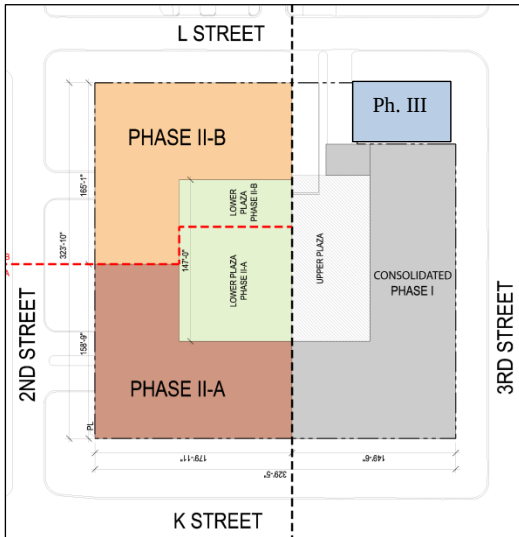




TO: District of Columbia Zoning Commission
FROM: Jennifer Steingasser, Deputy Director- Development Review & Historic Preservation
DATE: May 30, 2014
SUBJECT: Setdown Report – ZC 05-36 I – Major Modification to Phase II of PUD in Square 749

I. OP RECOMMENDATION

The Office of Planning (OP) recommends that the Zoning Commission set down the application for the following major modifications to the Second Phase of PUD 05-36:



- Change portions of layout and façade treatment
 - Public Entrance to Courtyard:
 - Approved - west side of the building (2nd Street, NE);
 - Proposed - south side of the building (K Street, NE)
 - *Requires change to PUD order, not relief*
 - Parking and Loading Entrances
 - Approved – three throughout 2nd Street
 - Proposed – two, center of 2nd St. block
 - *Requires change to PUD order, not relief*

- Design

- Proposed: Change approved elevations on 2nd Street and K Street to reflect the above-requested modifications
- *Requires change to PUD order, not relief*

- Amount of Residential Square Footage and Number of Dwelling Units

- Approved – approximately 415,307 sf and 500 units in Phase II
- Proposed – approximately 450,742 sf and 525 in Phase II (296 in Phase II-A and 229 in Phase II-B); achieved primarily through reductions to the core factor and residential amenity space.
- *Requires change to PUD order, not relief; Applicant has agreed to extend approved proffer of 10% affordable housing at 80% AMI to additional Phase II residential square footage.*

- Parking

- Approved – 0.71 to 1 ratio (329 spaces for 500 Phase II units)
- Proposed - 0.46 to 1 ratio (243 spaces for 525 Phase II units);
- *Requires change to Order, not relief from § 2100; By-Right Requirement is 0.25 to 1 ratio*



- Loading Relief
 - Approved - two loading areas, each with a 55-foot deep loading berth, a 20-foot deep service delivery space and a loading platform, as required by § 2201.1
 - Proposed –one loading area with (1) 30 foot deep loading berth, (1) 30 foot deep service delivery space and (1) 200 square foot loading platform.
 - *Requires change to Order, new loading berth depth relief from § 2201.1, and a loading management plan.*
- Green Roof Proffer
 - Approved – a proffer of 16,000 sf
 - Proposed – a reduction of proffer to 13,000 sf (due to refined calculations for HVAC needs)
 - *Requires change to Condition 4 of original Order, which stated proffer as a minimum, but no relief from GAR regulations, which were not in effect at PUD's approval*
- Day Care Proffer
 - Approved – a proffer of 3446 sf
 - Proposed – a proffer of 6842 sf;
 - *Requires no change to Order; proffered sf was stated as a minimum*

After setdown and prior to advertising, the applicant will provide the Commission with information about which specific Conditions of the PUD order would require modifications, for both Phase II and for the overall PUD.

II. SUMMARY OF CONSTRUCTED AND APPROVED PUD PHASES AND BENEFITS

The approved PUD is to include approximately 748 units, including 80 to 82 units for households earning $\leq 80\%$ AMI, as well as an approximately 3,500 square foot daycare center and approximately 17,500 square feet of retail. It is divided three phases: a completed Consolidated PUD fronting on 3rd Street and K Street (Phase I), an approved two-phase Preliminary PUD fronting on 2nd, K and L Streets (Phases II-A and II-B), and a Consolidated PUD fronting on 2nd and L Streets (Phase III).

The Commission has approved several modifications to the PUD. It now encompasses all of Square 749, which is bounded by 2nd, 3rd, K and L Streets, NE and is near the Red Line metro station at New York and Florida Avenues, NE. The underlying zone districts are C-2-B and C-M-3. C-3-C zoning is associated with the PUD.

The Consolidated PUD has 202 residential units including 28-30 for households earning $\leq 80\%$ AMI, with a focus on practicing artists. Approximately 3,700 square feet is reserved for retail space. There are 177 underground spaces, atop which is a plaza intended for access only by Phases I and II users.

The Second Stage PUD has been modified and twice extended since its original approval. It is permitted to be constructed in two stages, and to be 121 feet high as measured from 3rd Street, with 14 stories on the 2nd Street side. When both stages of the approved Phase II are complete, Phase II is to contain

approximately 555,545 gross square feet (gsf) of floor area. 415,307 net square feet would be devoted to approximately 500 residential units. Ancillary residential indoor amenity spaces would comprise 13,328 square feet, and core and service areas would occupy 113,109 square feet (20% of GFA). There would be 13,801 square feet of retail space, including a 3,446 square foot daycare center, an addition to the parking garage for a total of 506 to 448 spaces, and a publicly accessible plaza atop the garage.

10% of the Second Stage and 11% of the overall residential gross floor area are reserved for affordable housing. All of the affordable square footage is an applicant proffer, as the PUD preceded the applicability of Inclusionary Zoning requirements.

Phase III will contain 34,485 gross square feet and include 41 residential units, provide no additional parking, and accommodate loading from the curb.

All Phases include First Source Agreements.

III. RELATIONSHIP TO THE COMPREHENSIVE PLAN

The Commission has already found the approved PUD to be not inconsistent with the Comprehensive Plan. The proposed modifications would not alter this relationship, other than to strengthen the PUDs ability to promote the following Comprehensive Plan Elements:

- Housing Element: The more efficient layout enabled by the proposed modifications would permit the addition of 25 units of housing for balanced, mixed-use growth near certain Metro stations, as encouraged by policies 1.1.3 and 1.1.4. The square footage and numbers of affordable housing units would increase in proportion to the overall residential square footage increase.
- Central Washington Element: The additional housing is responsive to Policy CW 1.1.4's encouragement of denser housing in the central area, particularly in NoMA
- Urban Design Element: Phase II's revised design and massing would continue to be integrated with the rest of the PUD, and the re-location of the courtyard's public entrance to K Street is consistent with the emphasis placed on that street by its generous width and the role its landscaping plays in plans for the development of NoMA. With the public space improvements being discussed by the applicant and the District Department of Transportation, the design is becoming more consistent with policy UD 3.3.1's encouragement of quality treatment of public spaces.

IV. MODIFICATION EVALUATION STANDARDS

Major modification requests are evaluated according to the regulations for a second-stage PUD outlined in 11 DCMR, Chapter 24, which require consistency with all of the requirements of the first stage approval, as well as several procedural requirements. The requested modifications to Phase II of the PUD would not negatively affect the quality of the approved development and would neither be inconsistent with the Comprehensive Plan, nor require zoning relief that is out of balance with the expected public benefits.

V. ZONING ANALYSIS

Table 1 analyzes the approved Preliminary PUD Phases II-A and II-B, and how the requested modifications would modify the approvals.

TABLE 1.	Phase II ONLY		PUD, ALL PHASES		Add'l Relief Needed
	Approved	Proposed Modifications in <i>bold italics</i>	Approved Phases I - III	Proposed Modifications in <i>bold italics</i>	
Land Area (sf)	58,263 sf m Phase II	Unchanged	Phase I: 42,838 Phase II : 58,263 <u>Phase III: 5,296</u> Total: 106, 397	Unchanged	None
Floor Area and FAR	555,545 gsf 5.49 FAR max <u>without</u> Phase III 5.22 if Phase II included	560,300 gsf 5.27 FAR <u>with</u> Phase III included	Phase I:236,905 Phase II: 555,545 <u>Phase III: 34,293</u> Total:826,743 Max 893,735 sf 7.77 FAR approved	831,498 sf 7.82 FAR	No relief needed Change PUD Condi- tion.
Height	Was 121 ft., as measured from 3 rd St., NE; Became 130 ft. measured from 2 nd Street after Phases I & II buildings made separate per Order 05-36H	Unchanged	Phase I: 90 ft. measured from 3 rd St NE.; Phase II 130 ft., measured from L St., NE per Order 05-36H; Phase III: 63'8" feet, measured from 3 rd St., NE	Unchanged	None
Roof Struc- tures	1 structure @ 18'6"; 1:1 setback relief @ SW corner of courtyard previously approved	Unchanged	Multiple structures and Phase II setback relief previously approved	Unchanged	None
Square Feet	Res. – 415,307 Res. Amenities – 13,328 Retail – 10,355 Daycare – 3,446 <u>Core – 113,109</u> Total. – 555,545	Res. – 450,742 Res. Amenities – 8,730 Retail – 10,355 Daycare - 6,862 Core – 84,043 Total. – 560,320	To Be Provided by Hearing	To Be Provided by Hearing	No Relief needed. Change PUD Condi- tions.

TABLE 1.	Phase II ONLY		PUD, ALL PHASES		Add'l Relief Needed
	Approved	Proposed Modifications in <i>bold italics</i>	Approved Phases I - III	Proposed Modifications in <i>bold italics</i>	
Residential Units	500 (+/- 5%) [10% res.gsf @ 80% AMI for 20 years]	525 units (+/- 5%) [10% res. gsf @ 80% AMI for 20 yrs.]	Approx.753 [10% res.gsf @ 80% AMI for 20 years]	Approx. 778 [10% res.gsf @ 80% AMI for 20 years]	n/a
Lot Occ.	68%	68%	69%	69%	None
Vehicle Parking	329 spaces (0.66 space/unit)	243 spaces (0.46 space/unit) [131 spaces, 0.25 / unit required by § 2101.1]	0.67 space /unit approved in Order 05-36E Approx. 545planned	0.53 space/unit 416 proposed (416 spaces) (1 space for 4 units required; i.e., 178 spaces)	No relief needed. Change Condition 1 (f) in Order 05-36H
Bicycle Parking	55 spaces	175 spaces	55 spaces Phases I and II; 30 spaces in Phase III. Total 85	205spaces	Add Condition for Phase II
Loading	2 berths @ 55 ft. 2 platforms @ 200 sf 2 loading areas @ 20 ft.	(1)30 foot deep loading berth, (1) 30 foot deep service delivery space and (1) 200 square foot loading platform. (berth depth 25 ft. less than required; otherwise facilities comply)	Phase I 2 berths @ 55 ft. 2 platforms, 200 sf 2 loading areas, 20' Phase II 2 berths @ 55 ft. 2 platforms, 200 sf 2 loading areas, 20' Phase III None	Phase I No changes Phase II 1 berth @ 30 ft. 1 delivery space @ 30 feet 1 platform @ 200 square feet Phase III No changes	Yes. Loading berth depth relief for Phase II Also, change to Conditions
Affordable Housing	Proffer of at least 10% of residential gfa @ 80% AMI	Same proffer, applied to larger am't of residential gfa	≥ 10% residential gfa @ 80% AMI; and ≥ 2644 sf (5 units) IZ @ 80% AMI in Phase III	No change	None

VI. PUBLIC BENEFITS

The requested modifications to Phase II would modify the public benefits package in only two ways:

- The proffered daycare would increase from 3446 sf to 6842 sf;
- Phase II's affordable housing proffer would be increased in direct relation to the proposed increase in the residential square footage in the Phase.

All other proffers, public benefits and amenities would remain as previously approved.

VII. REMAINING CONCERNS

By a public hearing, the applicant should provide information about the following:

- Loading: The management plan currently being finalized between the applicant and DDOT for the reduced-size and number of Phase II's loading facilities.
- Public Space in Relation to Building Design: Revisions, if any, that the District's public space committee may have required to:
 - The location and size of parking and loading openings, and pedestrian "refuges", on 2nd Street, NE;
 - The treatment of public space on K Street, NE and any changes that may be needed to the design of the ground floor facing that street.
- Publicly-Accessible Courtyard: Additional details about the design of its entrance from K Street, lighting, landscaping, seating, security cameras, gates, and any direct access from the PUD's retail or daycare facilities.
- Phase II-A Temporary End Wall Design: Additional renderings of exterior north wall that will terminate Phase II-A before Phase II-B is constructed.
- Phase II-B Permanent End Wall Design: Rendering of east-facing wall on L Street, with attention to the inclusion of fenestration in what may otherwise be a blank wall
- Refinements to Design of K Street Façade: The design of the south façade of the overall PUD would benefit from more attention to the transition in scale between Phase I and Phase II-A. Although the use of materials between the two phases is sympathetic, the applicant may wish to, for instance, refine the relationship between the horizontal banding in the two phases.
- Consolidation of Conditions for Phases I – III. For all phases of the PUD, a "redlined" version of the originally approved conditions and all previously approved and currently requested modifications to conditions, with, due to the divisions in ownership among the phases, a breakdown of which Phase is responsible for the provision of which amenity or public benefit.

VIII. AGENCY REFERRALS AND COMMENTS

The District Department of Transportation's (DDOT's) public space committee has approved the proposed 2nd Street, NE curb cut changes, provided the applicant demonstrates how the Phase II garage will also be guaranteed to serve the Phase II-B building. No changes were requested to the public space design on K Street that would affect the proposed façade modifications.

The applicant and ANC 6C have discussed the requested modification. The ANC will give formal consideration to the request if it is scheduled for a public hearing.

JLS/ slc

Steve Cochran, project manager