

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING



Office of the Director

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Memorandum

TO: District of Columbia Zoning Commission

FROM:  Ellen McCarthy, Director

DATE: November 24, 2006

SUBJECT: Case No. **ZC-06-21**: **Final Report** for Consolidated Planned Unit Development and Related Map Amendment for 1100 6th Street, N.W., filed by Holland & Knight LLP for Douglas Development Corporation

APPLICATION

The Zoning Commission set down the subject application at their public meeting of June 12, 2006 for a consolidated PUD and a PUD related map amendment to the DD/C-2-C Zone District to accommodate a 20-unit condominium apartment complex with 10 garage parking spaces.

OFFICE OF PLANNING RECOMMENDATION

The Office of Planning recommends that the Commission **APPROVE** the subject application as revised in the August 3, 2006 submission of the applicant.

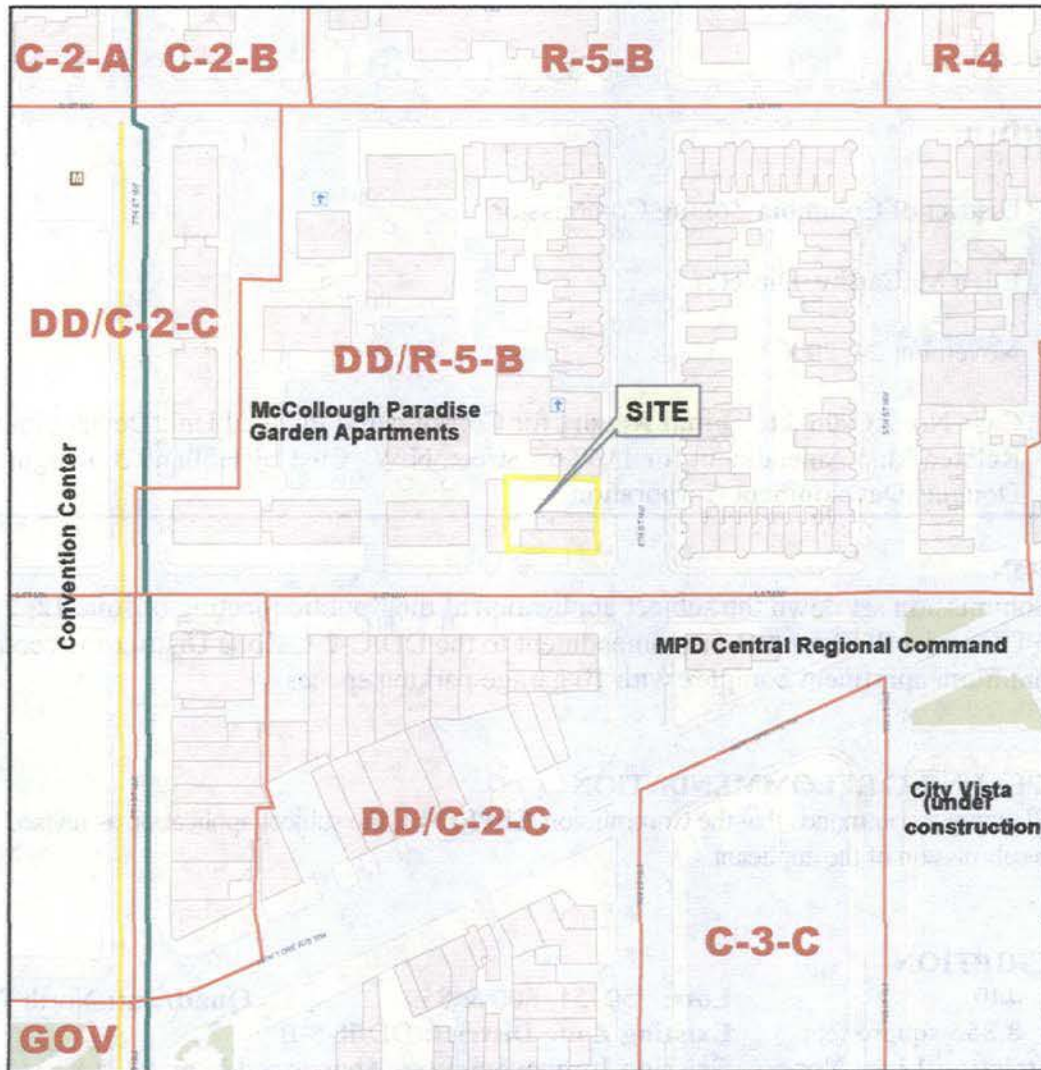
AREA DESCRIPTION

Square: 449	Lots: 50, 51, 800 & 859	Quadrant: North West
Area: 8,856 square feet	Existing Zone District: DD/R-5-B	
Building Restriction Line: None	Existing Improvements: Abandoned 1- and 3-story structures	
Historic District: Mount Vernon Square		

ZONING COMMISSION
District of Columbia

CASE NO. 06-21

EXHIBIT NO. 21



Zoning Vicinity Map

Surrounding Properties:

- North:** Three-story row houses and flats, some of which have been converted to apartments, and a church within the DD/R-5-B Zone District.
- South:** Across L Street, a one-story building housing the Eritrean Cultural and Civic Center and one- to three-story commercial and industrial buildings within the DD/C-2-C Zone District.
- East:** Across 6th Street, 3-story row houses and flats, some of which have been converted to apartments, within the DD/R-5-B Zone District.
- West:** A two-story commercial building, beyond which is the 3-story McCollough Paradise Garden Apartment complex within the DD/R-5-B Zone District.

The subject site is currently abandoned.

The subject property is located one block southeast of the Mount Vernon Square/7th Street- Convention Center Metrorail Station on the Green and Yellow Lines.

PROPOSAL

The applicant proposes to renovate and convert the historic James Essex house at the northwest corner of 6th and L into 3 condominium units, including the construction of a rear addition onto the historic building. The existing one-story addition to the rear is to be removed. To the north a one-story commercial building is proposed to be demolished and a 12-unit condominium apartment building constructed on three lots in the appearance of 3 bay front Victorian row houses, similar to many of the surrounding row houses in the neighborhood. A 5-unit condominium apartment building is proposed to be built to the rear or west of the historic dwelling.

The existing and proposed buildings on the east side of the property along 6th Street are 45 feet and 3 stories in height. The proposed building on the west side is 45 feet and 4 stories in height. The two buildings are separated by a plaza with a minimum width 17-foot, 7-inch, running the entire width of the property. This courtyard will also provide pedestrian access to the apartment units located on the back side of the 6th Street building and to the units located within the building on the west side of the property and courtyard.

A closed court, 8 feet in width with an area of 188 square feet, is proposed for the west side of the rear building, adjacent to an existing commercial building to the west fronting on L Street. This closed court will provide light and air to bedrooms and stairwells.

Parking is proposed to be located within a garage under the courtyard and new construction on the west side of the property. Access will be from the side of the building facing L Street, which will also provide access to a refuse storage area. The garage extends 4 feet, 7 inches above the ground, with the result that the courtyard is also more than 4 feet above grade.

WAIVER REQUEST

The applicant requests a waiver pursuant to § 2401.2 of the Zoning Regulations, in order to permit a PUD on a C-2-C site consisting of less than 15,000 square feet. The Commission is empowered to waive up to 50 percent of the minimum area required for a PUD located outside the Central Employment Area, subject to the following requirements:

- a. The Commission shall find after public hearing that the development is of exceptional merit and in the best interest of the city or country; and
- b. The Commission shall find that least 80 percent (80%) of the gross floor area of the development shall be used exclusively for dwelling units and uses accessory thereto.

The subject property is located outside of the Central Employment Area and 100 percent of the gross floor area of the development is for dwelling units and uses accessory thereto. The project is well

designed, improves the streetscape character, and includes significant historic preservation goals. The design has been reviewed and approved by the Historic Preservation Review Board.

FLEXIBILITY

The following relief is required from the Zoning Regulations:

Lot Occupancy

The application requests flexibility related to the maximum percentage of lot occupancy allowed. Section 772.2 permits a maximum lot occupancy of 80 percent within the C-2-C Zone District for residential development, whereas 100 percent is proposed. However, the entire site will not appear to be covered with buildings because of the plaza proposed to be located between the buildings and the open court along the western property line. These are raised more than 4 feet above the ground due to the garage below, so contribute toward the lot occupancy calculation. The apparent lot occupancy is about at 86 percent.

Rear Yard

The minimum rear yard required for the DD/C-2-C is 15 feet. The subject application proposes no rear yard. Instead, the application provides a plaza between the buildings, varying in width from 17-feet, 7-inches to 25-feet, 7-inches. The width of this plaza exceeds the minimum required rear yard depth (15 feet). The project also allows for what appears to be a rear yard to be located behind the historic structure and provides for a side yard to the west building.

Court Width and Area

One closed court is proposed, at a width of 8 feet and an area of 188 square feet. Under DD/C-2-C Zone District the minimum width is 15 feet and the minimum area is 350 square feet. This court is proposed to be located in what would otherwise be the rear yard. Due to the location of the central stairwell, located to provide access to the units on each side of the building, and the garage entrance and trash enclosure area along the south side (L Street) of the rear building, provision of a larger and wider court is difficult. The proposed building is only approximately 31 feet deep, and a 15-foot wide closed court would assume almost half of that width.

COMMISSION CONCERNS

At the setdown meeting of June 12, 2006, the Commission requested the applicant provide information and clarification on three items. The revised plans address those concerns, as described below.

1. Drainage for the Closed Courtyard.

The applicant has informed the Office of Planning that drains are proposed to be located in the concrete slab. These drains will connect to the storm water system on L Street.

2. Architecture on new construction should look new.

The applicant proposes to restore the brick, windows and trim on the James Essex house to their original colors. Brick and cast stone trim on the new construction will be of muted tones, as shown on the

drawing below. The two color schemes will differentiate between the new construction and the historic building.

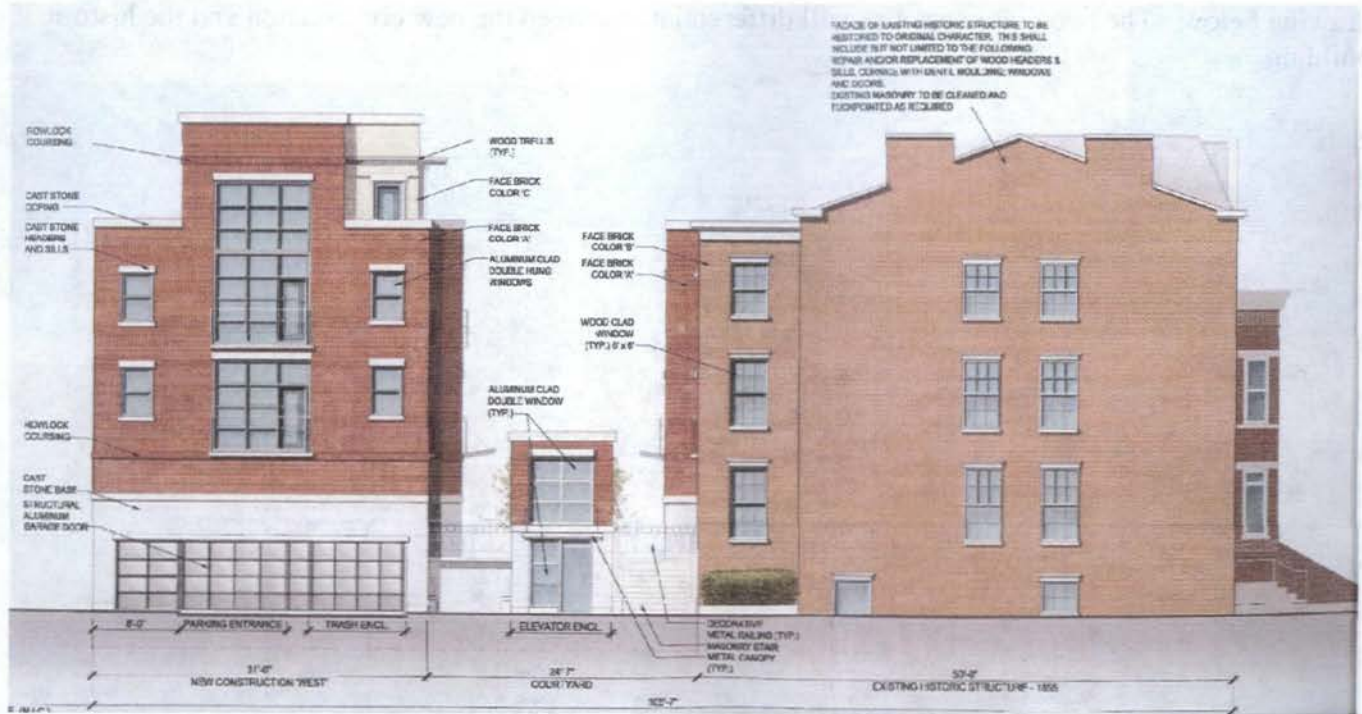


Proposed Color Schemes

3. L Street does not appear enlivened or made pedestrian friendly by the design. Investigate whether the elevator could be moved or the courtyard lowered to street level.

The applicant advised that the courtyard cannot be lowered as the property is not of sufficient depth to accommodate the necessary length ramp needed to place the garage completely below grade.

The elevator to the garage cannot be moved back into the property because the courtyard is raised, and it also provides handicap access to the courtyard level. It therefore must be located at the street to provide access to the courtyard and the units accessed via the courtyard.



Original Submission



Revised Submission

The entrance to the garage faces a street because the subject property has no alley access. Locating the garage entrance on L Street is the most logical because of the commercial and industrial uses that exist on the south side of L Street and the adjacent commercial building to the west, rather than on 6th Street, which is improved with residential uses.

In order to address the Commission's concerns regarding the creation of a more pedestrian friendly environment the applicant has modified the design, particularly the entrance to the property at the courtyard. Instead of a bench at the front entrance, with a street tree visually blocking any views into the courtyard, a cast stone marker indicating the name and address of the building is proposed. The cast stone marker will also partially block the direct view into the elevator. Foundation plantings in front of the marker, decorative lighting on either side of the elevator and the use of a combination of brick and stone at this entrance gives more of a feel that this is an apartment building and a residential property, and eliminates the industrial feel of the previous design. The tree has been moved, opening up the entrance and the property to the street.

PUD EVALUATION STANDARDS

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.*" 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. 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 applicant has requested a related change in zoning of the property to gain 6,545 square feet in floor area, 65 percent of which is to accommodate the parking garage, over that permitted by-right. Public benefits and amenities proposed by the applicant are discussed below.

Section 2403 further outlines the standards under which the application is evaluated.

2403.3 The impact of the project on the surrounding area and the operation of city services and facilities shall not be found to 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.

The proposed project will restore a historic structure, replace outdated buildings and provide infill development on vacant lots. The Office of Planning believes that the project can be found to be acceptable.

PUBLIC BENEFITS AND AMENITIES

Section 2403.9 outlines, "*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;*

The Office of Planning is supportive of the architecture and design of the proposed buildings and the Historic Preservation Review Board has approved it as compatible with the Historic District.

Affordable Housing

The application proposes 15 percent of the bonus density to be provided as affordable housing, or 982 square feet. One of the proposed twenty units will be designated as an affordable unit. The Office of Planning considers this to be an amenity.

The Office of Planning notes that this project has been in design and review through HPRB for over a year. Although recently approved Inclusionary Zoning (IZ) requirements would require a larger affordable housing component, the Office of Planning acknowledges that the affordable housing amenity is based on a pre-IZ framework and recommends the proffer as acceptable.

Urban Design and Architecture

The revised submission improves the relationship of the proposed construction to the L Street streetscape. The design compliments the historic character of the area. The streetscape and the new residential units will help to animate this area of the Mount Vernon neighborhood. The Office of Planning considers this to be a benefit.

First Source Employment Program

The applicant has agreed to enter into an agreement to participate in the Department of Employment Services First Source Employment Program to promote and encourage the hiring of District of Columbia residents. The Office of Planning considers this to be a benefit.

Local Business Opportunity Program

The applicant has agreed to enter into a Memorandum of Understanding with the Local Business Opportunity Commission to use their resources to utilize LSDBE's in the development of the project. The Office of Planning considers this to be a benefit.

COMPREHENSIVE PLAN AND PUBLIC POLICIES

The proposed development is consistent with the Comprehensive Plan, including the following major themes:

- Section 102 - Stabilizing and Improving District Neighborhoods
- Section 108 – Preserving the Historic Character of the District

The proposed development will reuse a historic structure and provide infill to the urban fabric along 6th Street where buildings have been lost over the years. The reuse of the James Essex house and the elimination of vacant lots will serve to stabilize and improve the neighborhood while preserving the historic character of the District.

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

The application is consistent with Chapter 3, Housing Element, of the Comprehensive Plan. 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.” (§ 302.1) One of the proposed dwelling units will be affordable, with the rest to be sold at market rate.

Chapter 7, Urban Design Element, outlines objectives and policies in support the Urban Design goal to “... promote the protection, enhancement, and enjoyment of the natural environments and to promote a built environment that serves as a complement to the natural environment, provides visual orientation, enhances the District's aesthetic qualities, emphasizes neighborhood identities, and is functionally efficient.” (§ 701)

708 Buildings

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

(b) Design buildings to include the use of appropriate arrangements of building materials, height, scale, massing, and buffering to complement the immediate region.

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.

710 Areas of Strong Architectural Character

710.2 (d) Encourage new development within areas of strong architectural character to contribute to the physical identity and character of those areas;

(e) Encourage building massing and scale of new development to be sensitive to established patterns;

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;*

Specifically, the application is consistent with the Ward 2 Plan:

Section 1304 outlines objectives for housing, including:

- (a) Stimulate production of new and rehabilitated housing... ;*
- (b) Provide for the housing needs of... moderate income households;*
- (d) Encourage home ownership;*

Section 1316.1 outlines the following objective for urban design:

The objective for urban design is to develop a quality design environment, combining old and new developments, ...

Section 1319 outlines objectives for preservation, including:

- (b) To preserve and reuse historic... buildings in historic areas in Ward 2;*

COMPREHESIVE PLAN GENERALIZED LAND USE MAP

The Generalized Land Use Map recommends medium density residential land use for the subject property, defined as "Multiple-unit housing and mid-rise apartment buildings are the predominant uses; may also include low and moderate density housing." The subject application is consistent with this recommendation.

DRAFT COMPREHENSIVE PLAN FUTURE LAND USE MAP

The Draft Comprehensive Plan Future Land Use Map recommends medium density residential land use for the subject property, which "[d]efines neighborhoods or areas where mid-rise (4-7 stories) apartment buildings are the predominant use. Pockets of low and moderate density housing may exist within these areas. This designation also may apply to taller residential buildings surrounded by large areas of permanent open space." The subject application is consistent with this recommendation.

COMPREHESIVE PLAN GENERALIZED LAND USE POLICIES MAP

The subject property is located within the Mount Vernon housing opportunity area. The subject application is consistent with this designation as it proposes a 100 percent residential development.

COMMUNITY COMMENTS

ANC 2C, at their regularly scheduled meeting of December 7, 2005, voted 3-0 to approve a recommendation that the Zoning Commission *“rezone the property to DD/C-2-C and to permit approximately 21,000 square feet of residential development on the site in conjunction with the rehabilitation and historic preservation of the building at the corner of 6th and L Streets.”*

The Mount Vernon Square Neighborhood Association, at their meeting of June 20, 2006, *“unanimously agreed to support the proposed development.”*

RECOMMENDATION

The Office of Planning supports the proposal for two new residential buildings and the renovation of the 1855 James Essex house. The proposed PUD is not inconsistent with the elements of the Comprehensive Plan and with the provisions of Chapter 24. The design compliments the historic character of the area and the streetscape and the new residential units will help to animate this area of the Mount Vernon neighborhood. Therefore, the Office of Planning recommends the Commission APPROVE the application as revised by the applicant.

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