

## REPORT TO THE ZONING COMMISSION

CASE NO. 07-21  
2201 M STREET, NW

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- I. Introduction
- II. Nature of application: consolidated review of planned unit development
- III. Site location
  - A. Northwest corner of intersection of 22<sup>nd</sup> and M Streets, N.W.
  - B. West End area (predominantly high-rise, mixed-use)
- IV. Site description
  - A. Approximately square property (Square 50, Lots 82, 84, 813, 814 and 816)
  - B. Contains approximately 15,590 square feet of land area
  - C. Has frontage of approximately 128 feet along M Street and 129 feet along 22<sup>nd</sup> Street
  - D. Existing conditions:
    - 1. Three-story vacant building at 2201 M Street formerly used as the Nigerian Chancery
    - 2. 4 story vacant commercial building at 2213 M Street
  - E. Abutting streets:
    - 1. M Street - 90 feet wide
    - 2. 22<sup>nd</sup> Street - 90 feet wide

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District of Columbia

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EXHIBIT NO. 39

V. Description of the surrounding area (see aerial photograph, attached):

A. Remainder of Square 50

1. To the north:

- a. Office building (4 stories) at 1220 22<sup>nd</sup> Street
- b. Office building (5 stories) at 1232 22<sup>nd</sup> Street
- c. Office building (8 stories) at 1215 -1275 23<sup>rd</sup> Street
- d. Embassy Suites Hotel at 1250 22<sup>nd</sup> Street

2. To the west:

- a. Office building (4 stories) at 2215 M Street
- b. D.C. Fire Station (Engine Company 1, Medic Unit 1 and truck Company 2)

B. To the north: north of N Street, residential buildings in high-rise, mid-rise and row type structures

C. To the east:

1. 22<sup>nd</sup> Street

2. Adjoining square

- a. Nine-story Marriott Hotel at the northeast corner of M and 22<sup>nd</sup> Streets
- b. Office building at the corner of New Hampshire Avenue, M Street and Ward Place
- c. Office buildings at 1255 22<sup>nd</sup> Street and 2121 Ward Place
- d. Apartment buildings along N Street and New Hampshire Avenue

3. Central Employment Area stretches further to the east of New Hampshire Avenue (including office buildings, retail and hotels)

D. To the south:

1. M Street
2. Ritz Carlton Hotel, sports club and residences occupying most of the square across M Street
3. New apartment building under construction at 1177 22<sup>nd</sup> Street (triangular square bounded by New Hampshire Avenue and M and 22<sup>nd</sup> Streets)

E. To the west:

1. Mix of predominantly high-rise office buildings, apartment houses and hotels
2. West End Library and MPD Special Operations Division
3. Further to the west is Rock Creek Park and Georgetown

F. Buildings in vicinity planned or constructed to a height of 110 feet or greater

1. New Downtown Receiving Zone in C-3-C zoned portions of squares to the east (including Squares 72, 100, 73, 76) permits height allowed under Act of 1910 (either 110 or 130 feet, depending upon width of street)
2. PUDs developed at 110 feet in height
  - a. 2101 L Street
  - b. 2140 L Street
  - c. 2200 M Street
  - d. 1133 and 1155 21<sup>st</sup> Street and 2001 L Street
  - e. 1143 New Hampshire Avenue (approved)
  - f. 1227-1231 25<sup>th</sup> Street (BNA Buildings) (approved)

VI. Zoning: CR

- A. Mixture of residential, office, retail, recreational, light industrial and other miscellaneous uses (§§601-618)
- B. Maximum height: 90 feet (§630)

- C. Maximum FAR: 6.0, of which not more than 3.0 may be used for other than residential purposes (§631)
- D. Public space at ground level: area equal to at least 10% of lot area (§633)
- E. Maximum percentage of lot occupancy: 75% (not applicable to hotel use) (§634)
- F. Minimum rear yard: 3 inches per foot of vertical distance from the horizontal plane upon which residential use begins to the highest point of the main roof but not less than 12 feet (§636)
- G. Side yards: not required (§637)
- H. Off-street parking: 1 space for each 4 rooms useable for sleeping and 1 for each 300 square feet of floor area in either the largest function room or the largest exhibit space, whichever is greater
- I. PUD guidelines
  - 1. Height: 110 feet
  - 2. FAR: 8.0, of which no more than 4.0 may be used for other than residential purposes
  - 3. Yards and courts: as otherwise provided, subject to the Zoning Commission's discretion to approve greater or lesser
  - 4. Parking and loading: as otherwise provided, subject to the Zoning Commission's discretion to approve greater or lesser
- J. Zoning of the area
  - 1. To the north: CR up to N Street and DC/R-5-B beyond
  - 2. To the east: DC/CR in square to the east, followed by DC/R-5-B and DC/R-5-D to the northeast and C-3-C in the Central Employment Area east of New Hampshire avenue
  - 3. To the south: C-2-C on the south side of M Street, followed by R-5 Districts
  - 4. To the west: CR

K. Changes in zoning of the area:

1. West End rezoning in 1974 rezoned industrially zoned land, including the subject property, to new CR zone
2. Approved PUDs
  - a) 2200 M Street: rezoning from C-2-C to CR and consolidated PUD for a mixed-use development including hotel, residential, retail and recreation with a total FAR 6.81 and a maximum height of 110 feet (ZC Order No. 855, October 23, 1998 (as modified))
  - b) 2101 L Street: consolidated PUD under C-3-B (now C-3-C) for a mixed-use development including office and retail with 7.1 FAR and a height 110 feet (ZC Order No. 78, December 5, 1973, as modified by Order No. 78-A, June 12, 2006)
  - c) 2140 L Street: rezoning from R-5-D (now R-5-E) to C-3-C and consolidated PUD for an apartment house with ground floor retail with a total FAR of 6.96, and a height of 110 feet (ZC Order No. 483, September 8, 1986, as modified by ZC Order No. 553, December 31, 1987)
  - d) Lafayette Centre: 1133 and 1155 21<sup>st</sup> Street and 2001 L Street (Square 100): consolidated PUD under C-3-B (now C-3-C) for a mixed-use office and retail development with an FAR of 7.0 and a height of 110 feet (ZC Order No. 279, June 14, 1979)
  - e) 2401 Pennsylvania Avenue: consolidated PUD under the C-2-C District for a mixed use retail, residential and office building with an FAR of 7.66 and a height of 92 feet (ZC Order No. 586, August 8, 1988)
  - f) 1143 New Hampshire Avenue: rezoning from R-5-E to CR and consolidated PUD for an addition to an existing hotel with an FAR of 6.97 and a height of 110 feet (ZC Order No. 06-29, May 14, 2007)
  - g) 1227-1231 25<sup>th</sup> Street (BNA Buildings): consolidated PUD under the CR District for renovation and addition to existing buildings for mixed use apartment and office buildings with an FAR of 6.2 and a height of 110 feet (ZC Order No. 06-35, July 9, 2007)

VII. Description of the proposed project

- A. Construction of new hotel ("1 Hotel") with a total of 148 rooms (with flexibility to increase the number of rooms up to 170)
- B. Height: maximum of 110 feet
- C. Floor area ratio: 7.84 (122,235 square feet of gross floor area)
- D. Parking:
  - 1. 47 spaces (combination of standard, compact and tandem spaces)
  - 2. Could park up to 71 cars using attendant assisted parking
  - 3. All parking will be done by hotel valets
- E. Loading: 1 berth at 12 x 30 feet; 1 service delivery space 12 x 25 feet, 1 platform at 305 square feet
- F. Comparison to matter-of-right and PUD standards for CR
  - 1. Use: hotel permitted as a matter of right
  - 2. Height:
    - a) CR Matter-of-right: 90 feet
    - b) CR PUD guideline: 110 feet
    - c) Proposed: 110 feet
  - 3. FAR:
    - a) CR Matter-of-right: 6.0
    - b) CR PUD guideline: 8.0
    - c) Proposed: 7.84

VIII. Compliance with PUD evaluation standards of §2403

- A. Impact of project shall be favorable, capable of being mitigated or acceptable (§2403.3)
  - 1. Construction of new high-rise hotel contributing to continued economic vitality of the area
  - 2. Property is in reasonable proximity to Metrorail and Metrobus and the project provides sufficient parking to meet demand, per Wells and Associates
  - 3. Proposed height is acceptable and consistent with other approved and constructed buildings in the vicinity
- B. Project is not inconsistent with the Comprehensive Plan (§2403.4): see section IX below
- C. Commission shall “judge, balance, and reconcile the relative value of project amenities and public benefits offered, the degree of development incentives requested and any potential adverse effects” (§2403.8)
- D. Public benefits and project amenities
  - 1. On-site benefits and amenities
    - a) Enhanced urban design, architecture, landscaping and open spaces
    - b) Satisfies numerous "green building" and environmental goals, including agreement to obtain LEED certification and to seek to achieve LEED Silver
  - 2. Community benefits and amenities: expenditure of c. \$300,000 for the following
    - a) Public benches
    - b) Replacement street trees and tree fencing and greenery in tree boxes
    - c) New streetlights
    - d) Renovation/repair of wall frescoes at St. Mary's Church (730 23<sup>rd</sup> Street)

- e) Contribution to the Foggy Bottom Association for its Biennial Sculpture Project
  - f) Renovation of the dog park on 26<sup>th</sup> Street between I and K Streets
  - g) Preservation of existing landscaping around the project site and establishment of landscape standards for the West End
3. Community benefits:
- a) Additional tax revenue for the District
  - b) Participation of small, local and disadvantaged business through MOU with the D.C. Department of Small and Local Business Development
  - c) Employment and training opportunities through First Source program

balanced against

E. Development incentives:

- 1. 20 foot increase in height over proposed matter-of-right
- 2. Increase in total density of approximately 28,695 square feet (all for hotel) over CR matter-of-right

F. Areas of flexibility from C-3-C, CR or PUD standards:

- 1. Reduction in rear yard
  - a) Required: 27 feet, 6 inches
  - b) Provided: 0
  - c) Relief requested: 27 feet, 6 inches
  - d) Open area provided as court = c. 3,860 square feet (required rear yard would contain 2,668 square feet)
- 2. Public space at ground level
  - a) Required: 1,559 square feet
  - b) Provided: 0



- c) Relief requested: 1,559 square feet
  - d) More than 1,700 square feet of lobby space immediately inside the front entrance open on a continuous basis
- 3. Roof structure number and setback:
  - a) Required: 1 with 1:1 setback
  - b) Provided: 3 enclosures (1 for air handling, an emergency generator and a stair tower, 1 for the elevator and lobby for access to the roof and 1 for the chillers and cooling towers); setback is less than 1:1 from the interior court walls at points
- 4. Parking:
  - a) Required: one parking space for each four rooms
  - b) Proposed 148 rooms require 37 parking spaces
  - c) Proposed two-level garage to provide 42 on-site accessible parking spaces
  - d) Relief required:
    - (1) Percentage of compact spaces: 40 % allowed, 52.4% provided
    - (2) Access via car elevator rather than paved driveway

IX. Consistency with the Comprehensive Plan – 2006 Plan

A. Framework element – guiding principles

- 1. Managing growth and change
  - a) "Change in the District is both inevitable and desirable. The key is to manage change in ways that protect the positive aspects of life in the city and reduce negatives such as poverty, crime, and homelessness." (§2.3, ¶217.1)
  - b) "The District needs both residential and non-residential growth to survive. Non-residential growth benefits residents by creating jobs and opportunities for less affluent households to increase their income." (§2.3, ¶217.4)

- c) "Redevelopment and infill opportunities along corridors and near transit stations will be an important component of reinvigorating and enhancing our neighborhoods. Development on such sites must not compromise the integrity of stable neighborhoods and must be designed to respect the broader community context. Adequate infrastructure capacity should be ensured as growth occurs." (§2.3, ¶217.6)
- d) "Growth in the District benefits not only District residents, but the region as well. By accommodating a larger number of jobs and residents, we can create the critical mass needed to support new services, sustain public transit, and improve regional environmental quality." (§2.3, ¶217.7)

2. Increasing access to education and employment

"An economically strong and viable District of Columbia is essential to the economic health and well being of the region. Thus, a broad spectrum of private and public growth (with an appropriate level of supporting infrastructure) should be encouraged. The District's economic development strategies must capitalize on the city's location at the center of the region's transportation and communication systems." (§2.3, ¶219.2)

3. Building green and healthy communities

- a) "As the nation's capital, the District should be a role model for environmental sustainability. Building construction and renovation should minimize the use of non-renewable resources, promote energy and water conservation, and reduce harmful effects on the natural environment." (§2.3, ¶221.3)
- b) "Planning decisions should improve the health of District residents by reducing exposure to hazardous materials, improving the quality of surface and groundwater, and encouraging land use patterns and land uses that reduce air pollution and facilitate pedestrian and bicycle travel." (§2.3, ¶221.4)

B. Framework element – the Land Use Maps

- 1. The Generalized Policy Map purpose "is to categorize how different parts of the District may change between 2005 and 2025" (§2.4, ¶223) (see excerpt, following)

2. Includes subject property in Neighborhood Conservation Area, described as follows:

"Areas with very little vacant or underutilized land. They are primarily residential in character. Maintenance of existing land uses and community character is anticipated over the next 20 years. Where change occurs, it will be modest in scale and will consist primarily of scattered site infill housing, public facilities, and institutional uses. Major changes in density are not expected but some new development and reuse opportunities are anticipated.

The guiding philosophy in Neighborhood Conservation Areas is to conserve and enhance established neighborhoods. Limited development and redevelopment opportunities do exist within these areas but they are small in scale. The diversity of land uses and building types in these areas should be maintained and new development and alterations should be compatible with the existing scale and architectural character of each area. Densities in Neighborhood Conservation Areas are guided by the Future Land Use Map." (§2.4.1, ¶223.5)

3. The Future Land Use Map – includes property in mixed-use high density residential/medium density commercial category

- a) High density residential:

"This designation is used to defined neighborhoods and corridors where high-rise (8 stories or more) apartment buildings are the predominant uses." (§2.4.2, ¶224.9)

- b) Medium density commercial:

"This designation is used to define shopping and service areas that are somewhat more intense in scale and character than the moderate-density commercial areas. Retail, office, and service businesses are the predominant uses. Areas with this designation generally draw from a citywide market area. Buildings are generally larger and/or taller than those in moderate density commercial areas but generally do not exceed eight stories in height. The corresponding Zone districts are generally C-2-B, C-2-C, C-3-A, and C-3-B, although other districts may apply." (§2.4.2, ¶224.13)

4. Maps are intended to provide generalized guides for development and conservation decisions (§2.4.2, ¶224.24)
  - a) Future Land Use Map does not follow parcel boundaries and its categories do not specify allowable uses or dimensional standards
  - b) By definition Map is to be interpreted broadly
  - c) Future Land Use Map is generalized depiction of intended uses in the 20 year horizon
  - d) Densities within any given area are across-the-board; individual buildings may be higher or lower
  - e) Density bonuses through PUDs may result in heights that exceed typical ranges
  - f) Zoning is guided by the Future Land Use Map, interpreted in conjunction with the text of the Plan, including citywide elements, area elements and approved small area plans

C. Land Use element

1. Overall goal:

"Ensure the efficient use of land resources to meet long-term neighborhood, city-wide, and regional needs: to help foster other District goals, to protect the health, safety, and welfare of District residents and businesses; to sustain, restore, or improve the character and stability of neighborhoods in all parts of the city; and to effectively balance the competing demands for land to support the many activities that take place within District boundaries." (¶302.1)

2. Policies and Actions

"Central Employment Area Edges - Support the retention of the established residential neighborhoods adjacent to the Central Employment Area. Appropriate building setbacks, lot coverage standards, and a stepping down in land use intensity and building height shall be required along the edges of the CEA to protect the integrity and historic scale of adjacent neighborhoods and to avoid creating sharp visual distinctions between existing and new structures." (¶304.13)

3. Policies and Actions – Transit-Oriented and Corridor Development

- a) "Fully capitalizing on the investment made in Metrorail requires better use of land around transit stations and along transit corridors. ..." (§306.2)
- b) Principles in the management of land around Metrorail stations:
  - (1) A preference for mixed residential and commercial uses rather than single purpose uses, particularly a preference for housing above ground floor retail uses;
  - (2) A preference for attractive, pedestrian-friendly design and a de-emphasis on auto-oriented uses and surface parking;
  - (3) Provision of well-designed, well-programmed, and well-maintained public open spaces;
  - (4) Convenient and comfortable connections to the bus system, thereby expanding access to the stations and increasing Metro's ability to serve all parts of the city; and
  - (5) A high level of pedestrian and bicycle connectivity between the stations and the neighborhoods around them (§306.4)
- c) "Station area development policies must respond to the unique needs of each community and the unique setting of each station." (§306.5)
- d) "The reach of transit-oriented development around any given station or along a high volume transit corridor should vary depending on neighborhood context. While 1/4 to 1/2 mile is generally used across the country to define the walkable radius around each station, and therefore the area in which higher densities may accommodate growth without increased traffic congestion, applying a uniform radius is not appropriate in the District. The established character and scale of the neighborhood surrounding the station should be considered, as should factors such as topography, demographics, and the station's capacity to support new transit riders." (§306.7)

4. Neighborhood Commercial Districts and Centers

Policy LU-2.4.11 Hotel Impacts

"Manage the impact of hotels on surrounding areas, particularly the Near Northwest neighborhoods where large hotels adjoin residential neighborhoods. Provisions to manage truck movement and deliveries, overflow parking, tour bus parking, and other impacts associated with hotel activities should be developed and enforced." (§312.15)

D. Transportation element - Overall goal:

"Create a safe, sustainable efficient multi-modal transportation system that meets the access and mobility needs of District residents, the regional workforce, and visitors; supports local and regional economic prosperity; and enhances the quality of life for District residents." (§401.1)

E. Environmental Protection element - Policies and Actions – Promoting Environmental Sustainability

1. Policy E-3.1.2 Using Landscaping and Green Roofs to Reduce Runoff

"Promote an increase in tree planting and landscaping to reduce stormwater runoff, including the expanded use of green roofs in new construction and adaptive reuse, and the application of tree and landscaping standards for parking lots and other large paved surfaces." (§613.3)

2. Policy E-3.2.1 Support for Green Building

"Encourage the use of green building methods in new construction and rehabilitation projects, and develop green building methods for operation and maintenance activities." (§614.2)

F. Economic Development element

1. Overall goal

"Strengthen the District's economy by sustaining its core industries, attracting new and diverse industries, accommodating future job growth, fostering the success of small businesses, revitalizing neighborhood commercial centers, improving resident job skills, and helping a greater number of District residents find and keep jobs in the Washington regional economy." (§701.1)

2. Policies and Actions – Stabilizing and Diversifying Our Economic Base

Policy ED-1.1.1 Core Industries

"Continue to support and grow the District's core industries, particularly the federal government, professional and technical services, membership associates, education, hospitality, health care, and administrative support services." (§703.9)

3. Policies and Actions – The Tourism and Hospitality Economy

Policy ED-2.3.4 Lodging and Accommodation

"Support the development of a diverse range of hotel types, serving travelers with varying needs, tastes, and budgets. New hotels should be encouraged both within Central Washington and in outlying commercial areas of the city, particularly in areas which presently lack quality accommodation." (§709.8)

4. Policies and Actions - Supporting the Neighborhood Business Environment

Policy ED-3.1.1 Neighborhood Commercial Vitality

"Promote the vitality and diversity of Washington's neighborhood commercial areas by retaining existing businesses, attracting new businesses, and improving the mix of goods and services available to residents." (§713.5)

G. Urban Design element

1. Overall goal:

"Enhance the beauty and livability of the city by protecting its historic design legacy, reinforcing the identity of its neighborhoods, harmoniously integrating new construction with existing buildings and the natural environment, and improving the vitality, appearance, and security of streets and public spaces." (§901.1)

2. Policies and Actions – Designing for Successful Neighborhoods

a) Policy UD-2.2.1 Neighborhood Character and Identity

"Strengthen the defining visual qualities of Washington's neighborhoods. This should be achieved in part by relating the scale of infill development, alterations, renovations, and additions to existing neighborhood context." (§910.6)

b) Policy UD-2.2.5 Creating Attractive Facades

"Create visual interest through well-designed building facades, storefront windows, and attractive signage and lighting. Avoid monolithic or box-like building forms, or long blank walls which detract from the human quality of the street." (§910.12)

H. Near Northwest Area element

1. Policies and Actions

a) Conserving and Enhancing Community Resources

(1) Policy NNW – 1.2.4 Job Linkages

"Capitalize on the presence of hotels and universities within the Planning Area to create additional job opportunities for residents of Near Northwest and other parts of the District of Columbia. Encourage partnerships with the area's institutional and hospitality sector employers that help residents from across the city obtain a job and move up the employment ladder." (§2109.4)

(2) Policy NNW Policy NNW-1.2.10: Sustainable Development

"Encourage the use of green building practices within Near Northwest, with a particular emphasis on green roofs. Rooftop gardens should be encouraged in new construction and major rehabilitation projects as a way to create additional green space, reduce stormwater runoff, and provide an amenity for residents." (§ 2109.10)



2. Policy Focus Areas – Foggy Bottom/West End

"The West End, just north of Foggy Bottom, is a former industrial and residential area that has been undergoing major change since the late 1970s. The area was rezoned in 1975 to encourage mixed use development. Since that time there has been major office, hotel and residential development, and very few vacant sites remain" (§2115.4)

X. Compatibility with the area

- A. New hotel use will maintain the land use mix in the West End area (office, retail, hotel, residential, community facilities).
- B. Proposed FAR of 7.84 consistent with FARs approved under PUDs and under Receiving Zone (9.0 and 10.0)
- C. Proposed height of approximately 110 feet consistent with heights approved under PUDs and permitted by Receiving Zones

XI. Conclusions

- A. Project is not inconsistent with the Comprehensive Plan
- B. Project is within the applicable height and bulk standards of the Zoning Regulations
- C. Project provides an appropriate balance between the development proposed, the flexibility requested and the benefits and amenities provided
- D. PUD allows the Zoning Commission to condition approval to what is specifically proposed, without allowing more density or uncontrolled development
- E. Project should be approved



