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MEMORANDUM

TO: District of Columbia Zoning Commission

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

DATE: July 7, 2014

SUBJECT: OP Report - Modification Request- ZC 07-26F (Square 398, Lot 32)
Modification to approved PUD (by City Market at O Condo, LLC)

I. RECOMMENDATION

The Office of Planning (OP) cannot conclude that the proposed modifications are minor as contemplated under § 3030.2.

However, OP is not opposed to the general direction of the proposed modifications and recommends that the application be **set down** for public hearing.

II. BACKGROUND

By Z.C. Order No. 07-26, the Commission approved a consolidated Planned Unit Development (PUD) and related zoning map amendment from the C-2-A zone district to the C-3-C zone district for the property, including the area bounded by 7th, 9th, O, and P Streets, N.W. The approved PUD authorized construction of a mixed-use development that includes affordable residential units for rent to senior citizens, homeownership and rental residential units, and a hotel with 210 rooms or additional residential units in the space reserved for the hotel use. The approval includes retail and service uses, including a grocery store, retail space, and an 8,000 square foot restaurant. The remaining portion of the historic O Street Market was rehabilitated and incorporated into the new grocery store. The project has an overall floor area ratio (FAR) of 5.15 and a total gross floor area of approximately 770,780 square feet.

III. CURRENT MODIFICATION REQUEST

The subject application proposes modifications to the approved PUD involving the design of the building identified in current submissions as West Residential A and would include:

- Reallocation of approximately 4,266 sf of unused commercial floor area to residential use, which includes extending the 8th floor to the 9th Street frontage at 82 feet;
- Increase in building height from 90 feet to 91.8 feet at the P Street frontage;
- Increase in the height of roof structure (#4) on the north side from 100 to 102 feet;
- Increase in height of the mechanical penthouse from 102 feet to 108.5 feet (roof structure #4);
- Request for flexibility from the 1.1 setback for a portion of the roof structure to allow added height at the elevator core, and

- Bay additions extending up to 7 feet from the main façade facing the interior courtyard

The design changes at the upper elevations of the West Residential A building are reflected on A1 (Approved PUD Roof Plan) and A2 (Proposed Roof Plan) of the submitted plans. With the exception of expanding the eighth floor, and the modified relief for the increased elevator override, the overall development parameters of the PUD, including the use, total gross floor area, FAR, lot occupancy parking, loading and number of approved residential units (580-680) are in conformance with the zoning order approval. No changes to the conditions or benefits and amenities are proposed.

The applicant is requesting the modification be considered a minor modification as anticipated under § 3030.

IV. MINOR MODIFICATION

Section 3030 2. states.

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

The Office of Planning cannot conclude that the proposed modifications *would be of little or no importance* as contemplated under § 3030 2.

OP is not opposed to the general direction of the proposed modifications; however, at the hearing for the original case, concerns were expressed by the Commission regarding the height of the building along the 9th Street frontage and its relation to the row house district across 9th Street. Thus, the final massing was focused to the center of the development along 8th Street. The proposed modification would expand the massing by an additional 10 feet in height along the 9th Street frontage¹. Flexibility granted under the original approval for roof structure #4 at 100 feet is now changed to a request for 108.5 feet. Thus, the modification is of importance and consequence to the decisions made by the Commission in the approval of the PUD, and should be reviewed at a public hearing to allow the Commission to deliberate on the height and massing due to the additional level proposed along the 9th Street frontage.

OP requests the applicant provide additional information including, improved elevation drawings and photo simulations with the proposed changes, as they would appear from various view points along 9th Street at present.

V. ANC/ COMMUNITY COMMENTS

The applicant's proposal was presented to the ANC 6E on July 1, 2014. OP was informed by the applicant that the ANC voted to approve the changes as a minor modification. The ANC's report would be submitted separately to the record.

VI. AGENCY REFERRALS

Due to the nature of the modifications proposed, it is not anticipated that other agencies would have comments.

JS/kt
Case Manager Karen Thomas

¹ 72 feet in height (approved) 82 feet in height (proposed), due to the 8th floor extension (A3 of submission)