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August 26, 2004

ZONING COMMISSION
District of Columbia
CASE NO. 04-13
EXHIBIT NO. 14

Zoning Commission
for the District of Columbia
441 4th Street, N W., Suite 210S
Washington, D C. 20001

Re Zoning Commission Case No. 04-13
PUD and Map Amendment at 1200 R Street, N.W

Dear Commissioners.

At its meeting of July 12, 2004, the Zoning Commission raised several issues regarding the proposed planned unit development ("PUD") and map amendment for the redevelopment project at 1200 R Street, N W On behalf of Logan Phase II, LLC, the Applicant in the above-referenced case ("Applicant"), we are supplementing its application in response to those issues and request the Commission to set the case down for a hearing at its next public meeting in September.

A. Minimum Area Requirements for PUD

The Applicant has requested relief under section 2401 2 of the Zoning Regulations for the Commission to waive the minimum area requirements for a PUD in the R-5-B District from one acre to 23,251 square feet of land area. At its July 12, 2004 meeting, the Commission questioned the rationale for including Lot 45 in the development and whether it was simply an appendage to meet the minimum one-half acre under the waiver request. The Commission noted that the existing two-story rowhouse on that site was not incorporated into the new construction and that the parcel was not included in the rezoning request from R-4 to the R-5-B District.

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The Applicant initially excluded this parcel from the proposed new construction because the existing rowhouse is a contributing building to the Greater Fourteenth Street Historic District, which is listed in the D.C. Inventory of Historic Sites. The boundary of the historic district runs along the eastern property line of Lot 45. It is the only parcel in the PUD located within the historic district. In deference to the desire to preserve and protect contributing buildings, the Applicant initially elected to rehabilitate this building instead of redeveloping it, and thus did not feel that rezoning was warranted for this site

Since the Commission's meeting, the Applicant has met several times with the Office of Planning ("OP") and its Historic Preservation Office ("HPO") regarding this site. Pursuant to those discussions, the Applicant has determined to include Lot 45 in the rezoning request. This action has two important effects First, it allows the Applicant to increase the number of residential units on this lot from two to three, and the overall number of units in the project from 62 to 63. Second, it creates a more cohesive PUD site that supports the Applicant's request to reduce the minimum area requirement for the PUD from one acre to 23,251 square feet, a decrease of 47 percent where a decrease of 50 percent is permissible. The design of the new construction has been guided by the comments of the HPO so that it creates an appropriate setting and an overall harmonizing design for the adjacent historic building. Lot 45 no longer reads as an appendage but as a complementary element of the PUD and the new construction.

B Exceptional Qualities of PUD Warranting a 47 Percent Decrease in Area Requirement

The Commission expressed concern that the proposed project did not exhibit exceptional qualities warranting a 47 percent decrease in the minimum area requirements for a PUD. While acknowledging that section 2401.2(a) of the regulations requires the Commission to make that determination after a hearing, the Commission nevertheless requested additional information demonstrating that the project meets a minimum threshold of exceptional qualities prior to setting a hearing on the case.

In response to comments from the Commission, and through discussions with OP and HPO, the Applicant has strengthened the public benefits and amenities of the PUD to create a project of exceptional value to the city. The outstanding features of the project include·

- a superior contextual urban design and landscape plan that complements the adjacent Greater Fourteenth Street Historic District, and the elimination of dilapidated buildings, deteriorated conditions, and non-conforming uses in fulfillment of the goals of the Comprehensive Plan;

- the provision of additional housing not otherwise achievable under the existing R-4 zoning and in excess of the 80 percent standard under the exceptions to the minimum PUD area requirements pursuant to section 2401 2(b),

- the provision of 3,021 net square feet of affordable housing, which exceeds the 15 percent policy guideline established by the Office of Planning. That policy recommends that an Applicant devote 15 percent of the total additional square footage achieved under the PUD to affordable housing;

- a cutting-edge, environmentally sensitive design featuring a "Greenroof" to increase the energy efficiency of the building,

- the provision of parking well in excess of the zoning requirements for the R-5-B District, including one parking space for each unit, plus 20 additional parking spaces for sale to residents within a two block radius of the project, in direct response to the immediate needs of the community and consistent with the Zoning Commission's ruling in Order No. 03-04,

- contributions to the enhancement of the community including $20,000 to the Department of Public Works to facilitate the implementation of the 11th Street streetscape plan, and the funding of 20 signs to identify the Greater Fourteenth Street Historic District; and

- a community room, operated by the Metropolitan Baptist Church, that will be available to the community twice a month or more as demand warrants. It will also host ministry programs for the benefit of the community such as an adult literacy program, counseling services, and a small chapel for religious worship.

These outstanding features of the PUD, which warrant a 47 percent reduction in the minimum area requirement, are described in greater detail below.

C. Project Amenities and Public Benefits

1 Housing.

At its July 12 meeting, the Commission expressed concern as to whether housing should be considered an amenity when the existing R-4 District only permits residential development anyway The Commission further questioned whether the rezoning from R-4 to R-5-B was necessary when same density could be built under the R-4 zoning, albeit with fewer units.

In Zoning Commission Order No. 02-17 (Consolidated PUD at 5401 Western Avenue, N.W.), the Commission found that the provision of matter-of-right housing in a residential zone does, in fact, constitute a public benefit under the PUD regulations. There, the Commission held that "the provision of housing above that permitted as a matter-of-right in the existing zone district, particularly in a housing opportunity area, is a public benefit in accordance with §

2403 6 of the Zoning Regulations." *See* Zoning Commission Order No 02-17, August 22, 2003, at 14 (Finding No 58).

Here, the Applicant will provide 62,996 square feet of gross floor area devoted to housing and affordable housing under the proposed R-5-B District, which is approximately 21,144 square feet more than is permitted as a matter of right in the R-4 if the site is vacant. Under the proposed R-5-B zoning, the Applicant will also be able to house significantly more residents in the 63 condominiums, or approximately 60 percent more units than the site presently accommodates. Currently, the site has 39 residential units, at least 15 of which are apartment units, a housing type not permitted under the existing R-4 District. If the entire site were vacant, the Applicant could only build 22 units (11 flats) under the existing zoning. The following chart summarizes the development potential of the site under the existing R-4 District if the site were vacant and the proposed development under R-5-B zoning

COMPARISON OF DEVELOPMENT OPTIONS

	R-4 Vacant Site	R-5-B PUD
Permitted Uses	Row dwellings Flats	Row dwellings Flats Multi-family
Non-conforming Uses	None	None
Land Area	23,251 s.f	23,251 s f
Lot Occupancy	60%	60%
Gross floor area (sf)	41,852 sf +/-	62,996.0 sf
Allowable/Provided FAR	No limit	3 0/2 71
Number of Units	22	63
Parking Spaces	11	89

As indicated in the chart, the proposed R-5-B zoning allows not only an increase in density but also permits the development of multi-family units, resulting in an increase in the number of families housed on the site. The rezoning and proposed PUD also result in an increase of approximately 24 units over what is permitted if the existing buildings on the site were renovated under R-4 zoning. Renovation of the existing buildings, however, would not eliminate the non-conforming apartment and convenience store uses on the site Similarly, neither of the R-4 development options guarantees the provision of affordable housing or sufficient parking for a neighborhood that suffers from severe parking congestion.

2 Affordable Housing.

A key superior feature of the proposed PUD is the provision of affordable housing. Based on the 15 percent policy guidelines established by the Office of Planning, the Applicant should devote 3,171 square feet of the building's gross floor area to affordable housing, or 2,848 square feet of net space after subtracting a core factor of 10 2 percent. The calculations are summarized as follows.

PUD Site Area 23,251 sf	x 1 8 FAR (R-5-B)	= 41,851.8 sf of gfa
	x 3.0 FAR (R-5-B PUD)	= 69,753.0 sf of gfa
Current Proposal	@ 2.71 FAR	= 62,996.0 sf of gfa
Additional sf achieved		= 21,144 2 sf of gfa
Recommended affordable housing @15%		= 3,171 6 sf of gfa
Minus 10.2% core factor (average)		= 2,848.1 net sf

Here, the Applicant is providing 3,021 square feet of net space to affordable housing, or approximately 173 square feet more than the recommended amount. As a result of comments received from the Office of Planning on the appropriate unit mix for the affordable housing, the Applicant has reallocated the units to be offered as affordable units The new mix of units to be designated for affordable housing is as follows:

Unit #3, lower level	2 BR, 2 BA	1,169 sf
Unit #14, lower level	1 BR + den, 1 BA	811 sf
Unit #1, second level	2 BR, 2 BA	1,041 sf
TOTAL		3,021 sf (net)

Significantly, the Applicant has eliminated efficiencies and one-bedrooms without dens from the mix and instead has provided units that can easily accommodate families with children.

3. Community Room.

The Commission also expressed concern whether the area designated as a community room could qualify as an amenity given the fact that Metropolitan Baptist Church would retain exclusive control over the use of the room. In response to this issue, the Applicant has secured a letter from the church confirming the church's commitment to use the room for the benefit of the community. As set forth in the letter attached as Exhibit A from Reverend Hicks, pastor of Metropolitan Baptist Church, the community room will be used for a variety of purposes permitted under the Zoning Regulations. These uses include meeting space for the community twice a month or more as demand warrants and church ministries founded on a partnership between the church and community. Among its efforts are the Metropolitan/Delta Adult Literacy council, a project that provides adult literacy for community residents; and IAMA, Inc., an expansive ministry dedicated to addressing psychological and emotional health via Christ-centered counseling and therapy Additionally, the space will house a small museum showcasing the history of the Metropolitan Baptist Church on R Street, N.W., in the Shaw community In order to ensure the greatest amount of privacy for the residential component of the project, the community room will be accessible through the Vermont Avenue entrance.

Thus, the community room is a clear amenity of the PUD and provides a direct benefit to the community both in the availability of meeting space and the services the church will provide to the Shaw and Logan Circle neighborhood.

4 Urban Design and Architecture

a. Building Design.

The Commission questioned whether the design of the building was exceptional enough to qualify as an amenity of the PUD Specific comments included the ordinary treatment of the rear elevation along the alley to the south, the lack of detail on the landscaping plan and the overall perceived shortcomings of the architectural composition.

The exceptional quality of the building's design emanates not just from its architectural detailing, but its features of urban design and land planning. With respect to land planning, the project transforms a dilapidated block of obsolete buildings and several non-conforming uses into a cohesive new residential development that increases the number of housing units in direct response to the Mayor's goals for additional housing. The project responds to its unique trapezoidal, corner lot by conforming the massing of the building to the street angles, creating distinct but complementary facades along Vermont Avenue and R Street, and providing three separate entrances to the building to accommodate the three uses of the building The primary residential entrance is located at the front of the building on R Street A secondary residential entrance and access to the community room is provided on Vermont Avenue. A third secured entrance on R Street provides access only to the parking garage at the lower levels and which is intended for use by area residents who have purchased the 20 spaces in garage

In response to the Commission's comments and in further discussions with OP, the Applicant has gone through several design iterations since the Commission's July 12th meeting. Because of the site's adjacency to the Greater Fourteenth Street Historic District, the project architect has worked closely with HPO staff to ensure that the building is contextually appropriate and complements its immediate environment. The goal of the design is to create an understated yet high-quality urban design that respects its location in the community, and that harmonizes with the massing, scale and architectural style of the neighborhood. A more detailed statement of the design goals of Eric Colbert & Associates, project architect, is attached as Exhibit B. Through the assistance of the HPO staff and OP, the architects have achieved that goal

The R Street façade has changed in many significant yet subtle ways to create a more distinctive contextual design The composition now emphasizes the primary entrance to the building on R Street by introducing more glass and transparency, and creating a more pedestrian scale by lowering the entrance canopy. The massing of the front façade has been broken down more adroitly through fenestration, material and massing Formerly, the façade made vague references to the traditional Washington bay-front row dwelling by employing three-story projections in alternating materials of glass and brick. The base of the building was articulated by pre-cast stone at the first floor and lower level.

The revised concept designs, as shown in the architectural drawings submitted separately, have been refined to create a more distinctive yet contextual architectural style for the building.

In addition to emphasizing the central core and entrance of the building through the introduction of more glazing, the scale of the building assumes a more residential quality by restricting the pre-cast stone base to the lower level of the building. The scale of the building is further reduced, and is more reflective of the surrounding neighborhood, by lowering the height of several of the projecting bays from three to two stories.

The rear alley elevation of the building, which is normally left unarticulated in most structures, has been further detailed and enlivened to reflect its residential character. Balconies and more planes have been introduced, window fenestration has been enhanced, and architectural detailing has been incorporated into the facade which results in a well-articulated elevation that disguises the secondary, utilitarian character of the rear of the building.

b. Landscape Plan

The project is further enhanced by a more fully developed landscaped plan, as shown on the plan included with the architectural drawings submitted separately. The landscape architect has introduced more shade trees and upgraded the improvements to public space Tree boxes have been enlarged to 5 feet by 10 feet, where the District's Department of Transportation ("DDOT") standard size is 2.5 feet by 4.5 feet. Linden trees will be planted along R Street and Scarlet Oak trees will be planted along Vermont Avenue, in coordination with DDOT guidelines Planting beds have been imaginatively arranged to enhance the visual qualities of the building and the pedestrian experience along the streetscape

c. Environmental "Greenroof" Technology.

One of the most significant improvements to the project is the introduction of the first privately funded high-elevation "Greenroof " Part of an innovative low impact environmental technology, a Greenroof is a rooftop planted with pollution-reducing vegetation that also enhances the energy efficiency of a building. It is the second high-elevation Greenroof in the city, and the first residential building to adopt this technology based on statistics maintained by D C. Greenworks. This past year, the Casey Trees Endowment and D.C. Greenworks teamed together with owners of the building at 1425 K Street, N W , to create the city's first high-elevation "Greenroof." This demonstration project has been funded by a variety of sources, including grants from the Chesapeake Bay Small Watershed Grants Program administered by the National Fish and Wildlife Foundation, and by the Watershed Protection Division of the D C. Department of Health.

Here, the PUD's Greenroof will be funded entirely by the Applicant. Approximately 50 percent of the rooftop will be planted with low-growing succulent plants of various species A planting bed is established by first installing a waterproof membrane/root barrier, polystyrene insulation, geo-textile filter fabric and a drainage mat Thereafter, a three-inch layer of soil is spread over the roof and topped with a loosely woven mat to hold the plants and soil in place while the plants mature, which usually take approximately two years.

While the monitoring equipment for the 1425 K Street Greenroof was only installed last month and the results of that demonstration project are still pending, experiences with Greenroofs in other American and European cities suggest that storm water runoff and rooftop temperatures will be reduced significantly at the PUD site. According to D.C Greenworks, reduction of storm water runoff in the city and across the region is a top priority for improving water quality in area rivers and the Chesapeake Bay. Reduced temperatures also result in less air pollution, particularly on Code Orange and Red days in the summer. The inclusion of a Greenroof on the residential PUD project will complement the environmental efforts at 1425 K Street and other "green" efforts throughout the city, and is a significant and innovative public amenity of the project. It promises to encourage other residential developments to adopt these environmentally-friendly and energy-saving measures.

d Other Project Amenities and Public Benefits.

In addition to the exceptional housing, urban design and environmental features of the proposed PUD, the Applicant has also committed to fund the installation of 20 signs to identify the Greater Fourteenth Street Historic District. This signage is instrumental in informing residents of the benefits and obligations of living in an historic district, including the need to obtain the historic preservation review prior to making any exterior changes to their property.

Initially, the Applicant also committed to fund improvements to a local skate park as another benefit of the project. In further discussions with OP, however, it was determined that the funds should be directed to improvements that would have a broader community impact. Consequently, the Applicant has now elected to make a $20,000 contribution to the DDOT to facilitate the implementation of the 11th Street streetscape plan. The Applicant has coordinated with Bob Erwin at DDOT to ensure the funds are earmarked for those specific improvements

Finally, of significant value to the immediate neighbors of the PUD site is the provision of 20 parking spaces for sale to residents within a two block radius of the project. The Logan Circle community and Shaw neighborhood suffer from a severe parking shortage. The Applicant's sale of these 20 spaces will help alleviate this chronic problem of the community. A condominium lot will be created for ea of the 20 spaces in order to allow for the sale of the spaces The concept of offering spaces for sale to area neighbors is consistent with the Zoning Commission's approval of a PUD at 1437-51 Belmont Street, N W. in Order No. 03-04 There, the Zoning Commission conditioned its approval on offering the 136 below-grade parking spaces for sale to "owners of dwelling units in the proposed PUD *and to residents within a one block radius of the proposed project.*" *See* Z.C. Order No 03-04, June 18, 2004, at 10 (Condition No. 4) (emphasis added). Here, the Applicant has extended the radius to two blocks due to the number of non-residential uses in the immediate vicinity of the PUD site.

D Conclusion

Based on the above enhancements to the PUD project, the Applicant believes that the project not only warrants enough merit to be scheduled for hearing, but that that project features

exceptional qualities to waive the minimum area requirements for a PUD. Accordingly, the Applicant requests the Zoning Commission to schedule a hearing on this matter and act favorably upon the application

Very truly yours,

Norman M Glasgow, Jr.

Mary Carolyn Brown

Attachments

cc: Ellen McCarthy, Office of Planning
Jennifer Steingasser, Office of Planning
Steven Mordfin, Office of Planning
ANC 2F