

GOVERNMENT OF THE DISTRICT OF COLUMBIA

OFFICE OF PLANNING



2009 FEB 13 PM 1:22

Memorandum

TO: District of Columbia Zoning Commission

FROM: Jennifer Steingasser, Deputy Director *JS*
Development Review and Historic Preservation

DATE: February 13, 2009

SUBJECT: Setdown Report - ZC #08-33 (Conference Center)
Consolidated PUD, First Stage PUD and Related Map Amendment

I. APPLICATION

The applicant, Conference Center Associates I, LLC proposes a mixed use development consisting of a hotel/ conference center with a restaurant and retail space into one project on Parcel 121/31 (Subject Property) located at the intersection of Michigan Avenue and Irving Street, NE. The proposal is being reviewed as follows:

1. A Consolidated Planned Unit Development PUD (Phase 1);
2. A First Stage PUD (Phase 2) and;
3. A related map amendment to zone the property from the GOV district to the C-3-A district.

II. RECOMMENDATION

The Office of Planning (OP) recommends that the proposal be setdown for public hearing. The project includes elements that exceed what could be achieved as a matter-of-right. The site abuts the Brookland/Edgewood neighborhood and the proposed development would enhance the economic development and retail initiatives anticipated by the Brookland/Edgewood Neighborhood Investment Fund (NIF) plan. The proposal would also provide needed services to the adjacent institutions.

The proposal is not inconsistent with the 2006 Comprehensive Plan and is consistent with the residential and institutional character of the neighborhood. OP will continue to work with the applicant to resolve any concerns the Commission may identify, and recommends that the applicant provide the following prior to the public hearing:

1. Detailed analysis of all zoning relief requested;
2. Details of all environmental/green building initiatives proposed;
3. Details of the loading programs; and
4. Refinement of the architecture, building facades, materials, and landscaping.

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III. SITE AND SURROUNDING AREA



The 5.48-acre PUD site located at the corner of Michigan Avenue and Irving Street, NE. is improved with a parking lot. The site commonly known as the "fringe parking lot" was used for commuter parking prior to the opening of the Metrorail in the 1970's. Once this use became obsolete, "the District of Columbia Government sought to improve its usefulness and solicited proposals for appropriate uses at the site..." (ZC Order 689). Land uses in the vicinity of the site are predominantly institutional and residential. Uses adjacent to and within the same square as the proposed project include the Shrine of the Immaculate Conception to the east of the site and residential uses to the west (Cloisters and Park Place). Surrounding educational and healthcare institutions within a one-mile radius of the site include: Catholic University, Trinity College, the National Conference of Catholic Bishops/US Catholic Conference headquarters Building, the Washington Hospital Center, Children's Hospital, the Veteran's Administration Hospital, US Soldiers and Airmen's Home and the National Rehabilitation Hospital.

IV. PROPOSAL

The proposal is to redevelop the 400-space parking lot with a conference center, hotel, retail space and a restaurant. The proposal calls for a maximum 2.83 FAR at a height of 94 feet 4 inches and the development will occur in two phases, (dependant on market conditions) with the proposed development for the Consolidated and 1st Stage PUD as follows:

Use	Consolidated PUD (gfa)	1 st Stage PUD (2 nd Phase) (gfa)	TOTAL (GFA)
Hotel/ Restaurant	192,326 square feet (314 rms)	295,816 square feet (residential)	488,142 square feet
Conference Ctr.	22,695 square feet	N/A	22,695 square feet
Retail	7,380 square feet	N/A	7,380 square feet
Parking garage	92,988 square feet 301 spaces and 280 surface spaces for Wash. Hosp. Ctr.	71,648 square feet 394 spaces	695 spaces ¹
			518,217 square feet

The applicant has submitted this as a consolidated PUD (Phase I) for the portion of the site which has frontage along Michigan Avenue and Irving Street and Stage 1 (Phase II) request for approval for the north end of the site. The Commission is being asked to consider the zoning, height, density, overall form of development, and use mix for the entire site, but to consider detailed building and site design for the consolidated (Phase I) portion only.

Phase I

Phase I would include a 314 room hotel (including a conference center), 18,000 square feet of retail space and 5,000 square feet of space for a restaurant. Retail would be concentrated on the ground floor along Michigan Avenue. In addition, a 301-space garage and the relocated 280-space surface parking lot would be included in this phase. This phase is intended to be built out by 2011.

Stage I (Phase II)

Under the PUD process, the Commission has the authority to consider this application as a first stage PUD. The Commission may also impose development conditions, guidelines, and standards which may exceed or may be less than the matter-of-right standards for height, FAR, lot occupancy, parking loading, or for yards and courts. The Commission may also approve uses that are permitted as special exceptions and would otherwise require approval by the Board of Zoning Adjustment.

Phase II includes the addition of two buildings with two build-out options:

1. Elimination of the 280-surface parking spaces, with development of 240 residential units to be supported by the 220-space below grade parking garage; or
2. 120 residential apartment units and a 200-room hotel, to be supported by the 220 space underground garage and a 174-space garage addition to the 301-space garage of Phase I (above grade).

This phase is intended for build out by 2016.

The residential uses proposed would be concentrated on the western portion of the property and would be of a height and density that is compatible to the existing, adjacent residences.

V. ZONING

The site is currently unzoned (GOV). The C-3-A district permits matter-of-right medium density mixed use development, including office, retail and residential uses, to a maximum of FAR of 4.0, with non-residential uses limited to 2.5 FAR, a maximum height of 90 feet and a maximum lot occupancy of 100 percent for commercial and 70 percent for residential. The applicant proposes to rezone the site to C-3-A, and develop the site utilizing the PUD standards. The following table is a comparison of the C-3-A and the C-3-A/PUD standards and the development proposal for the project based on information provided by the applicant.

¹ See Phase II options. Parking gfa not included in Total GFA.

	C-3-A Standards	C-3-A PUD	Proposal
Area 238,909 sq.ft	GFA Allowed: 955,636 sq. ft 597,273 sq. ft. (non-resid.)	GFA Allowed 1,075,090 sq. ft 716,727 sq. ft (non-resid.)	611,205 total (GFA) 315,389 – Phase I 295,816 – Phase II
Height	65 ft.	130 ft.	94 ft. 4 ins
FAR	4.0 (2.5 for non-residential)	4.5 (3.0 for non-resid'l)	2.6 for entire site 1.3 (295,816 sq. ft.) res. 1.3 (315,389 sq. ft.) non-res. 1.3 in Phase I 1.3 in Phase II
Lot Occupancy	75% for residential 100% for commercial	75% for residential 100% for commercial	Overall – 47% 32 % - Phase I 15 % - Phase II
Rear Yard	2.5 in./ft. of height or 12 feet, whichever is greater Minimum – 18.75 ft.	2.5 in./ft. of height or 12 feet, whichever is greater Minimum – 18.75 ft.	Varies throughout 330 feet Phase I 28 feet Phase II
Side Yard	If provided, must be a min. of 2 in./ft. of height or 6 feet, whichever is greater 23 ft 6in min.	If provided, must be a min. of 2 in./ft. of height or 6 feet, whichever is greater 23 ft. 6ins min	Varies throughout 30 feet on Irving Street; 70 feet to neighboring property.
Open Court	4 inches per foot of height – 23' 6" min. required	4 inches per foot of height 23' 6" min. required	Phase I: 100' x 150' provided TBD
Parking	<u>Hotel/Conf Ctr:</u> 1 per 2 rms, plus 1 per 150 sq.ft floor area in largest function room or exhibit space <u>Rest + Retail:</u> In excess of 3,000 sq.ft, 1 per 300 sq.ft of gfa and cellar area.	<u>Hotel/Conf Ctr:</u> 1 per 2 rms, plus 1 per 150 sq.ft floor area in largest function room or exhibit space 157 +50=207 (Phase I) Phase II = 160 <u>Rest.+Retail:</u> In excess of 3,000 sq.ft, 1 per 300 sq.ft of gfa and cellar area. = 67	Required (Phase I) = 274 Total Proposed = 301+280 =581 (includes 280 surface spaces) Required (Phase II) =160 Total Proposed = 114 ² Final Proposed Phase I + II = 695
Loading	<u>Hotel/Conf Ctr:</u> 1 loading berth @ 55 ft. 1loading platform @ 200 sq. ft 1 service/delivery space @ 20 ft. <u>Retail:</u> 2 loading berths: 1 @ 30 ft. + 1 @ 55 ft 2 loading platforms: 1 @ 100 sq. ft + 1 @ 200 sq. ft. 1 service/delivery space @ 20 ft.	<u>Hotel/Conf Ctr:</u> 1 loading berth @ 55 ft. 1loading platform @ 200 sq. ft 1 service/delivery space @ 20 ft. <u>Retail:</u> 3 loading berths: 1 @ 30 ft. + 1 @ 55 ft 3 loading platforms: 1 @ 100 sq. ft + 1 @ 200 sq. ft. 1 service/delivery space @ 20 ft.	<u>Total Required:</u> <i>Berths</i> 2@ 30 ft., 1 @ 55 ft. <i>Platforms,</i> <i>Service/Delivery Spaces</i> Info not provided <u>Total Proposed:</u> <i>Berths</i> 2 @ 30 ft., 1 @ 55 ft. (Phase I) 1@55 ft, 1 @30ft (Phase II)

² The net of replacing the 280 surface parking spaces with a 220-space underground garage and a 174 space garage structure to Phase I deck

OP observed some minor discrepancies in the application, some of which OP understands the applicant intends to rectify in an additional filing prior to setdown. OP will collaborate with the applicant to rectify any remaining inconsistencies. A more detailed breakdown and analysis of the zoning requirements for each building would be provided as part of the analysis for the final report.

Below grade parking spaces would be provided with additional parking in Phase II to be extended two levels above the Phase I parking garage to form a parking structure. The below grade parking would serve as shared parking for the proposed uses. Similarly, loading facilities would be provided in a manner that various uses can share the facilities and therefore reduce the area dedicated to loading.

VI. FLEXIBILITY

There are areas where the proposal does not meet all the zoning requirements and the applicant is requesting flexibility.

Roof Structure

According to the applicant's statement, the conference center and hotel building would not meet the requirement of Section 411 that all roof structures be within one enclosure and setback a distance equal to the height from the exterior walls. Heights of the Phase 1 roof structures³ on the overall site plan (A1.06) show that the proposed buildings have multiple structures that do not meet these requirements. The multiple structures result from the combined uses and the desire to minimize the massing on the roof. The reduction in the required setback reflects the design attempts to maximize the internal space of the buildings. The proposed deviations would not impact light and air as there are no existing adjacent buildings.

Loading

The applicant has proposed a reduction in the loading requirements. The buildings have various uses which can feasibly utilize the loading facilities at different times, and therefore appropriate arrangements can be made for sharing the loading facilities.

OP is generally supportive of reduced parking and loading facilities on the site if DDOT determines that no adverse impacts would accrue to the immediate neighborhood.

Multiple Buildings on a Single Lot

The proposed buildings of the Consolidated PUD and Stage I are located on one lot that would be divided into two theoretical lots that need to meet the requirements of Section 2517. However, the theoretical lots would not meet all of these requirements as they are within 25 feet of a residence district. OP supports the spatial development as proposed, since it breaks up the massing on the lot and provides open space for light and air to the buildings. Therefore, multiple buildings on the subject lot are preferred to massive, denser structures which are not ideal to accommodate the proposed uses. However, a more comprehensive review by the applicant of the proposal against the requirements and standards of §2517 is needed prior to the public hearing.

Phasing of the development

The plan indicates that the proposal would be developed in two phases, i.e., the Consolidated PUD portion (Phase I) and the Preliminary PUD, Stage I (Phase II). The application indicates the project would be phased with priorities of various elements of the proposal. OP believes this information is important in

³ Elevator penthouses are 18' 6" tall and the stair towers are 11' 2" tall

addressing expectations regarding the site's redevelopment. OP would continue to work with the applicant if the Commission requires additional information.

Variation in the number of residential units for Stage I

The application proposes a range of 120 to 240 residential units tentatively proposed for Stage I (Phase II) of the project. OP has no objection to potential changes in the number of units or in the unit assignments of the development due to current market conditions.

VII. 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 to utilize opportunities for additional FAR the applicant is requesting that the proposal be reviewed as a consolidated PUD. This would allow the utilization of the flexibility stated in Section 2400.2.

The overall goal is to permit flexibility of development ands 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."

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.

VIII. PUBLIC BENEFITS AND AMENITIES

The objectives of a PUD are to permit flexibility of development in return for the provision of superior public benefits, provided the PUD process is not used to circumvent the intent and purposes of the Zoning Regulations, or results in an action inconsistent with the Comprehensive Plan.

Public amenities are defined in Section 2407.3 as including "one type of public benefit, specifically a functional or aesthetic feature of the proposed development that adds to the attractiveness, convenience or comfort of the project for occupants and immediate neighbors".

The proposed redevelopment targets an under-utilized site in an already mixed-use neighborhood. The amenity package evaluation is partially based on an assessment of the additional development gained through the application process. The proposal requests a PUD related change in the zone designation to C-3-A to permit a 2.6 FAR and to utilize the height benefit permitted by the C-3-A zone on the portions of the site that are closer to Irving Street. OP estimates the following density and height increases would be achieved through this PUD:

	Existing (Unzoned)	Proposal	Difference
Total square footage	238,909 sq.ft.	315,389 sq.ft. (Phase I – GFA) 295,816 sq.ft. (Phase II)	372,296 sq. ft.
Non-residential square footage	400 parking spaces (Area not provided)	315,389 sq. ft	76,480 sq. ft.
Height	N/A	94 ft. 4 ins.	94 ft. 4ins.

In addition, the proposed zoning of the property from unzoned to C-3-A permits a range of uses on the parcel, including the potential for residential development.

The applicant has listed a number of areas which they believe contribute towards their amenity package:

Urban Design, Architecture and Site Planning

The PUD design represents a mixed use complex, combining a hotel, conference center, restaurant, parking and retail space into one project. The conference center connects to the hotel as it extends over a driveway and the parking structure incorporates ground floor retail which fronts Michigan Avenue.

As stated in the plans, the buildings of Phase I would front mainly along Michigan Avenue, with the intent to animate the avenue's pedestrian experience. The setback from Michigan Avenue would include landscape features of benches and lighting to significantly improve the public space and open area feature between the hotel structure and vehicular traffic. Improvement costs of the public space would be borne by the applicant.

The site's design varies in its architectural expressions and scale. Phase I's designs fronting Michigan Avenue would be a mixture of architectural precast of varied finishes, stone and aluminum. Thus the building style and materials would be more contemporary than the surrounding architectural materials of stone and brick of the neighboring colleges and institutions. OP is satisfied that the proposed height of the structures is within the scale of nearby institutions.

Vehicular and Pedestrian Access

Several initiatives have been proposed to improved access and circulation to and around the site. The proposed relocation of the site's Irving Street entrance is targeted to improve vehicular access to and from the property. A traffic light would also be installed with a separate left-turn lane on the westbound approach of Irving Street. These improvements along with the applicant's participation in DDOT's ongoing transportation study of North Capitol Street would lead to a significant improvement in pedestrian circulation and vehicular traffic around and through the site. The applicant has held preliminary discussions with DDOT and will continue to have discussions regarding the public realm elements of the proposed development.

Retail

The provision of new retail space would improve neighborhood's urban fabric and increase pedestrian activity to create a livelier and inviting streetscape experience for residents and visitors to the site. New retail would benefit existing residents and employees of the various institutions in the surrounding neighborhood. OP will continue to work with the applicant to clarify the retail provision. The proposal to provide new retail opportunities and improve the pedestrian experience along that important neighborhood avenue would be consistent with the goals expressed in the 2006 Comprehensive Plan.

Local Business Opportunities and First Source Agreements

By entering into a Memorandum of Understanding with the District of Columbia Local Business Opportunity Commission, the applicant agrees to include participation by small, local and disadvantaged businesses in the contracted development costs in connection with the design development, construction, maintenance and security of the project.

By working with the Department of Employment Services, the applicant will agree to use DOES as its first source for recruitment, referral and placement of new hires for employees whose jobs are created by the PUD and would hire fifty-one (51) percent of District's residents for all new jobs in connection with

the project construction. The applicant estimates that the hotel and restaurant operations would generate 160 full-time equivalent jobs.

Additional Considerations: Green Elements and Transportation Demand Management

The development proposal includes a number of environmentally sensitive elements including, methods to reduce stormwater runoff, green engineering, and green roofs.

OP reviewed the applicant's submission of the LEED for New Construction (NC) checklist. OP is very supportive of the applicant's initiative to include green elements but strongly encourages consideration of innovative wastewater technologies relative to hotel uses to further reduce runoff, and alternative on-site energy sources such as solar energy to further reduce the building's carbon footprint.

Additional details of the proposed sustainable and traffic management strategies are needed prior to the public hearing. OP supports the proposed replacement and relocation of the bus shelter to enhance pedestrian safety and encourage the use of public transportation. Bike parking spaces could also be included in the parking garages or along the sidewalks. Potential for a car-share parking space on-site and transportation demand management strategies (TDM) to reduce the reliance on car ownership and automobile use in the neighborhood should also be considered and discussed with DDOT. The applicant is also encouraged to consider on-site charging stations for electric vehicles to complement General Motors' launch of electric vehicles in the District⁴.

2006 COMPREHENSIVE PLAN

The proposal is not inconsistent with the 2006 Comprehensive Plan Future Land Use and Generalized Policy maps. The Generalized Policy Map and the Future Land Use Map designates the site as Federal Property. However, the property has been transferred to the District and the proposed development would support the residential and institutional uses of abutting and surrounding properties. The map amendment previously approved under ZC Order 689 Order deemed the property consistent for commercial uses under the C-2-A designation but due to market conditions the order expired. After review of the 2006 Comprehensive Plan, OP agrees that the proposed development would meet or further many of the policies of the Plan as outlined below.

Chapter 3 - Land Use Element

Policy LU-1.4.1: Infill Development

Encourage infill development on vacant land within the city, particularly in areas where there are vacant lots that create "gaps" in the urban fabric and detract from the character of a commercial or residential street. Such development should complement the established character of the area and should not create sharp changes in the physical development pattern.

Policy LU-2.1.3: Conserving, Enhancing, and Revitalizing Neighborhoods

Recognize the importance of balancing goals to increase the housing supply and expand neighborhood commerce with parallel goals to protect neighborhood character, preserve historic resources, and restore the environment. The overarching goal to "create successful neighborhoods" in all parts of the city requires an emphasis on conservation in some neighborhoods and revitalization in others.

⁴ GM's Volt to Debut in Washington, Bay Area, By Kendra Marr Washington Post Staff Writer Thursday, February 5, 2009; Page D01
<http://www.washingtonpost.com/wp-dyn/content/article/2009/02/04/AR2009020402680.html>.

Policy LU-2.4.1: Promotion of Commercial Centers

Promote the vitality of the District's commercial centers and provide for the continued growth of commercial land uses to meet the needs of District residents, expand employment opportunities for District residents, and sustain the city's role as the center of the metropolitan area. Commercial centers should be inviting and attractive places, and should support social interaction and ease of access for nearby residents.

Policy LU-2.4.6: Scale and Design of New Commercial Uses

Ensure that new uses within commercial districts are developed at a height, mass, scale and design that is appropriate and compatible with surrounding areas.

Chapter 5 - Housing Element***Policy H-1.1.4: Mixed Use Development***

Promote mixed use development, including housing, on commercially zoned land, particularly in neighborhood commercial centers, along Main Street mixed use corridors, and around appropriate Metrorail stations.

Chapter 6 - Economic Development Element***Policy ED-2.2.3: Neighborhood Shopping***

Create additional shopping opportunities in Washington's neighborhood commercial districts to better meet the demand for basic goods and services. Reuse of vacant buildings in these districts should be encouraged, along with appropriately-scaled retail infill development on vacant and underutilized sites. Promote the creation of locally-owned, non-chain establishments because of their role in creating unique shopping experiences.

Chapter 9 - Urban Design Element***Policy UD-1.4.1: Avenues/Boulevards and Urban Form***

Use Washington's major avenues/boulevards as a way to reinforce the form and identity of the city, connect its neighborhoods, and improve its aesthetic and visual character. Focus improvement efforts on avenues/boulevards in emerging neighborhoods, particularly those that provide important gateways or view corridors within the city.

The proposal would also further specific goals and objectives of the Upper Northeast Element

Policy UNE 1.1.6 Neighborhood Shopping

Improve neighborhood shopping areas. Continue to enhance 12th street NE in Brookland as a walkable neighborhood shopping street.

Policy UNE 1.2.4 Linking Residents to Jobs

Improve linkages between residents and jobs within UNE so that more of the areas 40,000 working age adults fill the approximately 40,000 jobs located in the planning area. Achieve this linkage by developing additional vocational and trade schools within Upper Northeast, encouraging apprenticeships and internships and creating partnerships between the area's major employers, the District, the Public and Charter schools, local churches and major institutions.

Policy UNE 1.2.5 Increasing Economic Opportunity

Create new opportunities for small, local and minority businesses within the area and additional community equity investment opportunities as development takes places in the planning area and

additional community equity investment opportunities as development takes place along major avenues and around metro stations.

IX. AGENCY COMMENTS

The application will be referred to the following agencies for comments:

1. District Department of Transportation;
2. Fire and Emergency Medical Services Department;
3. Department of Public Works, Tree and Landscape Division;
4. District Department of the Environment.

X. COMMUNITY COMMENTS

The property is within ANC 5C and by a resolution dated November 18, 2008, the proposed development received the ANC's support, as evidenced by Appendix B of the applicant's submission.

XI. RECOMMENDATION

OP concludes that the redevelopment proposal for the site would be of benefit to the District and to the immediate neighborhood. It would further economic development in enhancing the Michigan Avenue corridor. The project includes elements that are improvements over what could be achieved as a matter-of-right, removal of the surface parking in conjunction with the development of neighborhood serving retail, improved pedestrian access, as well as increased revenue for the District due to the proposed hotel's operation.

The proposal is not inconsistent with the 2006 Comprehensive Plan Future Land Use and Policy maps, and furthers many important policies for the Upper Northeast Area.

OP recommends that the Commission setdown the requested proposal for a public hearing. OP will continue to work with the applicant and other District agencies to ensure coordination of this PUD with other area planning initiatives, including DDOT's North Capitol Street Transportation study and to ensure the applicant addresses the following prior to the public hearing:

1. Detailed analysis of all zoning relief requested;
2. Details of all environmental/green building initiatives proposed;
3. Details of the loading programs; and
4. Refinement of the architecture, building facades, materials, and landscaping.