

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING



Office of the Director

SUPPLEMENTAL REPORT

TO: District of Columbia Zoning Commission
FROM: *LSG*
Ellen McCarthy, Director, Office of Planning
DATE: March 20, 2006
SUBJECT: Setdown Report for ZC Case Number 04-36
Dorchester Apartments (Ward 1, Sq. 2572, lots 815 & 816)
Application for a Consolidated Planned Unit Development and Map Amendment

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I. RECOMMENDED ACTION

OP recommends that the Zoning Commission approve Case #04-36, Dorchester Apartments expansion on 17th Street NW, for a Consolidated PUD review and zoning map amendment from R-5-B to R-5-D, subject to the resolution of specific details regarding the proffered amenity package; but that the Zoning Commission not approve the request for relief from rear yard setback, which is the functional frontage for the proposed new construction.

II. BACKGROUND

Dorchester House Associates, LLC and Kalorama West, LLC have submitted a PUD and map amendment application to permit the construction of a new 6 to 8 story addition to be the existing Dorchester Apartment building. The applicant is also requesting a map amendment from R-5-B to R-5-D for the portion of the site on which the addition sits. The addition would be located over the existing surface parking adjacent to 17th Street NW, to the rear of the existing building, and would have a height of 58.6 feet adjacent to the street and 78 feet behind.

Originally, the application was for the construction of a second building on the subject lot, and at its March 14, 2005 meeting, the Zoning Commission set down the application for a public hearing. Subsequent to set down, it was determined that the Height Act would limit the height of a new building fronting onto 17th Street to 50 feet maximum, as this section of 17th Street has a right of way width of only 50'. The applicant submitted a pre-hearing statement (July, 2005) showing a trellis connection between the two buildings, which has in the past been interpreted as a connection permitting two structures to be considered one and to allow height to be measured from, in this case, 16th Street NW.

The Commission reconsidered setdown at its September 15, 2005 meeting, and expressed concern about the extent and nature of the connection. The Commission agreed to set down the proposal with two alternatives - that the applicant either provide a meaningful connection between the two buildings, or that the applicant provide no connection but request relief for having more than one building on the lot and adjust the height accordingly. The applicant subsequently submitted a supplemental pre-hearing statement (January, 2006) with a more substantial connection, and has amended the application to remove the request for relief to allow more than one building on a lot.

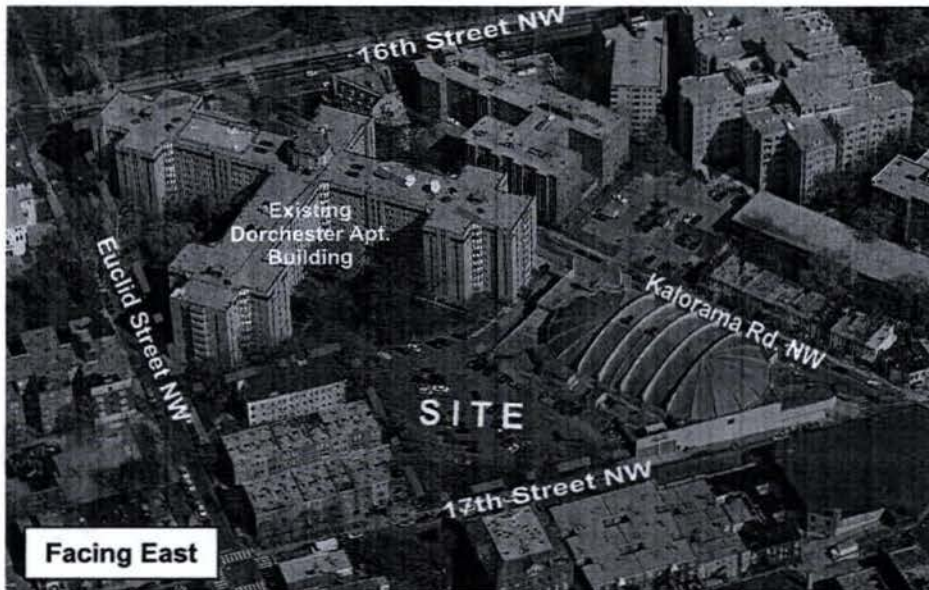
The amenity package proffered by the applicant has not changed significantly from that proposed as part of the original application, although the latest submission from the applicant provides some additional detail.

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ZONING COMMISSION
District of Columbia
CASE NO. 04-36
EXHIBIT NO. 50

III. SITE – See Site Map, Appendix I

The subject site is located in Square 2572, which, in addition to the subject property, contains a vacant arena (subject of a separate application to permit its conversion for use as a grocery store) and low to moderate rise residential buildings. Meridian Hill Park is located across 16th Street NW from the site. There is a mixture of low to high-rise residential development in the neighborhood, with most of the commercial development along 18th Street to the west, in Adams Morgan. In recent years, many infill residential projects have been constructed in the neighborhood.



The subject property is just over 3.5 acres in size, and is currently developed with a large high-rise apartment building with 394 units, fronting onto 16th Street NW. Parking access is from Kalorama Road, to a surface parking lot along 17th Street NW.

IV. PROPOSAL

The original application was for the construction of a detached apartment building to the rear of the existing one. The application has since been amended to provide a more substantial connection between the new and existing construction, to render the new construction an “addition” rather than a separate structure. The addition would be 5 - 6 stories in height (58.6 feet) along 17th Street, and 8 stories (78 feet) further back onto the site, while the applicant advises that the connection would be two stories in height. The addition would contain 145- 151 residential units, of which 5 would be located as part of the connecting way through the courtyard. Two levels of underground parking would be provided; one level accessed from 17th Street would be for the new development, while the other level accessed from Kalorama Road would replace the surface parking for the existing Dorchester Apartment. Main access to the addition would be from 17th Street, although there would be an internal, enclosed connection through the existing building from 16th Street as well.

V. COMPREHENSIVE PLAN

As noted in the OP set-down report dated March 4, 2005, the proposal would further a number of major themes of the Comprehensive Plan, as outlined and detailed in **Chapter 1 - General Provisions Element:**

- (a) *Stabilizing and improving the District's neighborhoods* – The proposed development would replace a surface parking lot and add a residential face to this section of 17th Street NW.
- (e) *Respecting and improving the physical character of the District* – The project is designed to step down towards 17th Street, to be within the PUD permitted height for the existing zone along the

street. The project further steps down towards the lower residential building to the north. However, there is a feeling in the community that the proposed height is not appropriate to this narrow street.

- (i) *Promoting enhanced public safety* – The provision of new residential development help make 17th Street NW a more pedestrian friendly and safe street. Additional improvements to the relationship between 17th Street and the building are suggested in the OP report below.
- (j) *Providing for diversity and overall social responsibilities* – The applicant is proposing the provision of 30 “workforce” level affordable units, a significant contribution to the District’s affordable housing supply.

The march 4, 2005 OP report also notes specific sections of the Comprehensive Plan which are of relevance to this application, including ones related to Housing, Urban Design and Land Use, as well as goals and objectives for Ward 1 which the proposal would further.

VI. COMPREHESIVE PLAN GENERALIZED LAND USE MAP

The Comprehensive Plan Generalized Land Use Map designates the site as moderate and medium density residential. At an overall density of 3.78, the proposal is not inconsistent with these designations.

VII. ZONING ISSUES – refer also to Project Profile, Attachment II

The site is currently zoned R-5-D along 16th Street, and R-5-B along 17th Street. As part of this proposal, the applicant is requesting a related rezoning of the R-5-B portion so that the entire site would be zoned R-5-D. The project is designed to conform to the PUD permitted height for the R-5-B zone along the street, and would be within the permitted FAR for the requested R-5-D zone district. The site is adjacent to but not within the Reed-Cooke Overlay District.

In response to Zoning Commission comments made at set down, the applicant amended the proposal to provide a more “substantial” connection between the existing and new construction. The 2 story connection now consists of an enclosed hallway connecting public spaces in the existing building to public spaces in the new construction, access to the landscaped courtyard, and 5 new residential units. Although the scale of the connection is small compared to both the existing construction and the new wing, it appears to constitute a substantial and meaningful connection. The applicant has now identified the following relief required from zoning regulations:

- The request for relief from number of buildings has been eliminated, as there would only be one building on the lot.
- Roof Structures. In addition to roof structures on the existing building, the addition would have two roof structures, one stairwell and the mechanical penthouse. Relief is required for number of enclosures, setback, and penthouse walls of unequal height. OP has no concerns with this relief – the penthouse structures are sited and designed such that there should be minimal impact on adjacent properties or the streetscape.
- Rear yard. The connection results in a requirement for a 30 foot rear yard setback (4” / foot of building height) along 17th Street. The proposal provides 25 feet, measured from the centerline of 17th Street in accordance with the zoning regulations, although there is some building articulation along the 17th Street façade that provides additional setback in places. Although an additional 5 feet of setback does not seem like a large amount, OP does not support this relief request. The additional setback would, in combination with the façade articulation already proposed, be more in character with the remainder of

the street and would provide opportunities for additional sidewalk space or landscaping along the sidewalk. OP had also discussed, with the applicant, the possibility of providing direct access from ground level units to the street, which would be in character with the prevailing row house character of the area. The additional setback may facilitate this option by providing sufficient space for the necessary entry stairs and landings. OP further notes that there appears to be more than sufficient space at the center of the lot to permit the setback without negatively impacting residences in the existing building.

- **Parking and Aisle Width.** Although the project provides more parking than required under the regulations, most spaces are 8.5' X 18", slightly smaller than the zoning regulation requirement of 9' X 19'. The drawings do not note which parking level aisles are less than the required 20 feet in width, but the aisles appear to be designed to be functional. OP has no concern with these requests for relief.

OP further notes that the proposal includes the provision of two loading areas, whereas the zoning regulations require only one for the building. OP would not be opposed to the removal of the loading area on 17th Street, which would reduce the number of curb cuts, make pedestrian movement – and possibly vehicular movement – easier and safer, and could permit additional residential development along the street where the loading area is currently shown, provided that the single loading area is considered sufficient for this building.

VIII. PURPOSE OF AND STANDARDS FOR A PLANNED UNIT DEVELOPMENT

The purpose and standards for Planned Unit Developments are outlined in 11 DCMR, Chapter 24. The PUD process is *"designed to encourage high quality developments that provide public benefits."* Through the flexibility of the PUD process, a development that provides amenity to the surrounding neighborhood can be achieved. Pursuant to Section 2402.3, the applicant has elected to file a consolidated PUD.

The application meets the minimum area requirements of Section 2401.1 (c) to request a PUD for either the R-5-B or R-5-D zones, as the subject PUD site area is over 3.5 acres in size. The PUD standards state that the *"impact of the project on the surrounding area and upon the operations of city services and facilities shall not 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."* (§2403.3)

Based on the information provided, OP believes that the project will not have an unacceptable impact on the neighborhood and the District as a whole, although minor design changes as noted throughout this report would further reduce potential negative streetscape impacts.

IX. PUBLIC BENEFITS AND AMENITIES

Sections 2403.5 - 2403.13 discuss the definition and evaluation of public benefits and amenities. In its review of a PUD application, §2403.8 of the Zoning Regulations states that *"the Commission shall judge, balance, and reconcile the relative value of the project amenities and public benefits offered, the degree of development incentives requested, and any potential adverse effects according to the specific circumstances of the case"*. To assist in the evaluation, the applicant is required to describe amenities and benefits, and to *"show how the public benefits offered are superior in quality and quantity to typical development of the type proposed..."* (§2403.12).

Amenity package evaluation is based on an assessment of the additional development gained through the application process. Additional development, in this case, is based on permitted height and density on the existing split zoned site, compared to the height and density proposed: The additional FAR to be gained through this process is slightly greater than 100,000 sq.ft.

	R-5-B	R-5-D	Proposed
Max Height	50' max.	90' max.	57'8" on 17 th St.; 78' behind
Max. FAR	1.8	3.5	3.78
Max. Square Footage:	496,378 sq.ft.		597,974 sq.ft. total
Difference:			101,596 sq.ft.

The amenity package as proffered by the applicant includes:

- **Affordable Housing:** The provision of affordable or subsidized housing is now a common amenity item for PUD applications. An amount of approximately 15 - 20% of the density gained through the PUD / rezoning process is standard. The applicant is proffering 30% of bonus density, equivalent to about 30,500 sq.ft. or about 30 units. The applicant has committed that the affordable units will be dispersed throughout the new and existing building, will be of a size and level of finishing which reflects the market rate housing; and will be targeted to residents making 80% of the Washington AML. The applicant has also assured that the new affordable units will be in addition to existing rent controlled units in the existing building. OP is supportive of this amenity item.

The applicant has also proffered a contribution of \$100,000 to Jubilee Housing's efforts to restore its residential property on 17th Street. The applicant has noted to OP that this contribution will be used to assist with a Jubilee Housing capital campaign, to renovate seven Jubilee owned buildings. The contribution will be made upon issuance of a building permit for the project. OP recommends that this contribution be specifically earmarked for improvements to Jubilee Housing located on 17th Street NW.

- **Urban Design and Site Planning:** OP is supportive in concept of the design and site planning. It will be of benefit to the neighborhood and the streetscape to replace the surface parking area with housing. The upper story step back of 28 feet will lessen the visual impact of the uppermost portion of the proposal as seen from the street. The combination of proposed façade articulation and a slightly larger setback would provide more opportunity for landscaping and a wider pedestrian way along this side of 17th Street.
- **Vehicular and Pedestrian Access:** The applicant's Traffic Impact Analysis notes that the proposal will not have a noticeable affect on the operation of nearby intersections, and that proposed parking would be sufficient. The applicant also notes the DDOT initiatives to make both Kalorama Road and 17th Street one-way, and to add a traffic signal at the intersection of 16th Street and Kalorama Road will mitigate adverse traffic impacts that the subject project may have, but has not proffered any contribution towards this initiative. OP requested District Department of Transportation comments, but had not received them as of the date of drafting this report. The applicant has also advised OP that they will provide three dedicated Zip Car/Flex Car spaces, as well as bicycle parking storage spaces within the parking garage.

With regards to pedestrian access, OP concurs with the applicant that providing development where there is currently a chain-linked parking garage will provide for a safer and more pedestrian friendly streetscape along 17th Street. Providing the additional 5' of setback by complying with the technical rear yard requirement, and moving or removing the second loading facility would further this improvement. The applicant also notes that they will provide benches along 17th Street, which OP supports subject to Public Space Committee approval of the location and design if they are to be located on public space.

- **Environmental:** As noted by the applicant, the proposal will reduce the amount of impervious surface, through the replacement of paved surface parking with landscaped courtyard and new building with a green roof. Although the applicant is not proffering LEED certification for the building, they are also proposing a number of construction and material related environmental initiatives, which OP supports.

- **Revenue:** The applicant notes that the development will add tax revenue to the District.
- **First Source Employment:** The applicant has agreed to enter into the necessary agreements with the Department of Employment Services First Source Employment Program.
- **Local Business Opportunities:** The applicant has agreed to enter into a Memorandum of Understanding with the Local Business Opportunity Commission to utilize local business enterprises.
- The applicant is also proposing a “*significant contribution Washington Parks and People ... to be used for renovations and restoration of Meridian Hill Park*”. The contribution will consist of \$20 per residential unit per year for a period of 20 years for the new units as well as for the units in the existing building, amounting to about \$218,000 over the course of 20 years. The first contribution would be made prior to issuance of a building permit for the new construction. The applicant has in past years contributed over \$100,000 to this organization.

X. ANC / COMMUNITY

The applicant advised that they attended ANC 1C, Reed-Cooke Neighborhood Association, and other community meetings. OP also attended a number of neighborhood meetings and met with individuals from the community. Generally, opposition to the proposal was expressed, mainly with regards to the proposed height as being inappropriate for this street given the width of the street (50 feet) and the height of other buildings in the area. A preference for a by-right development (50 feet in height maximum), even if this means a loss of amenities such as affordable housing and a loss of design review, was expressed. For reference, a map showing the approximate heights (above sea level) of grade, the proposal, and other buildings on the block is attached (Attachment III).

XI. AGENCY PRELIMINARY COMMENTS AND REFERRALS

As of the date of this report, OP had received comments from the Department of Employment Services (DOES), which supports the applicant’s commitment to execute a First Source Employment Agreement.

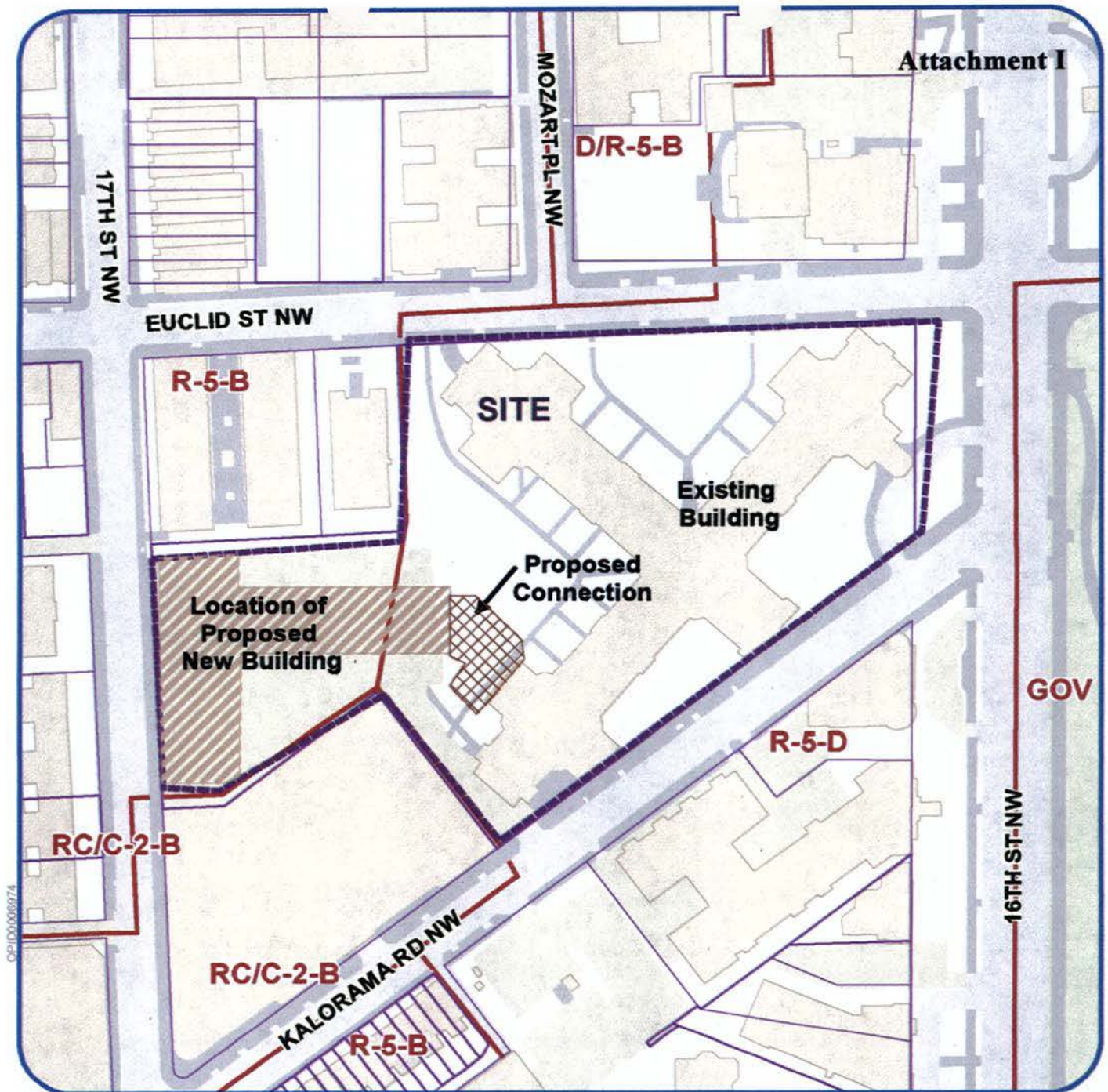
XII. OP RECOMMENDATION

The revised proposal would be of high quality and the use would be in character with the neighborhood. The proposal is generally consistent with the Comprehensive Plan and the Generalized Land Use Map, and generally consistent with the intent of zoning regulations. OP recommends approval of this proposal, but rejection of the rear yard setback relief provided that 17th Street façade articulation is maintained but set further back from the property line.

EM/jl

ATTACHMENTS:

- I. Site Plan
- II. Revised Project Profile
- III. Approximate Elevations



ZC Case 04-36, Dorchester Apartments SITE PLAN

Legend

	Tax Lots
	Zoning Districts
	Buildings
	Alleys and Parking

★ ★ ★ Government of the
District of Columbia
Anthony A. Williams, Mayor

Office of Planning ~ August, 2005

This map was created for planning
purposes from a variety of sources.
It is neither a survey nor a legal document.
Information provided by other agencies
should be verified with them where appropriate.



1:1,400

Standard	Existing Zoning	Proposed Zoning	Proposed Development	
			New ¹	Total ¹
Zoning:	R-5-B	R-5-D		
Use:	Moderate density apartment	Medium – high density apartment		Medium – high density apartment
Height: (§§400.1, 2405.1)	50' max. 60' with PUD	90' max. 90' with PUD	57'8" on 17 th ; 78 ft. behind	90' (assumed height of existing)
Stories:	not prescribed	not prescribed	8	
Lot Area: (§401.3)	33,616 sq.ft.	124,534 sq.ft.		158,150 sq.ft.
# buildings / lot:	1		addition	1
Floor Area Ratio: (§§402.4, 2405.2)	1.8 max. 3.0 PUD max.	3.5 max. 4.5 PUD max.	1.47	3.78
Square Footage:	496,378 sq.ft. sq.ft 661,251 sq.ft. PUD		182,510	597,974
Unit Count:	394		145 - 151	539 - 545
Lot Occupancy: (§403.2)	60%	75%	16%	46.5%
Rear Yard Setback: (§404.1)	4" / ft. of height; 15' min. if provided = 30' min.		25' ²	Relief requested
Side Yard Setback: (§405.6)	not required		none	conforming
Courts: (§406)	as per zoning regulations		undefined	Assume conforming
Roof Structure:				
No. enclosures §411.3):	1 max		> 1	Relief requested
Height (§400.7c.):	18.5 ft. max		10'; 18.5 ft. ft.	Conforming
Setback (§400.7b.):	= to height = 10' / 18.5' ft. min.		12.1' / 16.7'	Relief requested
Wall Height (§411.5)	must be of equal height		10 – 18.5 ft.	Relief requested
Area (§411.7)	.37 FAR max.		not provided	assumed conforming ³
Parking: (§2101.1)	1 / 3 units = 182 max. ⁴		96	299 ⁵
Aisle Width: (§2117.5)	20' min.		Not provided	to be determined
Stall size: (§2115.1)	Standard = 19' X 9' min. (§2115.1); Compact = 8' X 16' min. (§2115.3);		standard = 8.5'X18'; compact = 8'X16/18'	Relief requested for size of stall
Small Car Spaces:	40% max. (§2115.2)			Relief requested
Loading: (§2201.1)				
Loading berths:	1 @ 55' deep		1	2 total
Loading platform:	1 @ 200 sq.ft.		tbd	appears conforming

¹ Information provided by applicant.

² Measured from centerline of street, results in a need for a 5' setback along property line.

³ Area of roof structure(s) for existing building is unknown.

⁴ 48 - 50 for the new building and 131 for the existing building are required.

⁵ Plus 8 tandem spaces

Legend

- × Rooftop Elevations
- × Grade Elevations
- Elevation Contours - 5m

Office of Planning ~ March, 2006

1:1,700

Note: All elevations are in feet above sea level and are approximate only