

Government of the District of Columbia
ZONING COMMISSION



December 14, 2001

Patricia E. Gallagher, AICP
Executive Director
National Capital Planning Commission
401 9th Street, N.W., Suite 500
Washington, D.C. 20576

Re: Z.C. Case No. 01-07C

Dear Ms. Gallagher:

At its regular public meeting held on December 10, 2001, the Zoning Commission for the District of Columbia took proposed action to approve the following case:

Case No. Z.C. Case No 01-07C (1700-30 K Street, N.W.)

The proposed decision of the Commission to approve the above-mentioned case is referred to the National Capital Planning Commission (NCPC) for review and comments pursuant to the District of Columbia Home Rule Act of 1973, as amended, 87 Stat. 790, Pub. L. No. 93-198, D.C. Code Section 1-201 et seq.

The Zoning Commission plans to take final action on this application at its January 14, 2002, public meeting. Please provide your comments on or before January 11, 2002. If you have any questions, contact Alberto P. Bastida at the Office of Zoning on (202) 727-0330.

Sincerely,

A handwritten signature in black ink that reads "Alberto P. Bastida".

Alberto P. Bastida, AICP
Secretary to the Zoning Commission

Attachment

cc: Stephanie Sechrist

ZONING COMMISSION
District of Columbia
ZONING COMMISSION
Case: 01-07C
District of Columbia
CASE NO. 01-07
EXHIBIT NO. 48
Exhibit

**Guidelines, Conditions and Standards
To be Attached to Approval of
Zoning Commission Case No. 01-07C**

**Consolidated Planned Unit Development for and Lease of Public Airspace
Adjacent to the Property Located at 1700-1730 K Street, N.W.
(Square 126, Lots 56 and 851)**

1. The PUD shall be developed in accordance with the plans prepared by Pei Cobb Freed & Partners, dated August 2001, and as amended and supplemented by drawings dated September 2001 and October 2001, marked as Exhibit A and Addendum 1 in the Applicant's Pre-hearing submission, as modified by the guidelines, conditions, and standards herein.
2. The project shall be a commercial office development consisting of approximately 370,981 square feet of gross floor area on private property and 2,244 square feet of gross floor area in the public airspace, for a total of 373,135 square feet of gross floor area. The PUD project shall not exceed a density of 11.08 FAR on private property, nor exceed a density of 9.97 FAR in public space. The building shall not exceed a height of 130 feet, with setbacks as shown on the plans.
3. Landscaping and improvements to public space along the street elevations of the building shall be in accordance with the plans submitted to the record.
4. The applicants shall enter into a Contract Construction Agreement with Jubilee Enterprise of Greater Washington for the substantial rehabilitation of a minimum of 12,369 square feet of dwelling units at the Trenton Park Apartment Complex. No certificate of occupancy shall be issued for the PUD until a certificate of occupancy has been issued for the requisite housing outlined in the Contract Construction Agreement. The applicants shall pay \$520,470.00 to Jubilee Enterprise of Greater Washington to fulfill the housing linkage requirement. If, after the further consideration of the PUD housing linkage policy by the Office of the Deputy Mayor for Planning and Economic Development, the Zoning Commission determines that (i) a lesser dollar amount is in keeping with the PUD housing linkage policy, and (ii) a lesser dollar amount would allow for the substantial rehabilitation of the required amount of housing linked to the subject PUD, this order shall be modified accordingly at the applicants' request. Any difference between the amount paid by the applicants and any reduced amount determined under the housing linkage policy shall be refunded to the applicants. The dollar amount shall not be increased.
5. The applicants shall contribute \$70,000.00 to the Golden Triangle BID to assist in the improvements to Farragut Square or Longfellow Park, prior to the issuance of the building permit for the PUD.

6. The applicants shall enter into a Memorandum of Understanding with the D.C. Local Business Opportunity Commission in order to achieve, at a minimum, the goal of thirty-five percent participation by local, small, and disadvantaged businesses in the contracted development costs in connection with the design, development, construction, maintenance and security for the project to be created as a result of the PUD project.
7. The applicants shall enter into a First Source Employment Agreement with the Department of Employment Services (DOES) in order to achieve the goal of utilizing District of Columbia residents for at least fifty-one percent of the jobs created by the PUD project.
8. The applicants shall have flexibility with the design of the PUD in the following areas:
 - a. to vary the location and design of all interior components, including partitions, structural slabs, doors, hallways, columns, stairways, and mechanical rooms, provided that the variations do not change the exterior configuration of the building;
 - b. to vary the number and location of parking spaces, not to decrease below the minimum of 225 spaces;
 - c. to vary the final selection of the exterior materials within the color ranges and material types as proposed, based on availability at the time of construction; and
 - d. to make minor refinements to exterior details and dimensions, including belt courses, sills, bases, cornices, railings and trim, or any other changes to comply with the D.C. Building Code or that are otherwise necessary to obtain a final building permit.
9. The applicants shall contact and work with ANC 2B during the construction phase to mitigate construction impacts on pedestrian and vehicular traffic in the area.
10. No building permit shall be issued for this PUD until the applicants have recorded a covenant in the land records of the District of Columbia, between the owners and the District of Columbia, that is satisfactory to the Office of the Corporation Counsel and the Zoning Division of the Department of Consumer and Regulatory Affairs (DCRA). Such covenant shall bind the applicants and all successor in title to construct on and use this property in accordance with this order or amendment thereof by the Zoning Commission.
11. The Office of Zoning shall not release the record of this case to the Zoning Division of DCRA until the applicants have filed a copy of the covenant with the records of the Zoning Commission.

12. The PUD approved by the Zoning Commission shall be valid for a period of two years from the effective date of this order. Within such time, an application must be filed for a building permit as specified in 11 DCMR § 2409.1. Construction shall begin within three years of the effective date of this order.
13. Pursuant to the Human Rights Act of 1977, D.C. Code § 1-2531 (1991), the applicants are required to comply fully with the provisions of the Act, and this order is conditioned upon full compliance with those provisions. Nothing in this order shall be understood to require the Zoning Division of DCRA to approve permits if the applicants fail to comply with any provision of the Human Rights Act.
14. The airspace shall be developed and used in compliance with the use, height, floor area ratio, offstreet parking, and all other provisions of the limitations and requirements pertaining to the C-4 District.
15. The structure in the airspace and the connected structures on Lots 56 and 851 shall be deemed to constitute one building, and shall comply as such with the requirements of this order.
16. A maximum density of 10.0 FAR may be used in the area of the alley.
17. All required parking and loading for the entire building shall be located on Lots 56 or 851.
18. No portion of the air rights structure shall be permitted within the first fifteen feet above the surface of the public alley.