

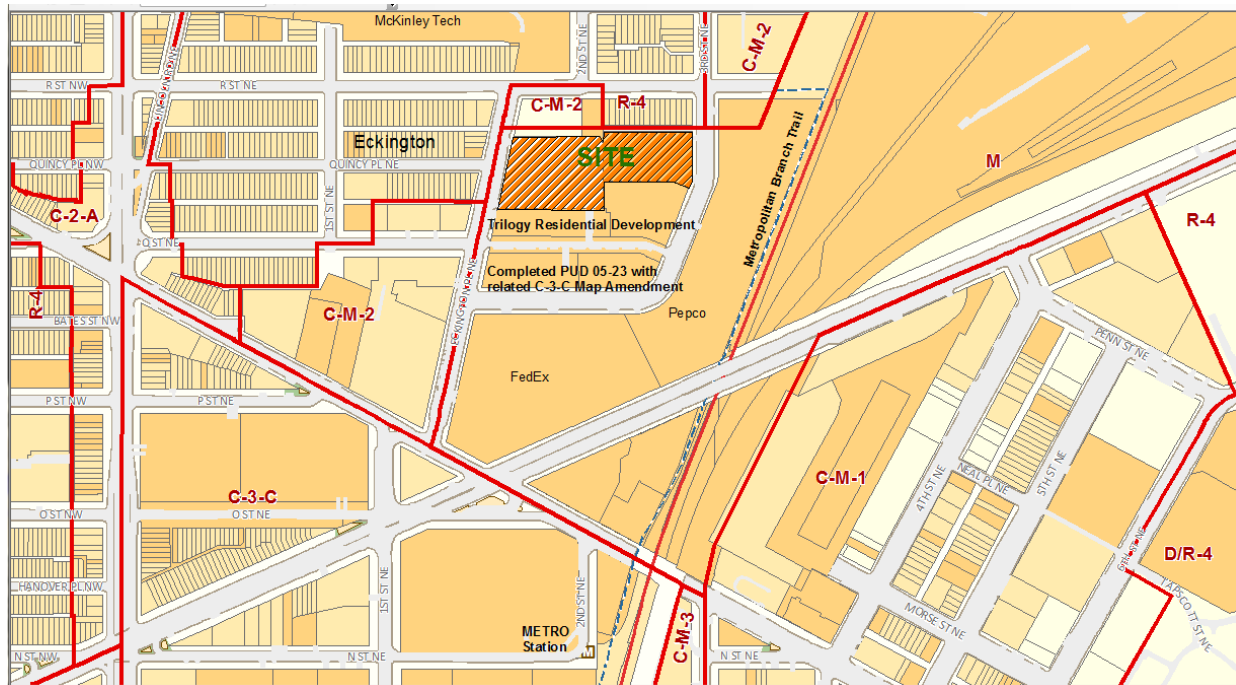


**TO:** District of Columbia Zoning Commission *JLS*  
**FROM:** Jennifer Steingasser, Deputy Director, Development Review & Historic Preservation  
**DATE:** November 13, 2015  
**SUBJECT:** Preliminary Report – ZC 15-15 – Consolidated PUD at 1500 Harry Thomas Way / 1611-1625 Eckington Place, N.E., with Related Map Amendment from M to CR; Square 3576, Lots 2001-2008

**I. OFFICE OF PLANNING PRELIMINARY RECOMMENDATION**

The Office of Planning (OP) recommends the Zoning Commission (Commission) set down for public hearing the application by JBG/Boundary 1500 Harry Thomas Way, LLC for a Consolidated PUD with a related map amendment from M to CR, with relief from loading, closed court and some roof structure requirements and for special exceptions for self-storage and light industrial uses in the CR zone. Additional loading relief may also be needed.

The filing meets the requirements of 11DCMR §§ 2406.



**Figure 1. Site and Context**

The applicant is working with ANC 5E 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 is also working with the District Department of Transportation (DDOT) on the scope of work needed for the transportation and parking consultant’s report, and



with the District Department of Energy and the Environment (DOEE) on measures to enhance the project's sustainability.

If the application is set down, the timely provision of 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

## II. APPLICATION SUMMARY

The applicant seeks approval of a PUD that, with the requested map amendment to CR, would result in a 694,867 square foot, 5.1 FAR development ranging in height from 75 to 110 feet. It is proposed to be constructed to LEED Silver would contain:

- Approximately 691 residences in a variety of unit-types, and producing approximately 51 units of affordable housing, in conformance with Inclusionary Zoning requirements;
- Approximately 63,269 sf of retail uses with an emphasis on on-site or D.C. –produced products and, of this, up to 49,409 square feet devoted to light-industrial space compatible with upper-story retail space, for consumer-oriented products made on-site;
- 21,400 square feet of pedestrian oriented, publicly accessible space in the form of a 20 to 30 foot walkway connecting Harry Thomas Way and Eckington Place, with a plaza at mid-point;
- 67,000 square feet of underground, commercial self-storage space;
- 311 auto and at-least 235 bicycle parking spaces.

The proposed project would be located on a 135,099 site occupied by the now-vacant Washington Flower Center and a small State Farm Insurance building. It is within the Eckington neighborhood, just north of The Trilogy residential project, which was constructed under PUD 05-23 and which included a related map amendment from M to C-3-C. The NoMA/Galludet Metro station is less than ½ mile to the south, directly accessible from the Metropolitan Branch Trail.

The property is zoned M, which does not permit residential uses. The associated map-amendment to CR is requested to enable residential use and to enable one part of the project to be 20 feet taller than permitted as a matter of right in the existing M zone. The proposed FAR would be approximately 1 FAR less than is permitted as a matter of right in the existing M zone and approximately 3 FAR less than the maximum achievable under a CR PUD.

The applicant is also requesting, or plans to request, the following flexibility:

- Variance from § 638.2(a)'s closed court dimensions (see Table 1 in this report);
- Variance from § 2201's requirements for the number and dimension of loading facilities;
- Variance from §§ 411 and 770 to permit multiple roof structures of varying heights;

- Special Exception under § 411.11 to allow for multiple (~7) roof structures of varying heights;
- Special Exception under § 611 for a self-storage facility in the CR zone
- Special Exception under § 610 for a light-industrial use in the CR zone.

The applicant may also request relief from §§ 2203 and 2204 to locate a portion of the loading facilities on an adjacent property not within the boundaries of the proposed PUD.

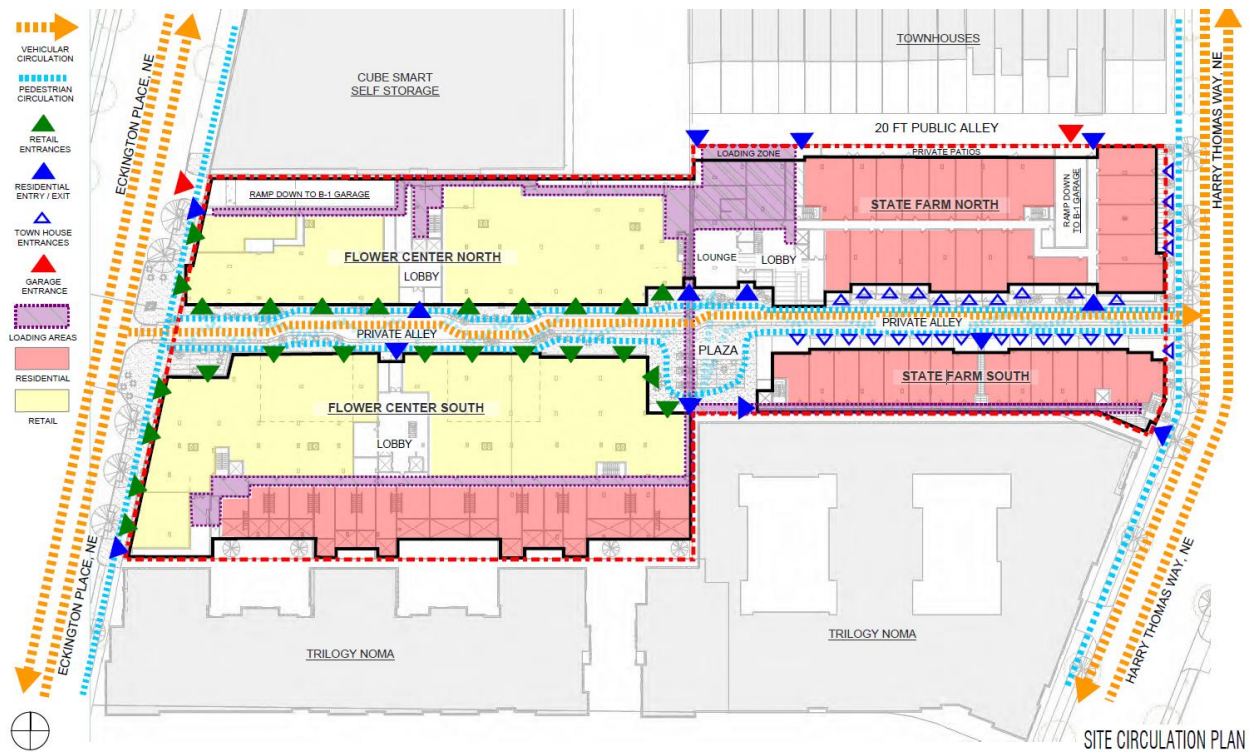
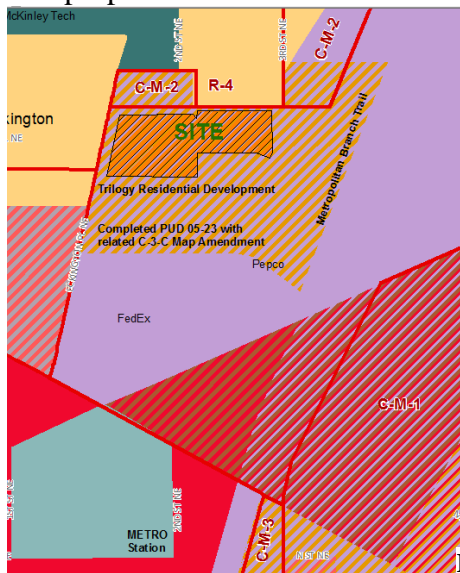


Figure 2. Generalized Site Plan

### III. COMPREHENSIVE PLAN ANALYSIS

The proposed PUD is not inconsistent with the Comprehensive Plan.



The Future Land Use Map (FLUM) indicates the site is appropriate for medium density residential use and production / distribution / repair uses, with which this project is consistent.

The proposed 5.1 FAR, of which most would be devoted to residential use, would be well within that typically considered appropriate for medium density land uses.

The maximum proposed height of 110 feet is at the upper range of the medium density residential category. The height would be limited to the western end of the project,

Figure 3. Comprehensive Plan Future Land Use Map

adjacent to a self-storage building. This massing would result in the project being significantly lower towards the east, where it is adjacent to townhouses.

The Generalized Policy Map also designates the project location and land to the south as Land Use Change Areas, where the creation or enhancement of neighborhoods is encouraged. Most of the area to the west and north are moderate density residential and designated for conservation of that character. The area to the northeast and east is developed with PDR uses and is also designated for conservation.

The proposed project would be not inconsistent with written elements of the Comprehensive Plan. The Land Use, Transportation, Housing, Urban Design and Economic Development Elements 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 provide new housing and retail uses where there is now a vacant wholesale facility and a small office building, (policies LU-3.1.2, 3.1.4 and H.1.1). It would employ contemporary architectural and urban design using high-quality materials, varied massing and fenestration and attention to ground floor details and public benefits affecting pedestrians (policies UD-2.2.5, 3.1.6 and 3.1.7); would enhance environmental and sustainability objectives through the various green elements that would be built into a project intended for LEED-Silver (policies E-1.1.1, E-1.1.3, and E-2.2.1); and would be generally consistent with policies supporting economic development (policies ED-2.2.1 and 3.1.1).

#### **IV. COMPLIANCE WITH PUD REGULATIONS**

A PUD is the most appropriate vehicle for realizing the Comprehensive Plan's vision of changing the land use to increase the density and residential nature of this site.

The site meets the minimum site size requirements of § 2502.1(c). With a related map amendment to CR, the 5.1 FAR would be almost 3 FAR less than the maximum permitted in the requested zone. All of the building would be within the 110 foot maximum height permitted a PUD in that zone. Portions would be only 75 feet.

The application does not appear to be using the PUD process to circumvent other zoning regulations.

If the application is set down, the applicant will be supplying details on traffic and parking impacts, and 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 through the PUD.

## V. ZONING ANALYSIS

<b>Table 1: Existing and Proposed Zoning, Development Potential, and Proposed Development.</b> (Based on applicant's summary figures).					
Item	Permissions and Requirements		Proposed by Applicant		
	M Zone - By Right	CR PUD	Proposed	(+) or (-) from M-Zone By-Right	Complies w/ CR PUD?
<b>Lot Size (SF)</b> 2401.1	n/a	15,000 SF	135,099 SF	n/a	Complies
<b>Height (ft.) above measuring pt.</b> 2405.1	90' max	110'	110' for one structure; 75' for three structures	+ 20 ft for one; -15 for three	Complies
<b>FAR</b> 2405.2	6.0 max	8.0	5.1	- 0.9FAR	Complies
<b>Lot Occ. Of total site (%)</b> 2405.4, 634.1	100%, non-res.  n/a, res.	80% (75%+5%IZ)	80%	n/a	Complies.
<b>Total GFA</b>	810,594	1,080,792	~694,867 SF (5.14 FAR)	n/a	n/a
<b>Non- Res. SF</b>	810,594	540,396	~63,269 SF	n/a	n/a
<b>Residential SF</b>	n/a	1,080,792	~631,598 SF	n/a	Complies
<b>Res. Units</b>	n/a	n/a	~692	n/a	Complies
<b>IZ SF</b>	n/a	8% of residential GFA @ 80% AMI = 50,521 SF	6% of residential GFA @ 80% AMI = 37,896 GSF; 2% of residential GFA @ 50% AMI = 12,632	n/a	Complies
<b>Affordable (IZ)Units (Approx. # @ 1,000 gfa/unit)</b>	n/a	51	51, although subject to change to match unit mix	n/a	Complies
<b>CR-related public space</b> 633	n/a	10% lot area, at ground level, etc. (13,510 SF)	15.8% Lot area, at the ground level, etc. (21,400 SF in pedestrian way and plaza)	n/a	Complies

Item	M Zone - By Right	CR PUD	Proposed	(+) or (-) from M-Zone By-Right	Complies w/ CR PUD?
<b>Vehicle / Non-Bicycle Parking</b>	If >3,000 sf, 1 space for each additional 300 sf GFA	Res. 1/3 du's = 231  Retail/serv. If >3,000 sf, 1 space for each additional 750 sf GFA = 80  <b>TOTAL: 311</b>	311	n/a	Complies with total # spaces
<b>Vehicle / Non-Bicycle Pkg., compact spaces</b> 2115.2	Max 40% of total	Max 40% of total	40% 124 of 311	n/a	Complies
<b>Bicycle Parking</b> 2119.1	n/a	<u>Res.:</u> 1 per 3 du's (692 ÷ 3 = 231).  <u>Retail:</u> 5% retail vehicle parking (5% x 80 spaces = 4 required).  <b>TOTAL = 235</b>	235, plus as required for LEED FTE	n/a	Complies
<b>Loading Residential and Non-Residential</b> 2201  <b>2203</b> <b>2204</b>	n/a	(1) 55 ft. Res. berth; (1) 200 sf Res. platform (1) 20 ft. Res. service space  (1) 55 ft. Retail berth and (1) 30' Retail berth (1) 20 ft. Retail service space (1) 100 sf retail platform, and (1) 200 sf Retail platform	<u>Portion of Res:</u> (1) 30 ft. Res. berth; (1) 200 sf Res. platform (1) 20 ft. Res. service space <i>Unspecified size for platforms</i>  <u>Private Alley:</u> Used for Retail loading and service  <u>Loading shared with Trilogy/Gale (see DDOT Scoping doc):</u> (2) 30 ft. Res. berth; (2) 20 ft. Res. service space <i>Unspecified size for platforms</i>	n/a	<b>Variance Relief from §§ 2203 and 2204 required for loading facilities, due to location on adjacent property for portion of such facilities</b>

Item	M Zone - By Right	CR PUD	Proposed	(+) or (-) from M-Zone By-Right	Complies w/ CR PUD?
<b>Side Yard (ft.)</b> 637.2	Not required if not abutting R zone	(If provided, $\geq 3$ in. / foot of height or 10 ft.)	None	n/a	Complies
<b>Rear Yard (ft.)</b> 636.5	Above 20 ft. of height, 2.5" per ft. of total ht. and >12 feet, measured from center of street at rear for through-lot	No requirement for through-lot	None	n/a	Complies.
<b>Open Court (ft.)</b> 638.1(a)	If provided, the greater of 2.5 in. width / ft. of height or 12 ft.	If provided, the greater of 3 in / ft. of ht. or 10 ft. 19' 7" required (for 78.5' high court)	30'	n/a	Complies
<b>Closed Court</b> <b>638.2(a)</b>	<u>Width</u> 4"/ft. ht. for 75' high wall = 25 ft. <u>Area:</u> 2x req. width <sup>2</sup> ; not < 250 SF	<u>Width</u> 4"/ft. ht. for 75' high wall = 25 ft. <u>Area:</u> 2x req. width <sup>2</sup> = 1250 SF	<b>(1) at 6' wide x 24.5' deep; 147 sf</b>  <b>(1) at 12'10" wide x 64'9"; 832 SF</b>  <b>(1) at 17' x 246'2"; 4184 SF</b>	<b>(- 19ft.) - 1103 sf</b>  <b>(- 12' 2") (- 418 sf)</b>  <b>(- 8') + 2934 sf</b>	<b>Relief Requested for both</b>  <b>Relief requested for both</b>  <b>Relief requested for width; SF conforms</b>
<b>GAR</b>	0.1/0.3	0.2	> 0.2	n/a	Complies
<b>Self-Storage Use</b> 611	By-right	Requires special exception in CR	67,700 SF (below grade; not included in FAR)	+ 67,700	<b>Special Exception Requested</b>
<b>Light Industrial Space</b> 610	By-right	Requires special exception in CR	Portion of 63,269 (on first and second floors)	+ up to 49,409	<b>Special Exception Requested</b>

Item	M Zone - By Right	CR PUD	Proposed	(+) or (-) from M-Zone By-Right	Complies w/ CR PUD?
<b>Roof Structures</b>  §§ 411.3 and 770.6(a); 411.2 and 770.6(b) and 411.5	One roof structure permitted per elevator core, or roof level differing $\geq 1$ floor.		Multiple (~ 6-7) roof structures	NW: (2) SW: (3 + 3 trellises) NE: (1) SE: (1)	Relief requested
	18' 6" height limit		12' and 20'	Differ by 8 ft.; + 2 ft. over limit	Relief requested
	Vertical walls		Vertical walls	n/a	Complies
	1:1 setback from exterior walls		1:1 setback	n/a (check)	Complies
	0.37 FAR credit		0.1 FAR	n/a	Complies

**A. Zoning Relief / Flexibility Under PUD Guidelines**

The requested relief from closed court and roof structure requirements appears to be relatively minor within the project's overall context.

§ 638.2(a): The closed courts are primarily adjacent to the east-west pedestrian way. Their dimensions, while somewhat less than required, would be augmented by the width of the east-west pedestrian way, which would be 20 feet wide east of the central plaza and 30 feet wide west of the plaza;

§§411 and 770: Because of the extensive length of the building and because the different sections of the building would vary in height by as much as 35 feet, multiple roof structures are required and differences in roof structure height would not stand out;

§ 611: The special exception for the self-storage use would not be disruptive. The facility would be located underground and there is already a self-storage facility immediately north of the proposed PUD;

§ 610: The special exception for light industrial uses would enhance the applicant's concept of mixing retail spaces with spaces for artists and craftsmen to create products on-site for display and sale to potential customers, and would not likely be disruptive if appropriate use and time of operation restrictions are included;



§§2201: The requested relief from loading dimensions is not unusual or likely to be disruptive. However the additional loading relief that may be requested from §§ 2203 and 2204 could be more complex, because it would involve an existing PUD.

While not requiring relief, the applicant has asked the Commission to permit the construction of the project in phases, as noted on page 20 of the pre-hearing statement.

## **VI. TRANSPORTATION, PARKING AND LOADING**

The information provided by the applicant is rudimentary, but sufficient for setting down the application for a public hearing. The applicant has engaged Gorove /Slade consultants to perform transportation and parking-related studies, and to identify Transportation Demand Management (TDM) initiatives for the project, and will be working with the District Department of Transportation (DDOT) to ensure the study's scope and the timing of its submission are appropriate.

Sheets A1.09 and A1/10 illustrate the circulation in and around the site. Parking and loading would be entered primarily from Eckington Place and a public alley at the northeast corner of the site. The applicant is considering an additional, southern, loading entry through an arrangement with the Trilogy/Gale PUD 05-23.

Relief has been requested from loading requirements, as noted in the zoning table above. The applicant should address why this relief is requested.

## **VII. PUD BENEFITS, AMENITIES AND PROFFERS**

The application describes many public benefits and private amenities. Both the architecture and the urban design appear to be superior. The project would provide needed retail and other non-residential uses to the Eckington neighborhood. It would better connect that neighborhood with NoMA and the Metro station to the south.

However, the application identifies only one item that OP would consider to be a proffer. This is the offer to provide a portion of Inclusionary Zoning units for households earning up to 50% of the AMI, rather than providing all at the mandated 80% AMI level.

OP is aware of other benefits/amenities/ proffers being considered by the applicant, but these had not been submitted to the Commission at the time OP completed this report. The applicant anticipates augmenting the benefits/amenities/proffers after additional discussions with the neighborhood and prior to a public hearing.

### **A. Affordable Housing**

The applicant would be providing the minimum required IZ-square footage set-aside of 8% of the total residential square footage. While this is required to be targeted only to households

earning no more than 80% of the Area Median Income (AMI), the applicant has gone beyond the requirements by proposing that:

- 1.6% of the total residential square footage be reserved for households earning no more than 50% of the AMI; and
- 6.4 % be reserved for households earning no more than 80% of the AMI.

Residential Unit Type	Res. GFA; % Total	Units	Income Type Required	Income Type Provided	Affordable Control Period	Affordable Unit Type
Residential Total	631,598 GSF	691, +/-10%				
Market Rate	581,070 GSF	649				
IZ Total Required @ 8% of Res. GFA	50,528 GSF	51	Moderate	42 Moderate 9 Low	Project duration for all IZ units	Likely Rental
IZ Total Provided	50,528 SF GSF	51			Project duration for all IZ units	
Affordable/Non IZ	n/a	n/a	n/a		n/a	n/a

The greater depth of affordability being proffered would be of significant benefit. However, OP strongly recommends that the applicant consider expanding its commitment to the number of Inclusionary Zoning units provided.

**B. Mitigation of Potentially Adverse Impacts**

As part of the transportation study, the applicant will need to coordinate its examination of the following with DDOT to determine potential impacts and mitigation measures:

- The impact of the anticipated residential, retail and loading traffic on the surrounding neighborhood and intersections specified by DDOT – particularly the intersection of NY Avenue/Florida Avenue/1<sup>st</sup> Street/Eckington Place.

The applicant should provide additional graphics to demonstrate:

- Existing views and future views from the established residential areas to the north and west;
- The impact of the project on the north-facing windows of the Trilogy/Gale buildings, which are south of the proposed PUD.

**C. Urban Design and Architecture**

The design appears to be of a superior quality. It reflects the industrial past of the area with both traditional and contemporary material that also integrates the architecture with the nearby residential and light-industrial developments constructed in the last 30 years. OP will continue to work with the applicant on design refinements if the project is set down.

### **VIII. MATTERS REQUIRING CLARIFICATION OR ADDITIONAL CONSIDERATION BEFORE A PUBLIC HEARING**

The most important outstanding items are:

- Clarification of the non-residential use concept, including details on uses the applicant intends to encourage and those that would be prohibited in the proposed light-industrial space on the first and second levels of the project;
- Exploration of whether, in addition to the deeper affordability proffer, IZ units will comprise more than the required 8% of the project's residential square footage;
- Specification of the additional amenities and public benefits that will be proffered, commensurate with the additional density that would be achieved through the PUD and related map amendment;
- Clarification of public access and easements to the proposed pedestrian passageway and plaza between Harry Thomas Way and Eckington Place, and proposed permissions for, and limitations to, vehicular access to those spaces;
- A report on traffic impact and Transportation Demand Measures (TDM);
- Additional loading information, including loading access and circulation diagrams, and clarification of the concept the applicant is exploring to locate and access some of the project's loading within adjacent buildings in the Trilogy/Gale PUD to the south;
- Specification of the types of light-industrial use permissions the applicant is requesting to further the possible maker-space concept for a portion of the non-residential use, and the types of uses that would be prohibited in such space;
- Additional sustainability-related consultation with DOEE re the feasibility of LEED Gold, rather than LEED Silver, and specification of the square footage of green roofs;
- Additional "before and after" views of the site from the residential areas to the west and north;
- A written commitment to a first source agreement.

JLS/slc

Stephen Cochran, project manager