

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF TRANSPORTATION



d. Policy, Planning, and Sustainability Administration

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Samuel Zimbabwe 
Associate Director

DATE: December 30, 2014

SUBJECT: **BZA Case No. 18891** – Florida Ave. and H Street NE

APPLICATION

14 & H, LLC (the “Applicant”) requests a parking variance pursuant to the off-street parking space requirements as well as variance from various other building component requirements to allow the construction of a new six-story apartment building with 28 residential units and retail space in the C-3-A District at premises 1401 Florida Avenue NE and 1402, 1404, 1406 and 1410 H Street NE (Square 1049N, Lots 5, 6, 802, 803, and 804) on the triangular parcel at the intersections of Florida Avenue, 14th Street, and H Street (the “Site”).

DDOT FINDINGS IN BRIEF

The purpose of DDOT’s review is to assess the impact of the proposed action on the District’s transportation network and, as necessary, propose appropriate mitigations. After review of the case materials submitted by the Applicant, DDOT finds:

- On-street parking utilization was not assessed, nor were details on nearby parking facilities provided;
- The Applicant has agreed to terms intended to restrict access to the District’s Residential Parking Permit (RPP) program, however, this agreement may not be a strictly enforceable condition by the District;
- A robust network of pedestrian, bicycle, and transit infrastructure exists in close proximity to the proposed development;
- The Applicant proposes a basic Transportation Demand Management (TDM) plan, which may not be adequate to abate this action and further promote the use of non-auto travel options; and
- Although not part of this zoning action, the Applicant has not adequately designed for nor addressed loading needs. Further, revisions to the public space design are also necessary. As currently proposed, the public space permit would not be approved by DDOT.

Board of Zoning Adjustment
District of Columbia

RECOMMENDATIONS

In light of the lack of information provided by the Applicant, DDOT cannot yet support the variances proposed, though DDOT may not object to any level of parking variance sought contingent upon the proposal documenting conditions fully and finding impacts will not be adverse. However, DDOT has significant concerns regarding the design of the loading facilities and the public space that could lead to the denial of a public space permit. DDOT recommends the following:

- A proposal for loading should be submitted for DDOT review. The failure to outline loading plans results in a lack of clarity for this building's ability to function and the potential for additional zoning action(s) not identified in this action.
- A parking utilization survey should be completed as part of a full Comprehensive Transportation Review (CTR) following the appropriate CTR scoping process.
- The public space design should be adjusted to comply with DDOT standards, policy, and practice regarding sidewalk café layout, tree placement, bike parking, sidewalks, utility vault locations, and public parking areas.
- Additional TDM elements may be needed to further the reduction in anticipated auto use. Commitment to an appropriate TDM program will lead to lower levels of auto use and less need for vehicular parking. Based on the need for a robust TDM program, the following TDM conditions may become necessary:
 - Extension of the Capital Bikeshare and carsharing membership amenities to at least five years and for future residents either owning or renting.
 - Installation of a TransitScreen in the residential lobby to help inform residents of local available transportation choices.
 - Provision of a bicycle repair facility within or adjacent to the long-term bicycle storage area.
 - Commitment to installation of at least 20 short-term bicycle parking spaces within public space.

CONTINUED COORDINATION

Given the proposed development and action and these recommendations, the Applicant is expected to continue to work with DDOT on the following matters:

- A loading concept with preliminary design, which meets DDOT standards and includes no back-in movements across public space and a loading management plan. Through the redesign of the loading facilities, additional zoning action(s) may become necessary;
- Public space, including café layout, curb and gutter, street trees and landscaping, street lights, sidewalks, bike parking, and other features within the public rights of way, are expected to be designed and built or maintained to DDOT standards;
- All utility vaults are expected to be accommodated on private property;
- Greater specificity as to the design of the long-term bicycle parking;
- A curbside management plan, including the assignment of the loading zone and metered spaces, depending on the proposed loading solution; and
- Streetcar is soon to open in this corridor, which could impact building operations and other development elements. Construction and MOT should be closely coordinated with DDOT.

ANALYSIS

DDOT is committed to achieving an exceptional quality of life in the nation's capital by encouraging sustainable travel practices, constructing safer streets, and providing outstanding access to goods and services. As one means to achieve this vision, DDOT works through the zoning process to ensure that

impacts from new developments are manageable within, and take advantage of, the District's multimodal transportation network.

Accordingly, an Applicant is expected to show the existing conditions for each transportation mode affected, the proposed impact on the respective network and any proposed mitigations, along with the effects of the mitigations on other travel modes. A CTR should be performed according to DDOT direction. Here, however, the Applicant did not coordinate on an agreed-upon scope for the CTR in a timely fashion, nor did they follow standard scoping procedure for their transportation review. A basic transportation scoping document was submitted on December 19, which is not consistent with the typical timeline for this review, and no CTR was submitted. Based on information DDOT was able to glean, an outline of this project's impacts follows below. The proposed Site plan is shown in *Figure 1*.

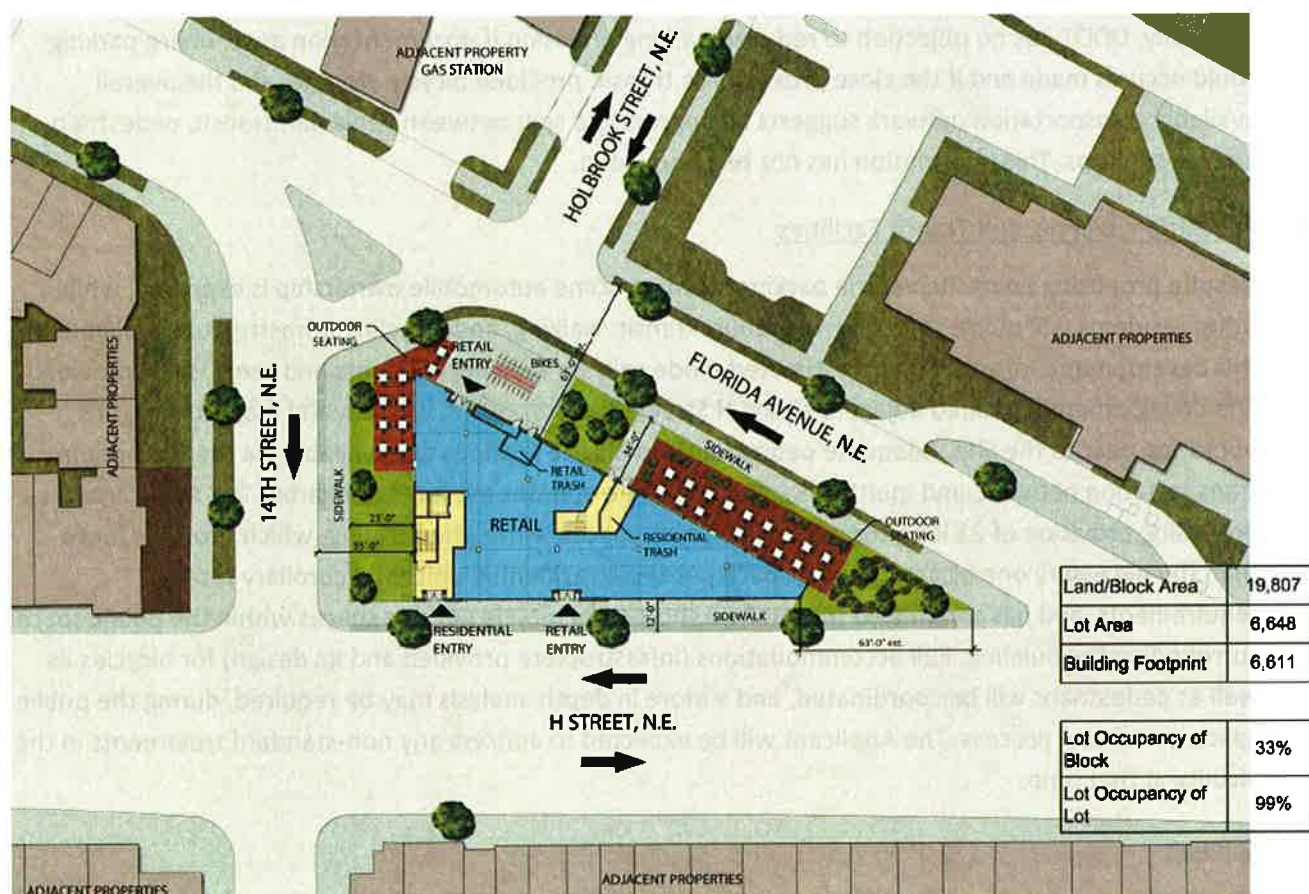


Figure 1. Proposed Site Plan (Source: Applicant)

Vehicle Parking

The proposed building requires 21 parking spaces. Due to the triangular Site, the development as designed requests a waiver from the requirement for onsite vehicular parking. The Applicant did not provide existing parking utilization information for an appropriate parking study area, but did agree to terms intended to restrict access to the District's Residential Parking Permit (RPP) program. They also did share a list of nearby garages where parking might be available, as shown in *Figure 2*, but the number of available spaces is not provided. Without further information, DDOT cannot ascertain whether these garages are appropriate or could be made available. The first location listed is not yet

complete and DDOT is unaware of the details on the second. The latter three are located too far from this proposal to be considered appropriate parking locations for this building.

Private Pay Parking in Surrounding Area

The following parking garages and parking lots are located near the Property:

1. 1350 Maryland Avenue, NE, Washington, D.C. 20002 (0.1 miles)
2. 1250 H street, NE, Washington, D.C. 20002 (0.2 miles)
3. Nation Parking, 700 2nd Street Northeast, Washington, D.C. 20002 (1.2 miles)
4. Nation Parking, 600 2nd Street Northeast, Washington, D.C. 20002 (1.3 miles)
5. Union Station, 30 Massachusetts Ave Northeast, Washington, D.C. 20002 (1.3 miles)

Figure 2. Nearby Parking Garages/Lots (Source: Applicant)

Generally, DDOT has no objection to reduced parking provision if documentation as to where parking could occur is made and if the close proximity to transit, provided bicycle storage, and the overall available transportation network suggests an appropriate split between vehicular, transit, pedestrian, and bicycle trips. This information has not been provided.

Pedestrian, Bicycle, and Transit Facilities

Despite proposing no onsite vehicle parking facilities, some automobile ownership is expected, while other residents will utilize the relatively robust transit, walking, and bicycling infrastructure available to this development. Information on estimated mode split for building residents and users is not provided. The development is located adjacent to the H Street Streetcar route, with several major bus routes operating near to the Site. Adequate pedestrian and bicycle facilities are available via the surrounding transportation network, and multiple Capital Bikeshare stations are located nearby. The Applicant is proposing provision of 21 long-term bicycle parking spaces within the building, which provides more than the necessary one bicycle parking space per three residential units and corollary retail requirements, and has committed to install 20 short-term bicycle parking spaces within the public space surrounding the building. Full accommodations (infrastructure provided and its design) for bicycles as well as pedestrians will be coordinated, and a more in depth analysis may be required, during the public space permitting process. The Applicant will be expected to address any non-standard treatments in the vicinity at that time.

Loading

DDOT's practice is to accommodate vehicle loading in a safe and efficient manner, while at the same time preserving safety across non-vehicle mode areas and limiting any hindrance to traffic operations. For new developments, DDOT standards require that loading take place in private space and that no back-up maneuvers occur in the public realm. This often results in loading being accessed through an alley network. While not part of this zoning action, a workable loading concept is expected to show this building can be later permitted as part of the public space permitting process. Here, however, the Site is bound by the street network, none of which are appropriate for loading. Both 14th Street and Florida Avenue currently have lanes of vehicular travel immediately adjacent to the property. And while H Street has a parking lane, streetcar service at this location does not allow for loading activities to occur as the parking lane is too narrow to allow truck parking without interference with streetcar operations.

Based on the anticipated restaurant or retail use as well as the residential component of this project, without an identified loading solution the building could not function. As part of this zoning review a loading management plan should be included. Again, while loading is not required for this development, the building's function appears to require it.

One potential loading solution was submitted by the Applicant, however it features back-in movements from Florida Avenue, a principle arterial, and delivery vehicles parking within public space, and as such would not be permitted by DDOT. Another solution, whereby a new parking lane on Florida Avenue could be created and utilized by the project for loading, as well as adding some vehicular parking spaces, was discussed with the Applicant. But no corollary plans were submitted, nor was there the commitment to this solution.

DDOT expects the Applicant to comply with DDOT's standards for loading, the design of which will be addressed as part of the permitting process for this property. Loading can potentially be accomplished in a safe manner with a better design and planning. Thus, DDOT will need an updated design that accommodates an appropriate loading area that meets current standards.

Transportation Demand Management (TDM)

The Applicant proposes the following elements amongst their TDM measures:

- "The Applicant will include in its condominium declaration and bylaws a provision that prohibits unit owners or their tenants from obtaining a Residential Parking Permit ("RPP") or Visitor Parking Pass ("VPP") at the building from the D.C [sic] Department of Motor Vehicles ("DMV") for the life of the project. The bylaws will include consent and authorization to the Condominium Board to police and enforce this prohibition;
- The Applicant will record a covenant against the Property among the Land Records of the District of Columbia prohibiting any lessee or owner of the Property from obtaining an RPP or VPP at the building approved by this BZA Order for the life of the project;
- The Applicant will provide the first occupant of each residential unit a \$100 car sharing membership, or a \$150 Capital Bikeshare membership, or a \$200 Smart Trip card; and
- The Applicant will provide more than the required number of bicycle parking spaces in a covered and secure location within the building."

These TDM measures, if implemented as planned, will encourage the use of alternative modes of transportation. However, the Applicant is proposing a Residential Permit Parking (RPP) restriction, which is not a strictly enforceable condition by the District and therefore the restriction may not realize its intended outcome. Therefore, while DDOT is generally supportive of the Applicant's proposed measures, additional elements may be needed for support, as follows:

- Extension of the Capital Bikeshare and carsharing membership amenities to at least five years and for future residents either owning or renting. Additionally, do not specify the dollar amount, and make the provision for the annual membership rates. The SmarTrip card benefit need not be extended. If a unit rental is occurring, and lease duration is shorter than one year, the memberships in the bikeshare and car share program may be reduced to match the duration of the lease.
- Installation of a TransitScreen in the residential lobby to help inform residents of local available transportation choices.
- Provision of a bicycle repair facility (a basic fix-it station with tools and air pump securely attached to a stand that includes all the tools necessary to perform basic repairs and

maintenance, from changing a flat to adjusting brakes and derailleurs) within or adjacent to the long-term bicycle storage area.

- Commitment to installation of at least 20 short-term bicycle parking spaces (ten racks) within public space.

Streetscape and Public Realm

In line with District policy and practice, any substantial new building development or renovation is expected to rehabilitate streetscape infrastructure between the curb and the property lines. This includes curb and gutters, street trees and landscaping, street lights, sidewalks, and other appropriate features within the public rights of way bordering the Site.

The Applicant must work closely with DDOT and the Office of Planning to ensure that the design of the public realm meets current standards and will substantially upgrade the appearance and functionality of the streetscape for public users needing to access the property or circulate around it. In conjunction with the District of Columbia Municipal Regulations, DDOT's *Design and Engineering Manual* will serve as the main public realm references for the Applicant. As such, all public space shall be designed and constructed to DDOT standards. Additionally, streetcar is soon to open in this corridor, which could impact building operations and other development elements. Construction and MOT should be closely coordinated with DDOT.

DDOT's lack of objection or discussion of other public space elements as part of the zoning variance should not be viewed as an approval of public space elements. Final design of the public space will be determined during DDOT's public space permitting process.

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