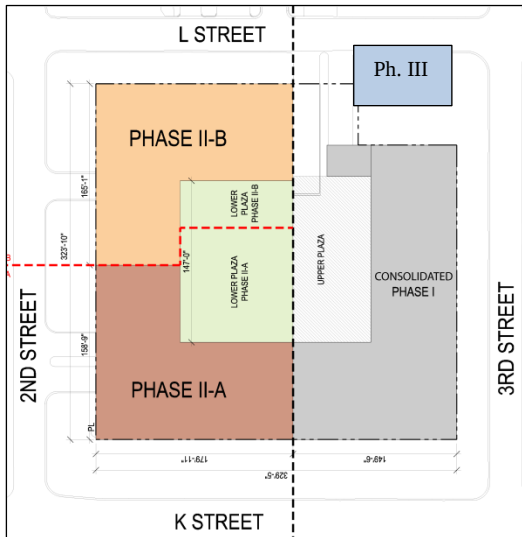




TO: District of Columbia Zoning Commission
FROM: Jennifer Steingasser, Deputy Director- Development Review & Historic Preservation
DATE: October 20, 2014
SUBJECT: Final Report – ZC 05-36 I – Major Modification to Phase II of PUD in Square 749

I. OP RECOMMENDATION

The Office of Planning (OP) recommends that the Zoning Commission approve the application for the following major modifications to the Second Phase of PUD 05-36, subject to the submission of the additional materials noted in italics in Section II of this report:



- 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, revised to 240 spaces October, 2014);
 - *Requires change to Order, not relief from § 2100, which requires only a 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*

II. APPLICANT'S RESPONSE TO SETDOWN COMMENTS BY ZONING COMMISSION AND OP (Additional Materials to Be Submitted by Hearing are noted in italics)

- A. Loading: The loading management plan requires tenants to coordinate loading with a building loading coordinator on a first-come/first-served basis. DDOT had not commented on this as at the time OP prepared this report.
- B. Public Space in Relation to Building Design: The applicant has received preliminary approval from the public space committee for landscape plans within the K Street, NE right of way and for the location and size of parking and loading openings and pedestrian “refuges”, on 2nd Street, NE.
- C. Publicly-Accessible Courtyard: The applicant has met with the ANC. Revised plans show a widened, more brightly lit opening to the courtyard, as well as additional renderings of the landscaping, “fire fountain” and courtyard furnishings. (Sheets L-1 through L-4). *The applicant will, by the hearing, provide more details about the courtyard gates, public seating areas and possible additional opening to the raised, southwestern portion of the courtyard that may encourage further public use of that area.*
- D. Comparison of Approved and Proposed Designs: The applicant has submitted side-by-side comparisons.

- E. Phase II-A Temporary End Wall Design: Sheet A-305 shows the new pattern and colors of the proposed treatment of the temporary north wall.
- F. Phase II-B Permanent End Wall Design: The latest rendering of the east-facing wall on L Street, show that wall to now have windows. (See Sheet A-305).
- G. Refinements to Design of K Street Façade: The east-facing wall will be constructed of the same materials as the principal building facades and will be patterned. (See Sheets A-305, 505). The applicant is continuing to consider minor design changes that may further integrate the K Street facades of Phases I and II.
- H. K Street Roof Structure Setback: The stair tower (See Sheets A-304, 305) at the wall edge separating Phases I and II has been lowered 10 feet, to 8'6", to reduce its visibility from K Street.
- I. Additional Refinements to 2nd Street Façade: *By the hearing, the applicant will submit design refinements to the treatment of the materials and color of the ground floor adjacent to the loading openings. This will focus on bringing a more unified approach to the treatment north and south of the loading area.*
- J. Consolidation of Conditions for Phases I – III. By the hearing, the applicant will be providing:
 - i. *A “redlined” version of the original conditions and proposed revisions, as they pertain to Phase II or as changes to Phase II affect numbers applying to the total PUD;*
 - ii. *Clarification of which Phase and ownership entity is responsible for the provision of which amenity or public benefit.*
- K. Size of Green Roof: The proposed plans would reduce the area of green roof from 16,450 square feet to 13,000 square feet. The applicant has explained that the former square footage assumed that some of the HVAC units could be stacked, which the building’s mechanical engineer subsequently said should not be done. The applicant notes that while there will be 3,450 few square feet of green roof, the water collected from the roof will be piped to a cistern used for irrigating the courtyard and other landscaping, and the use of rooftop condensers has enabled the applicant to avoid using “through-wall” HVAC units.
- L. Materials Samples: *These will be submitted at the hearing.* OP has also asked the applicant to submit photos of the materials when placed on the site, next to the constructed Phase I façade.

B. PROJECT SUMMARY

The approved PUD is to include approximately 748 units, including 80 to 82 units for households earning ≤ 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. 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. 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.

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 bold italics	Approved Phases I - III	Proposed Modifications in bold italics	
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 with 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 Condition.
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, from 3 rd St., NE	Unchanged	None

TABLE 1.	Phase II ONLY		PUD, ALL PHASES		Add'l Relief Needed
	Approved	Proposed Modifications in bold italics	Approved Phases I - III	Proposed Modifications in bold italics	
Roof Structures	1 structure @ 18'6"; 1:1 setback relief @ SW corner of courtyard; 18'6" previously approved	1 structure @ 18'6"; 1:1 setback relief @ SW corner of courtyard. Add'l 8'6" stair tower.	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 Conditions.
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)	240 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' 1 delivery space @ 30' 1 platform @ 200SF Phase III No changes	Yes. Loading berth depth relief for Phase II Also, change to Conditions

TABLE 1.	Phase II ONLY		PUD, ALL PHASES		Add'l Relief Needed
	Approved	Proposed <i>Modifications in bold italics</i>	Approved Phases I - III	Proposed <i>Modifications in bold italics</i>	
Afford- able 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. 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, requiring that an easement be a part of any future phases so that all future loading/unloading needs shall be served at the approved curb cuts along 2nd Street, NE.

It is OP's understanding that ANC 6C has voted to recommend approval of the requested modifications. The ANC had not filed a record of the vote with the case file at the time OP prepared this report.

JLS/slc

Steve Cochran, project manager