




Memorandum

TO: District of Columbia Zoning Commission

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

DATE: June 28, 2013

SUBJECT: **ZC 06-04 C- Modification** – 1600 North Capitol Street, N.W.

I. RECOMMENDATION

OP recommends that the Zoning Commission set down the requested modifications to the approved Consolidated PUD (06-04) as petitioned by Florida & Q Street, LLC, (the Applicant) for property located at 1600 North Capitol Street, N.W, also known as Square 3100, Lot 48.

II. REQUEST

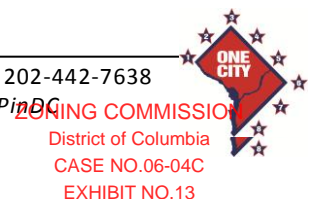
The applicant requests the following items be modified, as highlighted in **bold**:

Item	Approved project	Proposed Modification
Rezoning	C-2-A to C-2-B	No Change
FAR	4.5	4.5 - (No Change)
Gross sf.	85,428 sf.	85,428 sf (No Change)
Building Height	86 ft.	72 4” ft. (Removal of 7th floor unit and lowering of height of the embellishment, not including roof structures)
# residential units	65-85 units	85-95 units (84,306 gsf)
Retail area sf.	4,970 sf.	4,998 sf. (With flexibility to convert to residential based on market conditions).
Parking	Two levels below-grade (84 spaces)	One level (41 spaces min.)
Benefits and Amenities	Item 26 (g) i – xiv (Order 06-04 pg. 6)	Request revisions of contributions to various groups due to changes in the community.

Flexibility is also requested from the court width and off street loading requirements and the revisions introduces a request for flexibility from the roof structure requirements. Notwithstanding, the proposed project is substantially consistent with the conditions identified in Zoning Commission Order No. 06-04.

III. BACKGROUND

The PUD history for this site dates to 2006 when the Zoning Commission held the first public hearing to consider an application for consolidated review and approval of a planned unit development and a related map amendment from the C-2-A to the C-2-B district to facilitate a mixed-use development on the vacant parcel. The Commission’s approval was issued by Order 06-04, dated June 15, 2007. Subsequent to that approval, the Commission approved an extension based on good cause shown by the applicant and so ordered that an application for a building permit be filed for the PUD no later than June 15, 2013, with construction to start no later than June 15, 2014 (Order 06-04B (2011)). The applicant has now filed a request for an extension dated May 31, 2013, concurrent with this application.



The development team has now reconsidered the building’s engineering, adjusting the building’s height and its construction to include a partial stick-built for cost efficiencies.

The current proposal is similar to the approved PUD in that it continues to provide the following:

- A mixed-use building, including residential and retail space;
- Underground parking;
- Height and density that are generally consistent with the previous approval;
- Dedication of affordable units for residents earning up to 80% of the Area Median Income (AMI);
- Inclusion of green roof elements and streetscape improvements, including new street plantings and sidewalk renovation, according to DDOT standards; and
- Contribution of up to \$110,000 to neighborhood schools and civic associations as identified by ANC5C.

IV. SITE DESCRIPTION

The 18,984 square-foot vacant parcel located in Square 3100 is prominently located at the northwest intersection of North Capitol Street, Florida Avenue, a portion of Q Street and a remaining portion of what was originally known as Truxton Circle. It is also located 2,200 feet from the entrance to the New York Avenue Metrorail Station and is served by six Metrobus routes. Generally, the square is comprised of row structures and multi-family townhouse dwellings. Surrounding squares have some mixed-use, moderate density commercial buildings, as well as moderate density single-family and multi-family dwellings.



Zoning Vicinity Map

The site is zoned C-2-A and this commercial zone extends along North Capitol Street in the immediate neighborhood, abutting the residential row-house R-4 district to the northwest, northeast and southwest of the intersection. The squares in the C-3-C district on the southeast corner of North Capitol Street and Florida Avenue are in Transferable Development Rights (TDR) receiving zones. There are no nearby historic districts.

V. MODIFICATION PROPOSAL

The development is now proposed as a seven-story mixed-use building at a maximum height of 72 feet. An architectural “tower” proposed at 81 feet high would anchor the corner of North Capitol Street and Florida Avenue. The building would have a combined gross floor area of 85,428 square feet, of which 84,306 square feet would be dedicated to a maximum of 95 residential units. Neighborhood serving retail space at 4,998 square feet (some area included in cellar calculation) would front along Florida Avenue, as in the previous version of the design. The project would remain as designed at a total **FAR of 4.5**.

The residential units would be comprised of efficiencies (7%); one bedroom units (34%); one bedroom with den (9%) and two-bedroom units (50%). There would be no three bedroom units, which represented at least 1% of the units in the previous design. The applicant previously committed to 15% of the bonus density (5,695 square feet) at 80% of the AMI. In this revision, the applicant proposes to satisfy the IZ requirement at 8.1% or 6,828 sf of the residential gross floor area, which represents an increase in the area dedicated to affordable units.

Forty-one (41) parking spaces would be provided in one level below grade, accessed off Florida Avenue. Loading would also be accessed off Florida Avenue via the same curb cut.

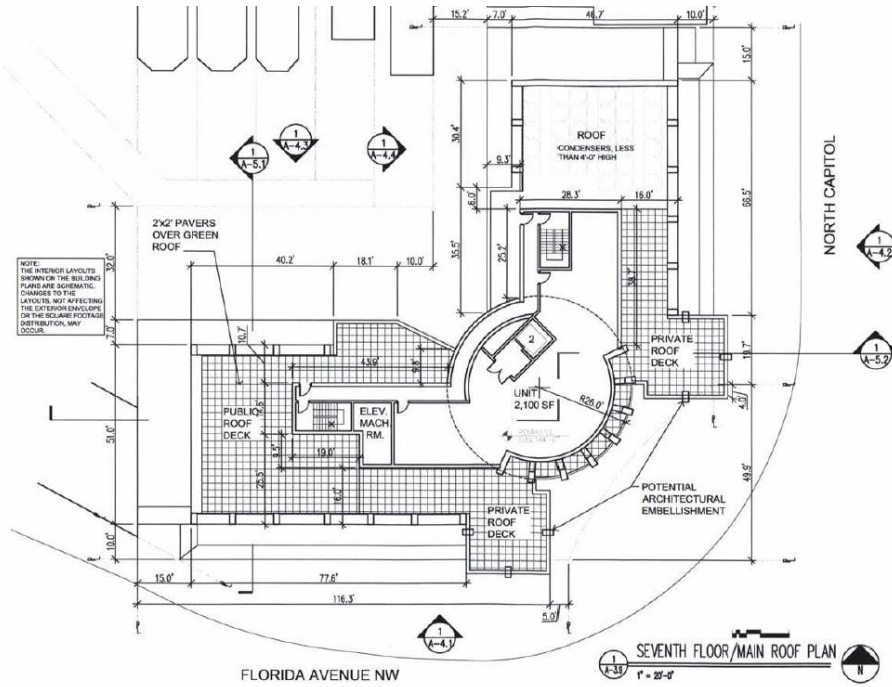


North Capitol Street Elevation (06-04) (2007)

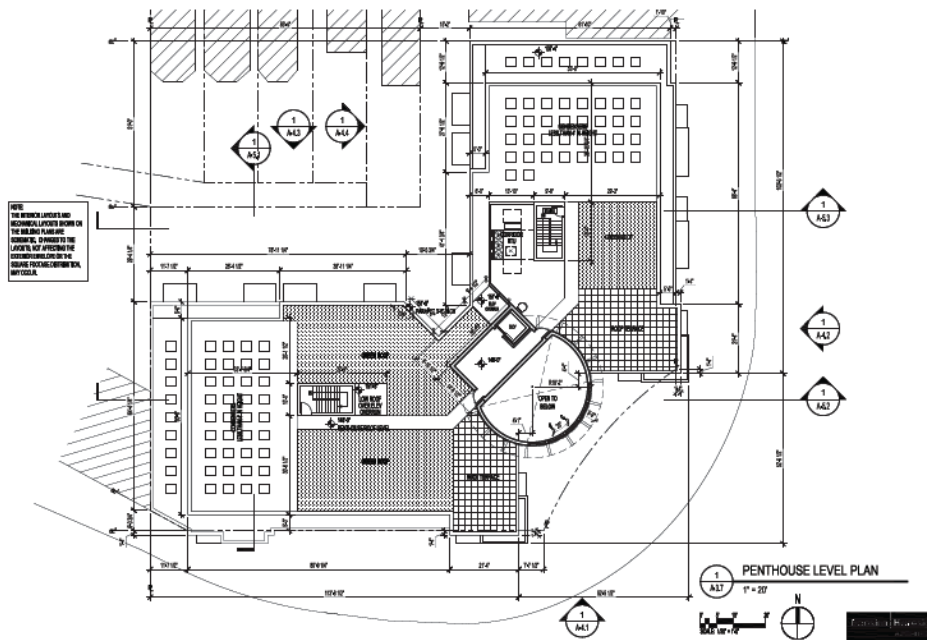


06-04C (5/31/2013)

The immediately visible changes to the building’s design include changes to the upper level roof plan and a decreased gradient for the site; with a lower lobby entrance than previously designed (*see A 6.1 for street perspective*)



Approved Plan



Revised PUD Submission 5-31-2013

VI. ZONING

The current proposal remains conforming to the permitted height and FAR under the approved map amendment from the C-2-A to the C-2-B District. However, some flexibility is requested, as highlighted in the following table:

Standard	C-2-A	C-2-B/M-O-R	C-2-B/PUD	Approved	Proposed
Area	18,984 sf	18,984 sf.	(15,000 sq. ft)	18,984 sf.	18,984 sf
Height	50 ft. (65ft. -PUD)	65	90 ft.	86 ft (max)	69 ft.
FAR	Non Residential – 0.5 Residential – 2 TOTAL:2.5 (47,460 sf) (3.0 – PUD (56,954 sf)	Retail – 1.5 Residential – 2 TOTAL: 3.5 (66,444 sf)	Non-Residential – 2.0 Residential – 4.0 TOTAL: 6.0 (113,904 sf)	Retail (4,970 sf in cellar) Residential – 4.45 (81,428 sf) TOTAL: 4.5 (85,428 sf).	Retail – 4,998 sf in cellar Res. – 4.35 (84,306sf) Total: 4.5 (85,428 sf) (No change)
L/O (§772	Residential – 60%	80%	Residential – 80%	76.5%	77% - Minor Change
Rear Yard § 774	12 ft. minimum or 2.5 ins./ft. of height or 17 ft.	15feet	15 ft. minimum or 2.5 ins./ft. of height or 17 ft.	40 ft. (Measured from centerline at FL. Ave.)	No Change
Court § § 776.3; 776.4	Width = 4” per ft. of height, - not less than 15 feet. Area not less than 350sf	Width = 4” per ft. of height, - not less than 15 feet. Area not less than 350sf	Width = 4” per ft. of height, - not less than 15 feet. Required area 250 ft.	15.2 feet	15.2 feet Flexibility requested
Parking §2100	1 per 2 D.U 0 for less than 3,000 sq. ft. of retail	1 per 3 D.U	1 per 3 D.U (30 required)	84 spaces	Retail – 2 spaces Residential – 40 spaces
Loading § 2201	1 loading berth @ 55 ft deep 1loading berth @ 30 ft. deep 1 loading platform @ 200 sq. ft. 1 service/delivery space @ 20 ft.	1 loading berth @ 55 ft deep 1 loading platform @ 200 sq. ft. 1 service/delivery space @ 20 ft.	1 loading berth @ 55 ft deep 1 loading platform @ 200 sq. ft. 1 service/delivery space @ 20 ft. None for less than 5,000 square feet of retail	1 loading berth @ 30 ft deep 1 service/delivery space @ 20 ft.	1loading berth @ 30 ft; 1 platform @525 sf 1 service delivery @ 20 ft Flexibility requested
Residential Rec. Space	15% GFA	15% GFA	15% = 12,214 sq. ft.	7.3% = 5,920 sq. ft. 5.82% = 4,392 sq. ft. (non-qualifying space)	No Change
Roof Structure	§§411.2;411.3;411.4; 770.6(a); 770.6(b)	§§411.2;411.3;411.4; 770.6(a); 770.6(b)	§§411.2;411.3;411.4; 770.6(a); 770.6(b)	N/A	Flexibility requested

FLEXIBILITY

The applicant has requested flexibility from the closed court area and width requirements and the loading requirements which were approved with the previous design of the PUD. Flexibility from the roof structure requirements is now requested, as there would be multiple roof structures, stair towers would not meet the one-to-one setback requirement and enclosing walls of a roof structure would be of unequal height (See A-3.8). In addition, flexibility has been requested to convert the proposed retail cellar space to residential use, if it cannot be leased for retail purposes; and to make minor refinements to the exterior of the facades of the building.

VII. PUD EVALUATION STANDARDS

The purpose and standards for Planned Unit Developments are outlined in 11 DCMR, Chapter 24. The PUD process is “designed to encourage high quality developments that provide public benefits.” Through the flexibility of the PUD process, a development that provides amenity to the surrounding neighborhood can be achieved. Sections 2403.5 – 2403.13 of the Zoning Regulations discuss the definition and evaluation of public benefits and amenities.

In its review of a PUD application, §2403.8 states that “*the Commission shall judge, balance, and reconcile the relative value of the project amenities and public benefits offered, the degree of development incentives requested, and any potential adverse effects according to the specific circumstances of the case.*” Sections 2403.9 and 2403.10 state that... “*a project must be acceptable in all the listed proffer categories, and must be superior in many.*” To assist in the evaluation, the applicant is required to describe amenities and benefits, and to “*show how the public benefits offered are superior in quality and quantity to typical development of the type proposed...*” (§2403.12)

The amenity package evaluation is partially based on an assessment of the additional development gained through the application process. The following table compares base zone, previously approved and currently proposed densities and heights:

Item	Density	Non-residential density	Height
C-2-A	2.5 (47,460 sf)	1.5 (28,476 sf)	50 ft.
Approved C-2-B PUD	4.5 (85,428 sf)	0.26 (4,970 sf)	86 ft.
Current Proposal	4.5 (85,428 sf)	0.06 (1,122 sf) ¹	72 ft.

The project gains no additional density through this PUD modification over what was previously approved. The height is reduced by 17 feet through the removal of the penthouse and lowering of the tower element.

The order issued for the approved PUD stated that “*the project benefits and amenities are reasonable tradeoffs for the requested development flexibility.*” The modification does not request additional relief and the flexibility requested remains within the granted flexibility with the design of the PUD in Item 9 of the Decision of the Order.

A. COMPREHENSIVE PLAN AND PUBLIC POLICIES

An evaluation standard for PUD’s also requires that the proposed PUD is not inconsistent with the Comprehensive Plan and with other adopted public policies and active programs related to the subject site (§ 2403.4). The prior PUD was evaluated under the 1999 Comprehensive Plan. An evaluation of the development proposal is also consistent with the 2006 Comprehensive Plan, including the including the Land Use, Housing, Urban Design and Mid-City Area elements and their related policies.

Land Use Element

- *The renewed popularity of city living generates the need for more housing and new amenities. 300.4*
- *Land use changes have the potential to make the city more vibrant, economically healthy, exciting, and even more environmentally sustainable than it is today. 300.5*
- *Fully capitalizing on the investment made in Metrorail requires better use of the land along transit corridors. 306.2*

¹ GFA counted towards FAR does not include that portion of a cellar, the ceiling of which is less than four feet above finished grade calculated on the perimeter method by the applicant (A1.5)

- *Looking forward, certain principles should be applied in the management of land around all of the District's neighborhood stations. These include:*
 - *A preference for mixed residential and commercial uses rather than single purpose uses, particularly a preference for housing above ground floor retail uses;*
 - *A preference for diverse housing types, including both market-rate and affordable units and housing for seniors and others with mobility impairments;*
 - *A priority on attractive, pedestrian-friendly design and a de-emphasis on auto-oriented uses and surface parking; 306.4*

The proposed mixed-use development would enable future residents to capitalize on the location's proximity to several transit options, and would help to transform and enliven the prominent intersection of North Capitol Street and Florida Avenue.

Housing Element

Policy H-1.1.1: Private Sector Support *Encourage the private sector to provide new housing to meet the needs of present and future District residents at locations consistent with District land use policies and objectives. 503.2*

Policy H-1.1.4: Mixed Use Development *- Promote mixed use development, including housing, on commercially zoned land, particularly in neighborhood commercial centers, along Main Street mixed use corridors, and around appropriate Metrorail stations. 503.5*

The development proposes to add up to 95 residential units along the Florida Avenue corridor, consistent with the policies of the Housing Element.

Urban Design

Policy UD-2.2.4: Transitions in Building Intensity *- Establish gradual transitions between large-scale and small-scale development. The relationship between taller, more visually prominent buildings and lower, smaller buildings (such as single family or row houses) can be made more pleasing when the transition is gradual rather than abrupt. The relationship can be further improved by designing larger buildings to reduce their apparent size and recessing the upper floors of the building to relate to the lower scale of the surrounding neighborhood.*

Policy UD-2.2.5: Creating Attractive Facades *- Create visual interest through well-designed building facades, storefront windows, and attractive signage and lighting. Avoid monolithic or box-like building forms, or long blank walls which detract from the human quality of the street. 910.12*

Policy UD-2.2.7: Infill Development *- Regardless of neighborhood identity, avoid overpowering contrasts of scale, height and density as infill development occurs. 910.15*

Policy UD-3.1.11: Private Sector Streetscape Improvements *- As appropriate and necessary, require streetscape improvements by the private sector in conjunction with development or renovation of adjacent properties. 913.18*

The project's design provides a transition to the adjacent row dwellings to the north of the site as it steps down from Florida Avenue at 69 feet towards the adjacent structure to the north at 50 feet. The façade is separated in two areas by a primarily glass tower which acts as a division between the east and west elevations. The applicant is also committed to streetscape improvements consistent with current District standards.

MidCity Area Element

The property is located in the MidCity area and the area around North Capitol Street, New York Avenue and Florida Avenue intersections provides the commercial center for the surrounding neighborhoods of Bloomingdale, Eckington and Truxton Circle.

Policy MC-2.7.1: North Capitol/Florida Business District: Upgrade the commercial district at Florida Avenue/North Capitol/New York Avenue, restoring vacant storefronts to active use and accommodating compatible neighborhood-serving infill development. 2017.4

The proposal would redevelop a currently vacant lot with appropriate retail use to serve the surrounding neighborhood needs.

Proposed MidCity East Plan

The Office of Planning and the District Department of Transportation are currently conducting neighborhood outreach in the North Capitol, Florida Avenue and Rhode Island Avenue neighborhoods, with the intent to draft a Mid-City East Small Area Plan. The objective of this plan would be to revitalize North Capitol Street, Rhode Island Avenue, New Jersey Avenue and Florida Avenue as thriving retail and pedestrian-friendly corridors and preserve the individual character of adjoining neighborhoods. OP anticipates that the plan would be submitted for Council adoption in July 2014.

The approved PUD site is within the proposed plan boundaries.

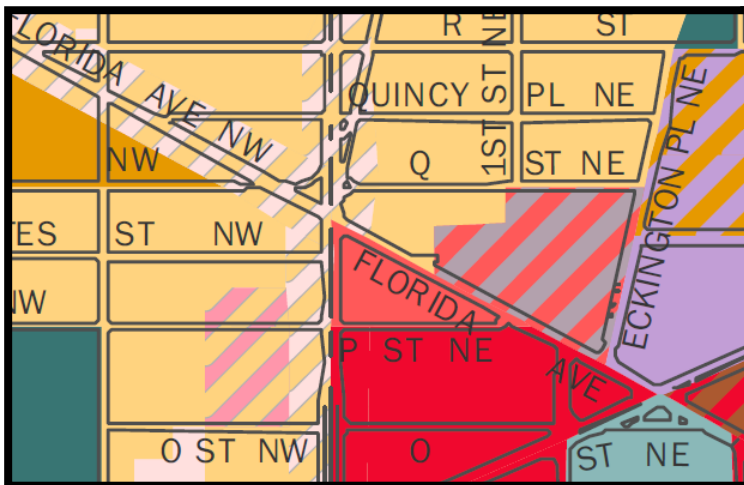
B. COMPREHESIVE PLAN MAPS

FUTURE LAND USE MAP

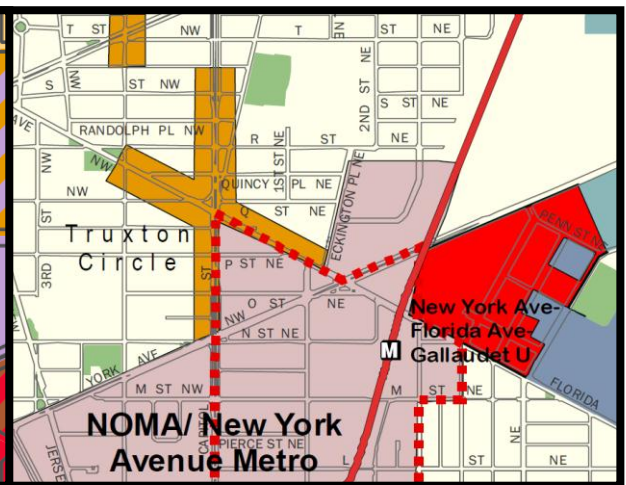
The Generalized Land Use Map recommends the subject site for low density commercial and moderate density residential. The proposed development at a total FAR of 4.5 comprised of mixture of residential (4.3 FAR) and limited retail uses (0.2 FAR) is not inconsistent with the Comprehensive Plan.

GENERALIZED POLICY MAP

The Generalized Policy Map locates the subject site within a main street mixed use corridor. This type of corridor is a traditional commercial business corridor with a concentration of older storefronts along the street. Conservation and enhancement of these corridors is desired to foster economic and housing opportunities and serve neighborhood needs. Any development or redevelopment that occurs should support transit use and enhance the pedestrian environment.



Future Land Use Map



Generalized Policy Map

The Commission approved the requested map amendment to the C-2-B PUD as consistent with the Comprehensive Plan policies and maps. No substantial changes have occurred since the PUD's approval that would change the material facts upon which the decision was made.

C. PUBLIC BENEFITS AND AMENITIES

§ 2403.9 addresses the requirement for public benefits and amenities as follows:

“Public benefits and project amenities of the proposed PUD may be exhibited and documented in any of the following or additional categories:

Urban Design and Site Planning

The site planning and land utilization has been approved as efficient and would not be modified by the current proposal. The proposed reduction in height would further minimize any potential impacts. The proposed design would ensure the availability of light and air to the residences with the inclusion of the open courtyard, which is approximately 38 feet from the property lines to the north and the 15-foot setback of the areaway, as shown on the plans (A3.2).

A mansard roof and double bays are included to address the row house fabric of the neighborhood particularly along North Capitol Street. Units with North Capitol Street frontage will be accessed by stairs to the first and cellar levels, as shown in the applicant's plans, similar to the pattern of residences along North Capitol Street.

Materials for the building's facades would include brick, stone and pre-cast accents, and decorate metal railings with metal frame architectural embellishments. An architectural embellishment as a tower is proposed as a connector between the differences of the North Capitol Street and Florida Avenue corridors and the mass of the building is focused towards the intersection, away from existing residences. This is an appropriate context since it directly borders the NOMA redevelopment area and the C-3-C district in a TDR receiving zone, with a development potential height of up to 130 feet. This building would provide a respectable transition between potential development to the east of the site and the residential neighborhood to the north and west.

The design continues to conform to the neighborhood's character with respect to the building's proposed material and its articulation at the intersection of two major arterials as approved by the Commission under Order 06-04.

Transportation, Pedestrian and Vehicular Access

The lack of an accessible alley system limits the provision of loading areas and vehicular access to the building to the rear of the building. However, with the reduction in the number of on-site parking spaces, traffic to and from the development should not pose an adverse impact on the existing traffic patterns. Both corridors (North Capitol Street and Florida Avenue) serve many Metrobus routes and is pedestrian and bike accessible to Metro's Red Line (New York Avenue Metro Station), and via Metrobus to the Green Line to the east (Shaw/Howard U. Metro Station) or the main transportation center at Union Station, to the south. DDOT had no concerns regarding pedestrian safety or vehicular access, but concurred that the location is well served by several Metrobus lines including the 80, 90, 92, and 93, P6 and X3. The applicant agreed by Order, to limit residential and commercial deliveries to non-peak hours on weekdays and weekends. OP would encourage the applicant to introduce TDM measures to encourage transit use to minimize the traffic congestion at this major intersection.

Affordable Housing

The applicant would meet the IZ requirement of 8% for residents at 80% AMI. The IZ units are identified on page A1.6 of the plans.

Environmental Benefits

The applicant’s preliminary LEED scorecard noted on A1.7 indicates that the development would meet Silver certification (53 points). A major environmental benefit would be the accommodation of onsite stormwater through the green roof areas of the main building roof and courtyard planter system (L-101, L-102). Additional stormwater capture would be made available through structural stormwater filters designed to current DDOE standards.

Other Benefits

The applicant committed to a community amenities package in the total amount of \$110,000 to be divided up among 14 community groups, schools and associations, upon the issuance of the final building permit. These groups have been listed in the original order. However, the applicant has stated that since approval, some groups no longer exist. The applicant has requested that flexibility be granted to apportion the amount among existing or new community groups.

The current proposal would continue to provide the following public benefits and amenities:

Applicant’s Amenities/Benefits	Required	Mitigation	Public Benefit	Project Amenity	Proffer
New Housing			X	X	X
IZ units	X		X		
Environmental Benefits, including Green Roof		X	X	X	X
Contextual Arch/Urban Design	X		X		
Neighborhood retail			X	X	
Streetscape improvements			X	X	
More bicycle spaces than required			X	X	
First Source Agreement (executed)			X	X	
Contributions to various community groups (\$110K)			X	X	X
Construction Management Plan		X	X		

VIII. AGENCY COMMENTS

OP will submit the modification request to the District Department of Transportation for comments.

IX. RECOMMENDATION

OP continues to support the proposal to develop this important intersection in the Eckington/Bloomingdale neighborhood. The proposed modification of the approved PUD is not inconsistent with the elements of the current Comprehensive Plan and OP recommends the application be setdown as amended for a public hearing.