GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

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Office of the Director

[redacted]
District of Columbia

MEMORANDUM

CASE NO. 05-22
EXHIBIT NO. 14

TO: District of Columbia Zoning Commission

FROM: HS for Ellen McCarthy, Director, DC Office of Planning

DATE: September 2, 2005

SUBJECT: **Supplemental Report for ZC Case Number 05-22**
2301-2315 14th Street NW
Application for a Consolidated Planned Unit Development

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I. RECOMMENDED ACTION

OP recommends that the Zoning Commission set down for a Public Hearing Zoning Commission Case # 05-22 for Consolidated PUD review of a proposal to develop the site at 2301-2315 14th Street NW.

II. EXECUTIVE SUMMARY

Holland & Knight, LLP has submitted a consolidated PUD application on behalf of Level 2 Development, LLC, owners of a site at 2301-2315 14th Street NW to permit the construction of a new 9 story apartment building with ground floor retail and underground parking. The new building would conform to C-2-B PUD height and density restrictions.

The amenity package proffered by the applicant is considered by OP to be acceptable for set-down, consisting primarily of the provision of affordable units on-site as well as a contribution towards the provision of additional affordable housing within a block of the site. The amenity package also includes a series of contributions to local community groups, the removal of the Comcast satellite dishes from the neighborhood, and streetscape character improvements. OP has advised the applicant that additional detail regarding these amenity items is required prior to the public hearing. OP has also initiated discussions with the applicant and the architect regarding improvements to the relationship of the building façade to 14th Street and Florida Avenue, given the proposed building height and the narrowness of the sidewalks at this location. Further discussion of this issue along with any amendments to the plans will be provided to the Commission prior to a Public Hearing.

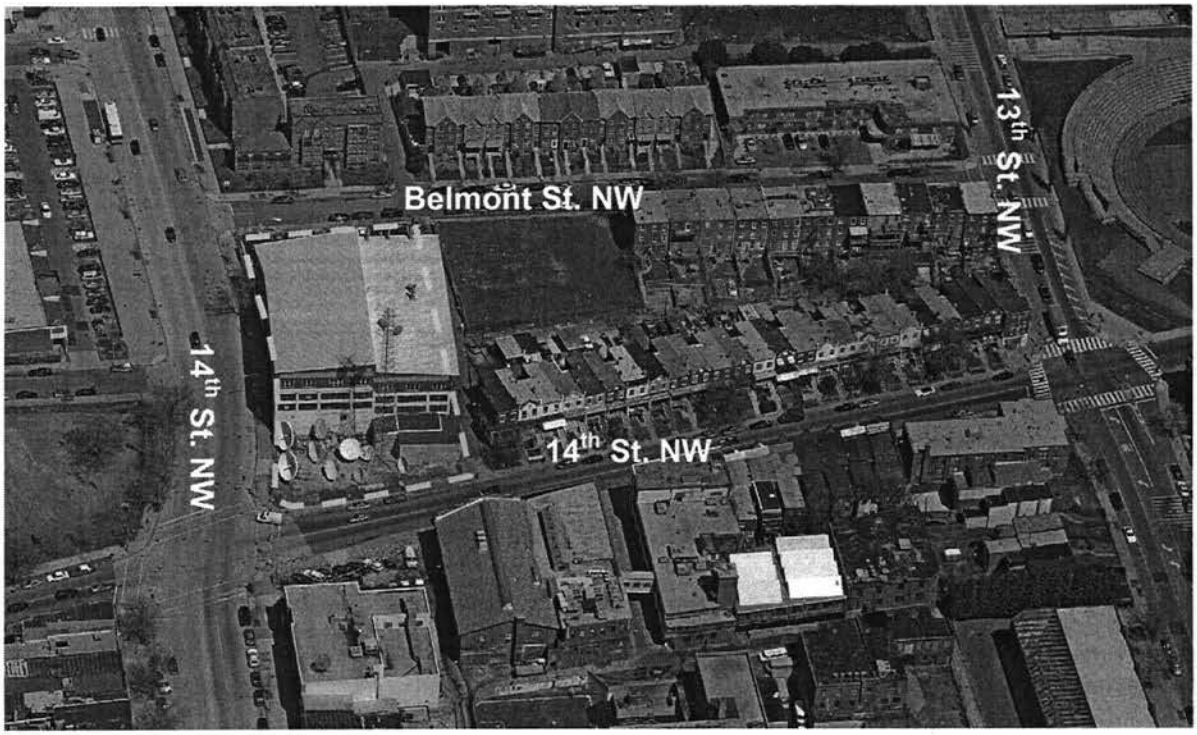
OP has no major concerns with the minor Zoning Regulation relief requested, although additional clarity regarding the penthouse roof space is required to ensure that it does not contain habitable space that is not permitted in a mechanical penthouse. The proposed development conforms to the Generalized Land Use Map and Comprehensive Plan objectives for the area. As such, the application merits being set down for a public hearing.

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III. SITE – See Context Map, Attachment I and Site Map, Appendix II

The site is about 32,000 sq.ft. in area, and is located within Square 2868 on 14th Street NW, between Belmont Street to the north and Florida Avenue to the south. To the east is an existing alley. Immediate area development includes residential rowhouse and low-rise apartment buildings, and a small retail strip mall. Cordoza High School is located a block to the east, and there are charter schools located in the block to the south. The closest Metro station is about 5 blocks away.

The site is currently developed with a warehouse and auto repair shop, as well as several Comcast cable satellite dishes and an antenna tower. All of this would be removed for this development. An existing equipment station, however, would remain.



IV. PROPOSAL

The applicants wish to construct a new 9 story, 90 foot high apartment building with ground floor retail. Underground parking and at grade loading would be accessed from the existing rear alley.

V. ZONING ISSUES – refer also to Project Profile, Attachment III

The property is zoned C-2-B, as is most of 14th Street to the north. To the south, 14th Street is within the higher density Arts/C-3-A and Arts/CR zone districts. The Arts/Uptown Overlay District includes incentives for the provision of residential development and for retail and arts uses at the street level. The remainder of the square within which the site is located is zoned R-5-B (moderate density apartment).

The applicant has identified the following relief required from zoning regulations:

- Roof structure wall height - §400.7c. states that roof structures are to have walls of equal height. The applicant is proposing to vary roof height to minimize the bulk and visual appearance of the extensive roof top mechanical / equipment penthouse enclosure;

- Residential Recreation Space - §773.3 states that, in the C-2-B district, generally accessible residential recreation space equivalent to 15% of the gross residential floor area is to be provided; the applicant is proposing approximately 7.5% but notes that this is augmented by additional outdoor recreation space in the form of private terraces and balconies.

The Office of Planning does not at this time have any major concerns with the relief requested. OP has requested additional detail regarding the use of space within the extensive penthouse area, to verify that it does not include what could be living space, to ensure that the project conforms to the C-2-B PUD height limit of 90 feet.

VI. COMPREHENSIVE PLAN

The proposal would particularly further the following 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 add retail and residential use to this section of 14th Street NW, and would remove a series of satellite dishes and an antennae tower.

(i) *Promoting enhanced public safety* – The application includes active retail and new residential units that will improve the streetscape and safety in this area.

(j) *Providing for diversity and overall social responsibilities* – The applicant is proposing a significant contribution to the District's affordable housing supply.

The Comprehensive Plan also includes a number of specific sections of relevance to this application, including ones related to Housing, Urban Design, and Land Use, although OP has initiated discussions with the applicant to refine the street facing elevations to ensure conformity to the Urban Design elements.

Chapter 3 Housing Element

§302.1 The general objectives for housing are to stimulate production of new and rehabilitated housing to meet all levels of need and demand and to provide incentives for the types of housing needed at desired locations.

§302.2 The policies established in support of the general objectives for housing are as follows:

(a) 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 ...

(e) Encourage housing on suitably located public or private properties that are vacant, surplus, underutilized, or unused ...;

Chapter 7 Urban Design Element

§708 Buildings

§708.2 (a) Design residential, commercial, and all other buildings to complement or enhance the physical character of the District; and

§709 Streetscape

§709.2 (a) Develop a unifying system of well-designed streets, sidewalks, parks, and pedestrian ways;

(j) Encourage the planting and maintenance of street trees as the single most important streetscape element along commercial and residential streets to provide shade, design continuity, spatial relief, and a juxtaposition of the natural and built environments.

Chapter 11 Land Use - Although the site is not within the Uptown Arts Special Treatment Area, it is adjacent to it and the proposed development supports basic policy objectives for the district through the provision of ground floor retail space.

Chapter 12: Ward 1 Plan

§1206.1 The policies in support of housing objectives are as follows:

(a) To encourage the private sector to provide new housing to meet the needs of present and future Ward 1 residents at locations consistent with the ward's land-use policies and objectives ...;

VII. COMPREHESIVE PLAN GENERALIZED LAND USE MAP

The Comprehensive Plan Generalized Land Use Map shows the site as having a designation of "medium density residential", for which multiple-unit housing and mid-rise apartment buildings are the predominant use. The proposal would not be inconsistent with this designation.

VIII. SNAP – CLUSTER 2

The 2003 SNAP planning process identified near-term goals for individual neighborhood clusters. The site is part of Cluster 2, on the border with Cluster 3. Cluster 2 includes the Mount Pleasant, Columbia Heights, Park View, and Pleasant Plains neighborhoods. Cluster workshop participants were asked to identify priorities for additional action planning. Area residents listed the following issues as being of top priority:

- **Affordable Housing** – the proposal includes the provision of affordable housing units as well as a contribution to off-site affordable housing within the neighborhood.
- **Economic Development** – the proposal includes the replacement of existing retail with new retail space, providing additional economic opportunities.
- **Parks, Open Space, Beautification, Recreation, and Cleanliness** – the proposal includes improvements to the 14th Street, Belmont Avenue and Florida Avenue streetscapes, as well as internal recreation space for building residents. The removal of the satellite dishes is also considered to be of benefit to the character of the area.
- **Community Involvement, Empowerment, and Diversity** – the applicant has worked with the local ANC and other community groups. The development includes new affordable housing units, as well as contribution to Jubilee Housing and other community groups.

The proposal also further Cluster 3 (adjacent, to the south) objectives, which include Affordable Housing; Economic and Business Development; Education; and Community Building.

IX. PURPOSE OF 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 square foot area requirements of Section 2401.1 (c) to request a PUD, for a property zoned either C-2-B. Based on the information provided, OP believes that the project is generally favorable, although some additional refinement of the amenity package is required.

X. STANDARDS FOR PLANNED UNIT DEVELOPMENT

The application meets the minimum area requirements of Section 2401.1 (c) to request a PUD for the C-2-B zone, as the subject PUD site area is over 15,000 sq.ft. 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)

XI. 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 61,950 sq.ft., equivalent to over 1/3 of the total residential development proposed.

	C-2-B		Proposed
	BASE	PUD	
Lot Area		15,000 min.	32,016 sq.ft.
Max Height	65' max.	90' max.	90'[1]
Max. FAR	3.5	6.0	6.0
Max. Square Footage:	112,056 sq.ft.	192,096 sq.ft.	174,006 sq.ft.
Difference:			61,950 sq.ft.

The proposed amenity package as proposed by the applicant includes:

[1] Assuming the top level can be considered "mechanical penthouse"

- Urban Design and Site Planning: In addition to providing new residential and street fronting retail development, the applicant will remove the Comcast satellite dishes from the site that will be of benefit to community character. The applicant will provide additional clarification regarding the removal of the satellite dishes prior to the public hearing.

  OP has initiated discussions with the applicant to further refine the 14th Street and Florida Avenue building façades. The building as proposed is taller than most others in the area, and the sidewalks are particularly narrow. Transparency, architectural detailing, streetscape / landscaping, and façade articulation, especially along 14th Street at ground level, is recommended. OP has also noted that any projections over 14th Street or Florida Avenue would not be supported.

- Transportation Features: The project includes underground parking, and will dedicate at least two spaces for use as "Zip Car" or "Flex Car spaces.

- 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 utilize local, small, or disadvantaged enterprises certified by the Local Business Opportunity Commission to achieve a minimum 35% participation in contracted development costs.

- Affordable Housing: As their principle amenity item, the applicant is proffering 6,000 sq.ft. on on-site subsidized housing (10 % of bonus density, 6 units), plus a contribution of $1 million to the Snakofa Tenant's Association to acquire and renovate the Cresthill Apartment building located at 1430 Belmont Avenue, about ½ block from the subject site. OP is supportive of this amenity item, and will work with the applicant to provide additional detail prior to a public hearing.

- Other public amenities: The applicant is proposing the following additional contributions:
  - $20,000 to the Parents Association of the Police Boys and Girls Club on 14th Street;
  - $10,000 to The Children's Studio School at 13th Street and V Street NW;
  - $5,000 to the Meridian Hill Neighborhood Association; and
  - $5,000 to the Cordoza Shaw Neighborhood Association.

  The Office of Planning has requested clarification of the intent of these contributions, to be provided by the applicant prior to the public hearing.

OP has also encouraged the applicant to further investigate environmental design or "green building" practices, to lessen the impacts of the development on existing infrastructure, and to improve the quality of the development for residents.

OP generally supports the intent and direction of the proposed amenity package, given the amount of relief requested through this PUD application.

XII. AGENCY PRELIMINARY COMMENTS AND REFERRALS

This application will also be referred to the following District agencies for review and comment:

- Department of Consumer and Regulatory Affairs (DCRA);
- Department of Employment Services (DOES);
- Department of Health (DOH);
- Department of Housing and Community Development (DHCD);
- Department of Parks and Recreation (DPR);
- Department of Public Works (DPW);
- DC Public Schools (DCPS);
- DC Water and Sewer Agency (WASA);
- Historic Preservation Office (HP), as the site is adjacent to the U Street Historic District;
- Fire and Emergency Medical Services Department (FEMS); and
- Metropolitan Police Department (MPD).

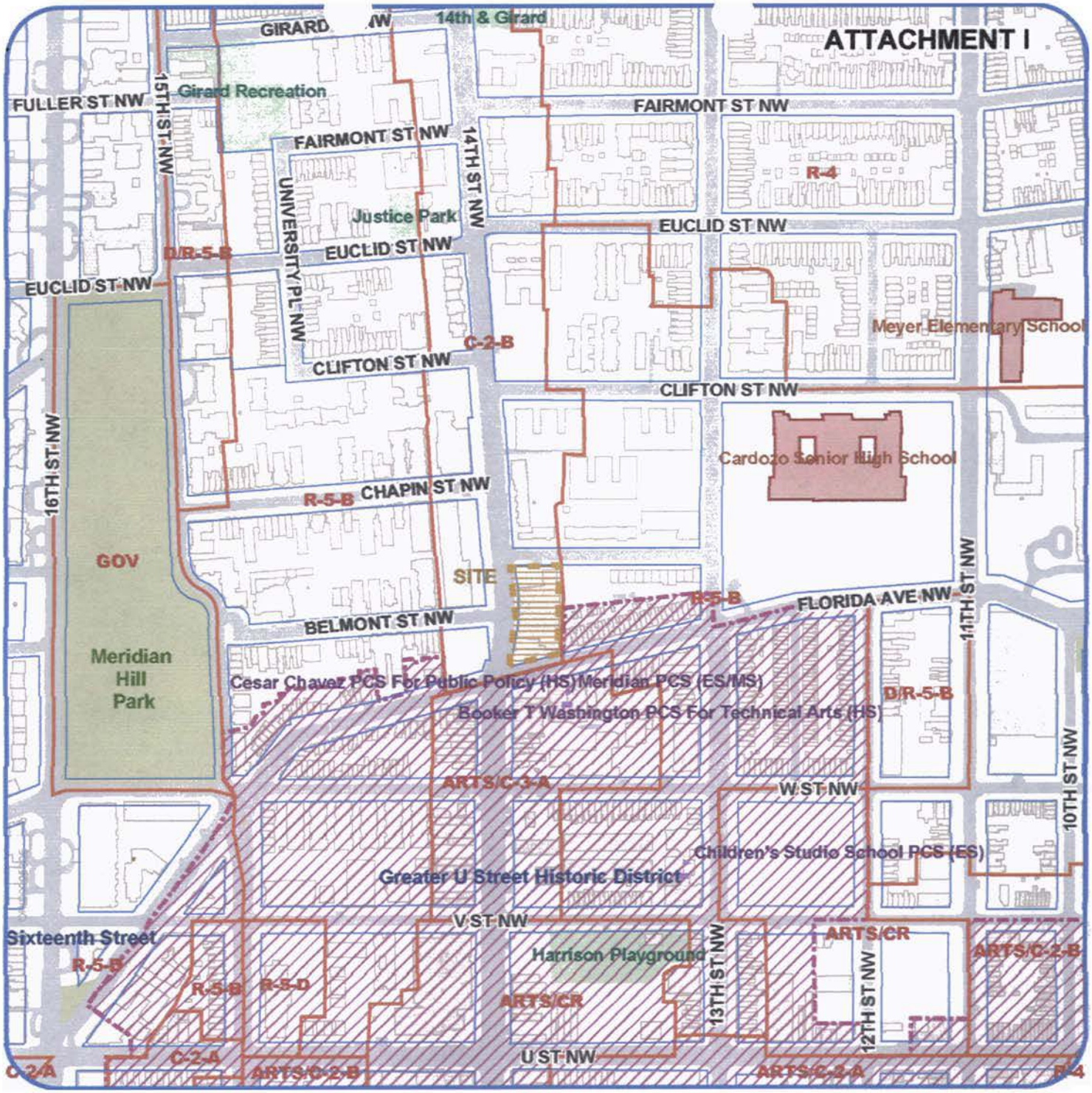
XIII. RECOMMENDATION

The Office of Planning recommends that this application be set down for public hearing. The application includes letters of preliminary support from the local ANC, the Meridian Hill Neighborhood Association, and Councilmember Jim Graham. The project is generally consistent with the goals and objectives outlined for the area in the Comprehensive Plan and with zoning for the area.

EM/jl

ATTACHMENTS:

I. Context Plan
II. Site Plan
III. Project Profile



Legend

- Zoning Districts
- National Parks (NPS)
- DC Parks
- Greater U Street Historic District
- Public School Buildings
- Charter Schools

ZC Case 05-22,
2301-2315 14th Street NW - Context Plan

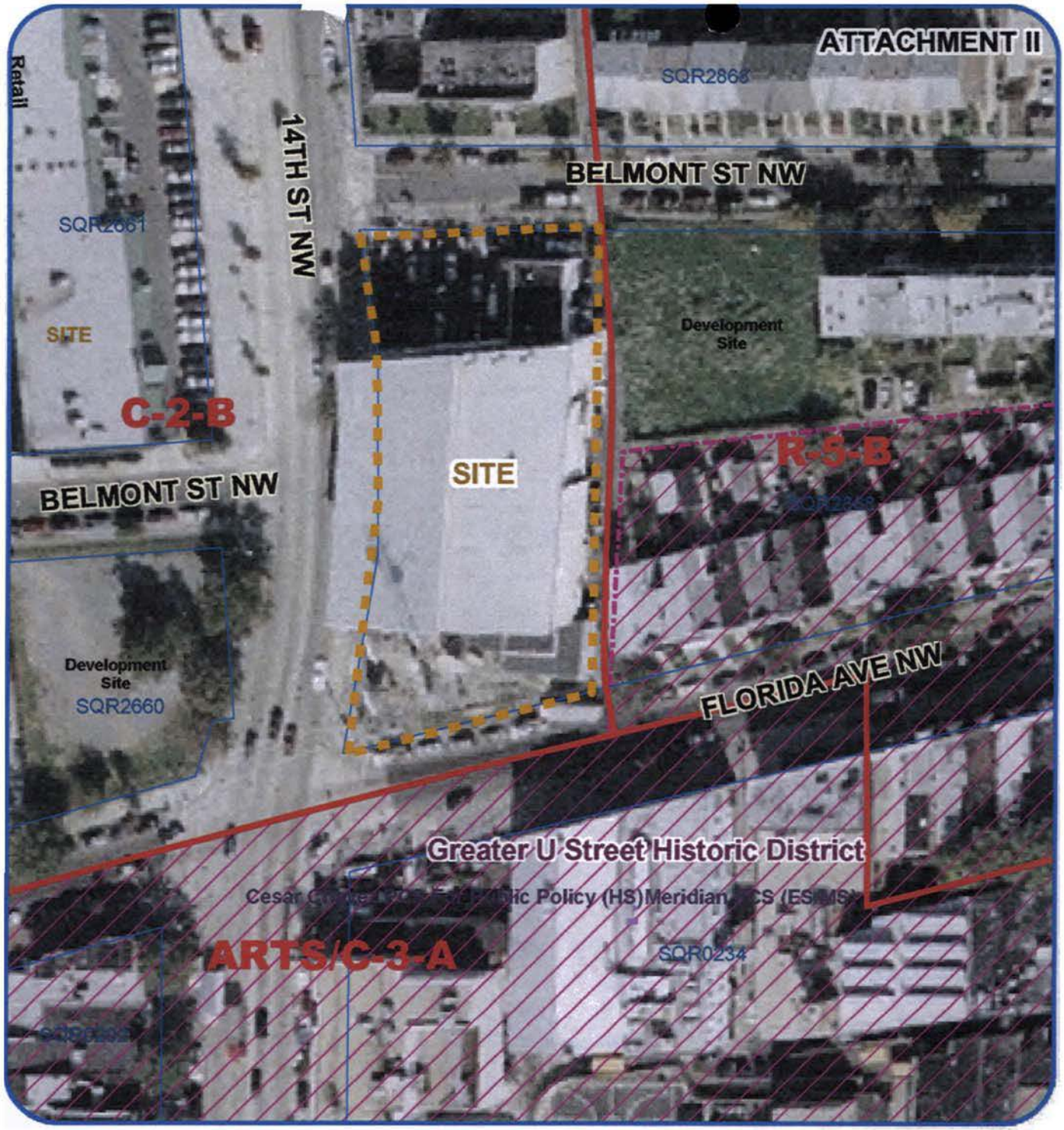
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Government of the
District of Columbia
Anthony A. Williams, Mayor

Office of Planning ~ September, 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.



ZC Case 05-22
2301-2315 14th Street NW - Site Plan

Legend

- Property Squares
- Zoning Districts
- Greater U Street Historic District

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Standard	Zoning Regulations		Proposed Development [1]
Zoning:	**C-2-B**		
Use:	Residential; retail; mixed		Mixed residential / retail
Lot Area:			32,016 sq.ft.
	Base	**PUD**	
Height: (§§770.1, 2405.1)	65 ft. max	90 ft. max	**90 ft. [2]**
Stories:	not regulated	not regulated	**9 + u/g parking [2]**
Floor Area Ratio: (§§771.2, 2405.2)	3.5 max. (1.5 non-res)	6.0 max (2.0 non-res)	Residential: 5.43 (170 units) Retail: 0.57 Total: 6.00
Square Footage:	112,056 sq.ft.	192,096 sq.ft.	Residential: 174,006 sq.ft. Retail: 18,080 sq.ft. Total: 192,086 sq.ft.
Lot Occupancy: (§772.1)	80% max.		70.3% - conforming
Residential Rec Space (§773.3)	15% of gross residential floor area, min. = 26,100 sq.ft.		**7.5% - relief requested**
Rear Yard Setback: (§774.1)	15 ft. min.		Conforming.
Side Yard Setback: (§775)	not required, 2" / foot of building height if provided		not applicable
Open Court Width: (§406)	4" / ft. of height min.		136 ft.
Roof Structure:			
No. enclosures (§411.3):	1 max		Appears to be 1
Height (§400.7c.):	18.5 ft. max.		10.6 – 18.6 ft.
Setback (§400.7b.):	= to height =		Conforming
Wall Height (§411.5)	Of equal height		**Relief requested**
Area (§411.7)	.37 FAR max. = 11,855 sq.ft.		**requires confirmation of conformity**
Parking: (§2101.1)	Residential =1 / 3 d.u.= 57 Retail =1 / 750 sq.ft. over 3,000 sq.ft. = 18 Total = 73		Residential = 132 Retail = 18 Total = 150
Small Car Spaces:	40% max.		40% - conforming
	Groupings of 5		Will be made conforming[3]
Loading: (§2201.1)			
Loading berths:	Residential = 1 @ 55 ft. Retail = 1 @ 30 ft.		1 @ 55 ft 1 @ 30 ft. - conforming
Loading platform:	Residential = 1 @ 200 sq.ft. Retail = 1 @ 100 sq.ft.		1 @ 200 ft. 1 @ 100 ft. - conforming
Service / Deliver Loading:	Residential = 1 @ 20 ft. deep. Retail = not required		1 @ 20 ft. – conforming

1 Information provided by applicant

2 Conforming at 90 ft. Question as to whether 10' penthouse will need to be counted as a story; if so, building would be 100' high and non-conforming. Applicant advises that they will confirm conformity.

3 Plans indicate a non-conforming situation, but applicant indicates that this will be made conforming.