

## Memorandum

**TO:** District of Columbia Zoning Commission

**FROM:**  Jennifer Steingasser, Deputy Director Historic Preservation Development Review

**DATE:** July 1, 2013

**SUBJECT:** **ZC 12-02 – Final Report** Consolidated PUD and Related Map Amendment –  
50 Florida Avenue (Square 3516 Lots 134, and 819).

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### I. RECOMMENDATION

OP recommends approval of the request by B&B 50 Florida Avenue LLC, the Applicant, for the consolidated PUD and PUD-related map amendment from the C-2-A and C-M-2 districts to the C-3-B PUD, to permit redevelopment of the parcel at Square 3516, Lots 134 and 819 with a nine-story, mixed-use building of 182 residential units and 7,858 sf of ground floor retail and a 4.83 FAR. This recommendation is subject to DDOT's conditions to mitigate traffic impacts due to the site's redevelopment.

The proposed development and its related map amendment are not inconsistent with the Comprehensive Plan's objectives for the MidCity Area and the Generalized Land Use and Policy Maps.

### II. BACKGROUND

At its public meeting on June 25, 2012, the Commission requested additional information from the applicant, including:

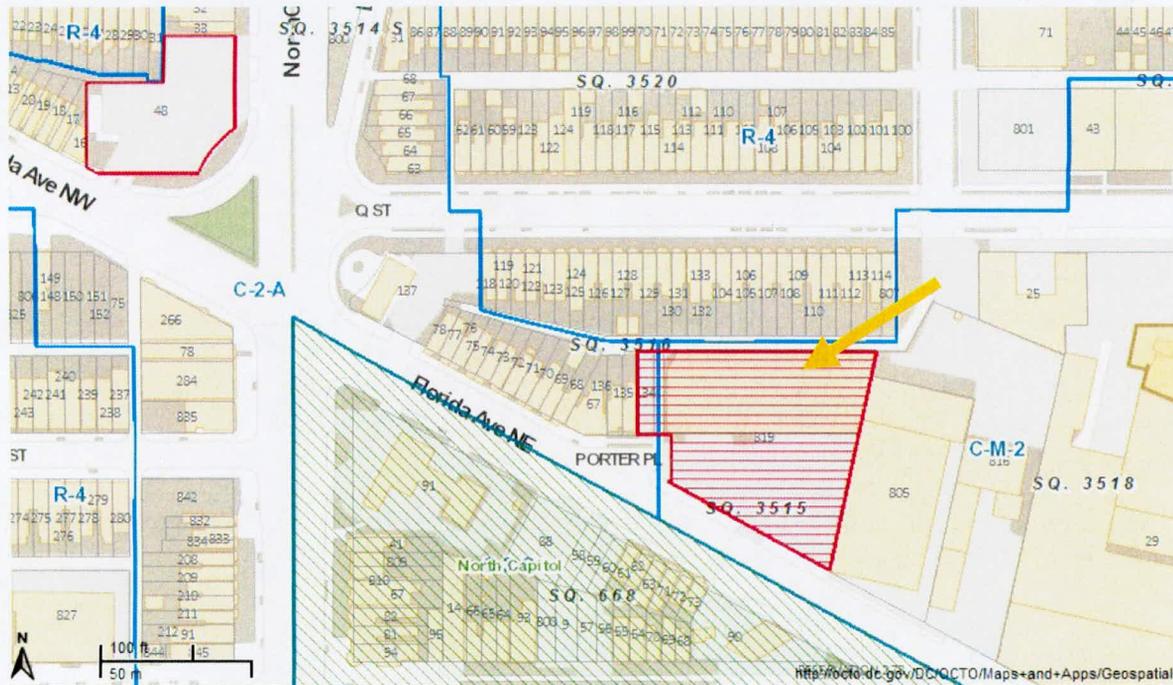
- additional site sections
- potential retail offerings
- location of affordable units
- traffic circulation
- storm water management
- sidewalk width
- details of rooftop activity and embellishments
- shadow studies
- landscaping and the courtyard
- the extent of the green roof system
- protection for the residence to the west of the site
- a construction management plan
- proposals to address blank walls on the facade

The applicant responded with revised architectural plans and elevations dated **April 19, 2013**. The highlights of the plan revisions include an increase in the number of on-site parking spaces, the reorientation of the residential courtyard, the rooftop embellishment, and elimination of the roof deck on the main roof and related public access, among others, outlined on pages 7 through 11 of the applicant's April 22, 2013 prehearing statement. These items are subsequently discussed in relevant sections of this report.

### III. SITE and AREA DESCRIPTION

The 42,223 square-foot parcel now known as 50 Florida Avenue consists of the combined lots of Lot 819 and Lot 134 in Square 3516. It is positioned on the northeast side of Florida Avenue, midway between North Capitol Street NE and Eckington Place NE and east of a remaining portion of what was originally known as

Porter Place, which has been closed. The square is currently split-zoned, comprised of row structures in the C-2-A district to the west of the site along Florida Avenue and industrially zoned properties in the C-M-2 district, east of the site. The portion of the site in the C-M-2 district is currently improved with a warehouse and surface parking lot. The square across Florida Avenue is within the C-3-C district and a TDR area in the NoMa district. The project is within the boundaries of ANC 5E.



Location and Zoning

**IV. PROPOSAL**

The current proposal consists of a related map amendment from the C-M-2 and C-2-A districts to C-3-B PUD to permit:

- A contemporary nine-story, mixed-use building at 71 % lot occupancy;
- FAR of 4.83, with a combined gross floor area of 203,887 square feet, including 196,029 square feet of residential space and 7,858 square feet dedicated to retail on the ground floor;
- A maximum height of 90 feet along Florida Avenue, stepping down to 70 feet and finally to 60 feet at the rear, facing the residential row homes north of the alley;
- 182 residential units with 16 IZ units (80% AMI) apportioned as follows:

Unit Type	#	IZ Units	IZ Units % of Total
One Bedroom Units	87 (48%)	10	5.5%
One Bedroom +Den	30 (16%)	-	
Two Bedroom Units	49 (27%)	6	3.3%
Two bedroom + Den	16 (9%)	-	
<b>Total</b>	<b>182</b>	<b>16</b>	<b>8.8%</b>

The eighth floor has been designed to be set back at least 30 feet from the sixth floor, which is 60 feet in height. A minimum of 210 residential parking spaces with 7 spaces for retail use would be provided in three levels below grade. Sixty-eight (68) bicycle spaces would be included in the first level below grade and additional bicycle racks would be installed above grade near to the garage entrance off Florida Avenue.

References to the design in this report are based on the applicant’s plans submitted to the record on **April 19, 2013** and the Supplemental Pre-hearing Submission dated June 21, 2013.

**V. COMPREHENSIVE PLAN AND PUBLIC POLICIES**

An evaluation standard for PUD’s requires that the proposed PUD is not inconsistent with the Comprehensive Plan and with other adopted public policies (§ 2403.4). The development proposal would further policies of the Comprehensive Plan’s Land Use, Housing Citywide Elements and Mid-City Area elements.

**Land Use Element**

**Policy LU-1.3.5: Edge Conditions Around Transit Stations** Ensure that development adjacent to Metrorail stations is planned and designed to respect the character, scale, and integrity of adjacent neighborhoods. For stations that are located within or close to low density areas, building heights should “step down” as needed to avoid dramatic contrasts in height and scale between the station area and nearby residential streets and yards. 306.14

**Policy LU-1.4.2: Long-Term Vacant Sites** Facilitate the reuse of vacant lots that have historically been difficult to develop due to infrastructure or access problems, inadequate lot dimensions, fragmented or absentee ownership, or other constraints. Explore lot consolidation, acquisition, and other measures which would address these constraints. 307.6

The proposed mixed use development would enable future residents to capitalize on the location’s proximity to several transit options, and would help to address the District’s housing demand. It would also help to enliven and transform this section of Florida Avenue between North Capitol Street and New York Avenue, as a complement to the recent development in the NoMa district and on New York Avenue.

**Housing Element**

**Policy H-1.1.1: Private Sector Support** Encourage the private sector to provide new housing to meet the needs of present and future District residents at locations consistent with District land use policies and objectives. 503.2

**Policy H-1.1.4: Mixed Use Development** Promote mixed use development, including housing, on commercially zoned land, particularly in neighborhood commercial centers, along Main Street mixed use corridors, and around appropriate Metrorail stations. 503.5

The C-M-2 industrial zone would not permit housing as a matter-of-right. The proposal would add 182 residential units along a mixed use corridor consistent with the policies of the Housing Element.

**Urban Design**

**Policy UD-2.2.4: Transitions in Building Intensity** Establish gradual transitions between large-scale and small-scale development. The relationship between taller, more visually prominent buildings and lower, smaller buildings (such as single family or row houses) can be made more pleasing when the transition is gradual rather than abrupt. The relationship can be further improved by designing larger buildings to reduce their apparent size and recessing the upper floors of the building to relate to the lower scale of the surrounding neighborhood.

**Policy UD-2.2.5: Creating Attractive Facades** Create visual interest through well-designed building facades, storefront windows, and attractive signage and lighting. Avoid monolithic or box-like building forms, or long blank walls which detract from the human quality of the street. 910.12

**Policy UD-2.2.7: Infill Development** Regardless of neighborhood identity, avoid overpowering contrasts of scale, height and density as infill development occurs. 910.15

**Policy UD-3.1.11: Private Sector Streetscape Improvements-** As appropriate and necessary, require streetscape improvements by the private sector in conjunction with development or renovation of adjacent properties. 913.18

The project’s design recognizes the nearby row dwellings to the north of the site, as it steps down from Florida Avenue at 90 feet, to 60.75, feet at the alley and the rear yards of the row dwellings to the north. Therefore, the contrasts are not dramatic between the different residential forms, and seem typical of current development in neighborhoods along Florida Avenue, H Street, and Georgia Avenue. The applicant is also committed to streetscape improvements consistent with current District standards.

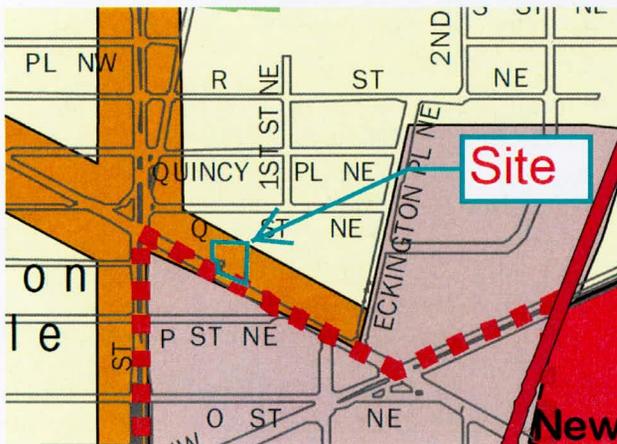
**MidCity Area Element**

The property is located in the MidCity area and the area around North Capitol Street, New York Avenue and Florida Avenue intersections provides the commercial center for the surrounding neighborhoods of Bloomingdale, Eckington and Truxton Circle.

**Policy MC-2.7.1: North Capitol/Florida Business District** - Upgrade the commercial district at Florida Avenue/North Capitol/New York Avenue, restoring vacant storefronts to active use and accommodating compatible neighborhood-serving infill development. 2017.4

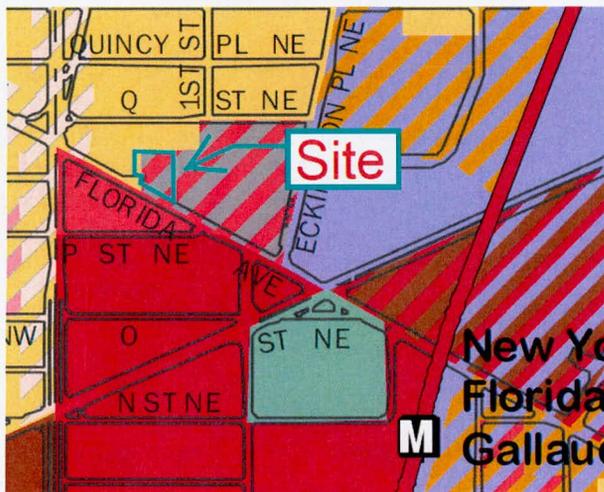
The proposal would redevelop a former ice making facility with permitted ground floor uses, which may be more appropriate in serving the current needs of the surrounding neighborhoods.

**B. Comprehensive Plan Generalized Policy Map**



The Generalized Policy Map locates the subject site within a main street mixed-use corridor. This type of corridor is a traditional commercial business corridor with a concentration of older storefronts along the street. Conservation and enhancement of these corridors is desired to foster economic and housing opportunities and serve neighborhood needs. Any development or redevelopment that occurs should support transit use and enhance the pedestrian environment.

**C. Future Land Use Map**



The map indicates that the property is within a mixed land use category of Medium Density Commercial and Production Distribution and Repair. The medium density category defines areas where development would not exceed 90 feet in height. This proposed map amendment to the C-3-B District and the proposed density are not inconsistent with this designation, while residential or mixed use developments are permitted and encouraged in most commercial areas.

**VI. ZONING**

The following table compares the matter of right standards of the underlying existing C-2-A and C-M-2 districts and the proposed C-3-B district, with the C-3-B/PUD proposed for the project as required by § 2403.11 (c).

Standard	C-2-A	C-M-2	C-3-B	C-3-B/PUD	Proposed
Area (sf.)	1,564	40,659	-	42,223	42,223
Height (ft.)	50	60	70	90	90
Lot Occupancy %	60%	N/A	100%	100%	71% (29,890 sf)
FAR residential/non res.	3.0 max/ 1.5 max	4.0 non res	5 (6 with IZ)/ 4.0 non res.	5.5/4.5	4.65/0.19 4.83
GFA (sf) residential/retail	-	-	-	-	196,029/7,858
Number of units	-	-	-	-	182
IZ	10 % of gfa of res. use	-	8% of gfa of res. uses (15,682)	8% of gfa of res. uses	16 units
<b>YARDS</b>					
Rear Yard (ft.):12 ft. min. or 2.5"/ft. ht	15'	13'	13'	13'	27'8"
Side Yard (ft.) (§775.5)	2"/ft ht (6ft. min)				
<b>COURTS</b>					
Court Width: 4"/ft. of ht, not < 15 ft.	24	2.5"/ft. ht. < 12ft= 15'	24	24	24.5'
<b>PARKING</b>					
Parking (spaces) residential	1 per 2	1 per 600 sf gfa	1 per 4 du	1 per 4 du	210
Parking (spaces) retail <b>in xs of 3,000 sf</b>	1 per 300 sf gfa	1 per 300 sf gfa	1 per 750 sf	1 per 750 sf	7
Bike (spaces) 5% req. retail		-	1	1	61 residential 6 retail
<b>LOADING</b>					
Loading berth residential (ft. deep)	1@ 55	-	1@ 55 1@ 30	1@ 55 1@ 30	1@30
Loading berth retail		1@ 55			<b>Flexibility requested</b>
Loading platform residential (sf)	1@ 200	-	1@ 200	1@ 200	1@200
Loading platform retail		1@200	1 @100	1@100	
Delivery space residential (ft. deep)	1 @ 20	-	1@ 20	1@ 20	1@ 20
Delivery space retail		1@20	1@20	1@20	None required
<b>ROOF STRUCTURE</b>					
Roof Structure (§770.6) 1:1 setback from exterior walls	Same	same	same	same	<b>10' 4" at open court Flexibility requested</b>

**FLEXIBILITY**

**Loading**

Section 2405.6, grants the Commission authority to reduce or increase the amount of loading or parking facilities depending on the uses and location of the project. The applicant intends to provide one 30-foot loading berth, and no 55-foot berth, as required. The retail component has been reduced by almost half from the original proposal and is anticipated to accommodate 2 to 5 retail tenants, with a minimum average square foot of approximately 1,600 square feet. The residential units are predominantly one-bedroom units, making up 64% of the unit type. The loading berth and delivery area are proposed to be shared by both the residential and retail tenants and the applicant has proposed management scheduling for move-ins and outs to generally occur during weekday off-peak periods and on weekends. The applicant's Traffic Study depicts inbound and out bound access from Florida Avenue for typical 20-foot and 30-foot delivery trucks, as requested by DDOT (Attachment J). OP supports the reduction in the loading facility, as requested, subject to DDOT's recommendation that there are right-in and right-out only access controls at the alley intersection, to mitigate congestion in this area.

**Roof Structure**

In the previous design, the project would have required flexibility from the one enclosure requirement (§ 411.3); the equal height of enclosing walls (§ 411.5); the FAR requirement of 0.37 for roof structures (§ 411.7) and the one-to-one setback requirement from exterior walls (§ 770.6).

The current design reoriented the building and only a small portion of the roof structure would be set back 10'-4" in lieu of 16 feet from the edge of the roof, as shown on the penthouse of the plans (A-09). As this minimal

difference is adjacent to the internal courtyard of the project, no adverse impact is anticipated on the surroundings.

The Commission expressed concern in the original design regarding details of the rooftop activity and related embellishments. The roof deck of the main roof and its related access has been eliminated in this design, which would reduce the potential for noise and light from the roof to the neighboring residences and enable a single roof structure for the mechanical penthouse and stair to the roof. Flexibility granted by the Commission would not circumvent the intent and purposes of the Regulations (§2400.4) OP supports this flexibility as requested.

#### Additional Flexibility

The applicant has listed additional items where flexibility might be warranted as the design is finalized prior to construction, including:

1. The requested range in the number of units, 182 units +/- 10%;
2. Location and design of interior components;
3. Number, location and arrangement of parking spaces and to provide one level of parking;
4. Variation in the number of LEED elements but not below 50 points;
5. Materials selection; and
6. Variation in the location and design of the ground floor components.

OP has no objections to granting flexibility to vary these items; as such minor changes are customary prior to construction and would not impact the material facts upon which approval may be granted to the project.

## **VI. PUD EVALUATION STANDARDS**

In order to maximize the use of the site consistent with the Zoning Regulations and be compatible with the surrounding community, the applicant is requesting that the proposal be reviewed as a consolidated PUD. The purpose and standards for Planned Unit Developments are outlined in 11 DCMR, Chapter 24.

§ 2400.1 states that a PUD is “designed to encourage high quality developments that provide public benefits.” This will allow the utilization of the flexibility stated in § 2400.2. The objectives of a PUD are to permit flexibility of development in return for the provision of superior public benefits, provided the PUD process is not used to circumvent the intent and purposes of the Zoning Regulations, or results in an action inconsistent with the Comprehensive Plan. Section 2403 outlines the standards under which the application is evaluated.

*“The impact of the project on the surrounding area and the operation of city services and facilities shall not be found to be unacceptable, but shall instead be found to be either favorable, capable of being mitigated, or acceptable given the quality of public benefits in the project.”*

The proposed development will be constructed on a site which served a former light industrial use. The development would add to the District’s housing stock and complement the revitalization of a vital intersection of major District arterials.

## **PUBLIC BENEFITS AND AMENITIES**

§ 2403.9 addresses the requirement for public benefits and amenities as follows:

*“Public benefits and project amenities of the proposed PUD may be exhibited and documented in any of the following or additional categories:*

### **Urban Design and Site Planning**

Formerly designed as a primarily contemporary glass structure, the building’s current design is composed of brick, metal and glass and its height and scale are more compatible with contemporary buildings within the neighborhood and other recent mixed-use buildings along the Florida Avenue and U Street corridors to the west, and NoMa to the east. The building would be 90 feet in height along Florida Avenue, step down to 70 feet at the

eight floor, and to 60 feet at the sixth floor at the rear. It also steps back four feet from the rear property line, which effectively widens the 16-foot wide alley to 20 feet. Elevation and section drawings of all sides of the building are provided (Sheet G-10). The elevations and perspectives clearly project the proposed development's height and bulk in relation to its surrounding structures. The building's reorientation provides some visual interest eastbound on Florida Avenue, as the residential courtyard, now located on the second floor faces west and affords more residential units sunlight for a longer period (A-26). The extensive blank walls on the east façade have been replaced with windows and masonry details. Terraces and patios are also included for residential recreation. The applicant produced a shadow study at the request of the Commission, which shows the extent to which the building's orientation may affect sunlight to the residences at the rear (A-32a and b (6/21/2013)). There is approximately 50 feet separation between the residences to the north and the subject property line. Minimal shadows are expected on properties to the north and west of the project site and would be similar to that produced from a matter-of-right building, 60 feet in height in the C-M-2 district. The applicant has provided a construction management plan to minimize any impacts on the community during the construction period.

### **Landscaping and Streetscape Design**

The ground floor plan has been revised to include an 8-foot 4 inches wide buffer area along the western property line to protect the townhome to the west. It includes a landscaped strip, bollards and a brick paved sidewalk (L-101), and the remainder adds to the increased width of the alley to 20 feet. An outdoor café seating area is proposed to activate this section of the street and screening would be provided to help define this area, while providing separation from the driveway to the garage. The streetscape design, including tree plantings would be continuous along the length of the property at the front, including a 7-foot clear pedestrian passage in accordance with the District's and NoMa regulations. No vault spaces are proposed in the public space. This addresses the Commission's concerns regarding the adequacy of the sidewalk width along Florida Avenue.

### **Transportation and Parking**

The site is irregularly shaped and abuts an accessible alley system, which has been effectively widened to facilitate ease of use of the loading areas and vehicular access to the building. A circulation plan is shown on sheet C-106. The applicant has shown that pedestrian crosswalks would be included near the alley entrance where none currently exists to facilitate pedestrian movement along the busy corridor. The alley would be effectively widened to 20 feet to support residential traffic and turn movements anticipated by increased vehicular movement through the alley. The applicant would improve the existing sidewalk condition adjacent to the site, including sizing and spacing according to DDOT's standards, by providing a 7-foot clear pedestrian passage, as required by the District.

On-site parking in excess of the requirements would be provided, although the North Capitol and Florida Avenue corridors are served by many Metrobus routes. The site is within walking distance to the New York Avenue Metro Station, and via Metrobus to the Green Line to the west (Shaw/Howard U. Metro Station) or the main transportation center at Union Station, to the south. The project would provide 61 residential bike spaces with 6 dedicated to retail tenants. Ten additional short-term bike racks would be placed along the alley (on the applicant's property). A one-time Capital Bikeshare annual membership fee for initial owners would be provided, along with car sharing membership, transit subsidies (one-time to initial owners) and a resident transportation coordinator to encourage non-vehicle transportation options. The applicant's traffic analysis concluded that the proposal would not have any appreciable adverse traffic impacts on the local area.

DDOT has indicated to OP that the large parking supply would not coincide with the low vehicle split presented in the traffic study, given the unfriendly pedestrian access to the Red Line's Metro Station from this location. DDOT would request that the applicant provide trip generation performance monitoring post completion of the project. DDOT's comments would be forthcoming at the public hearing regarding their concerns.

### **Housing**

The project would satisfy the IZ requirements, providing 16 units to residents at 80% AMI. The units' locations are shown on the plans (A-04 through A-08), as requested by the Commission.

**Green Elements**

The proposed development provides a number of environmental benefits and includes street tree planting and maintenance, landscaping, energy efficiency on site storm water management, and green engineering practices, including a 5,400 sf green roof. The utility plan (C-103) indicates the requested storm water structure, in combination with the green roof and permeable site surface would capture some, and reduce the rate of storm water flow into the city’s system, as desired.

The LEED checklist has been provided indicating that the project would be LEED Certified (46 points) (G-08).

**Public Benefits and Amenities**

Benefits and amenities evaluation are based on an assessment of the additional development gained:

Zone	Height	Existing/ M-O-R Density	Proposed Height and Density	Difference Height and Density (over m-o-r)
C-2-A (1,564sf)	50 ft	3.0 max for residential with IZ bonus 1.5 max for non res. use	None in the C-2-A portion of the site	N/A – area contributes to buffer and widening of alley width
C-M-2 (40,659 sf)	60 ft	4.0 FAR or 162,636 gsf Residential not permitted	90 feet ; 4.83 FAR 4.65 =196,029 gsf (res) 0.19 = 7,858 gsf (non res.)	30 ft. at Florida Ave, 0 - 10 ft. at rear 4.65 =196,029 gsf (res) 0.19 = 7,858 gsf (non res.)
C-3-B (PUD) (42,223sf)	90 ft	-	Overall site: <b>4.83 FAR (203,887sf)</b>	<b>0.83 FAR</b>

The C-M-2 district does not permit residential use as a matter-of-right. The project therefore would gain a maximum 30 feet in height, and would provide residential uses where none previously could exist as a matter-of-right. This provision of housing would be a benefit to the District as a whole. The following highlights the comparisons of the benefits/amenities as provided by the applicant and evaluated by OP:

Applicant’s Amenities/Benefits	Required	Mitigation	Public Benefit	Project Amenity	Proffer
New Housing			X	X	X
16 IZ units	X		X		
Environmental Benefits, including Green Roof		X	X	X	X
Contextual Arch/Urban Design	X		X		
Neighborhood retail			X	X	
Streetscape improvements			X	X	
Improved alley entrance, public sidewalk and alley widening (\$265K)		X	X	X	X
Pedestrian crosswalks		X	X	X	
More bicycle spaces than required (\$160K)			X	X	
Outdoor Bike racks			X	X	
One time Capital Bikeshare membership fee (\$75/unit)		X		X	X
One-time car-sharing membership fee (\$85/unit)		X		X	X
One-time SmartTrip card (\$50/ unit)		X		X	X
Heritage Trail Signs (\$220K)			X	X	X
Tree Box enclosures (\$65 K)			X	X	X
Construction Management Plan		X	X		

## **VII. AGENCY REFERRALS AND COMMENTS**

The application was referred for review and comment from:

- District Department of Transportation (DDOT);
- DC Water;
- District Department of the Environment (DDOE) and
- D.C. Fire and Emergency Management Systems (DCFEMS).

OP has submitted DC Water's comments to the record. DDOT's report would be submitted to the record. OP has not received comments from the other listed agencies to date.

## **VIII. COMMUNITY COMMENTS**

The applicant presented the most recent plans to the Eckington Civic Association on June 3, 2013 and the Advisory Neighborhood Commission 5E on June 18, 2013. The applicant also met with the Single Member District (SMD) on June 10<sup>th</sup>, 2013. The ANC voted to oppose the application subject to the vote of the Eckington Civic Association. The Eckington Civic Association will meet with the applicant on July 1, 2013. All comments would be submitted under separate cover and presented at the public hearing.

## **IX. CONCLUSION**

The proposed PUD is not inconsistent with the elements of the Comprehensive Plan and OP recommends the application be approved, subject to conditions DDOT may require to mitigate any potential impacts on traffic circulation in the vicinity of the site.

