

GOVERNMENT OF THE DISTRICT OF COL BIA  
OFFICE OF PLANNING



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Office of the Director

**MEMORANDUM**

**TO:** D. C. Zoning Commission

**FROM:** Jennifer Steingasser, Deputy Director *JS*

**DATE:** August 27, 2007

**SUBJECT:** Preliminary Hearing Report on Zoning Commission Case Number 05-15A  
Requesting to Modify a Planned Unit Development on Property Known as 318 I  
Street, N.E. (Square 775 Lots 1, 22, 23, 32, 826 and 827)

**APPLICATION**

During a Special Public Meeting on July 11, 2005, the Commission voted to set down for public hearing an application from Broadway I Associates LLC requesting approval of a consolidated review of a Planned Unit Development (PUD) on the subject property.

The applicant proposed to redevelop the site with a 7-story, 65-foot tall building with 140 for-sale residential units, 140 parking spaces in a below-grade garage and approximately 160,000 square feet of gross floor area equaling a floor area ratio (FAR) of 5.65. The below-grade parking garage opened onto a paved courtyard accessed from the adjacent public alley. The building would be constructed primarily of brick and masonry with metal windows, and pre-cast stone concrete and stone trim. The design also includes a landscaped rooftop recreation area for building residents

The public hearing was October 24, 2005. The Zoning Commission subsequently took proposed action on this application during its public meeting on November 14, 2005, and final action to conditionally approve this application on January 9, 2006.

The applicant is now requesting to modify the approved PUD.

**RECOMMENDATION**

The Office of Planning (OP) recommends that the Zoning Commission set down this application for a public hearing.

ZONING COMMISSION  
District of Columbia

CASE NO. 05-15A

EXHIBIT NO. 10

## **AREA DESCRIPTION**

The subject property is still developed with a 1-2 story industrial building formerly occupied by Uptown Bakers, a wholesale bakery establishment, and a paved parking area for the associated vehicles that is surrounded by metal chain link fence. The development site consisting of lots 1, 22, 23, 32, 826 and 827 on Square 775 located immediately northeast of the I Street intersection with 4<sup>th</sup> Street, NE. These properties total approximately 28,310 square feet (0.65 acre) and fall within a Community Business Center (C-2-B) zone district (please refer to Exhibit 1). The abutting public alley along the western boundary is 15-feet wide and extends between I and K Streets, NE. Surrounding development consists primarily of 2-story row dwellings, with 2-4 story office buildings to the west (refer to Exhibit 2), all of masonry construction.

## **ZONING REVIEW**

The C-2-B zoning district allows a maximum 3.5 FAR for residential uses as a matter-of-right, a maximum lot occupancy percentage of 80% and maximum height of 65 feet. The site exceeds the minimum 15,000 square feet required for a PUD in this zone district. Approval of this PUD increased the allowable bulk and height to a maximum 6.0 FAR for residential uses and 90 feet, respectively, however the maximum lot occupancy percentage remained 80%. So while PUD provisions of the current zoning generally accommodate the proposed building, the current approval includes flexibility to exceed the allowable lot occupancy percentage.

As a result of the changes to local real estate market since this PUD order was approved, the applicant now wishes to build a rental project instead of a condominium project with units for sale. Accordingly this application proposes to:

- Increase the unit count from 125-140 for-sale apartments to 160-180 rental units;
- Increase the building height from 65 feet to 70 feet;
- Reduce the lot occupancy percentage from 85% to 80%; and
- Change the amount of vehicle parking on-site from a ratio of one-to-one ratio, to between 140-180 spaces.

Note that reduction in the lot occupancy percentage to 80% would make the overall proposal consistent with PUD limitations under the Zoning Regulations. The current gross square footage of 160,000 square feet and 5.65 FAR would remain unchanged. The below-grade parking garage would still open onto a paved courtyard accessed from the adjacent public alley. The building architecture would change somewhat with the addition of bays that would extend over the public right-of-way, balconies, facade setbacks above the sixth and seventh floors, ornamental brickwork and larger windows. Otherwise the project continues to comply with the PUD requirements under Chapter 24, and the applicant shall adhere to all the existing approval conditions summarized in Exhibit 2. Draft memorandums of understanding have also been negotiated with the Office of Office of Local Business and the First Source Employment Agreement with the Development Department of Employment Services.

Regarding evaluation criteria under Section 2400 of the Zoning Regulations, the overall amenity package remains unchanged from the original. This application continues to list the primary amenities of the proposal as urban design; (superior) architecture; housing (instead of home

ownership) opportunities and nearly 10,000 square feet of affordable housing opportunities; site planning of this former industrial site; effective and safe vehicular and pedestrian access; and employment and training opportunities through Department of Employment Services' First Source Employment Program and Minority Business Opportunity Commission agreements.

The proposal also furthers several themes and policies in 2006 Comprehensive Plan.

- The Generalized Land Use Map designates the subject property for Moderate Density Commercial land use characterized by retail, office and services businesses, and Moderate Density Residential land use characterized by row houses and garden apartments as predominant uses. The underlying C-2-B zone district is designated a moderate-to-medium density mixed-use zone district.
- With regards to Citywide Policies, the Comprehensive Plan supports:
  - Development Around Metrorail Stations (Policy LU-1.3.2) that would, *“Concentrate redevelopment efforts on those Metrorail station areas which offer the greatest opportunities for infill development and growth, particularly stations in areas with weak market demand, or with large amounts of vacant or poorly utilized land in the vicinity of the station entrance. Ensure that development above and around such stations emphasizes land uses and building forms which minimize the necessity of automobile use and maximize transit ridership while reflecting the design capacity of each station and respecting the character and needs of the surrounding areas [306.11].”*
  - Infill Development (Policy LU-1.4.1) that, *“Encourage(s) infill development on vacant land within the city, particularly in areas where there are vacant lots that create ‘gaps’ in the urban fabric and detract from the character of a commercial or residential street. ... [307.4].”*
  - Residential Parking Requirements (Policy LU-2.1.11) that, *“Ensure that parking requirements for residential buildings are responsive to the varying levels of demand associated with different unit types, unit sizes, and unit locations (including proximity to transit) Parking should be accommodated in a manner that maintains an attractive environment at the street level and minimizes interference with traffic flow. [309.15]”*
- With regards to transportation, Action T-2.3-A, Bicycle Facilities encourages, *“Wherever feasible, require large new commercial and residential buildings to be designed with features such as secure bicycle parking and lockers, bike racks, shower facilities, and other amenities that accommodate bicycle users. [409 11]”*
- With regards to housing:
  - Expanding Housing Supply (Policy H-1.1), explains, *“Expanding the housing supply is a key part of the District’s vision to create successful neighborhoods Along with improved transportation and shopping, better neighborhood schools and*

parks, preservation of historic resources, and improved design and identity, the production of housing is essential to the future of our neighborhoods. It is also a key to improving the city's fiscal health. The District will work to facilitate housing construction and rehabilitation through its planning, building, and housing programs, recognizing and responding to the needs of all segments of the community. *The first step toward meeting this goal is to ensure that an adequate supply of appropriately zoned land is available to meet expected housing needs [503.1].* Specifically this policy highlights the need for:

- Private Sector Support (Policy H-1.1.1) that, *"Encourage(s) 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]."*
- Balanced Growth (Policy H-1.1.3) that would, *"Strongly encourage the development of new housing on surplus, vacant and underutilized land in all parts of the city. Ensure that a sufficient supply of land is planned and zoned to enable the city to meet its long-term housing needs, including the need for low- and moderate-density single family homes as well as the need for higher-density housing [503.4]."*
- Mixed Use Development (Policy H-1.1.4) to, *"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]."*
- Housing Quality (Policy H-1.1.5) that, *"Require(s) the design of affordable housing to meet the same high-quality architectural standards required of market-rate housing. Regardless of its affordability level, new or renovated housing should be indistinguishable from market rate housing in its exterior appearance and should address the need for open space and recreational amenities, and respect the design integrity of adjacent properties and the surrounding neighborhood [503.6]."*
- Density Bonuses for Affordable Housing (Policy H-1.2.7) that, *"Provide zoning incentives to developers proposing to build low- and moderate-income housing. Affordable housing shall be considered a public benefit for the purposes of granting density bonuses when new development is proposed [504.14]."*
- Affordable Housing Production as a Civic Priority (Policy H-1.2.1) in order to, *"Establish the production of housing for low and moderate income households as a major civic priority, to be supported through public programs that stimulate affordable housing production and rehabilitation throughout the city [504.8]."*

- With regards to the environment.
  - Street Tree Planting and Maintenance (Policy E-1.1.1) says, *“Plant and maintain street trees in all parts of the city, particularly in areas where existing tree cover has been reduced over the last 30 years. ... [603.4].”*
  - Landscaping (Policy E-1.1.3) seeks to, *“Encourage the use of landscaping to beautify the city, enhance streets and public spaces, reduce stormwater runoff, and create a stronger sense of character and identity [603.7]. (emphasis added)”*
- With regard to urban design, Creating Attractive Facades (Policy UD-2.2.5) supports designs that, *“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].”*
- With regard to the Capitol Hill Area Element:
  - Directing Growth (Policy CH-1.1.4) calls for, *“Directing growth in the Capitol Hill Planning Area to commercially zoned land, with a particular emphasis on the H Street/Benning Road corridor [1608.5].”*
  - Alley (Policy CH-1.1.7) says, *“Protect Capitol Hill’s system of historic alleys and develop plans for the use of large block interior spaces where appropriate [1608.8].”*
  - Conversion of Non-Residential Structures (Policy CH-1.1.9) says, *“Allow the conversion of obsolete or vacant nonresidential structures ... to housing, provided that important architectural resources are conserved and the resulting development is consistent with density in the surrounding area [1608.10].”*

The modified development would support these policies by:

- Increasing neighborhood stability by replacing a vacant and underutilized former industrial site with a residential project;
- Dramatically improving the streetscape with well-designed building facades and landscaping along 4<sup>th</sup> and I Street, NE;
- Providing sufficient vehicle parking resources onsite and bicycle parking facilities on two levels of the parking garage;
- Providing up to 160 new residential opportunities likely to simulate other residential development resulting in a more stable community of homeowners;
- Providing infill development and growth near a Metro rail station area thus the dependence on the automobile and supporting the revitalization for H Street; and
- Paying particular attention to the existing alley, making it an extension of the development through the use of paving materials and landscaping.

Smart Growth Assessment

The proposed zone change would continue to support the following Smart Growth principles:

- Take Advantage of Compact Building Design: Providing land use flexibility that encourages compact development on this 0.65 acre property;
- Create Range of Housing Opportunities and Choices: Creating addition housing opportunities in a desirable location to live, work, worship and address daily needs (shopping for clothes, groceries, etc. along the H Street, NE corridor);
- Create Walkable Neighborhoods: Creating the potential for expanded housing and shopping opportunities near the multi-modal transportation hub at Union Station and the H Street commercial corridor;
- Strengthen and Direct Development Towards Existing Communities: Expanding development potential in an area already served by adequate infrastructure; and
- Make Development Decisions Predictable, Fair and Cost Effective. Increasing predictability by eliminating the possibility of an industrial use (vacant bakery) adjacent to a stable and developing residential community.

Based on this review, the primary benefits and amenities provided by the proposed modified project (architectural design, and provision of housing and affordable housing opportunities) would continue to be significantly greater than the relief requested.

Based on this information, OP concludes the proposed modifications do not appear inconsistent with Comprehensive Plan or the spirit of the original order. Therefore, the Office of Planning recommends scheduling the modified PUD request for public hearing while noting issues that need further examination such as:

- **Affordable Housing**: Specifics about the size, type (1, 2, and 3 bedroom), and location of the affordable rental units and how these units would be classified according to HUD affordability standards;
- **Environmental Impacts**: Consideration of additional environmental benefits such as engineering the building design and systems to qualify for Leadership in Energy and Environmental Design (LEED) certification, and
- **Streetscape Improvements**: Specifics about whether proposed I Street streetscape and alley improvements and whether these improvements are acceptable to the District of Columbia Department of Transportation.

**RECOMMENDATION**

The Office of Planning (OP) recommends that the Zoning Commission set down this application for a public hearing.

Attachments: Exhibit 1 Aerial with Zoning  
Exhibit 2 Summary of Pertinent Approval Conditions of Order 5-15

JS/afj



**Zoning Commission Case No. 05-15A**  
**318 I Street, N.E.**



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. Oblique imagery © Pictometry International

**Legend**

Residential-Low Density	Institutional
Residential-Moderate Density	Federal
Residential-Medium Density	Local Public Facilities
Residential-High Density	Parks, Recreation, and Open Space
Commercial-Low Density	Production and Technical Employment
Commercial-Moderate Density	Water
Commercial-Medium Density	Mixed Use
Commercial-High Density	No Data
	Trees
	Street Centerlines
	Property Squares
	Zoning Districts



**Summary of Pertinent Approval Conditions of  
Zoning Commission Order 05-15**

1. The approved PUD shall consist of an all-residential project that includes a minimum of 125 and a maximum of 140 residential units. There will be a minimum of one parking space for each residential unit. The entire project will include approximately 160,000 square feet of gross floor area resulting in a density of approximately 5.65 FAR. The new building will be 65 feet tall and the total lot occupancy of the project will be approximately 85%.
2. The Applicant is required to provide 12 non-sellable visitor spaces in the parking garage.
3. The project will include a minimum of approximately 9,120 square feet of gross floor area available for sale as affordable units to households having an income not exceeding 80% of Area Median Income for the Washington, DC Metropolitan Statistical Area (adjusted for family size), and consistent with the eligibility requirements and enforcement mechanisms enumerated in the District of Columbia's Department of Housing and Community Development's ("DHCD") guidelines and policies. To the extent that minor modifications are needed in the execution of this program to conform to District or Federal housing programs, the applicant will work with DHCD to make such changes comply with the same. The unit types and locations shall be as shown (in public record). Any changes to the proposed unit types and locations must be approved by OP and in no event shall the total amount of affordable housing be less than 9,120 square feet.
4. The Applicant shall enter into a First Source Employment Agreement with the Department of Employment Services.
5. The Applicant shall enter into a Memorandum of Understanding with the Office of Local Business Development in substantial conformance with the draft Memorandum of Understanding.
6. The Applicant shall have flexibility with the design of the PUD in the following areas (listed).
7. The consolidated PUD shall be valid for a period of two years from the effective date of this Order (July 21, 2006).
8. The Applicant shall contribute \$25,000 to the H Street Main Street program for use with the Ready to Work program as designated by ANC 6C. This contribution will fund Ready to Work's clean up efforts in the Capitol Hill Business Improvement District's boundaries and on H Street, N.E. H Street Main Street will be required to report to ANC 6C on the specific use of this contribution