

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING



Office of the Director

MEMORANDUM

TO: D. C. Zoning Commission

FROM: *JLS for*
Ellen McCarthy
Director

DATE: October 28, 2005

SUBJECT: Preliminary Hearing Report on Zoning Commission Case Number 70-16A,
Modification of a Planned Unit Development located at 2101 L Street, N.W.
(Square 72, Lot 76)

70-16A
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D.C. OFFICE OF ZONING

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APPLICATION

On September 16, 2005, the Office of Zoning received an application from CESC L Street LLC, the applicant, requesting Zoning Commission approval of a modification to Order No. 70-16, a previously approved Planned Unit Development (PUD) that encompasses the subject property.

The applicant would now like to renovate the existing building to replace the existing face brick and pre-cast concrete façade with a metal and glass curtain wall; and eliminate the open arcade around the ground floor and the 9th floor recess to extend the habitable floor area to property line.

The applicant also plans to enclose approximately 4,000 square feet of open arcade of the ground floor to bring the retail and service floor area to the property line. The gross building floor area would not change as the result of these changes although the applicant also plans to eliminate approximately 17,700 square feet of optional retail space existing in the first basement level.

RECOMMENDATION

The Office of Planning (OP) recommends that the Zoning Commission set down this application for a public hearing.

BACKGROUND

Lot 76 is located at the northwest corner of the 21st Street intersection with L Street, N.W. The property is developed with a 10 story office building with 370,453 square feet of gross floor area (based on the submitted plans) equal to a floor area ratio of approximately 7.3. This area total includes approximately 32,000 square feet of ground floor retail and service space with

approximately 4,000 square feet in an open arcade along both street frontages. The building also has a 220-space parking garage below-grade with space designated for bicycle parking, and a multi-level landscaped plaza along the western building façade.

Surrounding property is developed predominantly with high-density commercial office buildings to the north, south and east, and high-density residential buildings to the west and northwest. The subject is in a Major Business and Employment Center (C-3-B) per the current PUD order while surrounding properties to the north, south and west are in a C-3-C zone district. High-rise residential development to the west and northwest are in Residential (R-5-E) and Community Business District (C-2-C) zone districts, respectively. The site is also just west of the Central Employment Area and two squares north of the underground Foggy Bottom-George Washington University Washington Metropolitan Area Transit Authority rail station (refer to Exhibits 1 and 2).

The existing PUD has also been the subject of a number of Zoning Commission orders summarized in Exhibit 4.

ZONING REVIEW

Prior to approval of Order No 78, the subject property was split-zoned with R-5-D and C-3-B zone districts. Adoption of Order rezoned the site to all C-3-B zone district, and allowed a maximum height of 110 feet and maximum FAR of 7.0 per the referenced order.

Per § 740.6 of the Zoning Regulations, the C-3 zone district permits moderate-density development, including office retail, housing and mixed-use development. The property continues to exceed the minimum requirements for a PUD. Amenities associated with this PUD were limited to the multi-level landscaped plaza between this building and adjacent apartment buildings to the west, and certain architectural design elements including open arcade on the ground floor, and recesses on the 2nd and 9th floors.

Order No. 87 stipulates that “Special care shall be given to the following design elements ...” to be reflected in final construction plans including:

- An open arcade around the first floor;
- A 2nd floor recess “providing a architectural transition from the retail to office levels;”
- A 9th floor recess “to compliment the height of adjacent and nearby;” and
- A multi-level landscaped plaza on rear building façade.

The applicant now proposes to eliminate the open arcade and 9th floor recess.

Regarding evaluation criteria under § 2400 of the Zoning Regulations, § 2409.9 states “Any modifications proposed to an approved planned unit development that cannot be approved by the Zoning Administrator shall be submitted to and approved by the Commission (and) shall meet the requirements for and be processed as a second-stage application.” Previous § 2408.3

therefore requires a proposed modification to be "...substantially in accordance with the elements, guidelines and conditions of the first-stage approval (to) be granted a hearing."

Office of Planning has determined that the architectural elements, vehicle and bicycle parking required in the final order were implemented in the existing building. Moreover, OP thinks the proposed façade change would make the existing ground floor retail space more marketable to potential tenants and more accessible to potential customers walking along the adjacent street frontage. Eliminating the arcade would also achieve the benefits associated with actions taken by the Zoning Commission to eliminate open arcades within the Central Employment Area.¹

The D.C. Department of Transportation also expressed no objections to the proposed modification based on finding that the changes "... would have negligible impact on existing traffic volumes and would not create dangerous or objectionable traffic conditions" (refer to Exhibit 3).

The Generalized Land Use Map designates the subject property as mixed-use High Density Residential, characterized by it high-rise apartments as predominant uses, and Medium Density Commercial characterized by "Shopping and services that generally offers a large concentration and variety of goods and services outside the Central Employment Area as predominant uses. The existing and proposed office uses are not inconsistent with this designation.

The proposed changes would support the following Major Theme listed in the Comprehensive Plan under §101.1:

"... (e) Respecting and improving the physical character of the District."

OP also concurs with the applicant that requested changes would be consistent with the Conclusions of Law cited in Orders 60 and 78.

Based on this information, OP concludes the requested PUD modifications does not appear inconsistent with Comprehensive Plan, supports a specific major theme in the Plan, and is consistent with justifications used to approve the previous PUD. Therefore, the Office of Planning recommends the project be scheduled for public hearing noting the following issues.

The walkway from the garage entrance to the bicycle parking area is not clearly marked as required under the PUD. In addition, the existing building has a 7.3 FAR based on the gross construction area in the submitted plans and lot size in the D.C. Public Record which is more than the 7.0 FAR allowed under the current order (refer to Exhibit 5). OP will work with the applicant to resolve these discrepancies.

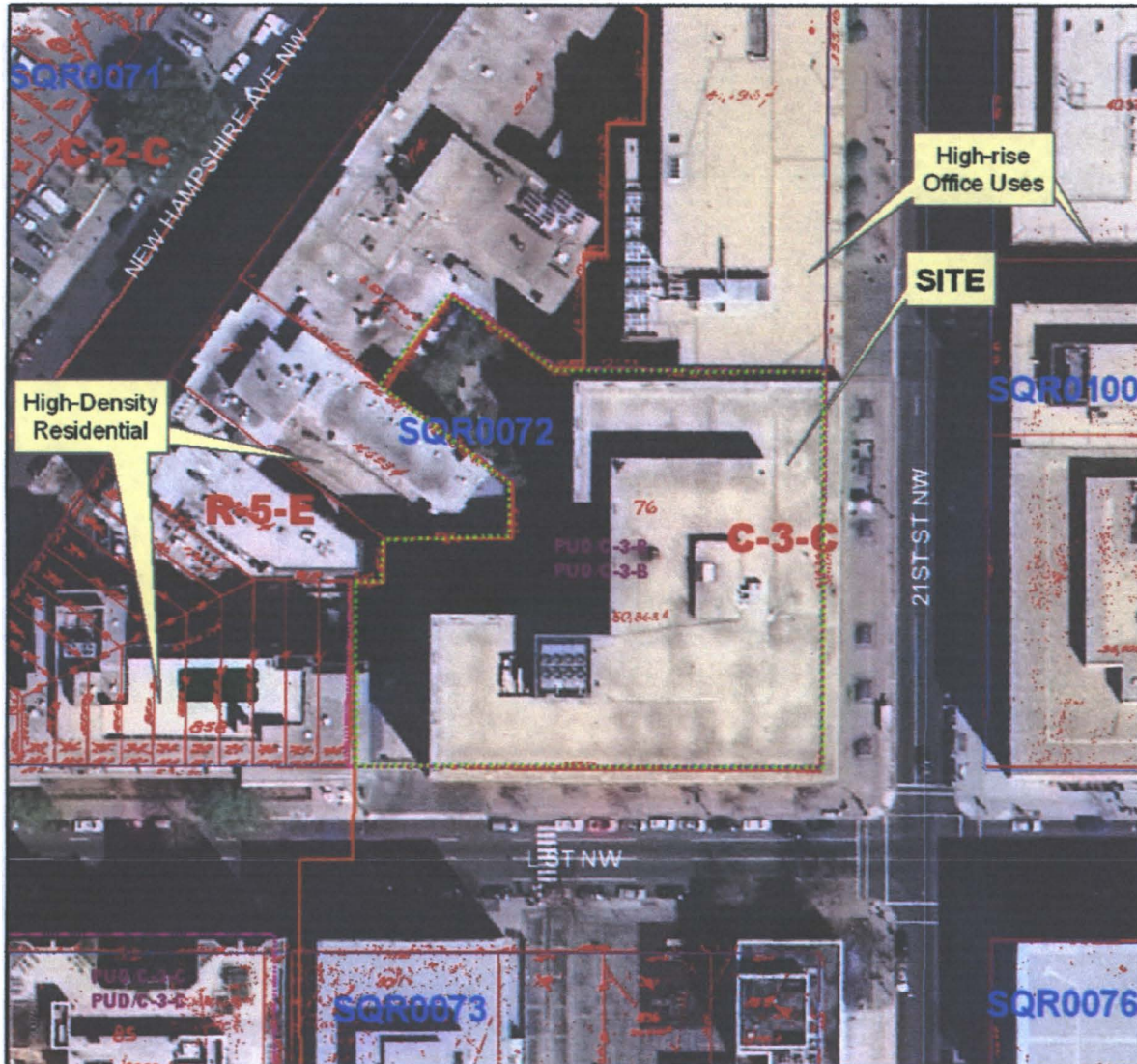
Attachments:

- Exhibit 1 - Site Aerial with Zoning
- Exhibit 2 - Aerial View from the South

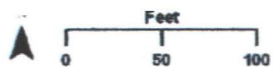
¹ Zoning Commission Order No. 02-44 – Text Amendment to Enclose Open Arcades – 11 DCMR

- Exhibit 3 - Memorandum to Ellen McCarthy, Director, D.C. Office of Planning from Ken Laden, Associate Director for Transportation Planning, D.C. Department of Transportation dated October 11, 2005
- Exhibit 4 - A Brief History of Associated Zoning Activity
- Exhibit 5 - Pertinent Provisions of the Zoning Regulations

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Zoning Commission Application No. 70-16A
2101 L Street, N.W.
(View from the South)



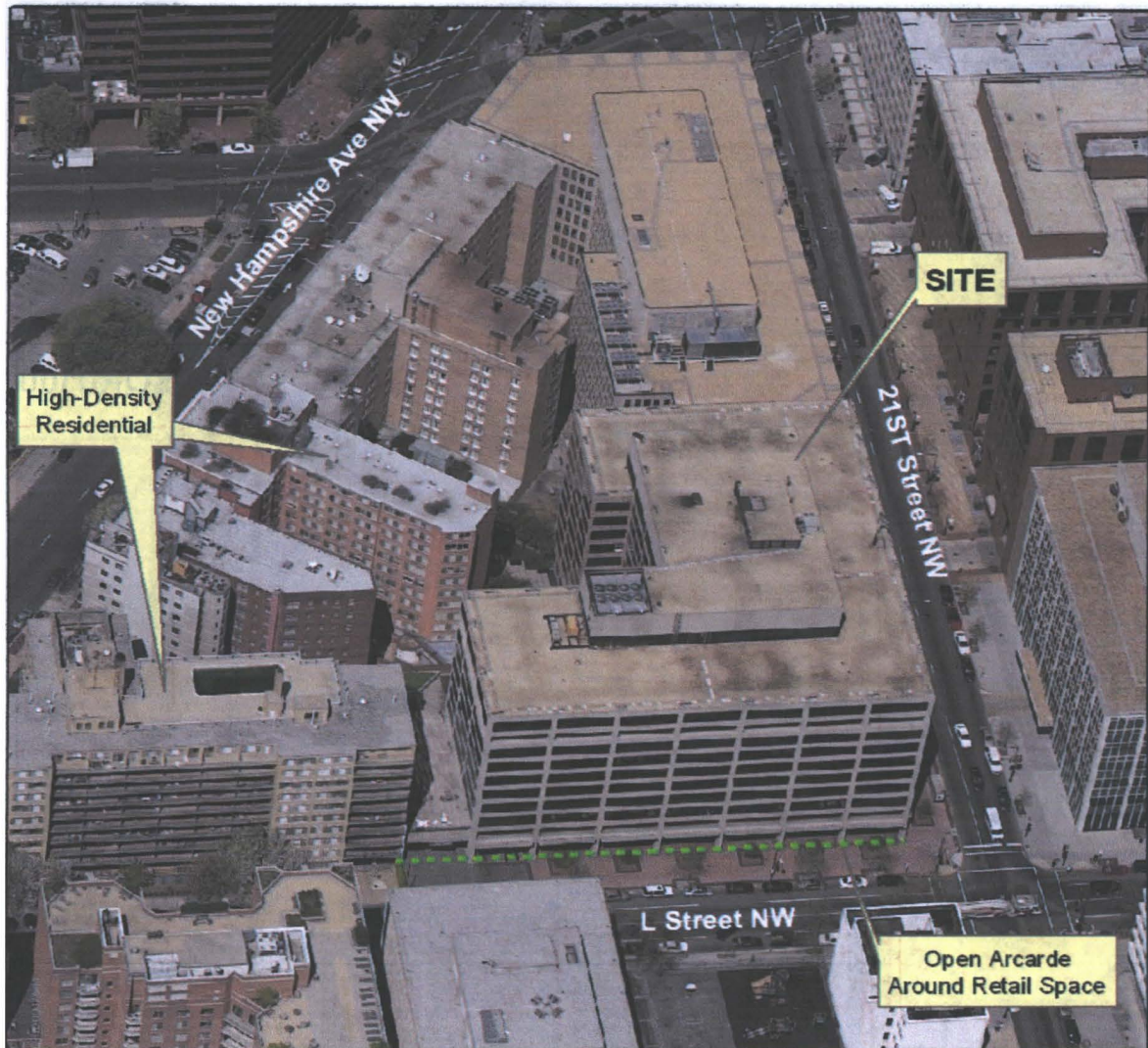
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 District of Columbia
 Anthony A. Williams, Mayor

Office of Planning ~ October 28, 2005

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Legend

- Property Squares
- ~ Water Features / Streams
- Street Centerlines



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2101 L Street, N.W.
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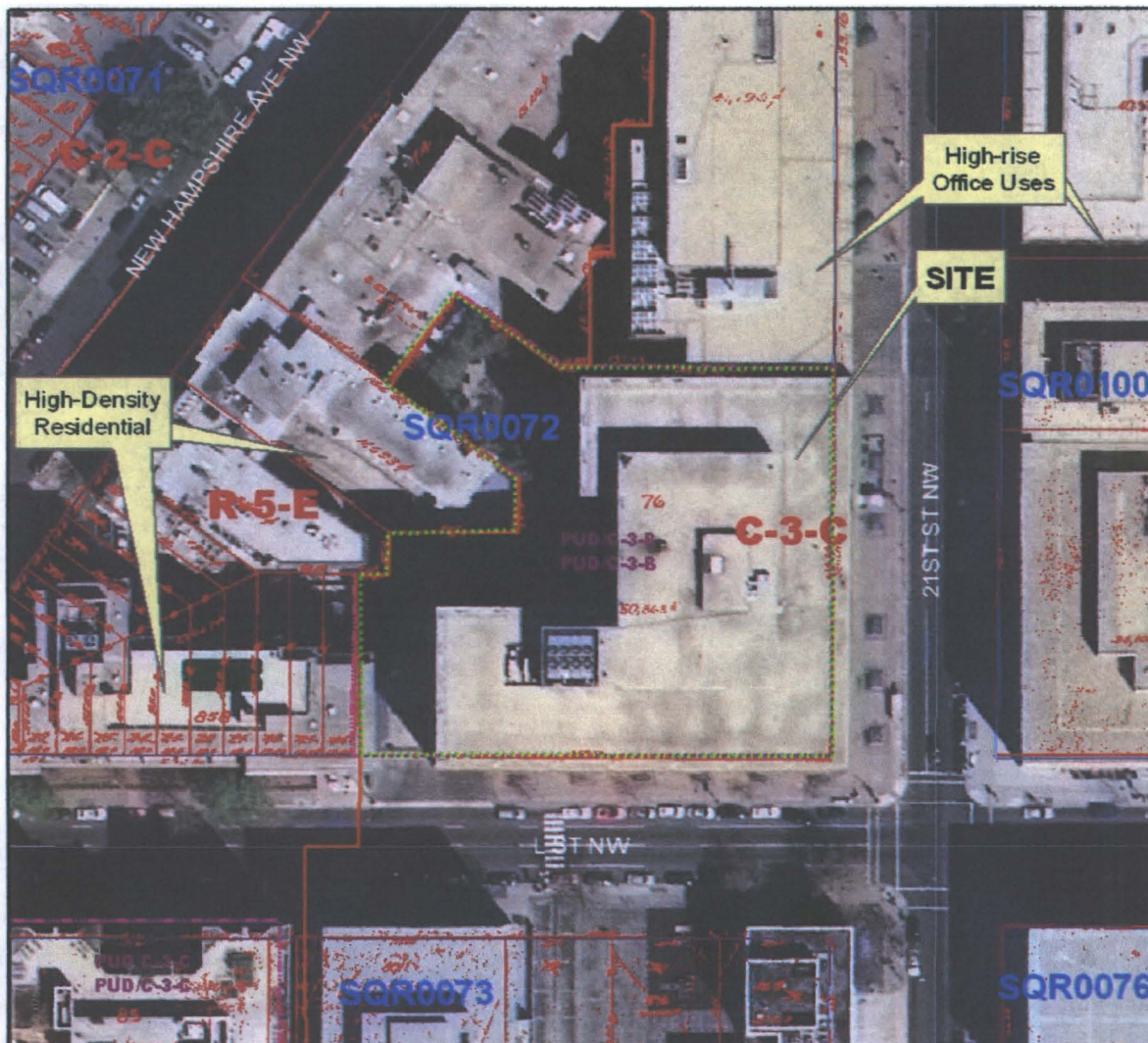
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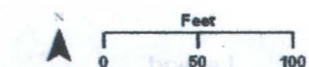
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Zoning Commission Application No. 70-16A

2101 L Street, N.W.
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GOVERNMENT OF THE DISTRICT OF COLUMBIA
DISTRICT DEPARTMENT OF TRANSPORTATION



Transportation Policy and Planning Administration

To: Ellen McCarthy, Director
Office of Planning

From: Kenneth G. Laden *KG Laden*
Associate Director for Transportation Planning

Date: October 11, 2005

Subject: ZC Case No. 70-16A (PUD Modification – 2101 L Street, NW)

The District of Columbia Department of Transportation (DDOT) has reviewed the application and other materials for the subject site. DDOT has no objections to the project.

The applicant, *CESC L Street, LLC*, seeks to modify a previously approved Planned Unit Development (PUD). The PUD site is located on the northwest corner of the intersection of 21st and L Street, NW and includes office, retail and below grade parking. The mixed-use, 10-story building has a total gross floor area of 356,194 square feet and was approved by Zoning Commission Order No. 78 on December 5, 1973.

The applicant proposes to renovate the existing building by installing a new façade treatment and enclosing a public arcade for future retail use, increasing the gross floor area by approximately 5,000 square feet. The project does not impact the transportation related requirements of the original PUD as the number and location of vehicle and bicycle parking spaces will not be changed. The existing parking garage provides more spaces than required by the Zoning Regulations and could accommodate parking generated by the new retail space.

The project will have a negligible impact on existing traffic volumes and will not create dangerous or objectionable traffic conditions. Accordingly, DDOT has no objection to the proposed modifications.

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A Brief History of Associated Zoning Activity

- On March 19, 1973, Zoning Commission Application 70-16 was approved to establish a planned unit development on property including Square 72 lots 43, 861 and 862 totaling 50,833 square feet. At that time, 40, 511 square feet of lots 43, 861 and 862 (portion) was in a Residential (R-5-D) zone district and the balance of lot 862 (10,371 square feet) was in a C-3-B zone district. Order No. 60 stated the entire PUD site "... shall be developed in accordance with the standards of the C-3-B zone district" and set the following limits:
 - A maximum building height to 110 feet structure and maximum FAR to 7.0 (excluding the mechanical penthouse);
 - A maximum floor area of 557,000 square feet;
 - A minimum 32,000 square feet of retail space on the ground floor, and 20,000 square feet may be provided on first basement levels (totaling 54,000 square feet of retail space);
 - On-site parking to 220 vehicle spaces²; and
 - Requiring "A convenient and secure bike storage area shall be provided on *the first floor or first basement* for a total of 25 bicycles" with direct access to the building interior and street³.

- On December 5, 1973, Zoning Commission Application 70-16F was approved to amend the referenced PUD (and subsequent extensions). Final Order No 78 formally changed the zoning of subject lots 43, 861 and 862 (part) from Residential (R-5-D) zone district to the same C-3-B zone district on the balance of lot 862, and increase the total site are to 50,884 square feet. This order also set the following limits:
 - The maximum building height to 110 feet (excluding the mechanical penthouse) structure and maximum FAR to 7.0;
 - A minimum 32,700 square feet of retail space on the ground floor and 19,000 square feet *may* be provided on first basement level (a total of 51,700 square feet);
 - On-site parking to 220 spaces; and
 - That "A convenient and secure bike storage area shall be provided *on the first basement* for a total of 25 bicycles" with direct access to the building interior and street.

Final architectural drawings were also required to:

- Provide a recess in the building façade at the 9th floor level to compliment the height of nearby buildings;
- Provide an open retail arcade on the ground floor level;

² With regards to this on-site parking limit, the Order states "The proposed building is within walking distance of three transit stations and in an area of concentrated vehicular congestion." Limiting parking within the proposed structure will help reduce the introduction of additional traffic and air pollutants in this area of the City."

³ The Commission required bicycle parking "recognizing the bicycle as a growing means of pollutant-free transportation."

- Provide a “deep” recess at the 2nd floor “... providing a transition from the retail to office levels;” and
- Provide a multi-level landscaped plaza at the rear of the building.

Pertinent Provisions of the Zoning Regulations

Chapter 1 The Zoning Regulations

§ 199 Definitions

Floor area ratio - a figure that expresses the total gross floor area as a multiple of the area of the lot. This figure is determined by dividing the gross floor area of all buildings on a lot by the area of that lot. ...

Gross floor area - the sum of the gross horizontal areas of the several floors of all buildings on the lot, measured from the exterior faces of exterior walls and from the center line of walls separating two (2) buildings.

The term “gross floor area” shall include basements, elevator shafts, and stairwells at each story; floor space used for mechanical equipment (with structural headroom of six feet six inches (6 ft. 6 in.) or more); penthouses; attic space (whether or not a floor has actually been laid, providing structural headroom of six feet six inches (6 ft. 6 in.) or more); interior balconies; and mezzanines.

The term “gross floor area” shall not include cellars, and outside balconies that do not exceed a projection of six feet (6 ft.) beyond the exterior walls of the building.