



2009 APR -6 PM 5:39

Memorandum

TO: District of Columbia Zoning Commission

FROM: Jennifer Steingasser, Deputy Director *JS*
Development Review and Historic Preservation

DATE: April 6, 2009

SUBJECT: 2nd Supplemental Report – ZC # 08-21 (Canal Parc)
4460 MacArthur Boulevard, NW

ZOI
District of Columbia
CASE NO. 08-21
EXHIBIT NO. 81

The Zoning Commission at its March 16, 2009 requested that the Office of Planning address the following issues:

- 1. Provide an annotated table showing the requirements of the existing zoning on the site, the proposed R-5-A PUD, and proposed development.**

The following table is a comparison of the development standards of the existing R-1-A/R-5-A district, R-5-A/PUD district and the proposed development:

	R-1-B/R-5-A (Single family detached/single family attached or apartments)		R-5-A PUD (single family attached or apartments)	Proposal (single family attached)	Deviation
Area	5,000 sq. ft.	n/a	1 ac. minimum (43,560 sq. ft.)	2.78 ac. (120,926 sq. ft.)	n/a
Height	40 ft./3 stories	40 ft./3 stories	60 ft. maximum	28 ft. – 42 ft./3 and 4 stories	2 ft./1 story
FAR	n/a	0.9 ¹	1.0 maximum	0.96 (for the entire site) Up to 3.3 (on individual lots)	Up to 0.9 on individual lots
Lot Occupancy	40%	40%	40% maximum	27.5% (for the entire site) 88% maximum	Up to 44% (individual lots)
Rear Yard	25 ft.	20 ft.	20 ft. minimum	13 ft. minimum	12 ft. max.
Side Yard	8 ft.	8 ft. min. (3 inches per ft. of height)	12.12 ft. min. (3 inches per ft. of height)	4.5 feet minimum	3.5 ft. max.
Front Yard	n/a	20 ft. (if no street frontage) ²	20 ft. (if no street frontage)	7.5 ft minimum	12.5 ft. max.

¹Per Section 2516.5 the density is calculated on the entire development and not on the individual lots.

²Per Section 2516.5(a)

Chapter 3, R-2, R-3, R-4 and R-5 Residence District Use Regulations allows for single-family detached and semi-detached units as a matter-of-right. However, Chapter 4, Height Area, and Density Regulations, does not provide minimum lot area and lot width for single-family detached and single family semi-detached units. Single-family attached units have to be reviewed under Section 2516. Therefore, there seems to be no matter of right scenario under which the property could be developed and directly compared with the proposal.

The R-1-B portion of the site has an area of 82,663 square feet while the R-5-A portion of the property has an area of 40,331 square feet. A subdivision of the R-5-A portion of the site would require review as a special exception under Section 2516 which allows more than one principal building on a lot. Further, based on the requirements of Section 2516, the yard requirements and the FAR would be calculated based on the overall development and not on each individual lot.

The applicant shows in their matter-of-right scenario a roadway width of 25 feet which would not be allowed in the R-1-B portion by-right. OP believes that a development that would meet all the required setbacks and the required roadway width on the R-1-B portion of the site could yield approximately 9 units while the R-5-A portion could yield approximately 21 units.

2. Address whether the amenities are “exceptionally low” or “relatively light”.

In the OP Report dated November 21, 2008, the amenity package for the project was described as “exceptionally low” and in the Supplemental OP Report dated February 2, 2009 it was described as “relatively light”. The terms were meant to be interchangeable and the intent was to state that we were not satisfied with the amenities provided. As stated in our verbal testimony, many of the items presented as amenities by the applicant are viewed by OP as benefits of the project. OP was not informed of any specific request from the community as to other amenities that should be considered. It is our understanding that because the community has other issues regarding the development of the property that needs to be resolved, they were not yet in a position to discuss other amenities.

3 Identify the Comprehensive Plan, Planning area in which the property is located.

As stated in the Office of Planning’s Report, November 21, 2008, the subject property is in the Rock Creek West Planning Area (Chapter 23) of the Comprehensive Plan.

ROCK CREEK WEST AREA ELEMENT

Planning and Development Priorities

- a. Residents of the Rock Creek West Planning Area remain deeply concerned about growth. While there is support for development on underutilized sites along the major corridors, issues of height, scale, character, and density remain a source of concern as well as a source of debate within the community. The relatively low-density commercial zoning on most of the corridors has not provided the predictability that many residents seek. The reliance on planned unit developments (PUDs) has brought neighborhood amenities but has also resulted in density “bonuses” that are beyond what many residents find acceptable. The potential impact of density increases on schools, emergency response and safety, infrastructure, traffic, parking, environmental health and neighborhood character lead residents to conclude that the only acceptable growth rate is one which matches infrastructure capacity.*

Policies which the project would promote are:

RCW-1.1 Guiding Growth and Neighborhood Conservation

Policy RCW-1.1.8: Managing Institutional Land Uses

... Ensure that any redevelopment of institutional land is compatible with the physical character of the community and is consistent with all provisions of the Comprehensive Plan and the underlying zoning rules and regulations. Densities and intensities of any future development on such sites should reflect surrounding land uses as well as infrastructure constraints and input from the local community.

Policy RCW-1.1.9: Protecting Common Open Space

Protect the large areas of green space and interior open spaces that are common in and around the community's institutional uses and its older apartment buildings . . . Where these open spaces are recognized to contribute to the integrity of the site or structure, stringent protection from inappropriate infill shall be maintained.

4. Response of the Department of Transportation (DDOT) and the Fire and Emergency Services Department (Fire & EMS) regarding the use of bollards between Lingan Way and Lingan Road.

OP contacted DDOT and Fire and EMS regarding the use of the bollards between Lingan Way and Lingan Road. DDOT states that they are not supportive of the use of bollards as a barrier. The Fire and EMS report (attached) recommends approval of the use of bollards that would allow for fire truck accessibility.

Attachment:

1. Memorandum from Deputy Fire Chief, April 3, 2009

GOVERNMENT OF THE DISTRICT OF COLUMBIA
FIRE AND EMERGENCY MEDICAL SERVICES DEPARTMENT
WASHINGTON, D.C. 20001



MEMORANDUM

TO: Maxine Brown-Roberts, AICP
Development Review Specialist
D.C. Office of Planning

FROM: Gary L. Palmer, Jr.
Fire Marshal
Deputy Fire Chief

DATE: April 3, 2009 

SUBJECT: Revised Plans: Zoning Commission #08-21 (Canal Parc) PUD and Map
Amendment: 4460 MacArthur Blvd. NW, **Square 1376, Lots 28, 929, 932, 933**

On Wednesday, April 1, 2009, a representative from VIKa, Inc. met with me and members of my staff concerning PUD plan revisions and a plan of correction for fire department access in the Zoning Commission case referenced above. The applicant has resubmitted a new revised set of plans that contains an acceptable alternative for fire department access.

Specifically, the applicant has adjusted the type of traffic bollards that meets as the minimum, breakable bollards for Fire Truck Accessibility. At this time, the Office of the Fire Marshal has no further objections to the applicant plan submission, provided the proposed construction is in compliance with the 2006 edition of the International Fire Code, and the District of Columbia Building Code Supplement of 2008, DCMR 12H, both of which have been adopted by the D.C. Fire and EMS Department and are utilized when rendering a decision on life safety issues.