

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING



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MEMORANDUM

TO: D. C. Zoning Commission

ZONING COMMISSION
District of Columbia

FROM: *ELS for*
Ellen McCarthy
Director

CASE NO. 06-26

EXHIBIT NO. 12

DATE: July 6, 2006

SUBJECT: Preliminary Report on Zoning Commission Case No. 06-26, a Proposal to Establish a Planned Unit Development on Property Located Northeast of Puerto Rico Avenue, N.E. (Square 3788 Lot 814)

APPLICATION

On May 26, 2006, the Office of Zoning received an application submitted on behalf of Rocky Gorge Development LLC, the applicant, requesting Zoning Commission review and approval of a consolidated Planned Unit Development (PUD) and a related Zoning Map Amendment to change the current "split" zoning of the subject development site from Residential (R-2) zone district, and Commercial and Light-Manufacturing (C-M-1) zone district with a Fort Totten (FT) overlay zone district, to a single R-4 zone district.

The Applicant plans to construct 35 one-family row dwellings.

RECOMMENDATION

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

AREA DESCRIPTION

According to the submitted plans, the subject lot 814 is a portion of the property owned by the Thos. Summerville Company that totals 4.19 acres (182,595 square feet). This development site is occupied by a large concrete slab, an abandoned railroad siding track and a metal building. There are trees, other landscaping, and significant grade changes along the northern and eastern boundaries.

Surrounding development consists of the property slated to become Phase 1 of the Rocky Gorge at Fort Totten Emerson Park Townhouse PUD approved by the Commission in March 2005 (Z.C. Application No. 04-11) to the north; a series of existing semi-detached one-family two-story dwellings fronting 6th Place, N.E., to the south; a series of lots being developed with new semi-detached two-story dwellings fronting 7th Street to the east; and the remaining Summerville

Company property to the west across 6th Street, N.E. A swath approximately 180 feet wide on the west side of this property is within a C-M-1 zone district with a FT zone overlay. The remainder of the site and surrounding properties to the north, east and south are in the R-2 zone district. Summerville Company buildings and land immediately west across 6th Street are in a General Industry (M-1) zone district. This northwest corner of the property is also approximately 1,700 feet from the Washington Metropolitan Transportation Authority (WMATA) Fort Totten Metro rail station.

This applicant is also the developer of the abutting Rocky Gorge at Fort Totten Emerson Park row house PUD project.

COMPREHENSIVE PLAN AND ZONING ANALYSIS

Much of the analysis for this PUD proposal mirrors that prepared for the abutting row house project. The Generalized Land Use Map designates most of the site a mixture of Medium Density Commercial, characterized by shopping and services offering a large concentration and variety of good and services outside of Central Employment Area as predominant uses, and Production and Technical Employment, characterized by restructured industrial land designed to encourage growth industries and industries with a high ratio of employees to land area occupied. However, this property also falls within the area around the Fort Totten Metro station designated by the Generalized Land Use Policies Map as a Metro rail station Development Opportunity Area. Applicable policies under this designation are outlined in Section 1122 of the Comprehensive Plan including:

- “... (c) Develop surplus WMATA and unused industrial land for *medium density residential* and commercial mixed uses; ...
- (d) Protect and preserve existing low scale residences in the vicinity; ...
- (g) Create a “mini-in-town” community.”

Residential uses are not allowed in the underlying M and C-M-1 zone districts. The Fort Totten overlay district specifically states that it's purpose is to “encourage residential and commercial development by means of the provisions of the underlying CR and C-3-A Districts while enabling existing industries to provide jobs, tax revenues and critical support functions for development of the District of Columbia to remain in the District” per Section 1561.3 (a) of the Zoning Regulations. However, the Regulations also state “The Fort Totten (FT) Overlay District is established to allow existing industrial businesses to remain and expand and to propose land use control policies to further implement the Comprehensive Plan.” So, although the current underlying zoning on portion of the site would restrict residential development, the Comprehensive Plan clearly establishes a preference to convert unused industrial land (such as the former cement plant on this property) for residential purposes, and the FT Overlay aims to permit land use policies to implement the Plan. *Therefore, the Office of Planning does not find the proposal to rezone a portion of the site from C-M-1 and M-1 to R-4 for residential development to be inconsistent with the Comprehensive Plan, particularly when read in conjunction with the Plan policies cited below.*

Residential development is permitted in the R-2 zone district; however this district requires a minimum lot width of 30 feet, and minimum area of 3,000 square feet. Section 300.2 also does not list “Attached dwellings” as an allowable use in the district.

The R-4 zone district allows attached (row) dwellings with a required minimum lot width of 18 feet, and lot area of 1,800 square feet. Proposed development would not have frontage on a public street, therefore this proposal is subject § 2516 of the regulations regarding the creation of a “theoretical” lot subdivision. Per these requirements, the proposed lot widths would exceed the required minimum 18 feet, the proposed front and rear yard setbacks would exceed the required minimum 20 feet, the proposed side yard setbacks (of end units) would exceed the minimum 8 feet, the overall lot occupancy percentage would be under 40%, and heights of the 3-story row dwellings would not exceed 40 feet.

Overall the development would provide 77 parking spaces for 35 units (more than the required 1 per dwelling); 53 in unit garages and 24 spaces distributed along the street and alleys. Fronts of all dwellings would also face private streets, although alleys would provide access to rear one- and two-vehicles garages on the ground floor.

According to the submitted zoning tabulation, no additional flexibility would be required with the change to an R-4 zone district. The applicant stated the reason for this submission was, “... in an effort to afford interested neighbors an additional level of input into this Project, as well as to arrive at an optimal project in terms of compatibility with, and benefits to, the community, the Application submitted (this) PUD application to the Zoning Map amendment application ... to limit the amount of flexibility for development of the Property otherwise provided by the rezoning.”

Although this moderate density residential zone district differs from the Generalized Land Use Map designation of medium density commercial and production and technical employment, it is consistent with the Comprehensive Plan goals cited above for the Fort Totten Special Treatment Area in Section 1122 – “conversion of unused industrial land to residential use, and protection of the low-density residential neighborhood special treatment area policies.” This proposal is consistent with the R-4 zone district requirements per the theoretical lot provisions of the regulations.

The primary public benefits and amenities include housing and affordable housing (2 units), urban design and landscaping, efficient and economical use of land, and effective and safe vehicular and pedestrian access. The application also indicates the applicant is continuing to “... study other initiatives important and directly beneficial to Fort Totten neighborhood, as directed by (Advisory Neighborhood Commission) ANC 5A and community interests.”

The proposal also furthers several Comprehensive Plan themes:

- Major Themes of the Comprehensive Plan in Section 101 include:

“... (a) Stabilizing and improving the District’s neighborhoods; ...

Section 102 Stabilizing and Improving the Districts Neighborhoods includes:

“102.4 Promoting and ensuring good quality neighborhoods is of utmost importance to the District. The District elements of the Plan’s policies and strategies on *increasing housing opportunities*, neighborhood commercial facilities, and improving transportation in some neighborhoods will be combined with other District policies on historic preservation, environmental quality, and public facilities to conserve functioning, stable neighborhoods, and to stabilize or improve those which need redirection.”

Section 204 Stimulating Private Sector Growth:

“204.2 The policies established in support of the stimulating private sector growth objective are as follows: ...

- (m) Place a high priority on stimulating and facilitating a variety of commercial, retail, and *residential development investments appropriate to selected Metrorail station areas* outside of the Central Employment Area, consistent with the Land Use Element and any ward and small area plan, and with sensitivity to surrounding areas.

Section 302 Housing: General includes:

“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, recognize the importance of the lending industry in housing development, identify sites where new housing is to be encouraged, and, in selected cases, provide incentives for desired development; ...
- (e) *Encourage housing on suitably located public or private properties that are vacant, surplus, underutilized, or unused, and encourage adaptive reuse of surplus schools and other available public buildings as housing, with particular emphasis upon the needs of low- and moderate-income residents; ...”*

Section 1102 Objectives for Residential Neighborhoods:

“1102.1 The residential neighborhood objectives are as follows:

- (a) To conserve and enhance the essentially satisfactory qualities of the District’s many stable residential neighborhoods including those qualities that make them unique;
- (b) To enhance other neighborhoods and achieve stability;
- (c) To redirect public and private initiatives to neighborhoods most in need of improvement and stability; ...
- (d) *To protect residential neighborhoods from disruptive uses; ...”*

Section 1608 Ward 5 Objectives for Housing:

“1608.1 The objectives for housing are as follows:

- (a) Protect and preserve the ward’s stable neighborhoods and its sound housing stock;
- (b) Stimulate the production of new housing, ...
- (c) Provide incentives for housing at desired locations *such as the Fort Totten Metrorail Station Special Treatment Area* and the Rhode Island Avenue Metrorail area; ...”

Section 1615 Ward 5 Actions in Support of Transportation:

“1615.1 The policies in support of transportation are as follows:

- (a) Improve the movement and management of vehicular and pedestrian traffic to ensure public safety and mitigate adverse effects of traffic and parking on residential streets around the Fort Totten ... Metrorail stations:
- (b) Recommended actions:
 - (A) *All proposed projects should include an analysis of potential traffic impacts on the surrounding streets and especially on adjacent residential neighborhoods; ...”*

This project would further these themes and objectives by;

- Eliminating the possibility of future industrial uses similar to previous uses that the community reports had negative noise and traffic impacts;
- Converting underutilized industrial land into new residential development;
- Respecting the adjacent residential neighborhood through dwelling unit designs of similar height and scale;

- Providing a significant private sector investment in residential development near a Metro Station development opportunity area outside the Central Employment Area; and
- Having “no significant impact” on future neighborhood traffic circulation.

The application also notes this proposal furthers these themes because:

- “... the Project has carefully been designed to follow neo-traditional design principles, including rear-loading garages accessed from an alley system, the inclusion of public green that serves as the focal point of the development, a coordinated internal sidewalk system that allows for a high level of neighborhood walkability, and easy connections to both nearby transit and other uses in the surrounding community;”
- “... virtually all the existing vegetation ... will be preserved for slope stabilization purposes;”
- “... the new occupants of the 35 units will add significantly to the market demand for existing neighborhood retail uses and amenities, further invigorating the neighborhood;”
- “In the case of an established jurisdiction like the District, (transit oriented design) is accomplished more in the form of infill projects rather than wholesale neighborhood design;”
- “... the Project provides an ample supply of on-site parking ... to ensure that the Project does not increase the pressure on the neighborhood for limited street parking;” and
- “The Property is ideally located for residential development that is within easy walking distance of a Metrorail station and several Metrobus routes.”

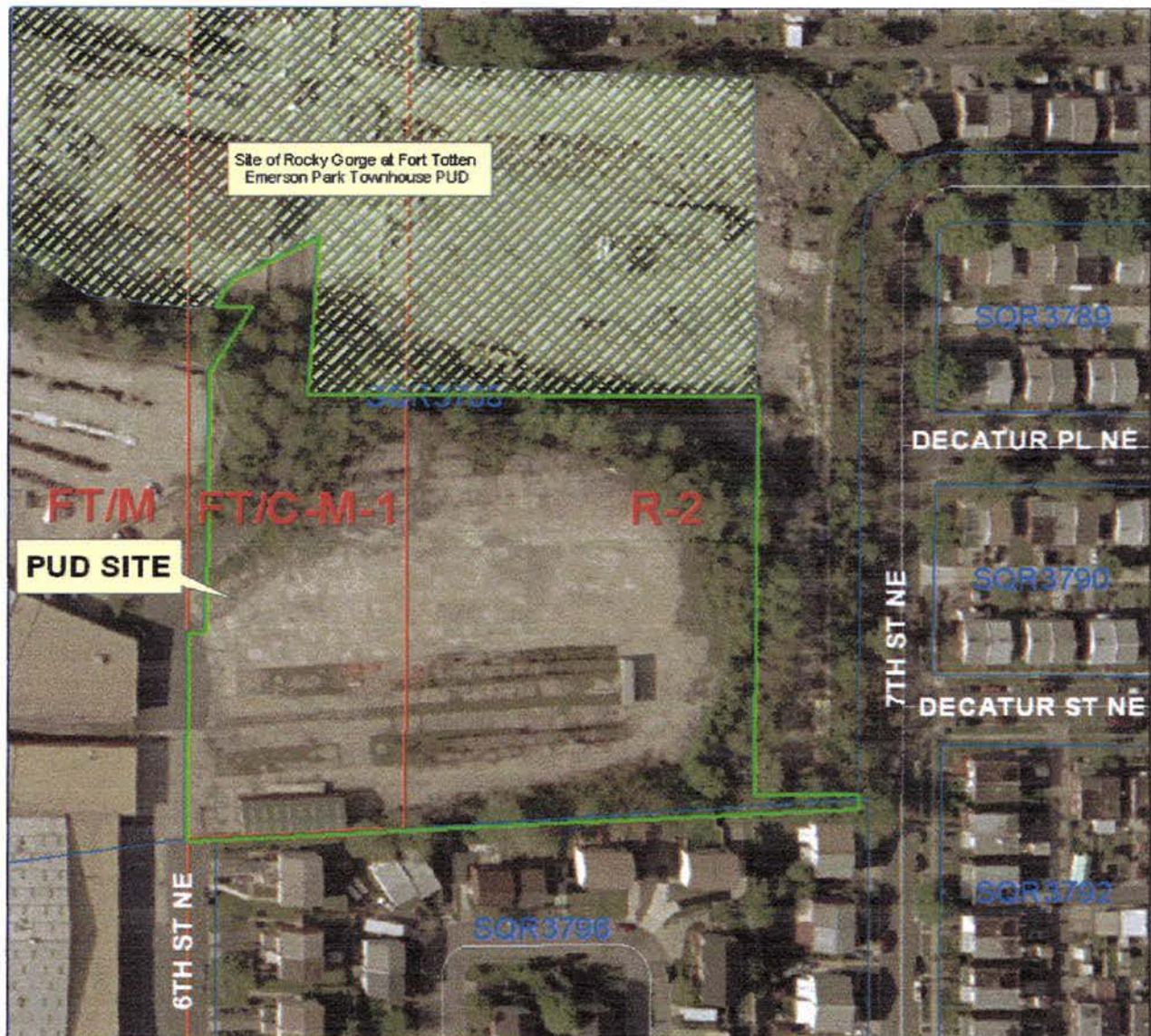
Based on this information, OP concludes this PUD proposal does not appear inconsistent with Comprehensive Plan and supports more specific housing goals identified in the Comprehensive Plan. Therefore, the Office of Planning recommends the project be scheduled for public hearing. OP will continue to work with the applicant on refining the amenities package and encourages the applicant to continue working with the community to refine proposed package of community amenities and benefits.

COMMUNITY COMMENT

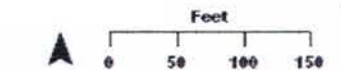
The North Michigan Park Civic Association hosted an initial information meeting about this project on March 13, 2006.

Attachments: Exhibit 1 Aerial Map with Zoning

EMc/afj



Z.C. Application No. 06-26 Rocky Gorge Development PUD



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

Office of Planning - July 6, 2006

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Legend

Street Centerlines
Property Squares

Legend

Zoning Districts
Street Centerlines