

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING



MEMORANDUM

TO: District of Columbia Zoning Commission
FROM: Jennifer Steingasser, Deputy Director *JS*
DATE: November 19, 2007
SUBJECT: ZC 07-16 – Final Report: 2300 Pennsylvania Avenue, S.E.

SUMMARY RECOMMENDATION

The Office of Planning recommends approval of the development proposal for Squares 5560, Lots 19, 20, 53, 54, 802, 803, 810 and 811 as submitted by the applicant, 2300 Pennsylvania Avenue LLC.

OP supports the applicant's proposed transportation demand strategies, but recommends consideration of the following as additional strategies:

- Promotion of biking to metrorail (Potomac Ave. Metro)
- Car-sharing program incentives for residents.
- Complimentary SmarTrip cards to residential tenants upon move-in.
- Promotion of walking to metrorail (a mile away) as a health benefit.

APPLICATION-IN-BRIEF

Location: Square 5560, Lots 19, 20, 53, 54, 802, 803, 810, 811. (Ward 8, ANC 8A)
Applicant: 2300 Pennsylvania Ave LLC
Zoning: C-2-A (current); C-2-A (PUD) Proposed.
Proposal: Development of 118 new 1-bedroom and 2 bedroom apartment units, 100% workforce housing and funded by the Department of Community Housing and Development ("DHCD"). Approximately 8,328 square feet of ground floor retail is included with 76 parking spaces and two required loading docks.
Relief Sought: Pursuant to 11 DCMR Chapter 24, relief from the rear yard requirement (§405) and the residential lot occupancy requirement is requested. Flexibility from the loading platform requirement is also required pursuant to § 2201.

ZONING COMMISSION
District of Columbia

CASE NO. *07-16*
EXHIBIT NO. *45*
ZONING COMMISSION
District of Columbia
CASE NO. 07-16
EXHIBIT NO. 45

BACKGROUND

At the Zoning Commission's special Public Meeting of July 30, 2007, the Commission decided to set down of the applicant's revised proposal which reflected a reduction in the proposed height and density of the structure, as well as redesign of the structure as it related to the corner of Pennsylvania Avenue and Proust Street. The revisions are within the parameters of the existing Comprehensive Plan and PUD limitations of the existing C-2-A zoning with some requested flexibility discussed in subsequent sections of this report.

PROJECT DESCRIPTION

The proposal consists of a 118-unit rental apartment building of which 110 will be one-bedroom units and 8 will be two-bedroom units for residents earning 60% of AMI. Plans show a five-story building with a 6,428 square-foot interior landscaped court yard, and ground floor retail area of 8,328 square feet oriented towards the corner of Pennsylvania Avenue. Seventy-six (76) underground parking spaces with access from Proust Street would be provided to serve both residential and retail uses.

2006 COMPREHENSIVE PLAN

The property is located in the Far Northeast/Southeast Planning Area as identified in the Comprehensive Plan (2006). Development priorities for this area are identified in the Southeast Area element:

The commercially zoned land along the Nannie Helen Burroughs, Minnesota Avenue, and Pennsylvania Avenue "Great Streets" corridors also offer opportunities for somewhat denser uses than exist today. These areas may provide opportunities for apartments, condominiums, townhomes, assisted living facilities and other types of housing, provided that measures are taken to buffer adjacent lower density neighborhoods, address parking and traffic issues, and mitigate other community concerns.

This section of the Pennsylvania Avenue corridor has been included for improvement in the District's Great Street Initiative. While not a large site at 31,500 square feet, OP believes that the development project, funded largely by the Department of Housing and Community Development (DHCD), would provide a catalyst for other sites along the corridor that are currently underutilized.

The mixed-use project on commercially zoned C-2-A property (**Policy H-1.1.4**), would be targeted towards 100% workforce housing (**Policy H-1.2.5**) and DHCD's priority is geared towards individuals whose incomes are at 60% of the AMI. The Comprehensive Plan identifies workforce housing as necessary to meet the housing needs of teachers, firefighters, police officers, nurses, city workers and others in the public service professions with wages insufficient to afford market rate housing (**Policy H-1.2.6**) and encourages the production of both renter-occupied and owner occupied housing (**Policy H-1.3.2**).

Policy H-1.1.4: Mixed Use Development

Promote mixed use development, including housing, on commercially zoned land, particularly in neighborhood commercial centers and around appropriate Metrorail stations.

Policy H-1.2.5: Workforce Housing

In addition to programs targeting persons of very low and extremely low incomes, develop and implement programs that meet the housing needs of teachers, fire fighters, police officers, nurses, city workers, and others in the public service professions with wages insufficient to afford market-rate housing in the city. 504.12

Policy FNS-1.1.2: Development of New Housing

Encourage new housing for area residents on vacant lots and around Metro stations within the community, and on underutilized commercial sites along the area's major avenues. Strongly encourage the rehabilitation and renovation of existing housing in Far Northeast and Southeast, taking steps to ensure that the housing remains affordable for current and future residents. 1808.3

Policy FNS-1.1.4: Retail Development

Support the revitalization of the neighborhood commercial areas... with new business and activities that provide needed retail services to the adjacent neighborhoods and that are compatible with surrounding land uses.

2006 COMPREHENSIVE PLAN GENERALIZED POLICY MAP AND FUTURE LAND USE MAP

The 2006 Comprehensive Plan and Generalized Policy Map construct a guiding framework within which public and private land use and zoning decisions are to be made. The Generalized Policy Map classifies the subject property's location as Commercial/ Mixed Use within a Main Street Mixed Use Corridor, which is described as "*a traditional commercial business corridor with a concentration of older storefronts along the street*"... where... "*enhancement of the corridors is desired to foster economic and housing opportunities and serve neighborhood needs. Any redevelopment that occurs should support transit use and enhance the pedestrian environment.*"

The Future Land Use Map designates the area of Pennsylvania Avenue between Fairlawn Avenue on the west, to 27th Street on the east as low density commercial, which defines shopping areas that are generally low scale in character. The proposed ground floor retail space at 2.0 FAR (8,328 square feet) is intended to serve the building's residents and surrounding neighborhood and is not inconsistent with this designation. While the 3.005 FAR proposed density is not within the expected range of the C-2-A PUD designation, the additional FAR has been requested to create the required floor to height ceiling space in the retail portion of the development.

The site is located less than a mile from the Potomac Avenue Metro Station which is accessible via metrobus or bike. While not located at a metro station, the project will create an enhanced pedestrian environment through ground floor retail uses and new landscaping in the public spaces. The applicant has provided landscaping and lighting information as part of its submission, as requested.

Brick pavers together with concrete at appropriate intervals would be used to improve the pedestrian experience at the front of the building and eventually along the targeted areas of the corridor. Improved lighting would also enhance pedestrian safety along Pennsylvania Avenue.

While OP has no additional information to date from DDOT's Public Space review about the proposed public space landscaping/tree planting, OP believes that the proposal represents an improvement over the existing condition. The landscaping elements of shade, evergreen and ornamental street trees would further additional streetscape improvements along the avenue as private and public partnership development continues, as envisioned by the 2006 Comprehensive Plan and the small area plan. An interior landscaped courtyard for residents (also considered by the applicant as a green roof above the underground parking area) would be provided at the interior of the site, with access from the rear alley as shown. OP advises the applicant meet with the Urban Forestry Department or Public Space Department to finalize the proposed public space elements, including but not limited to the tree types, their spacing requirements and the placement of light fixtures.

ZONING

The subject site is zoned C-2-A, which is designed to provide facilities for shopping and business needs, housing and mixed uses for large segments of the District outside of the central core, and ...be located in low and medium density residential areas with access to main highways or rapid transit stops and shall include...medium bulk mixed use centers (§§ 720.2, 720.3).

The C-2-A District shall permit development to medium proportions and the requested C-2-A PUD designation supports the proposal as it would serve commercial and residential functions with an increase of 0.005 FAR to support the retail space.

Requested Relief

As shown in the following table, relief is required from:

- §774, the rear yard requirements of the C-2-A District. The proposed yard would measure 7 feet where 15 feet is required.
- The lot occupancy requirement of § 772 is 60% where 68.3% is proposed.
- The FAR which permits 3.0 FAR maximum and 3.01 is proposed.
- The loading platform requirements.

DEVELOPMENT DATA

Section	Item	C-2-A MOR	C-2-A PUD	Proposed
770.1	Building Height	50 ft.	65 ft	59 ft.
771.2	FAR	2.5 2.5 (R)	3.0 (Max) 2.0 (C) 3.0 (R)	3.005 (<i>needs relief</i>)
772.1	Lot Occupancy	60%	60% (R) 100% (C)	68.3% (R) (<i>needs relief</i>)
774	Rear Yard	15 ft.	15ft.	7 ft. (<i>needs relief</i>)
775	Side Yard	None Required	N/A	None
776	Court (open)	2x the square of the required width no less than 350 sq. ft.	4 in/ft of height; no less than 15 feet in width	6,097 sq. ft. (74.5 ft. x 81.5ft)
2101	Parking	Retail or Service: In excess of 3,000 sq. ft- 1 for each 300 sq. ft of GFA and CFA (19) Residential: 1 for every 2 dwelling units (59)	Retail or Service: In excess of 3,000 sq. ft; 1 for each 300 sq. ft. of GFA and CFA (19) Residential – 1 for each 3 dwelling units (59)	77 spaces (total) 14 retail spaces will be provided.
2201	Loading	Retail: 1 berth 30 ft. deep 1 platform 100 sq. ft. Residential: 1 berth 55 ft. deep; 1 platform 200 sq. ft.	Retail: 1 berth 30 ft. deep; 1 platform 100 sq. ft. Residential: 1 berth 55 ft. deep; 1 platform 200 sq. ft.	1 berth @30 ft. deep 1 berth @55 ft. deep <i>Needs Relief from the platform requirement</i>

Rear Yard

Section 774 requires a rear yard depth of 15 feet for this project, as measured below a horizontal plane 20 feet above the finished grade. Above the horizontal plane, the depth of the rear yard is measured from the rear lot line. The plans show the building's rear wall setback from the rear lot line 7.5 feet.

OP does not believe that there would be an adverse impact on neighboring properties due to the depth of the rear yard. The properties to the rear are separated by a 20-foot wide alley. The landscaped courtyard would represent a visual improvement over existing conditions and represents open space which is currently non-existent. In addition, further analysis indicates that the decreased depth of rear yard provides additional space to accommodate loading, parking and the garage entrance spaces. OP notes that it would be difficult to accommodate the required areas for these features, and provide additional units, if the depth of rear yard were satisfied. Since no adverse impact to the availability of light and air to adjacent properties are anticipated, OP has no objection to the proposed rear yard measurement of 7.5 feet.

Lot Occupancy and FAR

The proposed lot occupancy of 68.3 percent and 3.005 FAR is not objectionable in this instance, since it provides the development proposal additional area for residential units. Since the height is not maximized (65 feet), the footprint was increased to create a viable development proposal. The applicant has stated that the site conditions, including the grade differences on the site (24 to 30 feet) from east to west of 8 to 9 feet impacted the project design including the ground floor at

Pennsylvania Avenue. The applicant has cited difficulty in providing appropriate high floor-to-ceiling space along Pennsylvania Avenue for retail use, while trying to accommodate an entrance to the residential lobby, as well as loading and parking entrances at street grade. This condition has, in fact, caused the project to be redesigned several times. Based on the site and design issues, OP is supportive of these minor bulk increases to provide for the necessary requirements of the project.

Section 2405.3 permits the Commission to authorize an increase of not more than five percent (5%) in the maximum height or floor area ratio; provided, that the increase is essential to the successful functioning of the project and consistent with the purpose and evaluation standards of Chapter 24. The requested increase in the FAR (1.67%) is within the permitted range of increase that the Commission is authorized to grant.

Loading

The project would not include a twenty-foot deep loading space as required. However, OP notes that two loading berths and a 393 square-foot loading platform would be provided. OP supports the applicant's relief request in this instance, and believes that additional loading space would create a smaller open space area at the ground level. While additional loading space could be added below grade, this would increase the project's cost and reduce the affordability goals of the project. Since the retail use and residential use are least likely to conflict except during initial move-in, OP believes that the plan provides adequate facilities to support the type of residential and retail use of the development. OP did not receive comments from DDOT to date.

PURPOSE OF A PLANNED UNIT DEVELOPMENT

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"

The project site comprises 31,500 square feet of land which exceeds the minimum site area requirement of fifteen thousand square feet (15,000 sq. ft.) of land for a PUD development under Section 2401.1(c). 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 redevelopment of the site will have an overall positive impact on the neighborhood and support the District's Great Street Initiative for the Pennsylvania Avenue SE Corridor.

PUBLIC BENEFITS AND AMENITIES

Sections 2403.5 through 2403.13 of the Zoning Regulations discuss the definition and evaluation of public benefits and amenities. In reviewing 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)

The location of the proposed development targets an under-utilized site in an underserved mixed-use corridor. The proposal enhances the housing revitalization in a targeted area of the southeast quadrant of the District. The provision of workforce housing and the affordability of the units are beneficial to the neighborhood’s redevelopment while providing new neighborhood serving retail opportunities.

The provision of 100% of units dedicated towards affordable housing is a major public benefit of this project as all units would be rental units to potential residents with incomes up to 60% of the area median income.

Amenity package evaluation is partially based on an assessment of the additional development gained through the application process. In this case, the proposal does not change the zone designation. The proposed 3.005 FAR is approximately one percent above the 3.0 FAR permitted by the C-2-A PUD. In terms of height, the proposal shows a building of 59 feet and five stories where 65 feet is permitted under the PUD. The applicant has listed a number of areas which they feel contribute towards their amenity package:

1. *Housing and Affordable Housing* – The applicant has proposed an all brick structure of 118 new rental residential units. As previously specified the units would be set aside for workforce households earning 60 percent of Area Median Income (AMI).
2. *First Source Agreement* – The applicant will enter into an agreement with the Department of Employment Services (DOES) to use that agency as its first source for “recruitment, referral, and placement of new hires for employees whose jobs are created by the PUD” The applicant must execute the First Source agreement prior to proposed action by the Zoning Commission.
3. *LSDBE* – The applicant will enter into a memorandum of understanding with the District Department of Small and Local Business Development in order to create opportunities for Local, Small, Disadvantaged Business Enterprises (LSDBE). The goal of the program is for LSDBEs to be awarded 35% of the contracted development costs of the project.
4. *Green Elements and TDM* - OP supports the proposal to capture and reuse of rainwater for the landscaping on site as a way to reduce run-off into the stormwater system. As previously stated, the courtyard area is considered a green roof above the below grade parking structure. Bike parking spaces would also be included and the potential for a car-share parking space on-site is also being considered. The applicant has also stated to OP that an on-site business center would be available to residents, including access to copier, fax, and internet services. The latter amenities are supported by DDOT as transportation demand management strategies (TDM) to reduce the reliance on car ownership and automobile use on an already congested corridor.

The applicant has not stated whether LEED certification would be sought, but the office of Planning encourages the certification as a development which has significant government funding. The above mentioned items such as greywater reuse and the TDM strategies could provide a number of points towards LEED certification. The Office of Planning considers this project worthy of consideration since it is a small scale project which incorporates:

- Mixed use – with affordable housing and commercial space;
- TDM strategies with the potential to reduce automobile use and
- A site plan with non-point source run-off management through grey water reuse.

The Office of Planning encourages the applicant to enhance the project's rating through the use of renewable materials and energy efficient installations.

AGENCY COMMENTS

The Office of Planning referred the application for comments to the Department of Transportation (DDOT) and DC Water and Sewer Authority (DCWASA). OP received comments via email from WASA which is attached to this report. No other comments have been received at the time of writing this report.

COMMUNITY COMMENTS

The applicant held several meetings with various community groups, including the Advisory Neighborhood Commission 8A, the Fairlawn Citizens Association, the Pennsylvania Avenue Development Taskforce, the Ward 8 Business Council and others to discuss the development proposal. A community outreach calendar provided by the applicant is attached for reference. OP understands that the community was initially concerned about the building's height and material use and has since been satisfied with the current proposal of a five-story, all brick structure. Council Member Marion Barry has also written in support of the application.

RECOMMENDATION

OP recommends approval of the proposal as it is consistent with the goals and objectives of the 2006 Comprehensive Plan and increases the range of housing options within the Far Northeast and Southeast Planning Area as identified in the Plan. The development proposes needed workforce housing for the District and encourages redevelopment in the target areas of the Pennsylvania Avenue corridor, east of the Anacostia River.

OP supports the applicant's proposed transportation demand strategies, but recommends consideration of the following as additional strategies:

- Promotion of biking to metrorail (Potomac Ave. Metro)
- Car-sharing program incentives for residents.
- Complimentary SmarTrip cards to residential tenants upon move-in.
- Promotion of walking to metrorail (a mile away) as a health benefit.

ATTACHMENTS:

1. DC WASA REPORT
2. COMMUNITY OUTREACH CALENDAR

Attachment 1.

November 09, 2007

TRANSMITTAL

TO: Karen Thomas
Development Review Specialist
DC Office of Planning

FROM: Rizwan Elahi, Engineer III
Planning & Design Branch
DC Water and Sewer Authority

SUBJECT: Zoning Commission Case 07-16
2300 Pennsylvania Ave., SE

DCWASA reviewed the zoning application for this project as transmitted by the DC Office of Planning dated October 11, 2007. DC WASA comments are as follows:

Water Requirements: The proposed development area is part of Low Service Area water pressure zone. The 8-inch water mains feeding this area were built in 1946. The applicant is required to submit results from a fire flow test in the 8-inch water main in Pennsylvania Avenue, SE in order for DCWASA to determine the ability of the water distribution system to provide adequate fire flows for the proposed development. If the engineering evaluation indicates that the water mains in the street are hydraulically inadequate to serve this site, DCWASA will advise the applicant regarding the improvements needed in the water system to relieve the deficiency.

Sewer Requirements: This area is part of the separate sanitary sewer system. The capacity of the sanitary sewers in this area is adequate to handle the expected sanitary flows for the proposed development.

Storm Sewer Requirements: This area is part of the separate storm sewer system. The capacity of the storm sewers in this area is adequate to handle the expected storm flows for the proposed development. It should be noted that this project will have to adhere to the DC Department of Environment requirements for storm water management and for sediment and erosion control. DCWASA will review the project plans that the applicant submits for a public space permit.

Assessment: Please be aware that water, sewer, and storm sewer infrastructure will not be allowed to be built in alleys. The DCWASA will review the proposed facilities in terms of sizing and layout and will issue a water and sewer availability certificate and recommend the issuance of a building permit if the final project plans meet DCWASA requirements.

Attachment 2.

Community Outreach Calendar

April 2007

Fri, April 13, 2007 3:00 p.m. Ward 8 Business Council Project Presentation
 Tues, April 17, 2007 7:00 p.m. Fairlawn Citizens Association Mtg Project Presentation
 Wed, April 18, 2007 10:30 a.m. Ward 8 Econ Dev Roundtable Project Presentation
 Fri, April 20, 2007 12:00 p.m. Comm. Mtg @ Lotus Square Project Presentation
 Mon, April 23, 2007 7:00 p.m. Penn Ave Task Force Mtg Cancelled
 Fri, April 27, 2007 12:00 p.m. Meeting with Thelma Jones Follow Up
 Mon, April 30, 2007 7:00 p.m. Penn. Ave Task Force Mtg. Cancelled

May 2007

Tues, May 1, 2007 6:30 p.m. Fairlawn Executive Comm. Mtg. Follow Up
 Tues, May 8, 2007 10:30 a.m. Ward 8 Econ Dev Roundtable Attended Meeting
 Tues, May 15, 2007 7:00 p.m. Fairlawn Citizens Association Project Presentation

June 2007

Thurs, June 7, 2007 3:00 p.m. Meeting with Thelma Jones Follow Up
 Tues, June 19, 2007 7:00 p.m. Fairlawn Citizens Association Follow Up
 Thurs, June 28, 2007 7:00 p.m. Anacostia Civic Association Cancelled

July 2007

Mon, July 9, 2007 11:30 a.m. Ward 8 Pre-Bidders Conf Planning Meeting
 Mon, July 16, 2007 12:00 p.m. Lunch w/ Rev. Oliver Johnson Bread & Chocolate
 Wed, July 18, 2007 12:00 p.m. Bozzuto Construction Planning Meeting
 Mon, July 30, 2007 11:30 a.m. Meeting w/ Earth Cons. Corp. Planning Meeting

August 2007

Sun, August 5, 2007 All Day Retail Survey Outreach Fairlawn
 Thurs, August 16, 2007 10:00 a.m. Pre-Bidders Conf. Mtg at Chap Off Planning
 Tues, August 14, 2007 12:00 p.m. Lunch w/ Rev. Oliver Johnson Follow Up
 Thurs, August 23, 2007 7:00 p.m. Ward 8 Retailers Conference Presentation
 Fri, August 24, 2007 10:00 a.m. Ward 8 Back to School Bash Book Bags for Kids
 Thurs, August 30, 2007 12:00 p.m. WDC Econ Partnership Re: Retail w/Keith Sellars

September 2007

Wed, Sept. 12, 2007 6:30 p.m. Main Street Anacostia Streetscape
 Mon, Sept. 17, 2007 7:00 p.m. W8 Workforce Dev. Council Jobs
 Tues, Sept. 18, 2007 6:30 p.m. W8 Business Council Monthly Meeting
 Mon, Sept. 24, 2007 7:00 p.m. W8 Workforce Dev. Council Job Tours
 Thurs, Sept. 27, 2007 10:30 a.m. W8 History/Heritage Council Monthly Meeting
 Thurs, Sept. 27, 2007 1:00 p.m. Recreation Meeting Dev Rec Plan

October 2007

Mon, Oct. 1, 2007 7:00 p.m. W8 Workforce Dev. Council Jobs
 Fri, Oct. 5, 2007 1:00 p.m. Mtg w/ Com. Anthony Muhammad Follow Up
 Wed., Oct. 17, 2007 3:30 p.m. Glen O'Gilvie, ECC Follow Up
 Fri, Oct. 19, 2007 10:00 a.m. W8 CBE Pre-Bidders Conference CBEs
 Wed, Oct. 31, 2007 10:30 a.m. W8 History/Heritage Council History

November 2007

Tues, Nov. 6, 2007 7:00 p.m. Wkforce Dev. Public Forum Comm. Mtg
 Tues, Nov. 13, 2007 10:00 a.m. W8 Ministerial Council Meeting
 Tues, Nov. 13, 2007 6:30 p.m. W8 Business Council Meeting
 Fri, Nov. 16, 2007 12:30 p.m. Employment Law Workshop CBEs
 Tues, Nov. 27, 2007 12:30 p.m. Section A Workshop CBEs