



MEMORANDUM

TO: District of Columbia Zoning Commission

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

DATE: September 14, 2015

SUBJECT: ZC 08-33C – Final Report - Modification to approved Planned Unit Development-
(Conference Center Associates I, LLC) (Parcel 121/31)

I. RECOMMENDATION

The Office of Planning (OP) recommends approval of the proposed modifications of the approved PUD, as presented under Exhibit 1 through 1D. The proposed changes are not inconsistent with the Comprehensive Plan and are in many respects an improvement over the original proposal. The proposed modifications would not change the decisions upon which the PUD was approved by the Zoning Commission.

II. BACKGROUND

By Z.C. Order No. 08-33 (effective December 29, 2009), the Commission approved a Consolidated Planned Unit Development (PUD) and related zoning map amendment from unzoned (designated as GOV) to the C-3-A District for Parcel 121/31 located at the northwest corner of the intersection of Michigan Avenue and Irving Street, N.E. The approved PUD authorized construction of a mixed-use development that includes a 314-room hotel/restaurant building, conference center, a four-story above grade structure along Michigan Avenue that would accommodate ground floor retail space with 400 parking spaces and a basement level. A temporary 200-space surface parking lot at the north portion of the parcel was also approved as part of the consolidated PUD. The approved project has an overall floor area ratio (FAR) of 1.46, a height of 94.5 feet, lot occupancy of 31% and a total gross floor area of 348,965 square feet.

The Order also approved a First Stage PUD approval, for the permanent development of the north portion of the parcel. That development may include a 9-story hotel/residential building and a 7-story hotel/residential building over a two-story conference center with 295 parking spaces below grade.

At the July 27, 2015 public meeting of the Zoning Commission, the Commission removed the applicant's request that the modifications to the approved PUD be considered under the Consent Calendar and set down the application for a public hearing. Similarly, an extension of the First-Stage

PUD approval was requested concurrently with the current application, under ZC 08-33D (Exhibit #1 through 1B). The Commission determined that the extension request would be considered after the public hearing for the requested modifications.

OP's report recommending approval of the requested extension is submitted to the record (**ZC 08-33D, Exhibit #5**). The applicant informed OP that a Second-Stage PUD request would be submitted in Fall 2015.

III. CURRENT MODIFICATION REQUEST

The subject application proposes modifications to the approved PUD involving some design changes to buildings identified in current submissions as the conference center, the hotel and the garage/retail building, as submitted by the applicant as Exhibit 1 through 1D, reflecting 13 changes including:

- An increased height of the retail space from 16 feet to 24 feet;
- An increased height of the conference center ballroom from two stories to three stories;
- An increased depth of the conference center to create a connection to the hotel;
- An addition of a roof terrace level into the conference center;
- A shift in the hotel building to the property line at Irving Street;
- An increased basement footprint of the hotel to match the building's footprint above;
- A modified penthouse structure to accommodate the hotel's extension to the property line;
- A modified the landscape on Irving Street to accommodate the hotel's extension to the property line
- A relocated restaurant entrance adjacent to the hotel's entrance;
- A reduced footprint of the temporary surface parking lot from 200 spaces to 98 spaces. The spaces (102) would be accommodated in the basement of the parking structure. The approved 600-space count would be maintained;
- A two-story glass walkway connection (formerly a metal enclosure) between the parking garage and hotel/conference center; and
- An adjusted hotel's footprint to accommodate a new hotel brand's design requirements with minimal changes to the FAR from 1.46 FAR to 1.63 FAR, and lot occupancy from 31% to 36%, as highlighted subsequently.

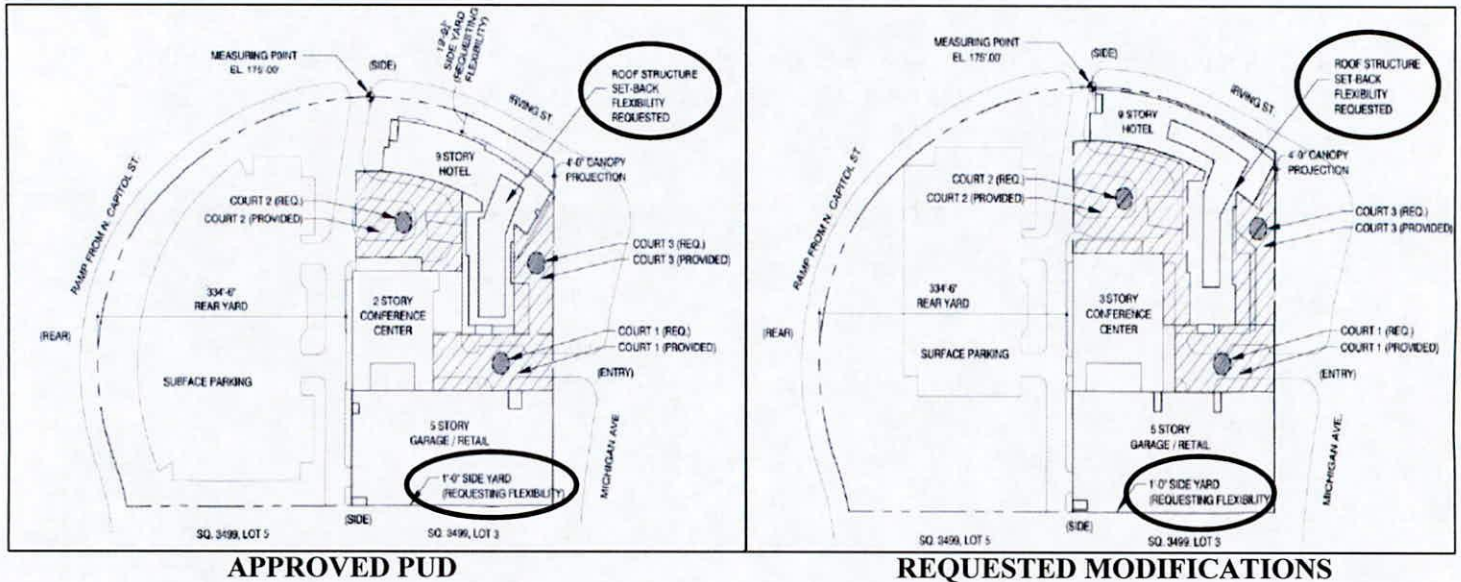
IV. ANALYSIS

Based on the noted prior changes, the project's development parameters for the consolidated PUD (Phase I development) would be changed. They are highlighted in the submission (Exhibit 1, Tab C-Sheet A01-A-02) and briefly repeated below for ease of comparison:

Item	Approved PUD (08-33)	Requested Modification (08-33C)	Difference
Zoning	C-3-A PUD	C-3-A PUD	No change
Uses	Hotel/restaurant, conf. ctr., garage with retail	Hotel/restaurant, conference center, garage with retail	No Change
Hotel	Spring Hill Suites 314 rooms	Marriott Residence Inn and Courtyard 336 rooms	Brand changes Interior design changes, + 22 rms.
FAR	1.46	1.63	+ 0.17
Lot Occupancy	31%	36%	+5%
Building Height	94.5 ft.	94.5ft.	No Change
Roof Str. FAR	0.02	0.05	+0.03
Roof Str. Ht.	17 ft. 5 ins (flexibility from setback req'mts. granted)	17 ft. 5 ins	No Change
<u>Parking</u>			No change
Surface	200 spaces	98 spaces	-102 spaces
Garage	400 spaces	502 spaces	+102 spaces
<u>GFA</u>			
Hotel/Restaurant	191,268 sf	217,462 sf	+26,194 sf
Conference Center	23,915 sf	38,658 sf	+14,743 sf
Garage Building	121,813 sf	123,929 sf	+2,116 sf
Retail	11,969 sf	9,896 sf	-2,073 sf
Total GFA Overall	348,965 sf	389,945 sf	+40,980 sf

Therefore, the main expansion would involve the addition of a 3rd floor to the conference center, the expansion of the hotel towards the rear property line, the increase in the cellar level to adjoin the floor plates of the conference center and the restaurant and an increase to the roof structure FAR (Exhibit 1 Sheets A02 - A04). No changes to the conditions or benefits and amenities and the First Stage PUD (Phase II) are proposed in this application.

FLEXIBILITY



Side Yard

No side yard is required in the C-3-A district, but if provided, is required to be a minimum width of three inches per foot of height. In this case, 23.58 feet is required. A side yard measuring one-foot wide is shown in the site plan (Exhibit 1, Tab C, Sheet A-02). The 1-foot setback abutting Lot 3 is included as part of the revised site plan to allow for the installation and maintenance of a green screen/wall for the parking structure. Providing the full side yard would reduce the parking structure's space from 123 feet in width to 99.42 feet and more importantly reduce the proposed retail space that is intended to accommodate a grocery store's size requirements. OP has no objection to the requested flexibility.

Roof Structure

The conference center and hotel building would not meet the requirement of Section 411 for all roof structures to be the same height, within one enclosure, and setback a distance equal to the height from the exterior walls. The penthouses would measure 17 feet 5 inches in height, as originally approved.

The separation of the stair towers and elevators is based on functionality and efficiency of the building's core. The revised plan (Exhibit 1, Tab C, Sheets A15-16) shows that the proposed buildings have multiple structures, which have different uses in different locations, although it is considered one building, with above-grade connections among the three structures. It would be impractical to provide one enclosure, which would encompass all the stair towers and mechanical equipment, located at various locations above the roof top.

Further, the shape of the roof structure has changed due to programmatic changes desired by the chosen hotel brands. The reduction in the required setback reflects the design attempts to maximize the internal functional space of the building (Exhibit 1, Tab C -Compare Sheets A13 with A14 and A-16). The proposed deviations would not impact light and air, as there are no existing adjacent buildings, and it is not anticipated to adversely impact visibility from the public space along Michigan Avenue (Exhibit 1, Tab C, Sheets A-23, A-24, A-25 and A-26). No habitable space would be included. OP has no objection to the requested flexibility.

V. COMPREHENSIVE PLAN

The requested modification is consistent with elements of the Comprehensive Plan, reflected in the Decision of the approved Order (ZC 08-33, Page 19).

VI. PUD EVALUATION STANDARDS

Section 2400.1 states that a PUD is “designed to encourage high quality development that provide public benefits.” In order to maximize the use of the site consistent with the zoning regulations and to utilize opportunities for improving the project’s efficiency and hotel brand, the proposal was setdown to be reviewed as a modification of the approved consolidated PUD. This is consistent with the provision under Section 2400.2.

The overall goal is to permit flexibility of development and other incentives, such as increased building height and density; provided, that the project offers a commendable number of quality public benefits and that it protects and advances the public health, safety, welfare, and convenience.”

Section 2403.3 further outlines the standards under which the application is evaluated.

The impact of the project on the surrounding area and the operation of city services and facilities shall not be found to be unacceptable, but shall instead be found to be either favorable, capable of being mitigated, or acceptable given the quality of public benefits in the project.

In response to market changes and the hotel brand changes made by the applicant, the increase in the number of hotel rooms resulted in an increase in the gross floor area of the hotel by 26,194 square feet. The size of the conference center ballroom was increased and a roof terrace level was added, which would not be immediately visible from Michigan Avenue. The above grade parking structure’s height would be increased by approximately 10 feet to effectively provide additional retail height at the front of the building from 16 feet 3 inches to 24 feet 8 inches (Exhibit 1, Tab C, Sheets A-20 and A-22).

The hotel’s foot print was shifted further north into the 19-foot wide side yard abutting Irving Street. That change resulted in additional hotel rooms on each level of the north/south length of the hotel (2nd through 9th floor), increasing the number from 314 rooms to 336 rooms. An increase in hotel rooms would translate into an increase in the District’s hotel tax and tourist revenue, as well as employment opportunities for District residents.

OP is supportive of the reduction in the temporary surface parking lot through the proposed relocation of 102 spaces to the basement area of the garage structure. This would leave a larger area of pervious area within the development site, at least temporarily, until the Stage II PUD is finalized and subsequently developed (Exhibit 1, Tab C, Sheet L-02).

The flexibility requested with this application is within similar parameters that were granted in the original PUD and flexibility was not extended beyond that originally approved. The applicant intends to honor the commitments of the project’s benefits and amenities package, which included significant benefits to the community, improvements to public space, as well as payment for improvements to the transportation system on Irving Street and Michigan Avenue, adjacent to the property, as originally approved (Exhibit 1, Tab B, ZC Order 08-33, Pgs. 19-20).

As reviewed, the impact of the proposed improvements would be minimal to the surrounding neighborhood and the bulk and height of this first phase of the site development plan would remain within the massing and density permitted under the approved C-3-A PUD. The redesign would allow for improved access and functionality among the separate entities (garage, conference center and hotel). Thus, the approved programming of the proposed building would not be altered.

Overall, the site's design, material use and programming would not be altered, and the changes proposed are in many respects, improvements over the original proposal. As presented, OP has no objection to the proposed modifications.

VII. ANC/ COMMUNITY COMMENTS

The applicant's proposal was presented to the ANC 5A on June 24, 2015. The ANC voted unanimously to support the application. The ANC's report is submitted to the record as Exhibit #4.

VIII. AGENCY COMMENTS

District Department of Transportation

The applicant met with the DDOT to discuss concerns with the proposed modifications. According to the applicant, DDOT agreed that any public space issues would be reviewed at permitting. The applicant also committed to a full traffic count by the end of the year, when uses would be finalized for the approved Stage I PUD for its review by the Commission as a Stage II PUD. DDOT's report would be submitted separately to the record.

The District Department of Energy and the Environment

DOEE is expected to file comments separately to the record.

The Deputy Mayor's Office for Economic Development (DMPED)

DMPED also submitted a letter in support of the proposed changes as a response to market changes and expectations in the hospitality industry (Exhibit 15).

IX. CONCLUSION

OP is satisfied that the applicant will address any concerns as part of the building permit phase. The changes proposed in this modification request would continue to promote the site's first phase of development in conformance with the Zoning Regulations and would be not inconsistent with the Comprehensive Plan or the decisions upon which the PUD was approved.