

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:** *HT* Harriet Tregoning, Director

**DATE:** March 30, 2007

**SUBJECT:** **Setdown Report for Z.C. 07-02**  
1444 Irving Street, N.W.

Consolidated Planned Unit Development and Zoning Map Amendment

ZONING COMMISSION  
District of Columbia

CASE NO. 07-02

EXHIBIT NO. 13

**I. SUMMARY RECOMMENDATION**

The Office of Planning recommends that the Zoning Commission set down for a Public Hearing Case #07-02, 1444 Irving Street, N.W. as a consolidated PUD application with an associated zoning map amendment. Additional information and clarification needed before or at a public hearing is noted in italics in this report.

**II. APPLICATION-IN-BRIEF**

**Location:** Square 1657, Lots 810, 811, 812  
Ward 3, ANC 3E

**Applicant:** Columbia Heights Ventures Parcel 26, LLC; RLA Revitalization Corporation

**Current Zoning:** C-3-A and R-5-B

**Proposed Project:** Seven-story 69-unit, 80,920 gsf residential building; and 104 unit, 33,663 gsf single room occupancy residential facility (SRO), with associated counseling services. The latter is described as a dormitory by the applicant but appears to be a Community-Based Residential Facility (CBRF).

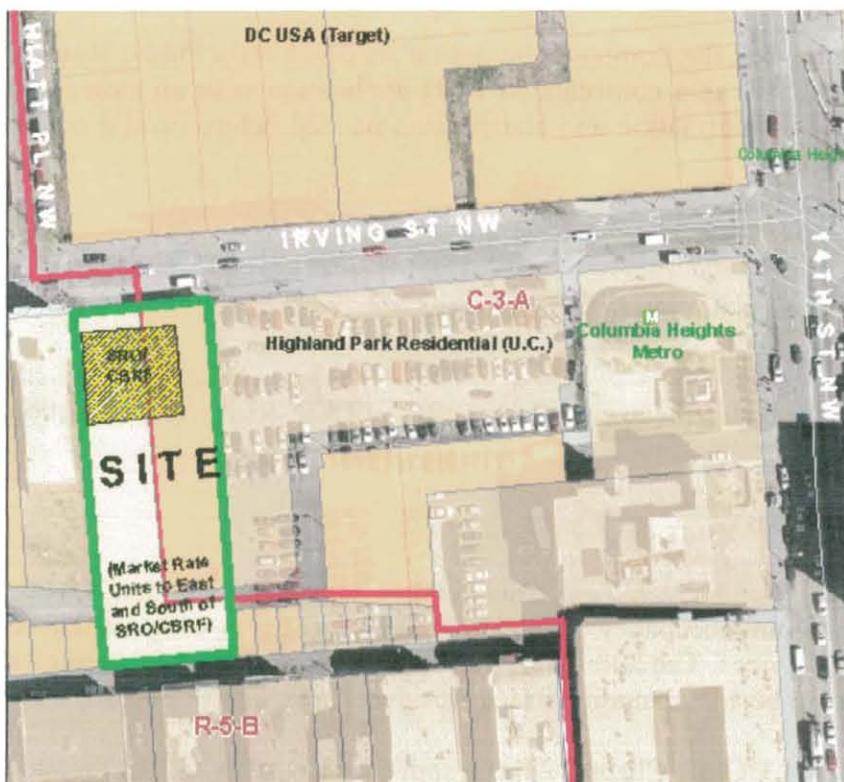
**Relief and Zoning:** Pursuant to 11 DCMR Chapter 24, the applicant is seeking a PUD-related map amendment from R-5-B to C-3-A for a portion of the site. The applicant is also seeking relief from roof structure (§§411.3), residential recreation space (§773), rear yard, (§774.1), court width (§776.3) and loading space requirements (§2201.1).

OP thinks may also be needed for:

1. More than one building on a lot because there is no connection between the buildings, and;
2. Parking and loading relief for the SRO.

### III. SITE AND AREA DESCRIPTION

The property is located on the south side of Irving Street, N.W. between 14<sup>th</sup> and 15<sup>th</sup> Streets. It is owned by the Redevelopment Land Agency Redevelopment Corporation (RLARC), and the applicant (Columbia Heights Ventures Parcel 26, LLC - a subsidiary of Donatelli Development) has been awarded an exclusive rights agreement to develop it. An existing apartment building borders the building on the west. To the east, the 229 unit Highland Park condominium building at 14<sup>th</sup> and Irving Streets is under construction by the same developer as 1444 Irving Street, also in conjunction with RLA Redevelopment Corporation. A 20-foot alley, which is part of the Square's extensive alley system, borders the site on the south. The Columbia Heights Metro station is next to the proposed project, at the intersection of 14<sup>th</sup> and Irving Streets. The opening of the Metro station and the offering of numerous sites by RLARC have stimulated several hundred thousand square feet of new development in Columbia Heights over the last six years.



The D.C. USA project, which will include retailers such as Target and Best Buy, is under construction to the north, across Irving Street from the applicant's site. The subject site is currently occupied by trailers, which the property's owner, the RLARC, leases to the District for the La Casa Shelter for the homeless.

The 25,415 square foot site is split-zoned: the eastern portion is C-3-A and the western portion is R-5-B. Zoning to the south and east is R-5-B. Zoning to the east and north is C-3-A.

Figure 1. Site Location and Zoning. (See Attachment for enlargement)

#### IV. APPLICATION DESCRIPTION AND OP COMMENTS

The applicant wishes to secure approval to build 69 condominium units and for what it refers to as 104-room single room occupancy (SRO) dormitory building. To accomplish this, the applicant requests the following of the Zoning Commission.

- A PUD-related map amendment to C-3-A for a site now split-zoned C-3-A and R-5-B;
- Relief from the Zoning Regulations' requirements for:
  - Rear Yard Depth
  - Width for 5 Open Courts
  - Size for 1 Closed Court
  - Loading Berth size for the condominium building
  - Loading Platform size for the condominium building
  - Delivery Space for the SRO/dormitory building
  - Single Enclosure of Roof Structures
  - Residential Recreation space.

With respect to the types of uses being proposed, OP notes that the Zoning Regulations do not define or refer to Single Room Occupancy Structures, and refer to Dormitories only in conjunction with academic institutions. The use seems to fall under the definition of a Community Based Residential Facility (CBRF). The structure that will contain 104 single-bed dwelling rooms, common bathroom facilities on each floor, three kitchenettes and a general warming kitchen, and rooms for providing counseling and therapy to building residents. Occupant entry and exit will be permitted only under supervision.

For zoning purposes, the applicant is considering the condominium building and the SRO/CBRF to be one building. However, although the applicant is seeking approval for a consolidated PUD for both the condominium and SRO/CBRF building; and while the applicant will be constructing the condominium building; the applicant is committed to providing only a donation of the land, the architectural plans, and the cost of securing zoning approvals for the SRO/CBRF portion of the project. The SRO/CBRF will be constructed separately by the District of Columbia government, at a time not specified by the applicant.

OP notes that there does not appear to be a meaningful connection between the two functionally separate buildings. On the contrary, while the applicant has promised to accommodate SRO staff's parking needs, the applicant does not provide for a loading or delivery connection between the underground garage and the SRO, nor does the applicant intend to permit loading or delivery functions to be accommodated from that garage and above-ground to the SRO via the condominium lobby. This is understandable. Nevertheless, because of this functional separation, OP believes that, at a minimum, *the applicant should also be requesting relief from the requirements for:*

- *Parking for the SRO building*
- *Loading Platforms for the SRO building,*

*and should explain:*

- *Why the two buildings will function as one for zoning purposes, and*
- *Why this is necessary.*

**Table 1: 1444 Irving St., NW --Comparison of Matter of Right and Proposed Zoning Requirements, and Relief Required**

Item	\$	R-5-B	\$	C-3-A	Proposed C-3-A PUD	Relief
Lot Area PUD	25,415 sf	15,198.6 sf		10,216.4 sf	Total: 25,415 sf 20,013 sf market rate 5,402 dorm or CBRF	Conforming
Building Height (MOR)	400	50'	770.1	65'		
Building Ht. (PUD)	2405.1	60'	2405.1	90'	82'4"	Conforming
FAR (MOR)	402	1.8	771.2	4.0 (max) 4.0 (res. max) 2.5 (comm. max)		Conforming
FAR (PUD)	2405.2	3.0		4.5(max): 114,367.5 sf 4.5 (res) 3.0 (comm. Max)	4.5 total: 114,368 sf (80,703 sf market rate) (33,665 sf dorm-CBRF)	Conforming
Lot Occupancy	403	60%	772.1	75% 19,061.25 sf max. for project	18,253 sf	Conforming
Rear Yard	404	4 in./ft. of height; >= 15'	774.1	2.5'/ft. of height; >= 12' 17' min. for project	13' proposed	Requested
Side Yard	405	none required, but if provided not less than 8'	775.5	none required, but if provided not less than 6'	None	Conforming
Open Court Width	406.1	4 in./ft. of height; >= 10'	776.3	4in./ft. of height; Not less than 15'	Below min. in spots for 5 open courts	Requested
Closed Court				Width: 4in./ft. of height; Not less than 15' Area: 2 (req. W <sup>2</sup> ); 350 sf	Below min. for one closed court	Requested
Parking	2101.1	Apt. or MDU: 1 / 2 DU Dorm: 1/5 beds CBRF: determined by BZA	2101.1	Total: 56-57 - Apt. or MDU: 1 / 2 DU [35 for mkt. rate project] - Dormitory: 1 / 5 beds [22 for dorm] OR - CBRF: 1 / 10 persons housed (i.e., 21 )	84 spaces for market rate units 0 for dorm/CBRF	Requested
Loading	2201.1	Apt. hse. Or MDU: 1 berth @ 55'; 1 platform@ 200 sf; 1 space @ 20'	2201.1	- Apt. hse. Or MDU: 1 berth @ 55'; 1 platform@ 200 sf; 1 delivery space @ 20' Dorm or CBRF >= 30K sf and <= 100K sf: 1 berth @ 30'; 1 platform @ 100 sf; 1 delivery space @ 20'	- Apt: 1 loading berth @ 30'; 1 platform @ 100 sf; 1 delivery space @ 20' -Dorm or CBRF: No loading, platforms or delivery space	Delivery space relief. But no berth or platform relief requested for dorm/CBRF

*Due to inconsistencies in the application's presentation of some information, the above table represents OP's best estimate at correct figures for some items. This information will require confirmation by the applicant before a public hearing.*

## PROJECT DESCRIPTION

The design of the building is very contemporary. The completed building will have three elements fronting on Irving Street. The condominium entrance, on the east, will be a Frank Gehry-like swirling glass tower. Next to it will be a metal entry gallery rising approximately 80 feet, and punctuated with long, narrow vertical windows. These two elements will rise from a sunken courtyard, will be set back 60 feet from the street, to provide the opportunity for eastern windows on the SRO/CBRF, and will be connected to the sidewalk by an enclosed walkway at the first floor level. The western portion of the seven-story condominium building will be a blank masonry wall, intended to be fronted by the third piece of the composition – the CBRF/SRO building. This building will be masonry with a grid of square window openings, each containing both operable vision windows and colored glass panels. The architectural composition is dependent on the sum of its three parts. The building is “finished” on all sides, with masonry and glass designs on the east, south and west.

The condominium building is, in plan, primarily a north-south rectangle, flanked by open court setbacks on the east and west sides, and by the rear yard on the south. The northeast corner of the condominium building contains the sunken garden, lobby, and entry gallery. Residential terraces and bays project into the east and west courts. The entrance area curves into the northeastern court. These projections lead to the request for relief from certain court width requirements.

The roof, which is at the eighth level, contains eight private roof decks, as well as several common-area decks and recreation areas. Some of this common area is enclosed behind screening walls that comprise part of the uniform-height roof structure enclosure on the condominium building.

The SRO/CBRF building is a rectangle in plan on the first floor, and an “L” with the southwestern corner open above the first floor, allowing the top of part of the first floor to function as a terrace. The building will be a replacement facility for District-owned LaCasa homeless shelter, now housed in trailers on the northwestern portion of the site.

There is no garage or other below grade space beneath the first floor level of the SRC/CBRF. There are two and 1/3 levels of parking beneath the main portion of the condominium building. These contain 84 parking spaces. Although there is a twenty-foot alley behind the proposed PUD, the garage is entered not from the alley, but through the parking garage of the adjacent Highland Park condominium building, which is currently under construction by the same developer. The rear yard, rather than the garage or other enclosed space, is used to accommodate a 12' by 20' truck berth, a 12' by 30' truck berth, a 100 square foot loading platform, and a 20' parking space.

The landscaping for the condominium is extensive (see sheet 09). Because both 1444 Irving and the Highland Park condominium are being developed by the same firm, the area between the two buildings will be used as a shared garden and will include a pool, a water wall, and other park-like features. The landscaping on Irving Street includes a planted buffer between the public space and the front of the SRO/CBRF. Passersby will also be able to see into the condominium's sunken front court, which includes bamboo, flowering perennials and a waterfall.

OP is very supportive of the project's exciting design. Its visual success is, however, dependent on the construction of the SRO/CBRF as presented. The Irving Street façade would be incomplete, jarring and unfriendly without the SRO/CBRF element.

## **VI. COMPREHENSIVE PLAN**

### **A. Future Land Use Map**

The applicant's property is designated for mixed-use, medium density residential and moderate density commercial. The project's overall density of 4.5 and its mix of residential and SRV/CBRF uses are not inconsistent with this designation.

### **B. Written Elements**

The new Comprehensive Plan has sections covering city-wide policies and actions, as well as sections covering particular geographic areas of the District.

The location of an SRO/CBRF at the proposed location is clearly not inconsistent with the city-wide policies for the location of homeless shelters. See especially Policies H-4.1.3 (siting near public transportation) and H-4.2.8 (SRO's) below:

#### **CITYWIDE ELEMENTS, H-4.0 HOUSING THOSE WITH SPECIAL NEEDS**

##### **H-4.1 INTEGRATING SPECIAL NEEDS POPULATIONS 515**

**POLICY H-4.1.3: COORDINATION OF HOUSING AND SUPPORT SERVICES** COORDINATE THE SITING OF SPECIAL NEEDS HOUSING WITH THE LOCATION OF THE KEY SERVICES THAT SUPPORT THE POPULATION BEING HOUSED. THE AVAILABILITY OF AFFORDABLE PUBLIC TRANSPORTATION TO REACH THOSE SERVICES ALSO SHOULD BE CONSIDERED.515.5

##### **H-4.2 MEETING THE NEEDS OF SPECIFIC GROUPS 516**

###### **THE HOMELESS**

HOMELESSNESS IN THE DISTRICT OF COLUMBIA IS A SIGNIFICANT PROBLEM AND ONE THAT HAS BECOME WORSE IN THE WAKE OF THE CURRENT HOUSING BOOM. IN JANUARY 2005, THE METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS ESTIMATED THAT THERE WERE 11,419 HOMELESS PERSONS IN THE REGION, INCLUDING 2,694 WHO WERE CHRONICALLY HOMELESS. MORE THAN HALF OF THE HOMELESS POPULATION, AND TWO-THIRDS OF THE CHRONICALLY HOMELESS POPULATION, LIVED IN THE DISTRICT. PROVISIONS TO ASSIST THE HOMELESS MUST INCLUDE EMERGENCY SHELTER, TRANSITIONAL HOUSING, AND PERMANENT HOUSING, ALONG WITH SUPPORTIVE SERVICES. ON SO MANY LEVELS, THE NEED FOR SUCH FACILITIES AND SERVICES OUTPACES SUPPLY. THE SHORTFALL WILL GET WORSE IF NOTHING IS DONE, WITH MORE DISTRICT RESIDENTS AT RISK OF BECOMING HOMELESS. 516.4

###### **POLICY H-4.2.5: ENDING HOMELESSNESS**

REDUCE THE INCIDENCE OF HOMELESSNESS IN THE CITY THROUGH HOMELESS PREVENTION EFFORTS, DEVELOPMENT OF SUBSIDIZED HOUSING FOR THE HOMELESS, AND ACTIVELY COORDINATING MAINSTREAM SOCIAL SERVICES FOR PERSONS WHO ARE HOMELESS OR AT RISK OF BECOMING HOMELESS. 516.11

**POLICY H-4.2.8: NEIGHBORHOOD-BASED HOMELESS SERVICES ENCOURAGE THE PROVISION OF HOMELESS SERVICES THROUGH NEIGHBORHOOD-BASED SUPPORTIVE HOUSING AND SINGLE ROOM OCCUPANCY (SRO) UNITS, RATHER THAN THROUGH INSTITUTION-LIKE FACILITIES AND LARGE-SCALE EMERGENCY SHELTERS. THE SMALLER SERVICE MODEL CAN REDUCE THE LIKELIHOOD OF ADVERSE IMPACTS TO SURROUNDING USES, IMPROVE COMMUNITY ACCEPTANCE, AND ALSO SUPPORT THE REINTEGRATION OF HOMELESS INDIVIDUALS BACK INTO THE COMMUNITY. 516.14**

The proposed project is located in Columbia Heights, one of the neighborhoods included in the “Mid-City” area element of the Comprehensive Plan. The element emphasizes focusing increased density immediately adjacent to Metrorail stations and along high volume transit corridors such as 14<sup>th</sup> Street;

#### **MID-CITY AREA ELEMENT**

#### **PLANNING AND DEVELOPMENT PRIORITIES 2007**

THREE COMPREHENSIVE PLAN WORKSHOPS TOOK PLACE IN MID-CITY DURING 2005 AND 2006... THE COMMUNITY DELIVERED SEVERAL KEY MESSAGES DURING THESE MEETINGS, SUMMARIZED BELOW: 2007.2

(C) NEW CONDOS, APARTMENTS AND COMMERCIAL DEVELOPMENT SHOULD BE DIRECTED TO THE AREAS THAT ARE BEST ABLE TO HANDLE INCREASED DENSITY, NAMELY AREAS IMMEDIATELY ADJACENT TO METRORAIL STATIONS OR ALONG HIGH VOLUME TRANSIT CORRIDORS. THESE AREAS ARE GENERALLY LOCATED AROUND 14TH AND PARK, ALONG THE 14<sup>TH</sup> STREET CORRIDOR, ALONG U STREET—ESPECIALLY AROUND THE METRO STATION, ALONG 7TH STREET AND GEORGIA AVENUE—ESPECIALLY WEST OF HOWARD UNIVERSITY, AND IN THE SOUTHEASTERN CORNER OF THE PLANNING AREA NEAR THE NEW YORK AVENUE METRO STATION. MIXED USE DEVELOPMENT, WITH MULTI-STORY HOUSING ABOVE RETAIL SHOPS AND SERVICES, IS DESIRABLE IN THESE LOCATIONS AND WOULD REINFORCE THE MID-CITY’S CHARACTER AS A VITAL, PEDESTRIAN-ORIENTED NEIGHBORHOOD.

## **VII. ZONING**

The subject site is currently zoned R-5-B, which permits residential uses at a “moderate height and density” (§350.1), and C-3-A, which permits “medium density” residential or commercial uses, “with a density incentive for residential development within a general pattern of mixed-use development” (§ 740.4). The applicant proposes a PUD-related map amendment to C-3-A, for the entire site. This is not inconsistent with §720.5’s description of C-3-A zoning as being “compact in area and being located on arterial streets, in uptown centers and at rapid transit stops”. The table below contains a comparison of the heights and densities allowed in both districts and under both matter-of-right and planned unit development scenarios, as well as the applicant’s proposed project parameters. The proposed map amendment is appropriate based on Comprehensive Plan policy that supports increased densities near regional commercial centers, in housing opportunity areas and near Metro stations. It is also appropriate to allow a mix of uses near Metro stations to maximize the efficiency of the District’s transportation system.

	<b>R-5-B 15,198.6 sf</b>		<b>C-3-A 10,216.4 sf</b>		<b>R-5-B / C-3-A 25,415 sf</b>		<b>All C-3-A 25,415 sf</b>
	MOR	PUD	MOR	PUD	MOR	PUD	PUD
Height	50'	60'	65'	90'	50'-65'	60'-90'	82'4"
FAR	1.8	3.0	4.0	4.5	2.68	3.6	4.5
Sq. Ft.	27,357.5	45,598.8	40,865.6	45,973.8	68,223.1	91,572.6	114,368

In order to develop as proposed, the applicant has requested the following relief:

### **Rear Yard**

In the C-3-A district, a 17-foot rear yard is required. However, if the property abuts an alley, the rear yard can be measured from the centerline of the alley, up to a building height of 20 feet. Above 20 feet, the rear yard must be measured from the property line. In this case, where the rear wall of the structure is 13 feet from the property line, and abuts a 20 foot alley, the building has a twenty three foot rear yard up to a height of 20 feet, and thirteen feet above that level. The applicant is seeking relief from this requirement, "in order to accommodate the building's footprint and loading facilities" (page 12 of application). OP also notes that the applicant is constructing an 82'4" building, where a 90' building is the maximum allowable under the requested zoning. The rear yard may need to be lessened in order to develop the building at a height less than that theoretically permitted.

The applicant has provided several courtyards and requires a rear yard only to provide loading and service facilities. The Office of Planning supports the overall form and massing of the building and notes that the proposed building would be 33 feet from the rear yard line of the buildings to the south, on Columbia Road.

OP is concerned, however, that the side windows of rear facing units on the first floor will be only a few feet away from the loading and parking areas proposed to the back. *The applicant should provide additional studies of how to screen these functions from the units prior to or at a public hearing.*

### **Open and Closed Courts**

The project includes nine courts, the required width or size of which are compliant when measured from the main building mass, but become deficient when considering the balconies and bays that project into the courtyards, primarily on floors two through five, and the back two bays of the first through third floors.

These "pinch points" do not pose a problem on the eastern side of the building, because the courtyards are adjacent to open space at the Highland Park Condominium. That building and the proposed project are being built by the same developer and will include shared landscaped areas and recreational facilities between the two buildings.

*However, prior to or at a public hearing, the applicant needs to present additional information about the western courtyards' sun angles and the relationship of the courtyards, balconies and bays to the building to the west.*

### **Loading and Delivery Areas and Platforms**

Section 2201 requires certain loading facilities for both the residential and the SRO/CBRF portions of the building. The applicant is requesting relief from several of these requirements. For the condominium building, the applicant proposes a 30-foot, rather than a 55-foot, loading berth, and a 100 square foot, rather than a 200 square foot, loading platform. From Sheet 11, it appears that loading and deliveries will reach the main building via a three or four-foot wide open walkway along the eastern length of the building that connects to the lobby.

After initial move-in, the number of times per year that a 55-foot truck would make deliveries would be minimal. The Office of Planning may be able to support a commitment by the applicant to a requirement on title that deliveries be restricted to trucks of 30 feet or less. *However, the applicant will need to demonstrate the viability of a 100 square foot loading platform, and diagram loading/unloading access between the building and the rear area prior to or at a public hearing.*

OP is more concerned about the lack of any loading and delivery facilities for the SRO/CBRF. As presently designed, there will be no way that any of the facilities provided for the condominium building will be able to be used by the SRO/CBRF, unless the condominium building has a legal commitment to permit loading and deliveries from the back, through the condominium lobby and to the front of the SRO/CBRF. As with the condominium, there will likely be little loading for the SRO/CBRF after initial move-in. However, the need for deliveries to a 104-bed facility where prepared meals are served from heating kitchens could be considerable. The applicant proposes to accommodate these deliveries from Irving Street. OP notes that Irving is a major cross-town route, and that the proposed project is located adjacent to a Metro drop-off and across the street from the parking and loading facilities of the DC-USA retail project. The sidewalk is not wide enough to accommodate a pull-off delivery area, and such an area would run contrary to the Columbia Heights Public Realm Plan's emphasis on increasing the width of sidewalks, especially where they are providing access to Metro. *The applicant will either need to secure permission from DDOT for a street loading zone, or guarantee that deliveries and loading will have the "right of passage" from the rear yard and through the condominium building, and that this passage will physically accommodate loadings and deliveries.*

### **Rooftop Structures**

The Zoning Regulations specify that all penthouse and mechanical equipment be placed within a single enclosure of equal height (§§411.3 and.5). In this case there will be two buildings, constructed at two separate times, although the applicant is saying they are one building for zoning purposes. Given the distance between each building's roof structure, and the height differences between the two buildings, OP supports the applicant's request, as being more logical and has much less of a negative impact to have a separate roof enclosure on each building.

## Residential Recreation Space

The applicant is requesting relief from the requirement for 15% residential recreation space. The current proposal shows 13,247 sf of recreation space, as opposed to the required 17,155 square feet. The applicant notes, however, that if an additional 7,995 square feet of private balconies and terraces were included, the useable recreation space would total 21,241 square feet, or 19% of the residential gfa. The proposed amount of recreation space is similar to that of other recently approved projects. OP notes that after a 4-0-1 vote on November 6, 2006, the Zoning Commission took final positive action on Case No. 05-02 to remove any recreation space requirements, in Case No. 05-02. A Final Order is expected to be published before a public hearing could be scheduled for the present case.

## VIII. PROJECT IMPACTS, PUBLIC BENEFITS AND AMENITIES

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.

### A. Project Impacts

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). OP believes that the project will have an overall positive impact on the neighborhood and the District, but the applicant will need to provide additional information about several matters. These include:

1. A Completed Traffic Impact Analysis: The applicant has submitted an executive summary of the traffic analysis, stating that with an adjacent Metro and several bus lines on 14<sup>th</sup> Street and Irving Streets, there should be a favorable modal split with respect to minimizing additional auto traffic. The applicant notes that the CBRF/SRO is likely to have little traffic impact, and that development of the site residentially will generate less traffic than if it were developed commercially. *However, the applicant needs to submit the completed traffic study and to address the delivery and loading issues noted above in Section VII.*
2. Review by DDOT: *The applicant needs to secure DDOT's comments on the project impact, and its assessment of whether the applicant's proposed delivery and loading arrangements will be acceptable, and whether DDOT will permit a delivery area to be dedicated on Irving Street to the SRO/CBRF.*
3. Further Information on the La Casa SRO/CBRF program. This is likely to have a positive impact on the neighborhood, but for proper evaluation, *the applicant needs to present more detail on its hours of operation, when people will be permitted in and out, how long they will reside there, the types of counseling and treatment that will be provided, the number of estimated deliveries – particularly for food and linens, etc.*

## B. Public Benefits and Amenities

Sections 2403.5 - 2403.13 of the Zoning Regulations discuss the definition and evaluation of public benefits and amenities. In its review of a PUD application, §2403.8 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. In this case, the development gained through this PUD is 1.8 FAR or 46,145 square feet, and 17' 4" on some parts of the building's height.

The applicant has listed a number of areas which it feels contribute towards their amenity package:

1. Enhanced Urban Design, Architecture Landscaping and the Creation of Open Spaces (§2403.9(a)): These aspects have been discussed above and constitute both amenities and public benefits. OP believes this project could be one of the most notable contemporary designs in the city, for both those residing in the project, and for passersby. Again, OP notes that the design succeeds only if the SRO/CBRF is constructed.
2. Efficient Site Planning and Land Utilization (§2403.9(b)): The applicant cites streetscape improvements; the use of open spaces, setbacks and glass to create an open feel; and enhanced on-site landscape features. These are both amenities and public benefits.
3. Effective and Safe Vehicular and Pedestrian Access within Close Proximity to Public Transit Service (§2403.9(c)): The site is adjacent to the Columbia Heights Metro and would have less peak hour impact than a 3.0 commercial/ 1.0 residential matter of right development on the C-3-A portion of the site. This is a public benefit.
4. Employment and Training Opportunities (§2403.9(e)): The applicant has entered into a First Source employment agreement with DOES. This is a public benefit.
5. Housing and Affordable Housing (§2403.9(f)): The applicant lists, but does not discuss this aspect. However, OP notes that the applicant is providing housing in an area where there is considerable market demand. The applicant is not directly providing any affordable housing. It is contributing land and architectural/legal costs to further the possibility of the SRO/CBRF's “affordable housing” being built. OP does not agree with the applicant's evaluation of this, and finds no amenity or public benefit. *The applicant will need to provide additional information if it wishes OP to evaluate housing and affordable housing as a public benefit. It will also need to provide this information for the Zoning Commission to balance against the recently passed, but not yet in effect, Inclusionary Zoning requirement that at least 8% of a PUD be devoted to affordable housing.*

6. Uses of Special Value to the Neighborhood and the District of Columbia as a Whole (§2403.9(i)): The applicant will “bear the costs associated with contributing the land and obtaining the necessary zoning approvals” for the construction of the SRO/CBRF that will replace the current trailers used by the existing La Casa shelter. The applicant estimates the land contribution and the zoning costs to be approximately \$3.5 million. While any direct or in-kind contribution that furthers the construction of a new facility for the La Casa shelter is of considerable benefit, OP will need additional information to be able to evaluate how much of a public benefit the PUD will contribute. *Such information should include:*

- *A description of the land disposition agreement with RLARC, in order to determine whether the land contribution was a condition of the ERA, and whether the land's sales price was written down accordingly;*
- *A listing of architectural design fees and legal fees the applicant will incur towards securing zoning approval of the SRO/CBRF.*

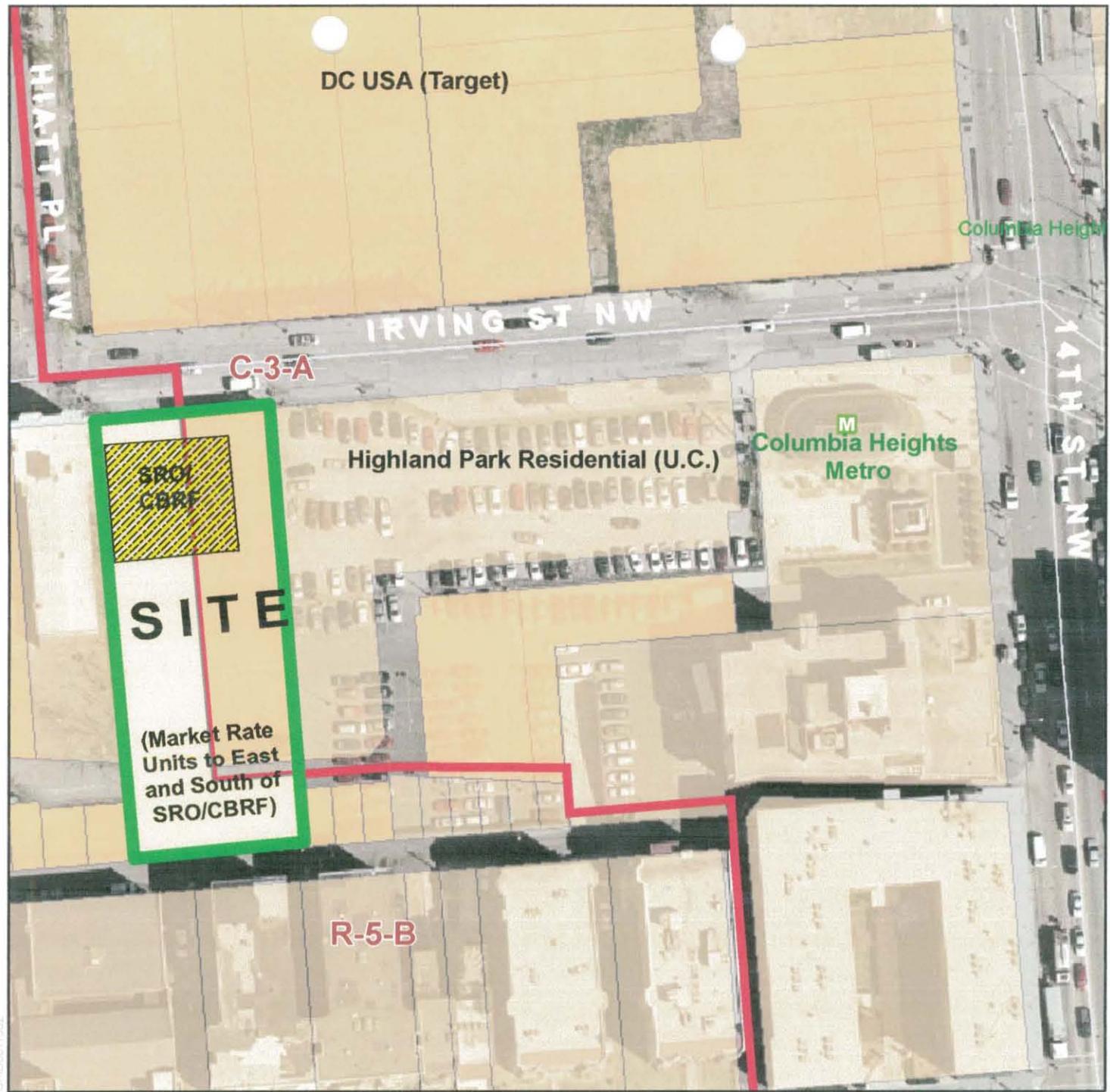
OP recognizes that the applicant has not listed the actual provision of the SRO/CBRF as a public benefit or amenity. It is a District project, and final design and construction will be the responsibility of the District. However, because the PUD for which approval is being requested includes both a particular design that incorporates the SRO/CBRF, because the SRO/CBRF is a significant public benefit – albeit not one paid for by the applicant, and especially because the applicant is building or contributing nothing to affordable housing or any off-site public benefits – *it is important for the applicant to give more information about the District's funding commitment and timing for the construction of La Casa.*

In OP's opinion, the proposed amenities and public benefits are sufficient for setdown, but additional information on a definitive amenity and public benefits package will need to be provided prior to the public hearing. OP will provide a more thorough analysis of the amenities and public benefits package at that time.

## **IX. AGENCY REFERRALS**

If this application is set down for a public hearing, the Office of Planning will refer it to the following District government agencies for review and comment:

- Department of Employment Services (DOES);
- Department of Housing and Community Development (DHCD);
- Department of Public Works (DPW);
- Department of Transportation (DDOT);
- DC Public Schools (DCPS);
- DC Water and Sewer Authority (WASA);
- Fire and Emergency Medical Services Department (FEMS); and
- Metropolitan Police Department (MPD)
- Department of Health and Human Services.



Z.C. Case No. 07-02  
1444 Irving Street PUD  
and Map Amendment

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Government of the  
District of Columbia  
Adrian M. Fenty, Mayor

Office of Planning ~ March 12, 2007

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.

**Site Location  
and Zoning**

Zoning Districts

Col. Hts. Metro

**Attachment 1**

## **X. COMMUNITY COMMENTS**

The ANC has not yet taken a position on this application.

## **XI. RECOMMENDATION**

The Office of Planning recommends that this application be set down for public hearing. The proposal is consistent with goals and objectives of the Comprehensive Plan; it would redevelop an under-utilized property near a Metro station with a mix of uses. The development will provide both market rate housing and will further the provision of needed housing for the homeless. Residents will have access to mass transit and neighborhood-serving retail. In addition to the increased FAR and height gained through the PUD process, the applicant is also seeking relief from other zoning standards.

OP will work with the applicant to ensure that the additional information needs and clarifications noted in italics in Sections IV, VII and VIII above are provided in a timely manner. It will be particularly important for the applicant to present additional information about the funding and financial arrangements governing the applicant's dedication of land and provision of architectural services for the SRO/CBRF. Equally important will be a discussion of how the provision of this land and services relate to the intentions of the recently passed Inclusionary Zoning regulations.

OP will also work the community and applicant to address any community issues, and to ensure that the public benefit package is commensurate with the requested flexibility.

Attachment

HT/slc

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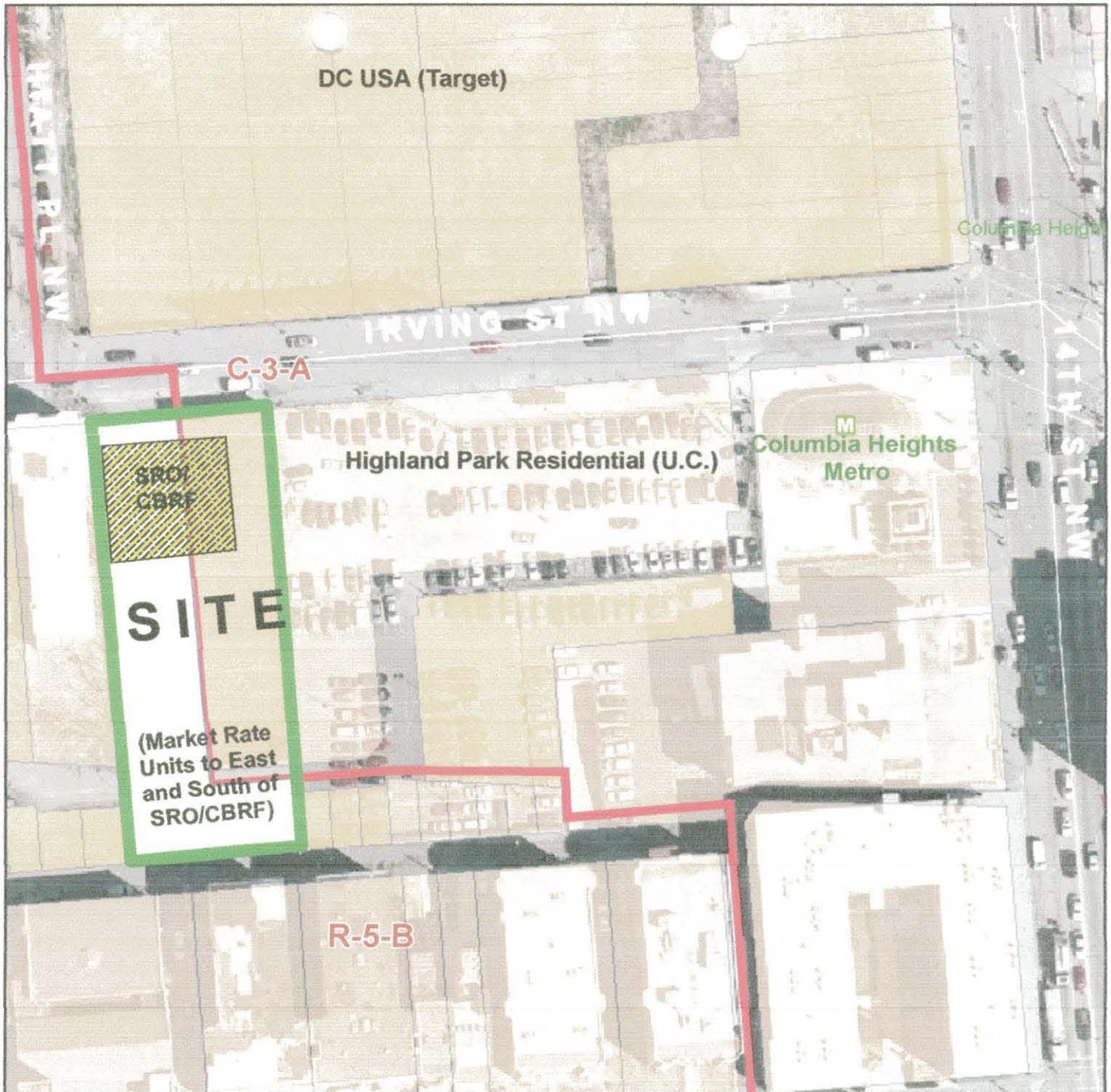
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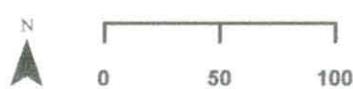
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Attachments:

HT/slc



**Z.C. Case No. 07-02  
1444 Irving Street PUD  
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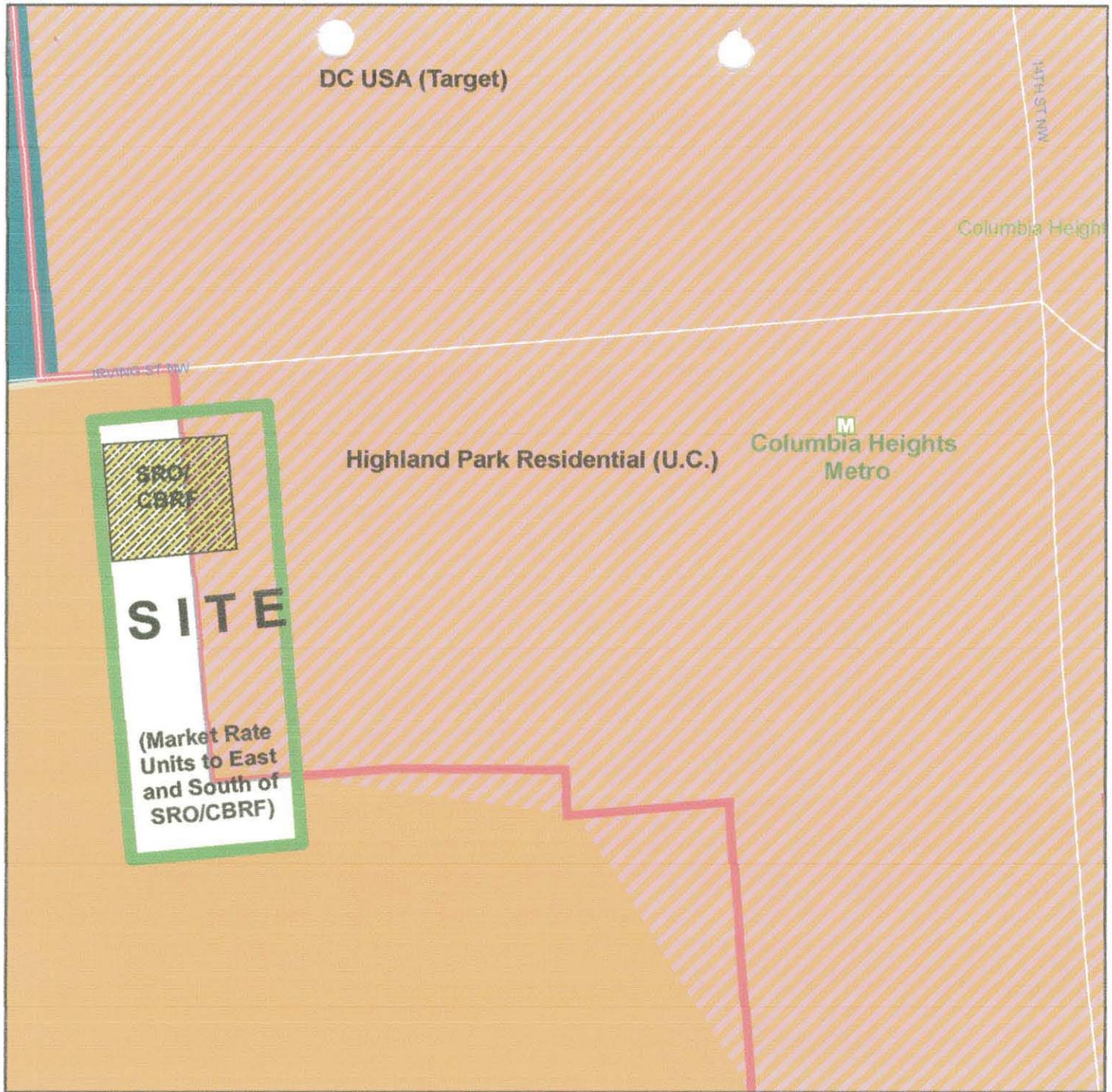
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**Site Location  
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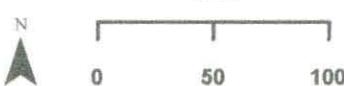
-  Zoning Districts
-  Col. Hts. Metro

**Attachment 1**



**Z.C. Case No. 07-02  
1444 Irving Street PUD  
and Map Amendment**

**Attachment 2**  
Comprehensive Plan  
Future Land Use Map



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Legend

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