GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

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Office of the Director

Memorandum

TO: District of Columbia Zoning Commission

FROM: JLS for Ellen McCarthy, Director

DATE: September 30, 2005

SUBJECT: **ZC 05-25 - Setdown Report** Consolidated PUD – Square 3629, Lot 808 (2313-21 4th Street, N.E)

APPLICATION

The H Street Community Development Corporation, (the "applicant") has applied for a Consolidated Planned Unit Development (PUD) to develop the vacant property located at 2321 4th Street, N.E., Square 3629, Lot 808 as a mixed use building of 170 residential units and 3,000 square feet of ground floor retail.

OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends the application be set down for public hearing. The proposed development conforms to the Generalized Land Use Map and Comprehensive Plan objectives for the area. This project supports the District's policy that affordable housing units are made available on new and infill multi-family development projects. In addition, the project will provide new retail and contribute to the revitalization for this section of the District.

The applicant has requested relief from the recreation space and court requirements of the C-3-A Zone and OP believes that they can be supported as proposed by the applicant. OP recommends that the applicant pursue LEED certification for the building or application of "green design" elements for the proposed structure. In addition, OP is suggesting the provision of a space for Flex Car on-site to provide a low cost transportation option on an as-needed basis for residents and the immediate neighborhood. OP also recommends that the applicant obtain the First Source Agreement Memorandum and any other necessary agreements relating to the affordability of the units before the scheduled public hearing.

ZONING COMMISSION
District of Columbia
CASE NO. 05-25
EXHIBIT NO. 12

SITE DESCRIPTION

The combined properties at 2313-21 4th Street N.E., formerly known as the Dunlop Properties, were purchased from the Department of Housing and Community Development (DHCD) in February 2004 by the applicant and the blighted structures were demolished in 2004. The recently subdivided property is located in Square 3629, Lot 808, in the North East quadrant of the District, on the east side of 4th Street, 200 feet south of the corner of Rhode Island Avenue and 4th Street, and 4 blocks west of the Rhode Island Metrorail station.

Lot 808 consists of 39,190 square feet of vacant land zoned C-3-A. It is surrounded by a number of zone districts and land uses including C-2-A and C-M-2 to the south of the property, R-5-D and C-M-2 to the north and east, and R-3 and C-2-A to the west. Land uses include a mix of residential row homes, apartment buildings, industrial businesses, a shopping center, and a strip mall.

PROPOSAL

The applicant is proposing to develop a nine-story brick and masonry residential building with 170 units. The mixed-use building will provide up to 3,000 gross square feet of ground floor retail space and 173,355 gross floor area devoted to residential use. The applicant has committed to providing a minimum of 20% of residential floor area (34,671 square feet) as affordable housing dispersed throughout the building. A mix of 25 junior one bedrooms, 96 one bedrooms, and 49 two bedroom units are proposed. Eligible residents for the affordable housing component of the development will be families and individuals whose annual incomes are between 50% and 80% of the "Area Median Income." Below-grade parking with 128 spaces will be provided to serve residents.

While approximately 4.8% of gross floor area will be applied to recreational space instead of the required 15%, the project will compensate the loss with additional non-qualifying spaces, including sunrooms, private gardens and other indoor amenities. Provided recreation space will include outdoor areas, an indoor gym, and a 500 square feet meeting room.

All apartments will comply with Fair Housing accessibility requirements.

ZONING

The site is designed to conform to the permitted height and FAR for the requested C-3-A/PUD. No map amendment is proposed. The following table compares the zone and C-3-A/PUD standards, with those proposed for the project:

Standard	C-3-A Standards	C-3-A/PUD Standards	Proposal
Area	N/A	15,000 sq. ft.	17,640 sq. ft.
Height	65	90 ft.	82 ft.
FAR	Non Residential – 2.5 Residential – 1.5 TOTAL – 4.0	Non-Residential – 3.0 Residential – 1.5 TOTAL – 4.5	Retail – 0.08 = 3,000 sq. ft. Residential – 4.42 = 73,355 sq. ft. TOTAL – 4.5
Lot Occupancy	Residential – 75%	Residential – 75%	Residential –53.5 %
Rear Yard	12 ft. minimum or 2.5 ins./ft. of height or 17 ft.	12 ft. minimum or 2.5 ins./ft. of height or 17 ft.	40 ft.
Court	Width = 4" per ft. of height, - not less than 15 feet.	Width = 4" per ft. of height, - not less than 15 feet.	**A number of courts less than required widths.**
Parking	1 per 2 D.U	1 per 2 D.U	Retail – 0 Residential – 128 spaces
Loading	1 loading berth @ 55 ft deep 1loading berth @ 30 ft. deep 1 loading platform @ 200 sq. ft. 1 service/delivery space @ 20 ft.	1 loading berth @ 55 ft deep 1 loading berth @ 30 ft. deep 1 loading platform @ 200 sq. ft. 1 service/delivery space @ 20 ft.	1 loading berth @ 12' x 55 ft deep 1 loading berth @ 30 ft. deep 1 loading platform @ 200 sq. ft. 1 service/delivery space @ 20 ft.
Residential Recreational Space	15% of Gross Floor Area	15% = 26,003 square feet	**4.76% = 8,250 sq. ft. qualifying 17% - 30,750 (qualifying and non-qualifying space)**

FLEXIBILITY

The following relief is required from the zoning regulations:

Residential Recreational Requirement

The C-3-A Zone District requires recreation space of 15% of the residential gross floor area. 173,355 square feet of the proposed building is apportioned to residential use, therefore 26,003 square feet of recreation space is required. However, the proposal will only provide 8, 250 square feet (4.76%) of the residential gross floor area. The applicant has stated that additional non-qualifying space would be provided for each unit including sunrooms and use of private garden space for a total of approximately 22,500 square feet. This would result in a total useable space for recreation of approximately 30,750 square feet. According to submitted plans, OP believes that the quality of the non-qualifying areas compensate for the deficit in the required space and would be consistent with the intent of the Zone Regulations.

Court Width

The applicant has stated that flexibility is needed from the court requirements due to the number of courts which arise as a result of the shape of the subject property. Section 2405.5 provides the

Commission the option to approve courts less than the minimum requirements depending upon the exact circumstances of the project. The applicant has stated that due to the property's shape, the building was designed to maintain compliance with building code requirements and structural grid on the underground garage columns. The applicant will elaborate on the trade-offs in the design framework prior to the public hearing.

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. Section 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 Section 2400.2.

> *The overall goal is to permit flexibility of development and other incentives, such as increased building height and density; provided, that the project offers a commendable number of quality public benefits and that it protects and advances the public health, safety, welfare, and convenience."*

The proposed development will be constructed on a property that is identified by the community as an eyesore. The applicant is a non-profit organization devoted to expansion of affordable housing opportunities in the Washington Metropolitan Area. A minimum of 20% of the residential floor area (34, 671 square feet) would be devoted to affordable housing and the applicant has stated that the affordable component would be equally divided among the junior 1 bedroom, one, and two bedroom units throughout the development. OP suggests that the ratio of affordable units reflect the ratio of the building (25 junior one bedrooms, 96 one bedrooms, and 49 two bedrooms).

This is a welcome increase to the District's affordable housing stock. Further, the development proposal would spur projected revitalization efforts in the District's Northeast quadrant, including the Rhode Island Avenue/4th Street intersection. Provision of new retail space would also act as a catalyst for the improvement of retail offerings in this neighborhood. The 3,000 square feet of ground level space would be set aside for retail or professional services, such as a doctor's or dentist's office, and community use. Local, Small, and Disadvantage Business Enterprises will be offered the opportunity to rent space at below market rents. The ground level also will include space for community use. The community room will be approximately 500 square feet in size.

COMPREHENSIVE PLAN AND PUBLIC POLICIES

An evaluation standard for PUD's also require that the proposed PUD is not inconsistent with the Comprehensive Plan and with other adopted public policies and active programs related to the subject site (§ 2403.4).

Preliminary evaluation of the development proposal is consistent with the Comprehensive Plan including the following Major Themes of the Plan:

- Section 102 - Stabilizing and Improving District Neighborhoods
- Section 110 – Promoting Enhanced Public Safety
- Section 111 – Providing for Diversity and Overall Social Responsibilities

The proposed development will replace two older deteriorated apartment buildings which were recently demolished, with new housing with some ground floor retail to serve the needs of neighborhood residents and create a functionally active commercial corridor. The residential use could help improve public safety in the neighborhood, as it will provide more "eyes on the street." Overall, this infill development will be a significant contribution to the housing of the District's moderate-income residents.

The proposed development meets many of the goals and objectives of the Comprehensive Plan as outlined in the Housing, Urban Design, and Land Use Elements.

The application is consistent with Chapter 3, Housing Element, of the Comprehensive Plan. The General objectives for Housing (Section 302.1) is "*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.*"

Further, the Plan includes objectives for Low- and Moderate-Income Housing (Section 303.1), which OP believes is supported by the application as follows:

> "*(a) To provide for the housing needs of low- and moderate-income residents;*
> *(f) To reduce the overall cost of housing among low- and moderate-income households.*"

The proposal is also consistent with the following policies and objectives of the Urban Design Chapter, particularly Sections 712 and 713 as follows:

712 **AREAS IN NEED OF NEW AND IMPROVED CHARACTER**

712.1 ***The areas in need of new and improved character objective are to encourage new development or renovation and rehabilitation of older structures in areas with vacant or underused land or buildings to secure a strong, positive physical identity.***

712.2 *The policies established in support of the areas in need of new and improved character objective are as follows:*
(a) Encourage well-designed developments in areas that are vacant, underused, or deteriorated. These developments should have strong physical identities;
(b) ***Encourage in-fill development of attractive design*** *quality in deteriorated areas to stabilize the physical fabric and* ***to encourage*** *renovation and* ***redevelopment;***

713 COMMERCIAL ACTIVITY CORRIDORS

*713.1 The commercial activity corridors objective is to coordinate and **strengthen the** design function and **image of commercial activity corridors that serve neighborhood centers.***

713.2 The policies established in support of the commercial activity corridors objective are as follows:

*(c) **Encourage** the design of **functionally active commercial centers** within all areas of the District, **especially in areas that are not now adequately served;***
*(d) **Encourage** the design of **mixed-use development** for large-scale projects to **create active use during both day and evening hours;***
*(f) **Balance** and design **development sensitively** within low-scale regional activity centers **in order to respect the established residential scale and character of the areas;***

The development proposal is supportive of the above policies as it is an infill development which would provide a strong physical identity in this immediate neighborhood and would in fact help to stabilize and encourage renovation and redevelopment along the Rhode Island Avenue and 4th Street corridors. As a mixed use project four blocks from Metrorail's Rhode Island Avenue Metro Station, it establishes a residential scale and character to this intersection and would act as a catalyst to encourage neighborhood activity during the day and evening hours.

Further, the application is consistent with the Ward 5 Plan including Section 1604.1 which refers to the development opportunities at the Ward's Metrorail stations, particularly for mixed use commercial/residential development oriented to surrounding communities, increased retail services and opportunities, promoting the vitality of the neighborhood. (§1604.1)

COMPREHESIVE PLAN GENERALIZED LAND USE MAP

The Generalized Land Use Map recommends the subject site for moderate density residential and low density commercial. The mixed-use category also includes existing commercial areas and areas proposed for significant land use changes. The proposed development at a FAR of 4.5 and a mixture of residential and retail uses is not inconsistent with the Comprehensive Plan.

PUBLIC BENEFITS AND AMENITIES
Section 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:

(a) Urban design, architecture, landscaping, or creation or preservation of open spaces;
(b) Site planning, and efficient and economical land utilization;

(c) Effective and safe vehicular and pedestrian access, transportation management measures, connections to public transit service, and other measures to mitigate adverse traffic impacts;
(f) Housing and affordable housing;
(h) Environmental benefits, such as stormwater runoff controls and preservation of open space or trees;
(i) Uses of special value to the neighborhood or the District of Columbia as a whole;

Rhode Island Avenue is beginning to experience revitalization of residential structures along the corridor and the proposed development will replace recently demolished, older abandoned apartment buildings. The main amenity of the proposed application is the dedication of 20% of the gross residential floor area to affordable housing specifically for moderate-income residents.

OP is generally supportive of the design, site planning and the efficient land utilization of the site for the proposed building.

The applicant's traffic study concluded that the proposal would not have any appreciable adverse traffic impacts on the local area. Sufficient parking would be provided on-site for up to 128 spaces. This exceeds the required number of spaces required by § 2101. The application and its traffic analysis have been referred to DDOT for staff comments. OP is requesting that the applicant explore the provision of at least two Flex Car spaces on-site as an option for residents of the building and the immediate neighborhood who may not own a vehicle.

OP believes the amenities would be enhanced by improving the energy efficiency of the building, such as the planting of shade trees, creation of a "green roof" or through the use of water and energy efficient mechanical units and windows. Indoor environmental quality of the building could be enhanced through the use of low-emitting materials, including adhesives, sealants, paints, carpet, composite wood and agrifiber. These are credited by the US Green Building Council (USGBC) which provides the LEED certification for new construction. https://www.usgbc.org/Docs/LEEDdocs/LEED-NC_checklist-v2.1.xls

The applicant will document its participation in a First Source Agreement with the District of Columbia Department of Employment Services with a Memorandum of Understanding with the Local Business Opportunity Commission. The applicant notes that they are certified as a Local, Small, and Disadvantaged Business Enterprise (LSDBE). Provision of employment to local area residents through this Agreement is supportive of the District's employment policy for the District's residents. The applicant projected that approximately 121 construction and 12 retail- related jobs would be generated due to the site's development.

Overall, the proposed development will be an asset to the community since it will further economic development and serve low-income residents for the neighborhood and District-wide.

AGENCY REFERRALS AND COMMENTS

If this application is set down for a public hearing, it will be referred to the following District government agencies for review and comment:

- District Department of Transportation (DDOT);
- Department of Health (DOH);
- Department of Public Works (DPW); and
- D.C. Public Schools (DCPS)

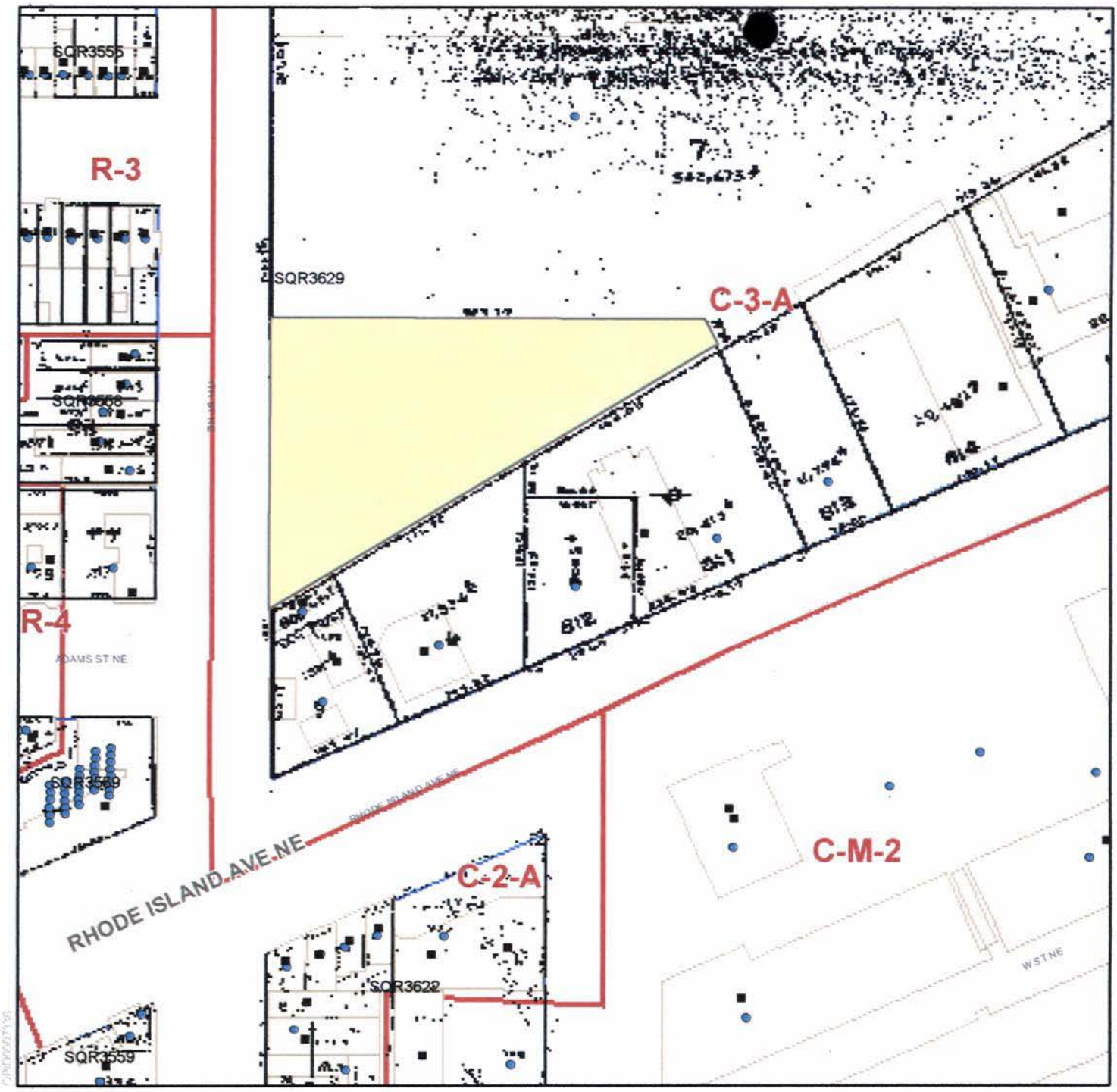
COMMUNITY COMMENTS

On January 18, 2005, ANC 5C voted unanimously to support the development concept for the site as presented by H Street Community Development Corporation.

RECOMMENDATION

OP supports the proposal to provide a mixed range of housing, including a commendable portion (20% of residential floor area) of affordable housing for low and moderate income residents. OP believes that the proposed PUD is not inconsistent with the elements of the Comprehensive Plan and recommends that the application be set down for public hearing. OP will present a more detailed review based on comments of other relevant agencies prior to the public hearing. OP recommends that the applicant obtain the First Source Agreement Memorandum and any other necessary agreements relating to the affordability of the units before the scheduled public hearing.

ATTACHMENTS:
1. Land Use/Zoning Map
2. Comprehensive Plan Map



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Anthony A. Williams, Mayor

Office of Planning ~ January 3, 2005

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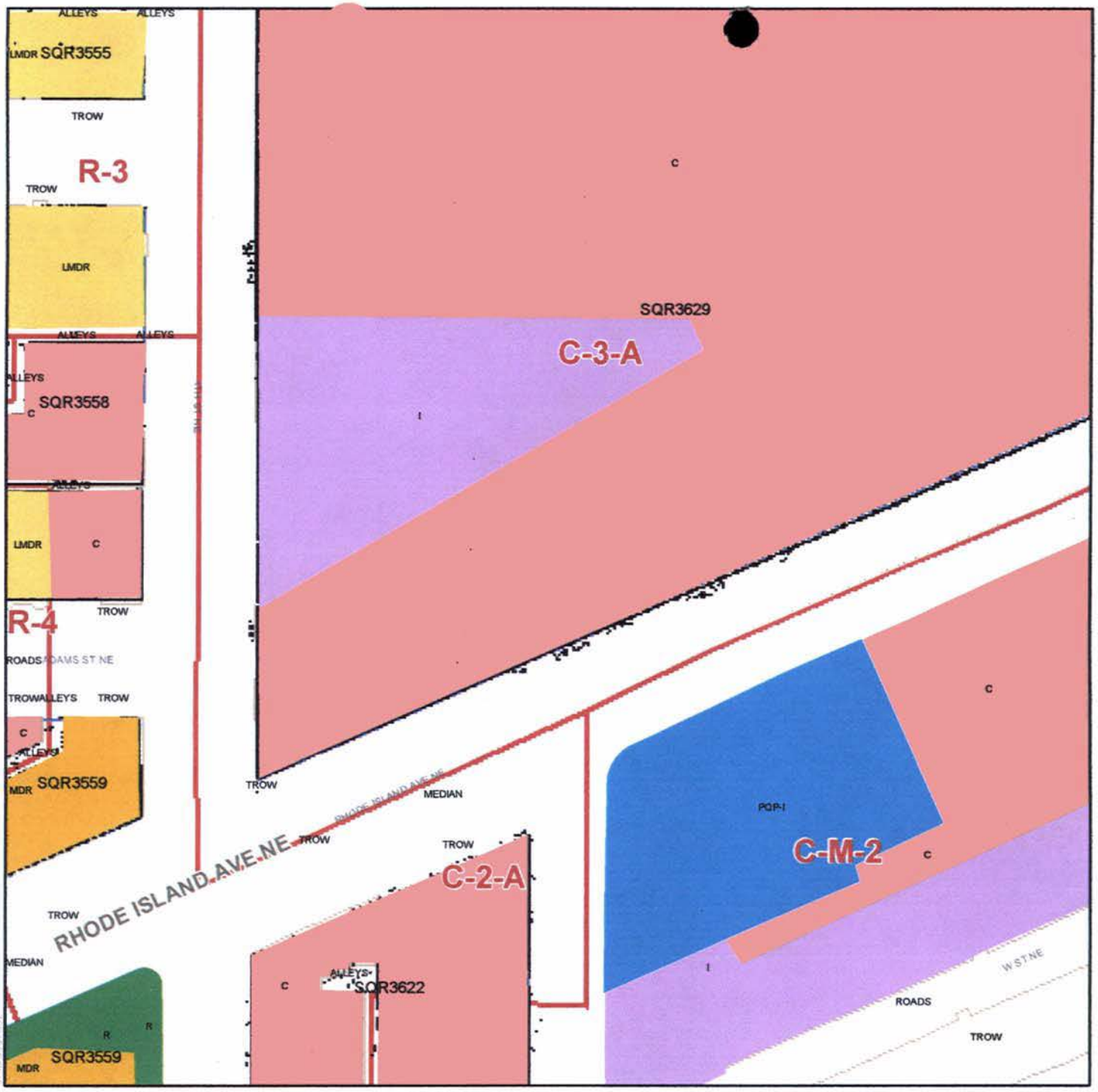
ZC 05-25
Square 3629, Lot 808
2313-21 4th St, NE

- Buildings
- Zoning Districts
- Property Squares
- Buildings
- Owner Points
- Address Points
- Major Roads
- Water



ZC 05-25
Existing Land Use
Square 3629, Lot 808
2313-21 4th St, NE

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Legend

Existing Landuse

- Commercial
- Industrial
- Mixed Use
- Institutional
- Public, Quasi-Public, Institutional
- Parks and Open Spaces
- Major Roads
- Buildings
- Zoning Districts

Land Use Designation

- Low Density Residential
- Low-Medium Density Residential
- Medium Density Residential
- High Density Residential

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