

Memorandum

TO: District of Columbia Zoning Commission

FROM: Crystal Myers, Development Review Specialist
Joel Lawson, Associate Director Development Review

DATE: June 26, 2025

SUBJECT: ZC Case 22-21A - Modification to Approved Consolidated PUD at 2229 M ST. NE

I. BACKGROUND

In 2023, the Zoning Commission approved 22-21, a Consolidated Planned Unit Development to construct an all-affordable senior residential building at 2229 M St. NW.

The current application is a request for a Modification Without Hearing to that approval, pursuant to Z § 703, principally to conform with the design standards for Passive House certification.

II. RECOMMENDATION

The Office of Planning (OP) supports this application being considered a Modification Without Hearing. The modifications proposed are consistent with the intent of the approved RA-4 zone and with the Comprehensive Plan. They would also not appear to rise to the level that they would have substantively altered the OP recommendation regarding the original case. OP therefore recommends the Commission **approve** the modification as requested.

III. APPLICATION-IN-BRIEF

Applicant	2229 M Street NE LLC
Address	2229 M St. NE
Zoning	RA-2
Location	Square 4465, Lot 40
Ward / ANC:	Ward 5, ANC 5D
Legal Description:	Squares 4465 Lot 40
Requested Modifications	<ul style="list-style-type: none"> • Replace Stucco with EIFS • Remove Juliet balconies • Remove porch seating area in public space near front entry • Remove roof terrace entry canopy • Change window arrangement and size • Other miscellaneous modifications and refinements <p>As detailed in the Applicant's <u>cover letter</u> the plans also include updates within the parameters for a PUD in the RA-4 zone that do not require approval. No zoning relief is requested as part of this modification request.</p>

IV. SITE LOCATION



V. ANALYSIS

Subtitle Z of the Regulations defines a modification without hearing as follows:

703.6 For the purposes of this section, a “modification without hearing” is a modification in which impact may be understood without witness testimony, including, but not limited to a proposed change to a condition in the final order, a change in position on an issue discussed by the Commission that affected its decision, or a redesign or relocation of architectural elements and open spaces from the final design approved by the Commission. Determination that a modification can be approved without witness testimony is within the Commission’s discretion. A request to add or change a zoning map designation to an approved planned unit development shall not be considered without a hearing.

After the original plans were approved, the Applicant decided to pursue Passive House certification. Passive House design principles and construction promote energy efficient development through minimizing energy consumption for heating and cooling. The Applicant wants to alter the plans to meet the standards for this certification and to better address safety and building code requirements. The applicant describes the changes, in relation to furthering the Passive House Certification as follows:

Modification	Applicant Rationale	OP Response
Replace Stucco with EIFS	The use of stucco would create thermal breaks in the underlying insulation, which would compromise the environmental benefits. It is also difficult to install stucco over insulation. The applicant notes that the EIFS can be designed to look like stucco, and has committed to routine cleaning to ensure a positive appearance.	OP has no concerns with this modification.
Remove Juliet balconies	Removal of the approved Juliet balconies and replacing the doors with functioning windows would, again, lessen thermal breaks.	While the Juliet balconies provide articulation to the facades, OP is not opposed to this change.

Modification	Applicant Rationale	OP Response
Remove porch seating area in public space near front entry	Replacing the porch seating area at the front entry with landscaping would reduce the amount of encroachment into public space. The applicant also notes that this would reduce opportunities for loitering at the building's entrance.	OP is not opposed to this modification.
Remove roof terrace entry canopy	Intended to reduce the visual impact of the penthouse structure, and would simplify detailing.	OP has no concerns with this modification.
Change window arrangement and size	The result of modified internal arrangement of living rooms and bedrooms, and, on the east elevation, to address building code issues.	OP has no concerns with the revised window size or placements.
Floor Area Ratio	Increase from 4.43 to 4.51 due to a portion of the cellar now calculated as counting towards GFA	This remains within the 5.04 FAR permitted under a PUD, so OP has no concerns.
Lot Occupancy	The change in GFA also results in lot occupancy increasing from 63% to 63.66%	This remains well within the amount permitted in the PUD zone; OP has no concerns.
Building Height	The BHMP number has changed, resulting in a defined building height increase from 71.8.5 feet to 73 feet, with no actual increase in building height	This remains well within the height permitted in the PUD zone; OP has no concerns.
Side Yard	Reduced from 5 feet to 4.75 ft. due to a more refined survey – not because the building has shifted or increased in size.	A side yard is not required, but if provided must be at least 4 feet in width, which would be maintained so OP has no concerns.
Penthouse Height	The defined height would increase from 18 ft. 4.5 in. to 19 ft, due to insulation and roof waterproofing.	This remains within the permitted height of 20 feet, so OP has no concerns.
Bicycle Parking	Increase from 36 to 41 spaces	OP has no concerns.

As such, no additional zoning relief is required. These proposed modifications would be consistent with the intent, purpose, and integrity of the Zoning Regulations and Map.

VI. DISTRICT AGENCIES

As of the date of this report, comments from other agencies have not been filed to the record.

VII. ANC COMMENTS

As of the date of this report, the record does not contain comments from ANC 5D.

VIII. COMMUNITY COMMENTS

As of the date of this report, there are no comments from the community in the record.