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Chairman
Council of the District of Columbia
The Honorable Vincent C. Gray

Executive Director
Marcel C. Acosta

IN REPLY REFER TO:
NCPC File No. Z.C. 07-02

MAY 05 2008

**Zoning Commission for the
District of Columbia
2nd Floor, Suite 210 South
441 4th Street, NW
Washington, D.C. 20001**

Members of the Commission:

The National Capital Planning Commission, at its meeting on May 1, 2008, approved the enclosed action on the Consolidated Planned Unit Development and related map amendment to change the zoning from R-5-B to C-3-C on Square 2672. Also enclosed, for your information, is a copy of the Staff Recommendation for the project.

Sincerely,



Marcel C. Acosta
Executive Director

Enclosures

cc: Harriet Tregoning, Director
D.C. Office of Planning

Anthony Hood
Chairman
Zoning Commission

**ZONING COMMISSION
District of Columbia**

CASE NO. 07-02
EXHIBIT NO. 50 (URIG)

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D.C. OFFICE OF ZONING
2008 MAY 09 AM 10:59

COMMISSION ACTION

NCPC File No. Z.C. 07-02



CONSOLIDATED PLANNED UNIT DEVELOPMENT AND MAP AMENDMENT SQUARE 2672, LOT 726

1444 Irving Street, NW
Washington, D.C.

Submitted by the Zoning Commission of the District of Columbia

May 1, 2008

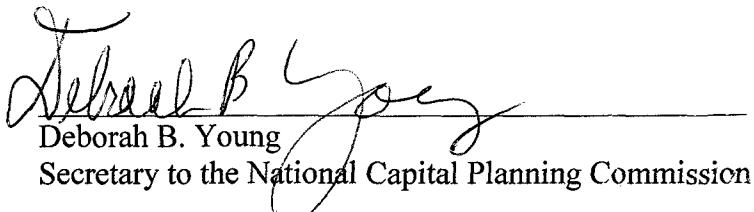
Commission Action Requested by Applicant

Approval of the report to the Zoning Commission of the District of Columbia pursuant to 40 U.S.C. § 8724(a) and DC Code § 2-1006 (a).

Commission Action

The Commission:

Advises the Zoning Commission that the proposal for a Consolidated Planned Unit Development and related map amendment to change the zoning from R-5-B to C-3-C on Square 2672 is not inconsistent with the Comprehensive Plan for the National Capital nor would it adversely affect any other identified federal interests.



Deborah B. Young
Secretary to the National Capital Planning Commission

A handwritten signature of Deborah B. Young is written over a horizontal line. Below the signature, the name "Deborah B. Young" is printed in a standard font, followed by her title "Secretary to the National Capital Planning Commission" in a smaller font.

STAFF RECOMMENDATION



NCPC File No. ZC 07-02

CONSOLIDATED PLANNED UNIT DEVELOPMENT AND MAP AMENDMENT SQUARE 2672, LOT 726

1444 Irving Street, NW
Washington, D.C.

Submitted by the Zoning Commission of the District of Columbia

April 24, 2008

Abstract

The Zoning Commission of the District of Columbia has taken a proposed action to approve a Planned Unit Development (PUD) and map amendment for a property located at 1444 Irving Street, NW in Washington, D.C. This proposal includes two structures: a seven-story, mixed-income, residential apartment building and a seven-story Community Based Residential Facility (CBRF), gardens and below grade parking.

Federal Interest

The identified federal interest relevant to this proposal is the Height of Buildings Act of 1910.

Commission Action Requested by Applicant

Approval of the report to the Zoning Commission of the District of Columbia pursuant to 40 U.S.C. § 8724(a) and DC Code § 2-1006 (a).

Executive Director's Recommendation

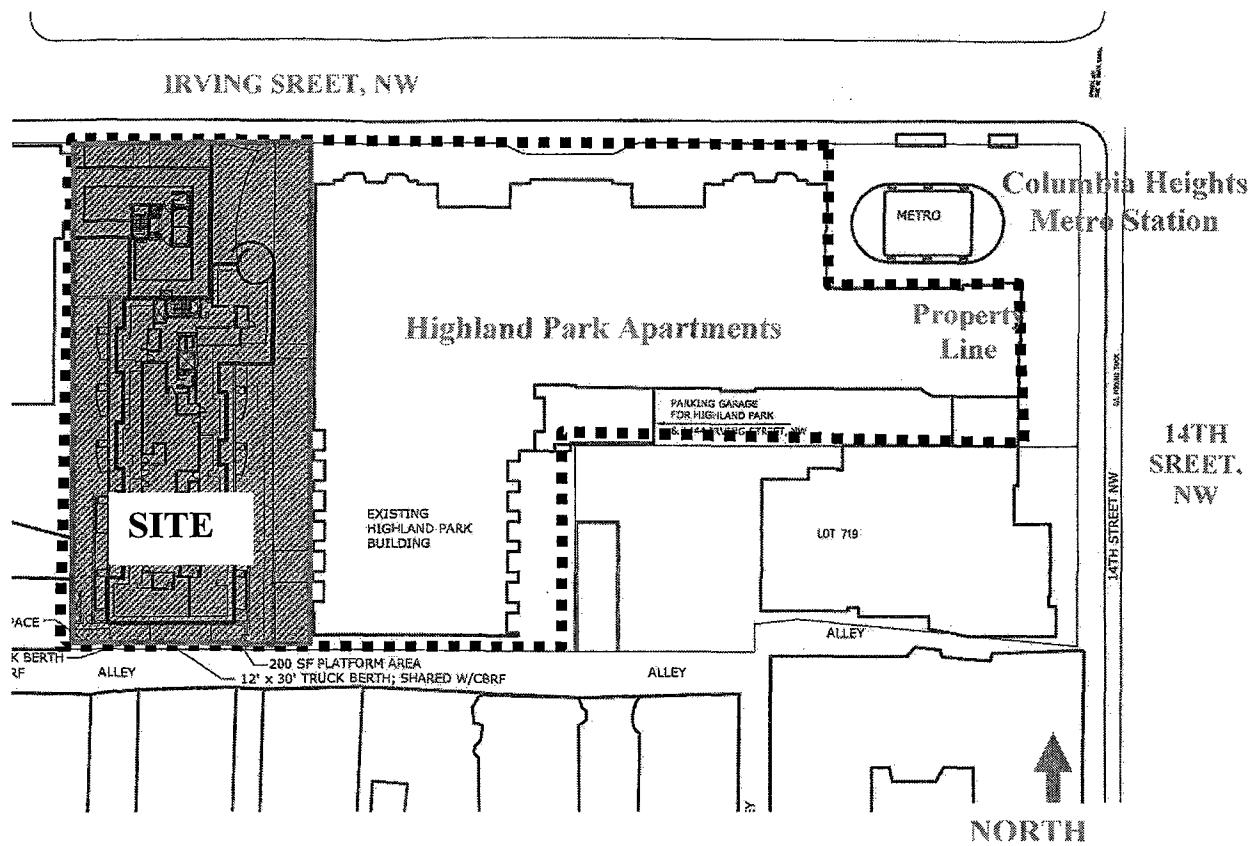
The Commission:

Advises the Zoning Commission that the proposal for a Consolidated Planned Unit Development and related map amendment to change the zoning from R-5-B to C-3-C on Square 2672 is not inconsistent with the Comprehensive Plan for the National Capital nor would it adversely affect any other identified federal interests.

PROJECT DESCRIPTION

Site

The 25,415 square foot site on Square 2672, Lot 726 is located on Irving Street just west of 14th Street, Northwest. This site is currently split into two zones, the western portion of the site is zoned R-5-B, while the eastern portion of the site is C-3-A. This proposal includes a map amendment to rezone the entire site to C-3-A. This site is less than a block from the Columbia Heights Metro Station. Irving Street, NW is a 50 foot right-of-way and 14th Street, NW is a 90 foot right-of-way.



Background

This property is owned by the District of Columbia which has partnered with Columbia Heights Ventures Parcel 26, LLC - a subsidiary of Donatelli Development. Donatelli Development was chosen by a now-defunct District agency known as the RLA Revitalization Corporation in 2001 to develop Parcel 26. Parcel 26 includes Lot 726 in Square 2672.

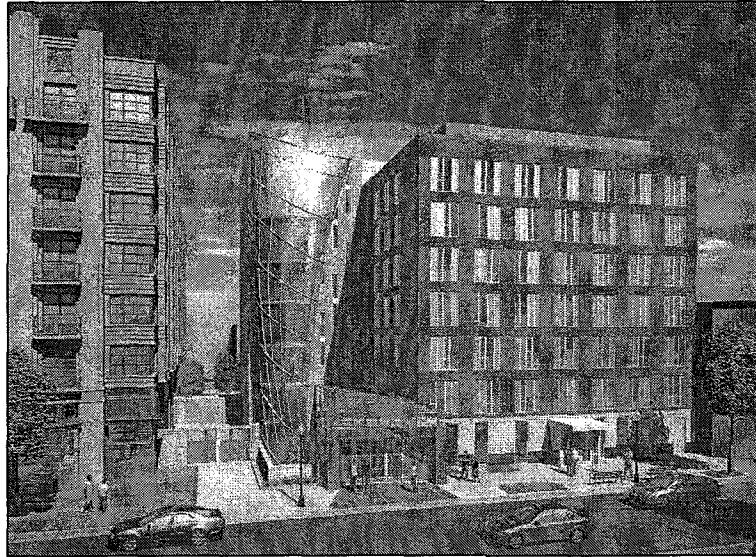
Two buildings are included in this proposal. These two buildings are adjacent to the existing Highland Park apartment building recently constructed in Columbia Heights. NCPC approved alley closures for these properties located in Square 2672 at its July 3, 2003 meeting.

The Highland Park Apartment building was not referred to NCPC, but was reviewed by the Board of Zoning Adjustment on July 13, 2003.

Proposal

This proposal includes the construction of two buildings: an 80,703 square foot, seven-story mixed-income residential apartment building and a 26,429 square foot, seven-story, Community Based Residential Facility. Also included in the proposal are several landscaped courtyards and underground parking.

Community Based Residential Facilities (CBRFs) are single room occupancy facilities for homeless residents in the District. These facilities combine living quarters with job training, housing placement, case management, and other needed services that promote self-sufficiency.

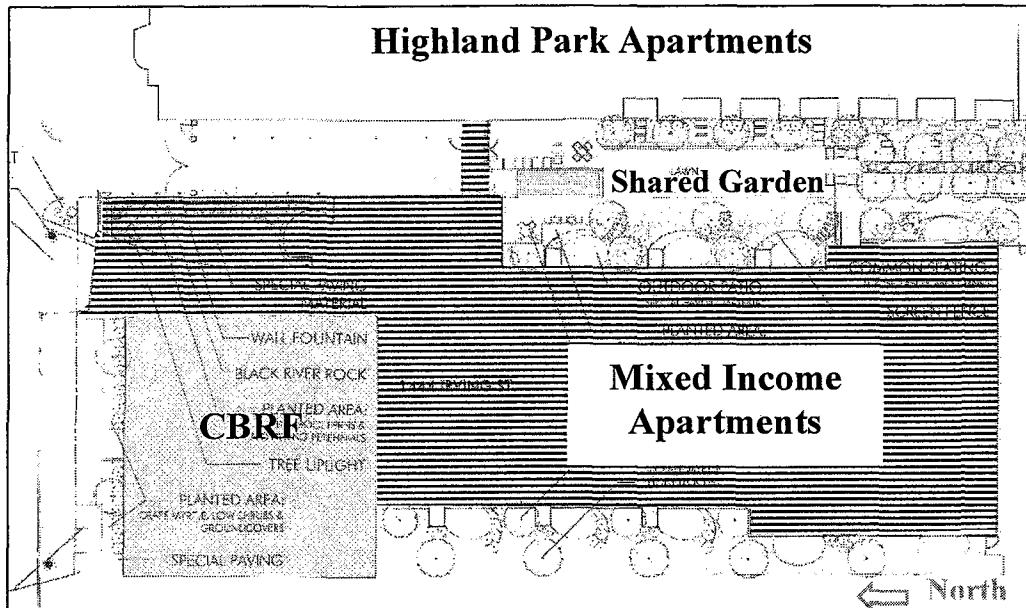


1444 IRVING STREET, NW –
PERSPECTIVE RENDERING

The proposed building height for the CBRF is 69 feet to the top of the roof. A nine foot high penthouse and a one foot parapet are located above the roof. The front of this building is set back approximately 12 feet from the property line and faces Irving Street, NW. The 82-bed, CBRF building has a dedicated entrance that is staffed 24 hours a day to ensure security. This building also includes meeting rooms, a dining facility and an outdoor terrace. In addition, there are two below grade parking spaces included in the garage.

The proposed height of the mixed-income apartment building is 86 feet to the top of the parapet. A nine foot high penthouse is located above the roof.

Although the entrance to this building is on Irving Street, it is connected to the Highland Park apartment building, sharing its primary use, meeting facilities and outdoor courtyard, and can calculate its height from 14th Street, a 90 foot right-of-way. This 64-unit apartment building includes a garden, a 64 space underground parking garage, a community room, and an enclosed, recessed garden terrace. The only entrance to the below grade garage is through the Highland Park apartment garage. Twenty percent of the units in the mixed income building will be affordable units.



SITE PLAN

PROJECT ANALYSIS

Executive Summary

Staff finds that the identified federal interest, the Height of Buildings Act, will not be adversely affected by this proposed Zoning Commission action. Staff identified three main issues concerning this proposal that needed to be reviewed: building connections, overall height and penthouse setbacks. As the Height Act relates right-of-way width to building height, these issues need to be addressed to ensure compliance with the Act.

Mixed Income Apartment Building Height

The developer establishes 86 feet as the height of the mixed-income building by stating this building and Highland Park Apartments are connected as one building and therefore take its height from 14th Street, NW. There is also a nine foot high penthouse on the roof of this building. Before allowing 14th Street as the measuring point, staff determined that Highland Park and the new apartment building can be considered one building for zoning purposes. Staff finds that these buildings are one building because they meet all of the following conditions:

- they both are mixed income residential apartment buildings (share a primary use)
- they share a community room
- they share an internal garden accessible by residents of both buildings
- they share a parking garage
- the addition is set back from Irving Street behind the CBRF building

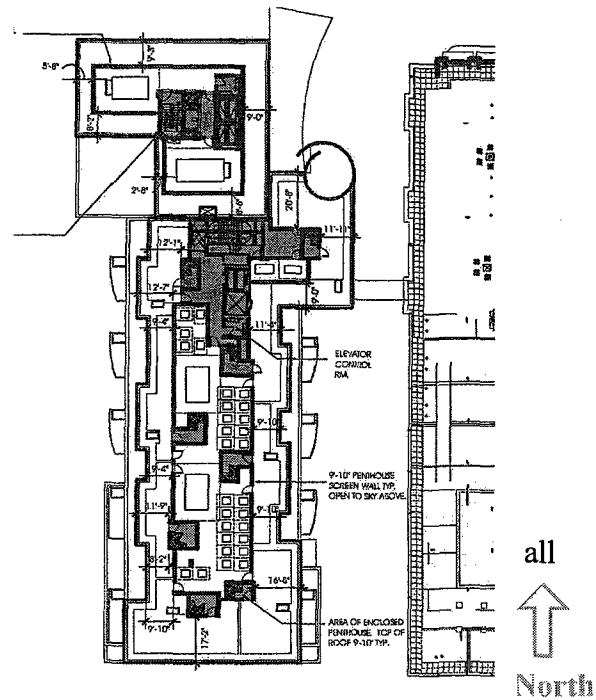
As 14th Street is a 90 foot right of way, the allowable height of the mixed-income building under the Height Act is 110 feet. Both the Highland Park apartment building, at 81 feet, and the proposed mixed income building addition, at 86 feet, are less than the allowable 110 feet including the height of all of the roof structures.

Height of Community Based Residential Facility

The second issue is the height of the Community Based Residential Facility (CBRF). The CBRF, as currently proposed, is 69 feet to the top of the roof with a nine foot high penthouse above the adjacent roof. The total height therefore is 78 feet. Irving Street is a 50 foot right-of-way. According to Section 5 of the Height of Buildings Act, for streets less than 90 feet, the building line (the measurement from one building front to the building front on the opposite side of the street) should be used to determine the street width to calculate allowable height. This measurement of building line to building line for Irving Street is 62 feet, which means that the permissible height is 82 feet. The width of the Irving Street right-of-way east of 14th Street is also 62 feet. The proposed height of the CBRF including all rooftop structures is beneath this allowable height and is therefore consistent with the Height of Buildings Act.

Penthouse setbacks

Finally, the Height of Buildings Act requires that penthouses "...may be erected to a greater height than any limit prescribed in this Act when as the same may be approved by the Commissioners of the District of Columbia:...And provided, that pent houses, ventilation shafts, and tanks shall be set back from the exterior walls distances equal to their respective heights above the adjacent roof." As was established earlier, each of the proposed buildings is below the allowable height. Because the height of rooftop structures is below the limit of height under the Height Act, the penthouses are not required by the Act to be set back from the exterior walls.



ROOF PLAN (with PENTHOUSES)



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Sincerely,

A handwritten signature in black ink, appearing to read "Marcel C. Acosta".

Marcel C. Acosta
Executive Director

Enclosures

cc: Harriet Tregoning, Director
D.C. Office of Planning

Anthony Hood
Chairman
Zoning Commission

ZONING COMMISSION
District of Columbia

CASE NO. 07-02

EXHIBIT NO. 3

COMMISSION ACTION

NCPC File No. Z.C. 07-02



CONSOLIDATED PLANNED UNIT DEVELOPMENT AND MAP AMENDMENT SQUARE 2672, LOT 726

1444 Irving Street, NW
Washington, D.C.

Submitted by the Zoning Commission of the District of Columbia

May 1, 2008

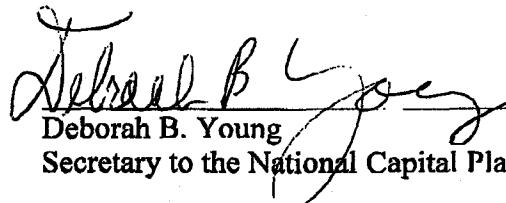
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Deborah B. Young
Secretary to the National Capital Planning Commission