

February 4, 2019

Via IZIS and Hand Delivery

Anthony Hood, Chairman
District of Columbia Zoning Commission
441 4th Street, NW, Suite 210-S
Washington, DC 20001

Re: **Zoning Commission Case No. 01-01A; Application of BP/CRF 901 New York Avenue LLC for Modification of Consequence of the Approved Consolidated Planned Unit Development (“PUD”) and Zoning Map Amendment for the Property Located at 901 New York Avenue, NW (Square 372, Lot 34) (the “Property”) – Revisions to Building Signage and Ground Floor Exterior Design**

Dear Chairman Hood:

On behalf of BP/CRF 901 New York Avenue LLC (the “**Applicant**”), we hereby respectfully request a modification of consequence of the consolidated PUD and Zoning Map amendment approved in Z.C. Case No. 01-01A/01-01MM/99-6M/88-16C (the “**Approved PUD**”), first approved in Z.C. Order No. 629 and most recently modified in Z.C. Order No. 01-01A. In the most recent PUD modification, approved by final Order issued July 30, 2018, the Commission approved revisions to the building entrances for the Approved PUD, representing the first component of the Applicant’s comprehensive initiative to modernize the existing building for a new generation of tenants and users and to adapt to its evolving neighborhood. The instant modification of consequence application represents the second component of the Applicant’s revitalization effort, with the aim being to update the guidelines and design scheme applicable to the building’s signage and ground-floor retail street presence, as provided under the Approved PUD.

As described in detail below, the Applicant proposes to:

- Establish revised guidelines and design parameters for ground-floor storefronts;
- Adopt a framework to govern the various categories of signage for the building, including signage for operational access (i.e., parking and loading entrances), office and retail tenants, and pedestrian wayfinding;

This new framework for signage and storefront design is outlined in detail in the Applicant's proposed comprehensive design manual ("**Design Manual**"), attached as Exhibit C. In addition, as part of this application, the Applicant is submitting exterior renovation plans, attached as Exhibit 1 within Exhibit C, for a new tenant that will occupy the eastern portion of the ground-floor of the building ("**Tenant Renovation Plans**"). These Tenant Renovation Plans are illustrative of how the new proposed signage and storefront guidelines will operate in practice and offer an example of the type and quality of exterior improvements that are intended to be achieved pursuant to the governing framework set forth in this application.

As required under Subtitle Z § 703, the proposed revision does not seek a change in use or the project's proffered public benefits and amenities or additional relief or flexibility from the Zoning Regulations.

Enclosed please find the following:

- Modification Application Form (Form 105).
- Appendix of prior Zoning Commission approvals, Z.C. Order Nos. 629–629-F, 920, 920-A, and 01-01A (Exhibit A).
- Authorization letter for this application (Exhibit B).
- Comprehensive signage and storefront plan manual (Exhibit C).
 - Illustrative tenant renovation plans (Exhibit 1 to Exhibit C).
- The requisite filing fee for this request of Five Hundred Twenty and 00/100 Dollars (\$520.00) made payable to the "D.C. Treasurer," in accordance with 11 DCMR Subtitle Z § 1600.4.

The Applicant respectfully requests that this modification application be placed on the Zoning Commission's consent calendar and reviewed in accordance with 11 DCMR Subtitle Z § 703.

I. Background

The Property occupies the entirety of Square 372, which is bounded by New York Avenue, NW to the south, 10th Street, NW to the west, K Street, NW to the north, and 9th Street, NW to the east. The eastern corner of the Property faces onto Mount Vernon Square. The Property consists of approximately 53,252 square feet of land area and is improved with an 11-story office building.

The Approved PUD was first approved for the Property in 1989 by Z.C. Order No. 629 for Case No. 88-16C, and extensions were granted by Z.C. Order Nos. 629A through 629F. The Approved PUD was subsequently modified and expanded and a related Zoning Map amendment was added in 2000 by Z.C. Order No. 920 for Case No. 99-6M/88-16C, which approved a rezoning

from C-3-C, HR/C-3-C and DD/C-3-C to C-4 and the development of the existing office building with an FAR of 10.0, a height of 130 feet, and approximately 532,505 square feet of gross floor area. The Zoning Commission subsequently approved a minor modification to the Approved PUD in 2001 by Z.C. Order No. 920-A for Case No. 01-01MM/99-6M/88-16C to permit the owner to utilize the combined lot provisions of the Zoning Regulations to meet the applicable housing requirement through a contribution to the Housing Production Trust Fund.

More recently, the Zoning Commission approved a modification to the Approved PUD in Z.C. Order No. 01-01A issued July 30, 2018, which allowed revisions to the building entrances along New York Avenue and K Street as a first step in the Applicant's broader initiative to modernize the existing building for a new generation of tenants and users and to adapt to its evolving neighborhood. As with the revisions to the building entrances approved in Z.C. Order No. 01-01A, the storefront and signage guidelines proposed in the current application, as set forth in Exhibit C, seek to reestablish the building and reactivate the Property's street frontage along New York Avenue, K Street, 9th Street, and 10th Street. The surrounding area is characterized by the view corridors and framing set by L'Enfant's angular avenue intersections and the public green space of Mount Vernon Square, which is anchored by the Carnegie Library and buttressed by the Walter E. Washington Convention Center to the north. The Applicant's broader modernization effort aims to capitalize on this signature, triangular site, which reflects the classic angles created by the grand avenues of the L'Enfant Plan — in this case, New York Avenue. The proposed updates will maintain the site's distinction and give new life to the existing streetscape and the neighborhood more broadly.

We note that, if the PUD was originally submitted and reviewed in the present time period, the PUD proposal and plan set likely would have included a commercial storefront and signage plan similar to the instant request. In fact, the enclosed Design Manual is heavily modeled on the same document submitted and approved as part of Z.C. Case No. 06-110 which approved an office with ground floor retail building at 2100 Pennsylvania Avenue, NW.

II. Requested Modification

The Applicant proposes to modify the project's design parameters for ground-floor commercial storefronts and for the building's signage, as outlined in the Design Manual included as Exhibit C. With respect to storefront design, as shown on Sheets S-03 through S-05 of Exhibit C, the Applicant proposes new guidelines for both anchor storefronts (i.e., along corner-location tenant spaces) and for in-line storefronts (interior to the building façade). These guidelines are proposed to govern design features such as facade materials and cladding, glazing, lighting, and awnings. These design elements will support outdoor café and seating areas, both existing and proposed, as shown on Sheet S-02 of Exhibit C.¹ The Design Manual will establish strict parameters necessary to maintain the high design quality design of the existing building, while allowing a limited range of flexibility needed to accommodate tenant-specific design needs,

¹ We note that outdoor café and seating areas are located in public space and thus subject to separate review by the Public Space Committee as part of the permitting process. All elements located in public space are included in this application for illustrative purposes only and are subject to change during such public space permit review process.

including the ability to paint grills in anchor tenant areas and to incorporate operable facades to connect with and activate outdoor seating and abutting the streetscape.

The Design Manual also provides a framework for the various types of signage needed for the building, including signage for storefront and office tenants, building identification, and pedestrian wayfinding as outlined on Sheets S-06 through S-08 of Exhibit C. The guidelines set forth specifications for potential locations for signage and maximum height for each category of signage. As with storefront design parameters, the signage guidance included in the Design Manual is intended to establish strict criteria for all future signage at the Property while still providing sufficient flexibility for adjustments needed based on changes in tenant needs across the life of the project.

To illustrate how the Design Manual will operate in practice, the Applicant has included design plans, attached as Exhibit 1 to Exhibit C, for a new restaurant tenant to occupy ground floor space at the eastern corner of the building. The updates proposed for this new restaurant tenant, The Yardbird, will include improvements along New York Avenue, K Street and the eastern corner of the building facing onto Mount Vernon Square. The improvements will support new outdoor seating in public space along New York Avenue and maintain existing outdoor seating in the public space along K Street. Improvements will include new cladding, awnings, and glazing, the addition of new planters, and new painting, lighting, and signage features for The Yardbird.

These proposed revisions will improve the building's presence on New York Avenue and K Street and facing onto Mount Vernon Square and will enliven the public space, while enhancing the pedestrian experience. The requested modification to the approved building design is consistent with the intent of the Commission's original PUD approval.

As part of this application, the Applicant also requests the following minor revisions to Condition 8 of Z.C. Order No. 01-01A in order to permit the awning design shown on Exhibit C:

8. With regard to retail tenant signage and awnings, the applicant shall be permitted to install a variety of retail tenant signage and awnings via one or a combination of the following methods: (i) colored signage and awnings with applied tenant lettering located on the sign panel and backlighting; or (ii) metal signband with tenant lettering inset into signband and backlighting, as shown in Exhibit __. Awnings may be installed at the ground level of the building. Covering materials may be canvas or similar non-rubberized cloth material, glass, or metal. Vinyl, or other plastic-like sheeting is not acceptable. Awning surfaces may be of any color or pattern. Awning edges shall be straight lines; scallops, curves, fringes, etc. are not acceptable. Signage and logos may be placed horizontally in the sign box at the front edge of the canopy. **Limited** ~~Lettering~~ and logos may ~~not~~ be placed on sides, tops, or sloping surfaces of the awnings **as shown on and in accordance with Exhibit __** [*Exhibit C submitted with this filing*].

III. Satisfaction of Standards of Subtitle Z § 703

Under Subtitle Z § 703.4 of the Zoning Regulations, examples of modifications of consequence “[i]nclude, but are not limited to, a proposed change to a condition in the final order, a change in position on an issue discussed by the Commission that affected its decision, or a **redesign or relocation of architectural elements and open spaces from the final design approved by the Commission.**” (emphasis added.) The modification proposed in this application is related to the redesign of architectural elements of the Project, specifically the ground-floor storefronts and various signage for the building, and thus qualifies as a modification of consequence.

The Applicant is sending this application simultaneously to ANC 2C (which was the only party to the original application). The Applicant notes that it has met with the ANC 2C Single Member District Commissioner for the Property and intends to meet with ANC 2C regarding the proposed modification in February.

IV. Conclusion

The proposed modification is entirely consistent with the Zoning Commission’s previous approval of the project and, as discussed above, comports with the definition of a modification of consequence rather than a modification of significance. Accordingly, the Applicant respectfully requests that the consideration of this proposed modification of consequence be scheduled for the Commission’s consent calendar pursuant to Subtitle Z § 703.

If you have any questions or comments regarding the proposed modification, please contact the undersigned. Thank you for your attention to this application.

Respectfully Submitted,



Jeff C. Utz



Lawrence Ferris

CERTIFICATE OF SERVICE

I certify that on February 4, 2019, I delivered a copy of the foregoing document via electronic mail, hand delivery, or first class mail to the addresses listed below.



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