



TO: District of Columbia Zoning Commission
FROM: *JL for* Jennifer Steingasser, Deputy Director, Development Review & Historic Preservation
DATE: January 30, 2015
SUBJECT: Supplemental Report – ZC 14-19 – Consolidated PUD at 300 M Street, N.E., with Related Map Amendment; Square 772, Lots 1, 2, 6, 7, 19, 801 and 802

I. OFFICE OF PLANNING PRELIMINARY RECOMMENDATION

The Office of Planning (OP) recommends the Zoning Commission schedule a public hearing on this application for a Consolidated PUD with a related map amendment from C-M-1 to C-3-C, and with relief from side yard, loading, and roof structure requirements. The filing meets the requirements of 11DCMR §§ 2406.

If the application is set down the additional information summarized at the end of this report will be needed to inform discussions with the adjacent neighborhood, with District agencies and with the Commission. The applicant is continuing to work with ANC 6C to identify the public benefits of special value to the neighborhood that would be commensurate with the related map amendment and increases in height and density. The applicant and the District Department of Transportation (DDOT) have agreed on the scope of work needed for the transportation and parking consultant's report.



Figure 1. Proposed Consolidated PUD's Location and Zoning Context



II. APPLICATION SUMMARY

M Street Development Group, LLC seeks approval of a PUD for an approximately 401-unit residential building, compliant with Inclusionary Zoning, and with nine to thirteen thousand square feet of ground floor retail space. The proposed project would be located on the site of a vacant industrial building two blocks east of the NoMA/Gallaudet Metro station, proximate to NoMA, the Florida Avenue/Union Market and the primarily rowhouse neighborhood between Florida Avenue and H Street, NE.

The 67,446 square foot site comprises Square 772, Lots 1, 2, 6, 7, 19, 801 and 802. It is outlined in green in the map below, which also shows the adjacent streets, the alley system, existing buildings and Metro entrances.



Figure 2. Proposed Site

The applicant's 67,446 square-foot L-shaped site occupies approximately $\frac{3}{4}$ of the portion of the Square that is south of the east-west alley. It has frontage on M, 3rd and 4th Streets, N.E. Sheets A-06 through A-12 of the applicant's submission contain additional context drawings.

The property is zoned C-M-1, which permits no residential uses. Consequently, the applicant is requesting an associated map-amendment to C-3-C to permit residential use.

The 414,118 square foot PUD's proposed 6.14 FAR would be twice the 3.0 density permitted by the existing C-M-1 zone, but significantly less than the 8.0 FAR permitted a PUD in the requested C-3-C zone. Its 78% lot occupancy would also be less than the 100% lot occupancy permitted by both the existing and requested zoning. The applicant has applied for a C-3-C PUD not only to deliver the residential uses not permitted in the existing zone, but also to achieve a 110 foot height on the 3rd Street end of the building facing NoMA, which would then step down

in stages to 80 feet and 50 feet along M Street and 4th Street, where the building faces two and three story rowhouses. These heights, which are illustrated on Sheets A-15 and A-16 of the application, could not be realized under the by-right C-M-1 zone's 40-foot height limit.

The project would include 175 underground parking spaces. The ratio of 1 space for each 2.59 units would provide over 70% more parking than required by the requested C-3-C zone. Parking and loading would be entered from the alley to the rear of the building. This would allow for the provision what the applicant describes as a linear park in front of the retail spaces on 3rd Street and the western half of the M Street frontage. The concept design is illustrated on the Applicant's Sheets L-01 and L-05.

The full public benefits package had not been fully developed at the time this report was written. It then included superior architecture, retail space, the closing of 8 curb cuts, adding nine feet to the width of the east-west alley, exterior bicycle racks, the linear park and what the applicant describes as a small public plaza at the corner of 3rd and M Streets. The applicant anticipates proffering additional neighborhood-serving benefits following additional discussions with the ANC.

Both the market rate and IZ residential uses at this location would contribute positively to several public objectives and would be a public benefit because they could not be constructed under the existing zoning. However, the applicant has not listed the affordable units as a proffer because the affordable square footage would be only what is required by inclusionary zoning regulations.

Residents' amenities include a large landscaped courtyard, units with direct access to 4th Street and M Street, a fitness center, and a rooftop pool and recreation area.

III. COMPREHENSIVE PLAN ANALYSIS

The proposed PUD is not inconsistent with the Comprehensive Plan.



Fig. 3. Comprehensive Plan Future Land Use Map



Fig. 4. Generalized Policy Map

The striping in the Comprehensive Plan's future Land Use Map (FLUM) indicates the now-industrially zoned site is suitable for medium density housing, residential and commercial uses, as well as production, distribution and repair uses. The proposed 78% lot occupancy would be not inconsistent with a medium density land use designation. The proposed 6.17 FAR, of which 98% would be devoted to residential use, would be at the upper end of what is typically considered appropriate for medium density land uses. The maximum proposed height of 110 feet is 20 feet taller than is usual for a medium density residential or commercial structure. However the concentration of this height on the western end of the proposed structure, closer to the rail tracks and the 130 high buildings in NoMA, better enables lowering height to 80 feet and 50 feet where the building would be adjacent to blocks of two and three-story rowhouses to its south and east.

The lavender shading of the Policy Map indicates that a change in land use is expected and encouraged for the site; the proposed project would introduce residential uses to a site where it is now prohibited, and would not intrude into the areas designated for neighborhood conservation.

The proposed project would be not inconsistent with written elements of the Comprehensive Plan. The Land Use, Transportation, Housing, Environmental Protection, Urban Design and Central Washington Area Elements all include policies and recommended actions with which the proposal is congruent. The proposal would be transit-oriented (policies LU-1.3 and T-1.1.4); would help to revitalize the neighborhood through new housing and retail uses where now there are vacant and underutilized lots (policies LU-2.1.3, CW 1.1.1, CW-1.1.4, CW-1.1.9, H-1.1.1, H-1.1.4 and, to some extent H-1.2.3); would provide superior architecture and urban design with high-quality materials, varied massing and fenestration and attention to ground floor details affecting pedestrians (policies UD 2.2.1, 2.2.7 and UD-2.2.5); would buffer the building's larger scale and ground floor retail uses through extensive and sustainable tree and other plantings and by stepping down its height next to row house areas (policy LU-2.3.3); would use a related map amendment to further the mix of uses in an underperforming industrially-zoned area (policy LU-3.1.4); would enhance environmental and sustainability objectives through the various green elements that would be built into the project in pursuit of a LEED-Silver certification (policies E-1.1.1, E-1.1.3, and E-2.2.1); and would be generally consistent with policies in support of the NoMA Vision Plan and others supporting a more vibrant Central Washington Area (e.g., policies CW-2.8.1 and CW-1.1.13).

IV. COMPLIANCE WITH PUD REGULATIONS

A PUD is the most appropriate vehicle for realizing the Comprehensive Plan's vision of changing the use of the land from industrial to a mix of uses including medium-density residential.

The 67,455 square foot site size meets the 15,000 square foot minimum site size requirements of § 2502.1(c). With a related map amendment to C-3-C, a portion of the 110 foot high building would, given the 90-foot width of the street, rise to the upper height permitted in that zone. The majority, however, would be 20 to 60 shorter than permitted in the PUD-related zone. The 4.14 FAR would be well under the 8.0 FAR permitted a C-3-C PUD.

All of the requested relief appears to be relatively minor within the overall context and does not appear to be using the PUD process to circumvent other zoning regulations.

The applicant will be supplying information after a setdown giving details on traffic and parking impacts and any transportation demand management measures needed to mitigate possible impacts. Post-setdown information will also summarize the applicant's discussions with neighborhood groups and provide details on what would be the public and community benefits commensurate with the increased height, density and flexibility being requested by the PUD.

V. ZONING ANALYSIS

Table 1: Existing and Proposed Zoning, Development Potential, and Proposed Development. (Based on applicant's summary figures).						
	Permissions and Requirements			Proposed by Applicant		
Item	C-M-1 Zone - By Right Max	C-3-C by- right Max	C-3-C PUD Max	Proposed	Proposal Requires	Compliance
Height (ft.) above measuring pt.	40.0 3 stories	90.0	130.0	110' (on 3 rd St.) w/ step-downs to 80' and 50'	n/a	Complies (determines permitted height from M St., uses 4 rd St. as measuring point.
FAR	3.00	6.50 7.8 w/ IZ	8.00	6.14	n/a	Complies.
Lot Occ. Of total site (%)	100	100	100	78%	n/a	Complies.
Total SF	202,365	526,149	739,640	414,118 sf	n/a	Complies
Non- Res. SF	202,365	526,149	739,640	9 – 12.9 K SF		
Residential SF	residential prohibited	526,149	739,640	401,218	n/a	Complies.
Res. Units	prohibited	526	739	401 du's, +/-10%	n/a	n/a
Affordable SF (IZ 8%)	residential prohibited	41,667	51,282	8% = 32,097 SF	12,127	Complies
Affordable (IZ)Units	n/a	Approx. 41	Approx. 51	32	8% @ 80% AMI	Complies with IZ.
Res. Amenity Space	n/a	n/a	n/a	Not specified	n/a	Complies.
Parking total for all uses				175	125	Complies. <i>Asks flexibility to reduce to zoning minimum.</i>
Parking, Non- res.	n/a	1 sp. /750sf > 3000 sf	1 sp. /750sf > 3000 sf	20	14 spaces	Complies.
	Permissions and Requirements			Proposed by Applicant		

Item	C-M-1 Zone - By Right Max	C-3-C by- right Max	C-3-C PUD Max	Proposed	Proposal Requires	Compliance
Bicycle Parking		5% required auto spaces =6 1 / 3 du's = 134	Same as C-3-C	134	134	Complies
Loading Residential §2201	<i>residential use prohibited</i>	<i>1 berth @ 55 ft., 1 platform @ 200 sf, 1 service space @20 ft.</i>	<i>Same as C-3-C</i>	Total, All Uses: 2 berths @ 30 ft., 1 platform @ 100 sf, 1 service space @20 ft.	Same as C-3-C	Relief: 2 berth lengths; residential platform sf; service space
Loading, Non- Residential §2201	<i>n/a</i>	<i>For 8K -20K sf.: 1 berth @ 30', 1 platform @ 100 sf, 1 service space @20'</i>	<i>n/a</i>	See above	Same as C-3-C	See above
Rear Yard (ft.)	None for first 20 ft. Above 20 feet, greater of 12 ft. or 2.5 in. / ft. of bldg.	If provided, ≥ the greater of 12 ft. or 2.5 in./ ft. of ht. i.e. 25'5" ht. -- measured from center line rear of rear street for corner lot abutting three sts.	same as C-3-C	45' From 3 rd St (per § 774.11)	25'5"	Complies.
Side Yard (ft.) §775.5	<i>Required only if abutting a R zone, which site does not</i>	<i>If provided, ≥ 2 in./ foot of height</i>	<i>same as C-3-C</i>	11'6"	18'4"	6' 10" of Relief required.
Open Court (ft.)	If provided, the greater of 2.5 in. width / ft. of height or 12 ft.	If provided, ≥ the greater of 15 ft. or 4 in / ft. of ht.	same as C-3-C	Yes	n/a	Complies
Permissions and Requirements			Proposed by Applicant			

	C-M-1 Zone - By Right Max	C-3-C by- right Max	C-3-C PUD Max	Proposed	Proposal Requires	Compliance
Roof Structures §§ 411.3 and 770.6(a); 411.2 and 779.6(b) and 411.5	One equal height enclosure with vertical walls ≤ 18.5 ft. setback 1:1 from edge, ≤ 0.37 FAR equivalent. One roof structure per elevator core, or roof level differing ≥ 1 floor.	same as M zone	same as M zone	4 roof structures.(2 on each of 2 levels separated by at least 1 floor) NW: 18'6" high, 1:1 setback from 3rd St. 11'3"setback from alley on N; 10' setback from alley on E SW: 16' and 18'6" high, 1:1 setback from 3rd and M Sts., no setback from open court NE: 16' high, 1:1 or greater setbacks where required SE: 16' high, greater than 1:1 setbacks on all sides.	1 roof structure (or 1 per roof level separated by at least one floor) with equal height vertical walls no higher than 18' 6" and set back from exterior walls at a 1:1 setback to height ratio	Relief required for number and varying heights of 2 of 4 multiple roof structures NW: setback relief of 7'3" from north alley; 8'6" from east alley. 7 to 18'6" relief may be needed from open court. SW: relief for a 2-ft. height variation needed. setback relief may be needed from open court NE: None SE: None
GAR			.2	.2	.1	Complies

A. Zoning Relief / Flexibility Under PUD Guidelines

§775.5 - Side Yard Relief: The applicant's side yard confronts the alley to its north, which it proposes to effectively widen by setting the building back over nine feet from the alley to facilitate circulation and accommodate utility vaulting outside of public space. Although a side yard is not required, the set-back establishes the need for compliance with side yard requirements. The requested 6 foot 10 inch relief is less than the applicant is voluntarily setting the building back from the side property line. The combined distance of the proposed 18 foot 6 inch side and the existing 14.75 foot wide alley would provide adequate room for the building's light air and maintenance and separation from the north-adjacent building. The PUD-related flexibility would also further the applicant's attempts to decrease building height in areas across from or adjacent to rowhouses.

§ 2201 – Loading Relief: The applicant is seeking to provide two 30-foot deep loading berths, rather than the required single 55-foot deep loading berth. The flexibility would enable simultaneous loading for both residential uses and for the nine to twelve thousand square feet of retail uses, for which loading is not required.

§§ 411.3, 770.6(a); 411.2, 779.6(b); 411.5 – Relief for Number of Roof Structures, Their Setbacks and Varying Heights: Multiple service cores with elevator overruns would be needed for a building of the proposed design. However, *the applicant will need to provide additional information to explain why the degree of requested flexibility is appropriate. The applicant's pre-hearing statement should also provide an explanation of the intended use of what appears to be enclosed penthouse-level open space on Sheet A-26.*

Additional Flexibility Requests: To enable response to market and cost variables, the applicant has requested the following:

- Vary the unit number by +/- 10%
- Vary all interior structure, material and designs, including those governed by code and legal regulations and as desired by tenants.
- Vary number, location and arrangement of vehicular and parking spaces from those shown on Sheets A-27 and A-28, while providing at least the number of spaces required by zoning:
 - *The applicant should provide more information about potential alternative locations for bicycle parking spaces on the upper garage level*
- To modify sustainability features from those listed on Sheet A-38, provided the building maintains the number of points needed to achieve LEED Silver certification (which the applicant has proffered to pursue)

- To vary exterior materials within the same quality level and color ranges as those on Sheets A-29 through A-37, and to make minor changes to architectural details as needed to comply with building code requirements.

B. Transportation, Parking and Loading

The applicant has engaged Gorove /Slade consultants to perform transportation and parking-related studies for the project and has finalized a detailed work plan to provide specific data and proposals to the District Department of Transportation (DDOT) in a timely manner. This information will also inform discussions with the ANC and community groups. The application already provides information about the number of vehicular and bicycle parking spaces, as well as the amount and size of loading facilities. Sheets A-06, A-07, A-08 and A-09 illustrate Metro entrances, proposed vehicular circulation, pedestrian and bike paths and the location of parking and loading entrances. Sheets A-27 and A-28 illustrate the parking and loading layout.

C. PUD Benefits, Amenities and Proffers

TABLE 2: ITEM	APPLICANT PROFER?	MITI- GATION	PUBLIC BENEFIT	PROJECT AMENITY	REQUIRED
Market rate housing	No	No	Yes. Existing zone prohibits residential	No	No
8% affordable @ 80% AMI	No	No	Yes. Existing zone prohibits residential	No	Yes
Superior Architecture	No	No	Yes	Yes	Yes
Enhanced Perimeter Landscaping, Wash. Globe lighting, linear park and plaza-like elements including benches and special paving	Yes	No	Yes, subject to review by public space committee	Yes	No
Rooftop recreation, dog park, lounge areas and pool	No, but provided	No	No	Yes	No
Widening of northern alley from 14.75 feet to 18 feet; closure of 8 curb cuts	Yes	Yes	Yes	No	Possibly, by DDOT
Environmental Benefits, (LEED-Silver <u>certification</u>) Green roofs, stormwater collection, rainwater harvest garden, car-charging	Yes	Partially	Yes	Yes	Partially

TABLE 2: ITEM	APPLICANT PROFER?	MITI- GATION	PUBLIC BENEFIT	PROJECT AMENITY	REQUIRED
BikeShare station (verbal commitment to DDOT and OP)	Yes, but needed in writing	No	Yes	Yes	No
First Source agreement (verbal commitment to OP)	Yes, but needed in writing	No	Yes	No	No

OP notes that the architectural drawings do not indicate the presence of exterior HVAC “condenser farms”. Their absence enables the applicant to provide more and varied green space and stormwater retention areas.

D. Mitigation of Potentially Adverse Impacts

As illustrated in the landscape, roof top and stormwater management sheets in the architectural submission, the applicant has proposed several bio-retention and sustainability improvements throughout the building and the public space. OP will consult with the District Department of the Environment on compliance with stormwater retention regulations before submission of a final report. *In addition to the information summarized in Sheet C-19, the applicant should provide a simplified chart showing the square footage totals for the different types of green roofs.*

E. Urban Design and Architecture

Based on the illustrations, the design appears to relate well to the varied site context. Locating the apartment and the vehicular entrances on the western end of the building will help protect the rowhouse neighborhood from increases in pedestrian or vehicular traffic. The massing responds to the high rise context to the west and steps down and back to better integrate with the townhouse scale to the south and east. The use of dark custom brick for the first five stories and a more recessive white precast concrete above increases the prominence of the residentially-scaled elements, as does the use of bays on 4th Street and on M Street. The modernist facades are crisp, vary with function, and provide restrained, rhythmic variety in upper stories. The ground level paving, plantings, trees, Washington Globe fixtures and public seating areas will enhance public use of the perimeter and will provide a pleasant route for pedestrians walking to Metro. *The following, more detailed, information is needed to more fully evaluate the design:*

- *Penthouse design, cladding ,openings, and interior equipment*
- *Perspective views of the roofs, to understand better the relationships among the roof structures, pergolas, shading areas, mechanical equipment etc.*
- *Conceptual signage plans for the first floor retail spaces.*
- *Consideration of possible enhancements of the portion of the façade and landscaping that terminates the northern view from Abbey Place.*

VI. MATTERS REQUIRING CLARIFICATION OR ADDITIONAL CONSIDERATION BEFORE A PUBLIC HEARING

The following chart summarizes the additional information requests in this report and the suggested timing for submission.

Table 3. Additional Information Needed After Setdown	
ITEM	TIMING
Report on Traffic, Parking and Transportation Demand Management Studies and Plans	Applicant and DDOT have agreed that draft report should be finalized for DDOT 45 days prior to the public hearing. Final report to the Zoning Commission 20 days before the hearing.
Public Space design revisions, if needed	To OP and DDOT 25 days prior to the hearing. To Commission 20 days before the hearing.
Further justification of flexibility requests	To OP and community groups 25 days prior to the hearing. To Commission 20 days before the hearing.
More detailed drawings of roof structures and perspective views of overall roofscape	To OP and DDOE 25 days prior to the hearing. To Commission 20 days before the hearing.
Clarification of use of enclosed spaces in penthouses	To OP 25 days prior to the hearing. To Commission 20 days before the hearing.
Square footages of different green roof types	To OP 25 days prior to the hearing.
Alternative bicycle parking locations, in detail enough to warrant requested locational flexibility	To OP and DDOT 25 days prior to the hearing. To Commission 20 days before the hearing.
Clarification of and written commitment to BikeShare station proffer	To OP and DDOT prior to pre-hearing statement To Commission 20 days before the hearing.
Clarification and Enhancement of Community Benefits Proffers	To OP, ANC, community groups and others when needed to inform discussions, and with final pre-hearing revisions to OP at least 25 days prior to the hearing. To Commission 20 days before the hearing.
Written Commitment to First Source Agreement	To Commission 20 days before the hearing.
Conceptual ground floor signage plan	To OP and DDOT 25 days prior to the hearing. To Commission 20 days before the hearing.
Additional study of façade treatment facing Abbey Pl.	When needed to inform discussions with community groups and OP, but at least 25 days prior to the hearing. To Commission 20 days before the hearing.
Materials samples	At hearing

Jls/slc

Stephen Cochran, project manager