



## MEMORANDUM

**TO:** District of Columbia Zoning Commission

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

**DATE:** June 27, 2016

**SUBJECT:** OP Report – Minor Modification Request to approved PUD - ZC 06-04E  
1600 North Capitol Street N.W. (Habitable Penthouse Space)

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### **I. RECOMMENDATION**

The Office of Planning recommends approval of the proposed minor modification pursuant to Section 3030.2 of the approved PUD 06-04 to include habitable penthouse space permitted under Section 411.24.

### **II. BACKGROUND**

The unimproved property on the northwest intersection of Q Street, Florida Avenue and North Capitol Street N.W. is proposed to be redeveloped pursuant to Z.C. Order 06-04, (as modified as ZC Order 06-04C). The PUD would permit a mixed-use development of 85-95 residential units with 4,998 square feet of ground floor retail, one level of below grade parking for 41 vehicles, at a maximum density of 4.5 FAR and a building height of 72 feet 4.5 inches. The PUD has been extended three times prior, with a current deadline of June 15, 2016. A concurrent application has been filed (06-04F) requesting a time extension of the PUD's order for two years until June 2018 (the Office of Planning has recommended an extension on one year).

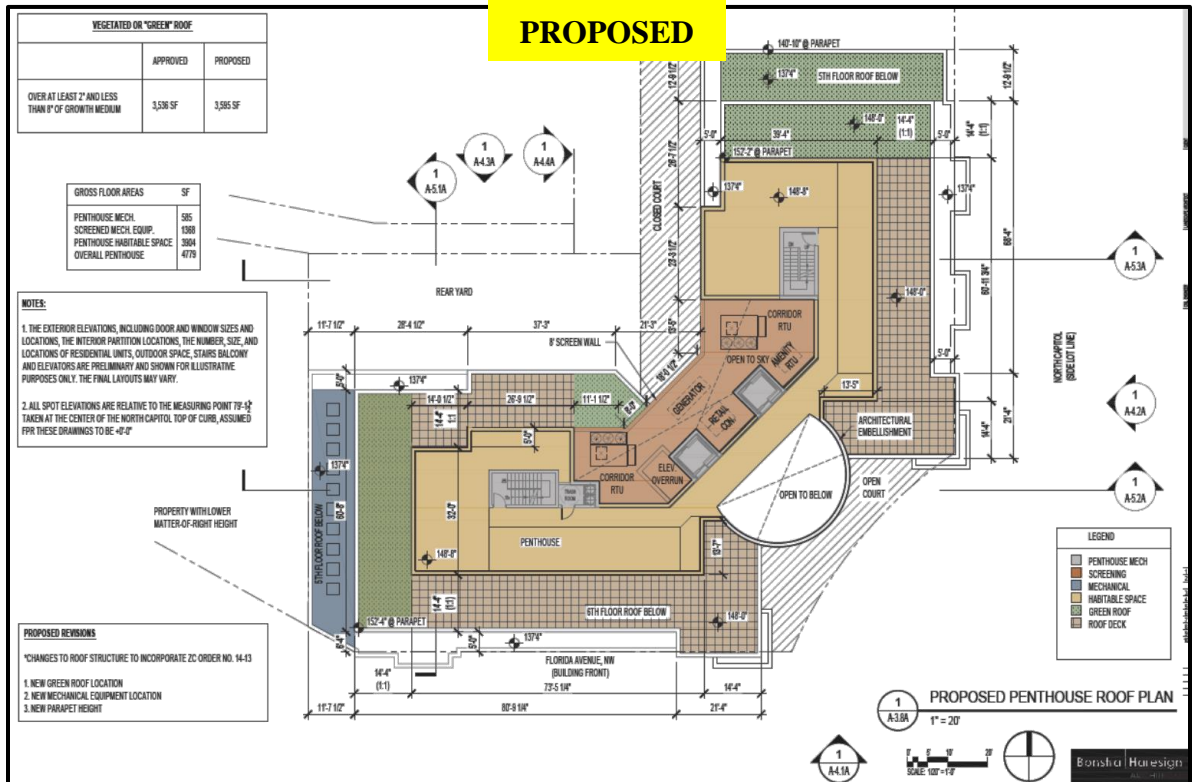
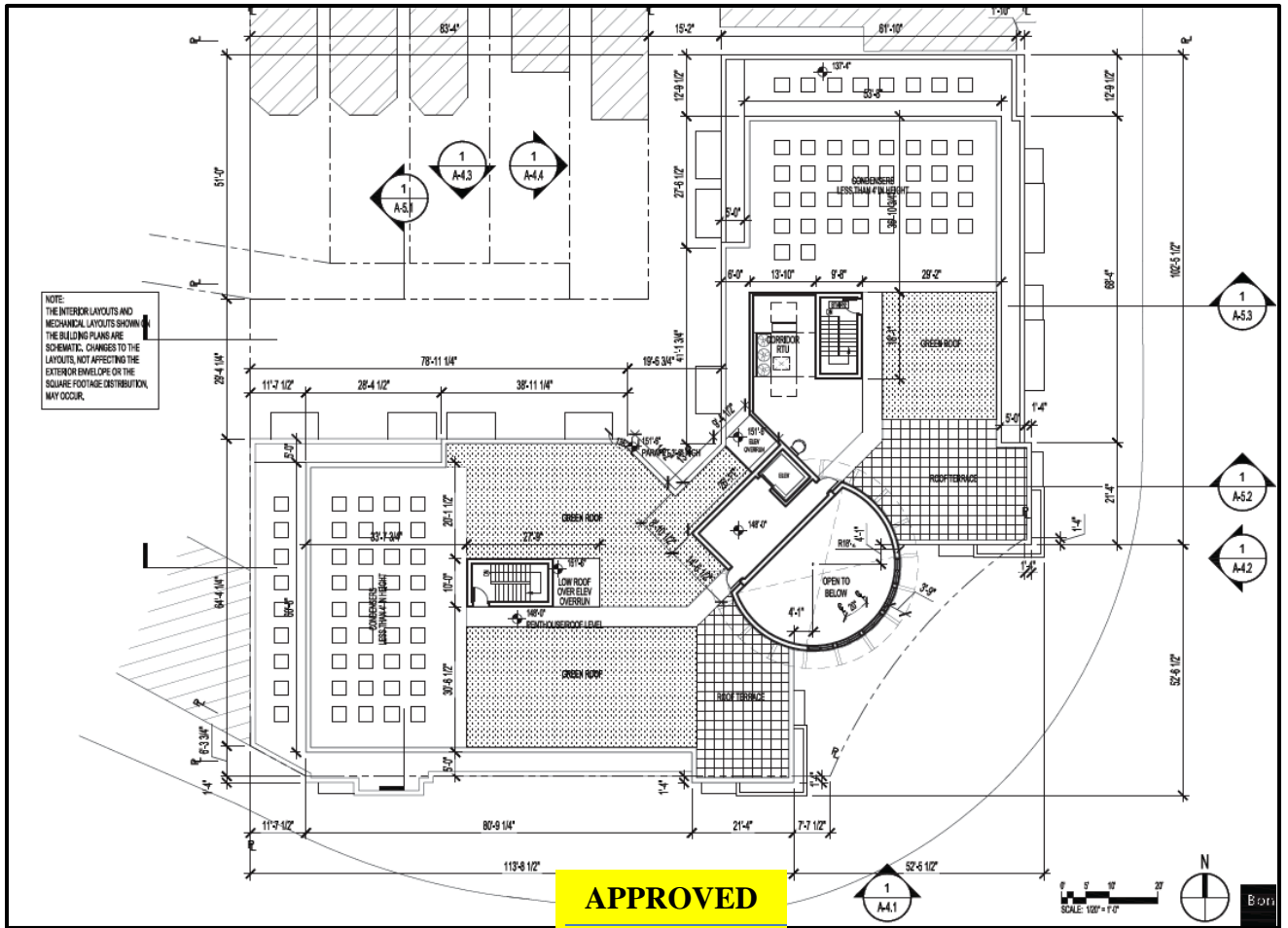
The subject of this application is a modification affecting the approved use and design of the penthouse to now include up to **3,904 square feet of habitable penthouse space**. No other changes to the Floor Area Ratio, parking, loading and other area requirements are contemplated with this request.

### **III. MODIFICATION REQUEST**

The general revisions to the previously approved penthouse use and design:

- Provision of green roof on the 5<sup>th</sup>, 6<sup>th</sup> floor roofs;
- Relocation of the mechanical equipment to the 5<sup>th</sup> floor roof and the roof of the proposed penthouse;
- A change in the parapet height by 8 inches to four feet 4 inches to accommodate the green roof structure and roof terrace paving; and
- Habitable penthouse space to be included as an additional level for some 6th floor units or new units, but with no increase in the number of approved units (between 85-95 units).

Proposed changes are reflected in the submitted plans (Exhibit 8, Sheets A-3.7 through A-3.8A) as shown:



#### IV. ZONING

A request for the addition of habitable penthouse space per Section 411.24 may be considered a minor modification to an approved PUD pursuant to Section 3030.

APPROVED PLANS  Sheet A-3.7A	PROPOSED REVISIONS  Sheets 3.7 – 3.8A	OP COMMENTS
<b>Height – 72 ft. 4.5 ins.</b>	<b>73 ft. ½ ins.</b> – Proposed height increase of 8 inches would support the green roof and terrace paving.	This is a negligible change and OP has no objections.
<b>3 separate penthouse structures at a maximum height of 18’ 6”</b>	Habitable Penthouse and mechanical space (egress stairs) – 14 feet 4 inches in height and 8 feet.  Elevator Overruns – 17 feet in height	Conforms to the required setbacks and penthouse height in the C-2-B District and under a PUD.  All penthouse spaces and screened equipment would be placed in one enclosure, in harmony with the main building’s materials and color and consistent with the Regulations.
<b>Unenclosed screened mechanical equipment and unscreened condenser units.</b>	Additional unenclosed screened mechanical units 8 ft. in height;  Unscreened condenser units moved to west wing on 5 <sup>th</sup> floor.	Conforms to the 1:1 setback requirements, except along the back of the northern wing, where 1:1 setback not required from the closed court.
<b>No habitable space</b>	Habitable space to include either new dwelling units or second story of units located on the floor below.	Habitable penthouse space is permitted. The total number of units would not exceed the range of the approved PUD.
<b>IZ/ Affordable housing</b>	Proposed habitable penthouse space = 3,904 sq. ft. (8%= 312 sf). Contribution to the District’s Housing Production Trust Fund to be made in accordance with §§ 414.13 – 414.16, and § 2607.9 ( <a href="#">See Exhibit 1 Page 6</a> )	OP has no objection.
<b>Green Roof - 3,536 square feet</b>	Green roof – 3,595 square feet New locations including on the 5 <sup>th</sup> floor.	The small increase is negligible OP has no objection to proposed changes.
<b>Penthouse Façade Materials</b>	Materials consistent with previous approval – applied horizontally. Penthouse windows would be similar mullion pattern to those of the main building.	OP has no concerns.
<b>Roof Terrace/outdoor recreation space</b>	Proposed with changes in size/area.	OP has no concerns.

3030.2 *For purposes of this section, "minor modifications" shall mean modifications of little or no importance or consequence.*

The proposed changes noted above would be of little or no consequence and would not change the material facts upon which the case was originally decided.

3030.13 *All relief granted by the Commission under this section shall be consistent with the intent of the Commission in approving its original order, map, plan, rulemaking, or other action or relief proposed to be modified or corrected and shall not substantially impair the intent, purpose, or integrity of the zone plan as embodied in the Zoning Regulations and Zoning Map.*

The proposed changes would be consistent with the intent, purpose and integrity of the Zoning Regulations and Map.

## **V. ANC/ COMMUNITY COMMENTS**

The ANC 5E at its regularly scheduled meeting on June 21, 2016 voted unanimously to support the minor modification request. The Applicant also met with the Bloomingdale Civic Association, on June 20, 2016 and the vote was unanimous in support of the request. The ANC's report would be submitted separately to the record.

## **VI. AGENCY COMMENTS**

Comments from other agencies or the District Department of Transportation (DDOT) have not been received at the writing of this report.