

## MEMORANDUM

**TO:** District of Columbia Zoning Commission

**FROM:** *JL for* Jennifer Steingasser, Deputy Director Development Review & Historic Preservation

**DATE:** May 6, 2019

**SUBJECT:** ZC Case 04-14F - **OP Report** – Modification of Consequence to approved PUD  
(25 Potomac Avenue SW)

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### **I. APPLICATION AND RECOMMENDATION**

Riverfront Holdings II, LLC (the Applicant) requests a Modification of Consequence, pursuant to Subtitle Z § 703, to Z.C. Order No. 04-14 for the multi-phased, mixed-use development known as Florida Rock, south of the baseball stadium. The Office of Planning has **no objections** to the applicant's request to alter the approved building signage being considered a modification of consequence, or with approval of the request.

ZC Order 04-14D, the second stage application, was issued on October 19, 2017 and became effective on October 27, 2017 ([ZC 04-14D, Exhibit 32](#)). This Order grants approval for the continued development of the Florida Rock project, including a mixed-use residential and retail building, 130 feet in height, 250-285 residential units, ground floor retail and 185 parking spaces. [ZC Order 04-14E](#) approved refinement of the plans to provide a more efficient layout of rooftop elements and a signage plan change.

### **II. ANALYSIS**

Subtitle Z § 703 provides for Zoning Commission consideration of a modification of consequence to an approved Planned Unit Development (PUD) as follows:

#### **703 MINOR MODIFICATION, MODIFICATION OF CONSEQUENCE, AND TECHNICAL CORRECTIONS TO ORDERS AND PLANS**

...

703.3 *For the purposes of this section, the term “**modification of consequence**” shall mean a modification to a contested case order or the approved plans that is neither a minor modification nor a modification of significance*

703.4 *Examples of **modification of consequence** include, 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.*

In summary, the approved PUD would be modified by the signage change summarized in the table below against the approved PUD:

Item	Approved (consolidated) PUD	Proposed Modification	<a href="#">Exhibit 1 C1 and 1C2</a> , Plans Sheet #
Signage	Condition 1 of the Order requires that the approved project be built in accordance with approved plans (ZC Order 04-14E), including the signage plan showed on Sheet A221a. – Horizontal signage with lettering no greater than 2 feet in height.	Proposed signage would be vertical, internally lit lettering – each letter 4 feet in height – flush mounted to the north façade, with one letter per floor from floor 9 through 13. The signage would be along Potomac Avenue facing the taller baseball stadium, not fronting the Anacostia River’s frontage.	Sheets A 004a, A203b, and A221b.

### III. COMMUNITY COMMENTS

ANC 6D was served with the application. The applicant stated to OP that the proposed changes were discussed with the ANC 6D SMD. The applicant is scheduled to present the proposal at the ANC 6D’s meeting on May 13, 2019.

JS/KT  
Case Manager: Karen Thomas