Future Land Use Map (2006): High Density Commercial: *Defines the central employment district of the city and other major office employment centers on the downtown perimeter. Characterized by office and mixed office/retail buildings greater than eight stories in height, although many lower scale buildings (including historic buildings) are interspersed.*

PROPOSAL

The applicant proposes to construct an 11-story mixed use building with:

- approximately 91,188 square feet of office space,
- approximately 6,218 square feet of retail space at ground level, and
- 68 below grade parking spaces.

Two existing on-site buildings are proposed to be preserved. The two-story historic brick commercial building at the southwest corner of 10th and F, located at 1000 F Street, N.W. and on Lot 19, is to be integrated into the new development. Its windows and façade are to be restored, and the canopy and storefronts reconstructed. The two-story brick "Waffle Shop" building, located at 522 10th Street, N.W. and on Lot 820, is to be relocated to either Square 450 or Square 451 within the Mount Vernon Square Historic District, reassembled and rehabilitated. All other existing improvements to the property, which are not of historical or architectural significance, are proposed to be demolished.

Pedestrian retail entrances are proposed along 10th Street and F Street, and at the corner of 10th and F within the historic building proposed to be retained. The entrance to the office building is to be on F Street, on the west side of the building. The new construction is to be 'L' shaped, and surround the existing two-story corner building of 10th and F on the southern and western sides of the building.

On the western side of the site the building will be 120 feet in height, similar to the height of the portion of the Lincoln Square complex located directly across the public alley from the subject property. The height of the proposed building will taper downward from west to east toward 10th Street, in deference

to the historic structures that are located south of the property and similar to the design of the Carroll Square complex on the east side of 10th Street and adjacent to Ford's Theatre.

Vehicular access for parking and loading is to be from the public alley on the west side of the building only. Four below grade levels of parking are proposed under the new construction, resulting in an L-shaped parking garage. Extending beyond the property lines along 10th Street and F Street 31 vault parking spaces are proposed. Some of the vault parking spaces are stacked and will not have direct access to a drive aisle.

Concurrent with this application is a request to close a stub alley, S.O. 06-5596, located in the southwestern corner of the subject property. This alley serves only lots within the subject property and is proposed to be incorporated into the development of the site. The Office of Planning does not object to the closure of this alley.

The exterior of the building is proposed to be terra cotta veneer along the western and southern wings of the building. Framing the two-story historic building the new construction will be predominantly an aluminum and glass curtain wall. Abutting the historic structure immediately to the south at 528 10th Street the proposed building will be covered in a terra cotta veneer, evoking a similarity with the historic masonry buildings to the south and contrasting with the aluminum and glass façade to the north and west.

The roof of the 11-story portion of the building is proposed for several uses. It will include a cooling tower on the west side of the structure. The remainder of the west side of the roof will be utilized for roof access and a roof terrace along a portion of the F Street frontage. The entire length of the 10th Street frontage of the 120-foot high structure is to be dedicated as a green roof.

ZONING

The site is zoned DD/C-4 and the applicant proposes to develop the property as a PUD. The following table is a comparison of the DD/C-4 standards, the DD/C-4/PUD standards, and the proposed development:

Table 1

	DD/C-4	DD/C-4/PUD	Proposal
Area	N/A	15,000 square feet	11,790 square feet
Height	110 feet	130 feet	120 feet
FAR	6.00	10.5	8.26
Lot Occupancy	100%	100%	100%
Parking	Retail - 0 Office - 38 TOTAL - 38	Retail - 0 Office - 38 TOTAL - 38	Retail - 0 Office - 23 TOTAL - 23 zoning compliant; 68 grand total
Loading	1 loading berth @ 30 ft deep 1 loading platform @ 100 sq ft 1 service/delivery space @ 20 ft	1 loading berth @ 30 ft deep 1 loading platform @ 100 sq ft 1 service/delivery space @ 20 ft.	No loading berth provided 1 loading platform @ 200 sq ft 1 service/delivery @ 20 ft
Open Court Widths	Minimum 12 feet	Minimum 12 feet	One at 9'-6"; one at 5'; five others in compliance
Roof Structure	Setback equal height	Setback equal to height	18'-6" height; no setback along south and west building walls

¹ Waiver requested per § 2401.2

² Relief requested

WAIVER REQUEST

The applicant requests a waiver pursuant to § 2401.2 of the Zoning Regulations in order to permit a PUD on a site consisting of less than 15,000 square feet. The Commission is empowered to waive up to 50 percent of the minimum area required for a PUD, provided the development is of exceptional merit and in the best interest of the city or country. The application indicates that the applicant considers the proposed development to be of exceptional merit, due to the extent of historic preservation work proposed and sensitive site design and development. The application proposes to salvage and relocate significant portions of the Waffle Shop, restore the historic structure at 1000 F Street, and provide a new mixed use building that relates to both the historic facades on 10th Street and the office buildings on F Street.

FLEXIBILITY

The following relief is required from the Zoning Regulations:

Floor Area Ratio

§ 1707.4(c): This section of the DD Overlay District regulations permits a maximum FAR of 6.0 for the square in which the subject property is located. An FAR of 8.26 is requested, or a 37.7 percent increase

over the established maximum FAR. The applicant requests the additional FAR in order to efficiently utilize the site, construct a building compatible with the surrounding historic landmarks and new developments, and provide adequate office and retail space for tenants.

Roof Structure

§ 770.6(b): This section requires that mechanical penthouses be set back a distance equal to their height from all exterior walls of the building. An 18-foot 6-inch high mechanical penthouse is proposed that complies with this requirement only on the northern and eastern walls of the building, but not on the western and southern walls of the building, internal to the site. The application indicates that the penthouse location will limit views of it from the street and allow for the construction of a building more compatible with the surrounding historic buildings.

Open Court Widths

§ 776.1: Seven open courts are proposed, two of which are less than 12 feet in width, the minimum required for nonresidential courts. The first, on the sixth floor, is proposed to be nine feet, six inches in width. The other, on the tenth floor, is proposed to be five feet in width. Reduced court widths are the result of the applicants attempt to provide subtle architectural features that add to the massing and scale of the building and to make the building more compatible with surrounding historic structures and modern developments.

Off-Street Parking

§ 2101.1: 68 parking spaces are proposed, but only 23 are zoning compliant out a minimum off-street parking requirement of 38. As the site is located less than an 800-foot radius from the 11th and G Street entrance to the Metro Center Metrorail station and is not located within 800 feet of an R-1 through R-4 District, the applicant requests special exception approval to reduce the parking requirement 25 percent from 45 to 38 pursuant to § 2104. Flexibility is required for the remaining 15 required parking spaces.

Eight of the remaining parking spaces are compact, but do not comply with the provisions for compact parking spaces as discussed below. The rest are vault and tandem spaces and require relief because they are proposed to be located between the front building line and a lot line abutting a street and because direct access to a drive aisle is not provided, as required by § 2117.4. The application indicates that the need for this relief results from the L-shape of the site and the applicant's attempt to efficiently utilize the parking area. Approval of the vault space will be required by the Public Space Committee.

§ 2115.4: This section requires compact parking spaces to be in contiguous groups of no less than five. Layout of the garage is proposed to permit two groups of three and four individually located compact spaces within the garage. The application indicates that the need for this relief results from the L-shape of the site and the applicant's attempt to utilize the parking area in the most efficient manner possible.

The Office of Planning will request the opinion of DDOT regarding the feasibility of these proposals.

Loading

§ 2201.1: This section requires a:

- 30 foot deep loading berth;
- 100 square foot loading platform; and
- 20 foot deep service/delivery space

for the proposed building.

The application proposes a:

- No loading berth;
- 200 square foot loading platform; and
- 20 foot deep service delivery space.

This flexibility is requested due to the size of the site and the configuration of the property, which make it difficult to provide the loading as required. The application indicates that the proposed loading is adequate for the building. The Office of Planning will also request the opinion of DDOT regarding the feasibility of this proposal.

PUD EVALUATION STANDARDS

The purpose and standards for Planned Unit Developments are outlined in 11 DCMR, Chapter 24. Section 2400.1 states that a PUD is “designed to encourage high quality developments that provide public benefits.” In order to maximize the use of the site consistent with the zoning regulations and be compatible with the surrounding community, the applicant is requesting that the proposal be reviewed as a consolidated PUD. This will allow the utilization of the flexibility stated in Section 2400.2.

The overall goal is to permit flexibility of development and other incentives, such as increased building height and density; provided, that the project offers a commendable number of quality public benefits and that it protects and advances the public health, safety, welfare, and convenience.”

The application proposes a DD/C-4 PUD to gain an additional 26,645 square feet of floor area over that permitted as a matter of right within the DD/C-4 District. Public benefits amenities proposed by the applicant are discussed below.

Section 2403 further outlines the standards under which the application is evaluated.

2403.3 The impact of the project on the surrounding area and the operation of city services and facilities shall not be found to be unacceptable, but shall instead be found to be either favorable, capable of being mitigated, or acceptable given the quality of public benefits in the project.

The proposed building will contribute to the redevelopment of downtown and provide a new mixed-use building similar to other mixed use developments that have been constructed in recent years within the

surrounding area by providing a similar building in use and height. It will also compliment the surrounding historic district in design and scale, and provide needed rehearsal space to and in support of the historic Ford's Theatre.

PUBLIC BENEFITS AND AMENITIES

Section 2403.9 outlines *"Public benefits and project amenities of the proposed PUD may be exhibited and documented in any of the following or additional categories:*

- (a) Urban design, architecture, landscaping, or creation or preservation of open spaces;*
- (b) Site planning, and efficient and economical land utilization;*
- (c) Effective and safe vehicular and pedestrian access, transportation management measures, connections to public transit service, and other measures to mitigate adverse traffic impacts;*
- (f) Housing and affordable housing;*
- (h) Environmental benefits, such as stormwater runoff controls and preservation of open space or trees;*
- (i) Uses of special value to the neighborhood or the District of Columbia as a whole;*

The Office of Planning is generally supportive of the architecture and design of the proposed building. OP has requested additional information from the applicant regarding the details of the parking and loading garage doors and the windows. The applicant has agreed to provide to supply this additional information.

Historic Preservation Review Board

HPRB approved the conceptual plans for the development at their July 27, 2006 meeting. On F Street the design reflects the narrow façade dimensions and tall building heights of that commercial street. On 10th Street the design steps down the height of the building in response to the lower scale historic buildings that occupy most of the block. The façade of the historic building at the corner of 10th and F is to be restored and the windows are to be restored or replicated, returning the building to the way it appeared almost 100 years ago.

The applicant also worked with the D.C. Preservation League, the Art Deco Society of Washington, the Committee of 100 on the Federal City and the Historic Preservation Office on the preservation of the Waffle Shop building. The applicant proposes to dismantle the Waffle Shop building and reassemble it on either Square 450 or 451, within the Mount Vernon Square Historic District.

Urban Design and Architecture

The application indicates that the scale, massing and architectural details of the proposed development, including the preservation of the existing façade at the corner of 10th and F Street, are an amenity. The proposed structure will incorporate the existing building into the fabric of the new mixed-use structure. Increased density and height on the western half of the site will be compatible with the Lincoln Square development on the west side of the public alley. Building heights will step down along the 10th Street

frontage, in respect of the historic structure to be preserved at the corner of 10th and F and Ford's Theatre, on the east side of 10th Street.

In discussions with the Office of Planning the applicant has agreed to consider adding additional green features to the buildings design.

Other Public Benefits

The application proposes to dedicate 4,000 square feet of rehearsal space to Ford's Theatre, either within the proposed building or at another location that is within close proximity and acceptable to the theater that would otherwise not be available to them. This space is in addition to 4,005 square feet of below-market space that the theater has obtained within the Atlantic Building for its operations. Additional information from the applicant is needed to demonstrate how this is to be accomplished.

Site Planning

The application also indicates that the site is designed to respect surrounding historic landmarks while complementing more recent development, by varying the heights of the building and through the use of various materials. The proposed building will be 11-stories on F Street, similar to the old Woodward & Lothrop building on the north side of F Street and the Lincoln Square building to the west. Along 10th Street the building will decrease to five to seven stories, more similar to the mainly three and four-story historic buildings south of the site.

Transportation Features

The application proposes brick pavers for the sidewalk on 10th Street and London pavers on F Street, as recommended by the Downtown Streetscape Standards.

Historic Preservation of Private Structures

The applicant proposes the retention and rehabilitation of the existing façade of the building at the southwest corner of 10th and F Street, massing of the proposed building to compliment surrounding historic landmarks and the restoration and relocation of the Waffle Shop building to the Mount Vernon Historic District. In efforts to preserve this building the applicant worked with the D.C. Preservation League, the Art Deco Society of Washington, the Committee of 100 on the Federal City and the Historic Preservation Office. Additional details are still needed from the applicant regarding the specifics of the relocation of the Waffle Shop building for review by the Office of Planning.

Affordable Housing

As the proposed development is to construct office and retail space only, there is no affordable housing requirement. Therefore, any housing provided will be an amenity, and the Office of Planning is working with the developer to define a contribution to the Housing Production Trust Fund.

First Source Employment Program

The applicant has agreed to enter into an agreement to participate in the Department of Employment Services First Source Employment Program so that a minimum of 51 percent of the employees hired in the development of the project are District residents.

Local Business Opportunity Program

The applicant has agreed to enter into a Memorandum of Understanding with the Local Business Opportunity Commission to use their resources to utilize a minimum 35 percent of LSDBE's in the development of the project.

COMPREHENSIVE PLAN (2006)

The proposed development meets many of the priorities, policies and actions of the 2006 Comprehensive Plan, as outlined in the Central Washington Element.

"Participants in Comp Plan discussions stated that further efforts should be made to nurture Downtown's developing mix of ... theaters..." (§ 1707.2(b))

"In addition to being diverse, Downtown should be authentic. This should be expressed through its appreciation and celebration of its history, culture and heritage. Thus, priority should be placed on the preservation of buildings, places and uses which express these qualities... Historic preservation should be strongly promoted Downtown where the historic fabric is still largely intact, but contemporary architecture also should flourish in places where new construction is appropriate." (§ 1707.2(c))

"Central Washington's design is unique among American cities. Its distinguishing qualities, including its diagonal avenues, monumental buildings, low building heights, and open spaces, are viewed as some of the District of Columbia's greatest assets. It is essential that new buildings reflect this character and add to the sense of place. In particular, attention must be paid to how buildings meet the street. Curb cuts, blank walls, and inactive ground floor uses should be minimized. Loading and parking entrances should be off of alleys as much as possible." (§ 1707.2(e))

Policy CW-1.1.1: Promoting Mixed Use Development

"Expand the mix of land uses in Central Washington to attract a broader variety of activities and sustain the area as the hub of the metropolitan area. Central Washington should be strengthened as a dynamic employment center, a high-quality regional retail center, an internationally-renowned cultural center, a world-class visitor and convention destination, a vibrant urban neighborhood, and the focus of the regional transportation network. New office and retail space, hotels, arts and entertainment uses, housing, and open space should be encouraged through strategic incentives so that the area remains attractive, exciting, and economically productive." (§ 1708.2)

Policy CW-1.1.2: Central Washington Office Growth

"Retain Central Washington as the premier office location in the Greater Washington region." (§ 1708.3)

Policy CW-1.1.7: Central Washington Arts and Entertainment Uses

"Retain, enhance, and expand Central Washington's arts and entertainment uses, including theaters, cinemas, galleries, studios, museums, and related services." (§ 1708.8)

Policy CW-1.1.8: Promote Central Washington Retail

“Develop and promote Central Washington as a regional retail destination. Particular emphasis should be placed on sustaining a concentrated regional shopping area at...the F and G Street corridors between 7th and 15th Streets NW.” (§ 1708.9)

Policy CW-1.1.12: Reinforcing Central Washington’s Characteristic Design Features

“Reinforce the physical qualities that set Central Washington apart from all other major American city centers, including the L’Enfant framework of diagonal avenues and park reservations, relatively low building heights, the great open spaces of the National Mall and Tidal Basin, the large number of historic and/ or monumental buildings, and the blending of historic and contemporary architecture.” (§ 1708.13)

Policy CW-1.2.2: Preservation of Central Washington’s Historic Resources

“Protect and enhance Central Washington’s historic resources by continuing the current practices of:

- (a) preserving the area’s historic buildings and districts*
- (b) requiring that renovation and new construction is sensitive to the character of historic buildings and districts*
- (c) applying design incentives and requirements to encourage preservation, adaptive reuse, and appropriate relationships between historic development and new construction*
- (d) encouraging the adaptive reuse of historic and architecturally significant buildings*
- (e) preserving the original L’Enfant Plan pattern of streets and alleys, especially alleys that provide for off-street loading, deliveries, and garage access.” (§ 1709.2)*

“Historic resources should be recognized as essential to Downtown’s economic vitality and competitive edge, particularly for retail, tourist, and entertainment activities.” (§ 1709.3)

Policy CW-2.1.3: Creating a Critical Mass of Retail Choices

“Improve Downtown’s viability as a shopping destination by encouraging additional small retailers to locate around existing retail anchors, adding new major retail anchors, and requiring continuous ground floor retail space wherever appropriate. Encourage the greatest possible variety of goods, services, and pricing so that the Retail Core meets the needs of a diverse range of residents, employees, and visitors.” (§ 1711.8)

Policy CW-2.1.4: Establishing a Unique Identity for Downtown Shopping

“Enhance the identity of the Downtown Retail Core as a unique shopping area. Design attention should be focused on the lower levels of buildings, with at grade retail frontages and frequent street-level store entrances. Special features such as canopies, signs, and lighting should be used to create a vibrant shopping environment. Streetscape and landscape design, street lighting, and signage should contribute to the area’s unique sense of place.” (§ 1711.9)

Policy CW-2.1.5: Pedestrian Movement in the Retail Core

“Emphasize and encourage pedestrian movement in the Downtown Retail Core, particularly along F, G, and H Streets NW. Future development in this area should create and support street-level activity. Interior or underground pedestrian arcades or passageways should be discouraged.” (§ 1711.10)

The application is consistent with many of the policies of Chapter 10, Historic Preservation Element of the Comprehensive Plan (2006).

Policy HP-2.4.1: Rehabilitation of Historic Structures

“Promote appropriate preservation of historic buildings through an effective design review process. Apply design guidelines without stifling creativity, and strive for an appropriate balance between restoration and adaptation as suitable for the particular historic environment.” (§ 1011.4)

Policy HP-2.4.2: Adaptation of Historic Properties for Current Use

“Maintain historic properties in their original use to the greatest extent possible. If this is no longer feasible, encourage appropriate adaptive uses consistent with the character of the property.” (§ 1011.5)

Policy HP-2.4.3: Compatible Development

“Preserve the important historic features of the District while permitting compatible new infill development.” (§ 1011.6)

The application is consistent with the following policies of Chapter 7, Economic Development Element of the Comprehensive Plan (2006).

Policy ED-2.1.1: Office Growth

“Plan for an office sector that will continue to accommodate growth in government, government contractors, legal services, international business, trade associations, and other service-sector office industries. The primary location for this growth should be in Central Washington and in the emerging office centers along South Capitol Street and the Anacostia Waterfront.” (§ 707.5)

Policy ED-2.1.5: Infill and Renovation

“Support the continued growth of the office sector through infill and renovation within established commercial districts to more efficiently use available space while providing additional opportunities for new space.” (§ 707.9)

The proposed mixed use development is consistent with many of the provisions of the 2006 Comprehensive Plan, as shown above. It will provide for infill development that promotes the restoration of downtown Washington by increasing the amount of office space, creating new commercial space and preserving historic structures. New retail space will improve the viability of downtown as a shopping destination and contribute to pedestrian movement on F Street. New office space will accommodate growth in the office market for a variety of users and contribute to retaining central Washington as a premier office location within the greater metropolitan area. Rehabilitation, reuse and preservation of historic structures that are blended together with new construction helps to strike an appropriate balance between old and new within the Pennsylvania Avenue Historic Site historic district. New rehearsal space, proposed to be provided to Ford’s Theatre, also a historic site, will contribute to retaining and enhancing Washington’s theater and entertainment uses. Therefore, the proposed PUD will contribute to the implementation of the 2006 Comprehensive Plan.

FUTURE LAND USE MAP (2006)

The Future Land Use Map recommends the subject site for high density commercial land use, which is defined as *“the central employment district of the city and other major office employment centers on the*

downtown perimeter. Characterized by office and mixed office/retail buildings greater than eight stories in height, although many lower scale buildings (including historic buildings) are interspersed.” The proposed development is a mixed use office and retail building greater than eight stories in height that includes the retention of a lower scale historic building within the design.

The Office of Planning therefore finds that the proposed development is not inconsistent with the Comprehensive Plan.

AGENCY REFERRALS AND COMMENTS

If this application is set down for a public hearing, it will be referred to the following District government agencies for review and comment:

- DC Water and Sewer Agency (WASA);
- Department of Employment Services (DOES);
- Department of Public Works (DPW);
- District Department of Transportation;
- Fire and Emergency Medical Services Department (FEMS); and
- Metropolitan Police Department (MPD).

The **Historic Preservation Review Board** reviewed the proposal on July 27, 2006 and approved the plan in concept.

COMMUNITY COMMENTS

ANC 2C, at its regularly scheduled meeting of June 7, 2006, voted 4-0 in support of the application.

Ford’s Theatre submitted a letter to the file dated March 16, 2007 in support of the application.

RECOMMENDATION

The Office of Planning supports the proposal for a new mixed-use building providing space for office and retail uses. The proposed PUD is not inconsistent with the elements of the Comprehensive Plan (2006). Therefore, the Office of Planning recommends that the application be set down for public hearing. The Office of Planning will continue to work with the applicant towards a more detailed review prior to the public hearing.