GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

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MEMORANDUM

TO: D.C. Board of Zoning Adjustment

FROM: Andrew Altman, Director

DATE: April 16, 2002

SUBJECT: BZA Application No. 16858
RLA Revitalization Corporation for 1400-1420 Park Road (Grid/DC USA)
Square 2674, Lots 719,720,812,832,863,866,869-872 and Public Alleys to be Closed

I. APPLICATION-IN-BRIEF

Relief Sought: Special Exception from Off-Street Parking Requirements of 11 DCMR Section 2101.1

Relief Sought Under: §3104.1 and §2108

The applicant has executed an exclusive rights agreement with Grid Properties, Inc., *et al* for Parcel 27 in the former 14th Street Urban Renewal Area. The parcel is in the Columbia Heights neighborhood of northwest Washington. Grid is planning to develop a large entertainment and retail complex to be known as DC USA. On behalf of Grid, the RLA Revitalization Corporation is asking the Board of Zoning Adjustment to grant the 25% reduction in off-street parking spaces that 11DCMR Section 2108 allows the Board to authorize as a special exception.

II. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends APPROVAL of the request.

III. SITE AND AREA DESCRIPTION *(See Attachment 1)*

The site for which the special exception is sought is 4.96 acres (215,940 SF). It is bordered by Park Road, 14th Street, Irving Street, and Hiatt Place. The principal frontage is along 14th Street, a major street that is the commercial spine of the Columbia Heights neighborhood. Most of the site has been cleared, with the exception of two, stabilized, historic auto showroom facades along Irving Street, and some retail establishments at the corner of Park Road and 14th Street. The latter buildings are slated for demolition.

The Columbia Heights Metro Station has entrances across Irving Street and across 14th Street from the southeast corner of the proposed DC USA site.

BZA
Case No. 16858
Exhibit No. 25

Board of Zoning Adjustment
District of Columbia
CASE NO.16858
EXHIBIT NO.25

The site is part of Square 2674 in northwest Washington. The Square is bounded by: Park Road on the North; 14th Street on the East; Irving Street on the South; and Hiatt Place on the West. There are several alleys within the block, most of which are in the process of being closed.

One portion of the existing alley system runs from Park Road to Hiatt Place and separates the southeastern two-thirds of the Square from the rest of the Square. The proposed DC USA site occupies the southeastern two-thirds. It has frontages along Park Road, 14th Street, Irving Street, Hiatt Place, and the alley referred to above.

Within the northwestern third of the Square are several shops, some apartments along Park Road, and the Bell Multicultural High School. The last stretches along the center portion of the east side of Hiatt Place.

Lincoln Middle School is across Hiatt Place from the Bell School. The Lincoln School is bordered by 16th Street, Irving Street and Park Road, in addition to Hiatt Place. A church and some smaller apartment buildings occupy the remainder of the Square, north of Lincoln School.

There are a variety of land uses near Square 2674. Commercial structures and apartments dominate along 14th Street. Row dwellings, many of which have been converted to flats, predominate behind the 14th Street corridor. There are many vacant parcels nearby, most owned by public agencies. Re-use proposals are in various stages of advertising or under exclusive rights agreements. Intended uses are indicated in Attachment 1. [1]

IV. AREA ZONING AND HISTORIC DISTRICTS *(See Attachment 1)*

The site is zoned C-3-A, a medium density major business and employment zone district. Zoning along 14th Street, to the north, south, and immediate east, is also C-3-A. However, other than the 14th Street corridor, the predominant surrounding zoning is residential. The residential zoning ranges from R-4 to R-5-D.

The site is not within a historic district. It is diagonally across 14thStreet and Park Road from the Tivoli Theater Historic Landmark.

V. PROJECT DESCRIPTION

The applicant has executed an exclusive rights agreement with Grid Properties, Inc. *et al* to build a 2.5 FAR, 539,850 square-foot mixed use retail and entertainment complex. Grid intends to include a bowling alley, a health club, two levels of general retail and, if financially feasible, a 3,500 seat multi-plex cinema. Should the cinema be infeasible, the 80,000 square feet slated for its use would become additional retail. The retail would have some frontage on 14th Street, but would be primarily interior-oriented.

There would be three levels of underground parking. Under a matter of right development, 1810 spaces would be required. Grid is requesting an approximately 25% reduction, to allow it to provide parking for 1364 vehicles.

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[1] Please note that the intersection of Kenyon and 14th Streets has been re-configured since this aerial photo was taken.

Commercial space in the C-3-A zone may occupy 100% of the lot, have a maximum FAR of 2.5, and rise to 65 feet above grade. The Zoning Administrator has determined that the project would meet these restrictions. The project would also have decorative elements on the northeast and southeast corners that would rise to 81 feet. These would not, however, be occupied above the 64-foot level.

VI. REQUESTED ZONING RELIEF

The only zoning relief requested by the project is for parking. The parking requirements for a matter of right C-3-A commercial development vary according to uses. For those uses likely to be in the DC USA development, the parking requirements are as follows:

USE	ZONING REQUIREMENT	MATTER OF RIGHT REQUIREMENTS FOR PROJECT
General Retail (e.g., art gallery, food service, shops or service establishment; Bowling Alley Health Club	1/300 SF over 3000 SF	1168 spaces for 353,300 SF 157 spaces for 46,950 SF 137 spaces for 40,850 SF
Sub-Total	Say 1/300 SF	*Approx. 1462 spaces for 441,100 SF*
Alt. 1: Multiplex Cinema	1/10 seats @ 3500 seats	350 spaces for 80,000SF
Alt. 2: Discount Retail	1/300 SF	267 spaces for 80,000 SF
TOTALS	N/A	Alt.1 (cinema) 1812 spaces Alt.2 (no cinema) 1729 spaces *(OP calculations)*
		APPROXIMATELY: 1810 SPACES *(which is the figure provided by the applicant)*

(The above square footage estimates were provided to OP by the applicant on 04.11.02. They differ slightly, but not significantly, from the applicant's statement submitted to the Board on 04.09.02)

The applicant is requesting just under a 25% reduction in the number of parking spaces, to allow the provision of 1364 spaces, rather than 1810.

V. RELATIONSHIP OF THE APPLICATION TO THE COMPREHENSIVE PLAN AND OTHER PLANS *(See Attachment 2)*

A. The proposed development is consistent with the Comprehensive Plan's Generalized Land Use Map, as well as with the Comprehensive Plan's objectives for the Columbia Heights commercial core. The Generalized Land Use Map designates the area for a mix of medium density commercial and medium density residential uses. The 14th Street Urban Renewal Plan shows this portion of 14th Street as the commercial hub of Columbia Heights.

There are numerous objectives and policies in 10 DCMR Sections 1201 and 1202 (the Economic Development Sections of the Ward 1 Plan Element) that stress the importance of commercial development along the 14th Street urban renewal corridor. Sections 1201.1 (b) and 1202.1 (f) also stress the importance of including neighborhood development corporations in the redevelopment process. The Development Corporation of Columbia Heights is a partner in the DC USA proposal.

B. The requested special exception is consistent with the Transportation Objectives for Ward 1. Section 1213.1 (c) emphasizes the need to reduce the ward's dependence on private automobiles. Section 1215.1 (1) (2) suggests the provision of privately financed off-street parking at certain Metro stations to accommodate the demands generated by the stations and their spin-off development. The proposed Grid development can provide convenient off-street parking on weekdays, when DC USA is not likely to be at peak usage, for those wishing to take the Green Line to downtown. During evening hours and weekends, the usage of the proposed development is likely to be higher. At these times, the provision of parking that is 25% less than that required by the zoning regulations is likely to encourage DC USA patrons to avail themselves of the Green Line or the many bus transit options available on 14th Street and 16th Street, and on the cross-town pairing of Harvard and Irving Streets.

C. The special exception would also be consistent with the recommendations of the report of Mayor's Task Force on Transit Oriented Development (TOD Task Force). The report cites the provisions of the zoning regulations that allow a decrease in parking requirements for developments near Metro stations as an example of a pro-TOD policy that encourages the use of transit.

VI. DOES THE APPLICATION MEET THE SPECIAL EXCEPTION TEST?

It does.

Under 11 DCMR Section 3104.1, the Board is authorized to grant special exceptions, where, in its judgment, the special exceptions:

- Will be in harmony with the general purpose and intent of the Zoning Regulations and Maps, and;
- Will not tend to affect adversely the use of neighboring property in accordance with the zoning regulations and map.

For special exceptions that allow the reduction of parking spaces for non-residential uses, Sections 2108.2 – 2108.5 further govern the Board:

- The number of parking spaces for the above types of uses may be reduced by up to 25% (Section 2808.2);

- To determine whether the reduction is appropriate, the Board must, under Section 2108.3, consider:
    a) The nature and location of the structure;

b) The maximum number of users that can be reasonably be expected to use the structure simultaneously;
c) Existing neighborhood traffic congestion, or that which the project can reasonably be expected to generate;
d) Existing and projected off-street parking supply when the building will be in use;
e) Proximity of public transportation, especially Metro, or an approved ride-sharing program.

SECTION 2108.3

A) Nature and Location of the Structure; E) Proximity of Public Transportation; D) Quantity of Off-Street Parking

Both the marketing and Tax Increment Financing (TIF) plans Grid submitted to the RLA Revitalization Corporation in 2001 state that the retail mix is designed to serve primarily Columbia Heights and the surrounding communities (defined as the 200,000 people who live within two miles of the site). Other areas of the District are secondary service areas.

The TOD Task Force has determined that all District residents are within a 10-minute walk of a bus stop or a Metro station. The applicant's site is across the street from the Columbia Heights Metro station, and within one block of 6 north/south bus lines and 15 east/west bus lines. Ward 1, where the project is to be located, is, according to the 2000 census, by far the most densely settled part of the District of Columbia.

Columbia Heights is a Residential Parking Permit area. The parking restrictions currently end at 8:00 p.m. There are no public parking lots in Columbia Heights at present. When the Tivoli Square project is developed, there will be sufficient parking (200 spaces) for the grocery store and the retail uses and limited office uses on that site. There will, however, be no surplus commercial parking provided. The programs for the remaining public parcels recently advertised by the RLA Revitalization Corporation do not include public parking lots intended to serve off-site users in any substantial numbers. The Corporation, and the Office of Planning, have been projecting the development of Columbia Heights as a prototype for Transit Oriented Development in the District. Current policy is to use a variety of incentives – both active and passive—to encourage retail patrons to walk, bicycle or ride transit to the revitalized Columbia Heights.

The applicant's traffic consultant has estimated, based on WMATA studies and on the project's retail and entertainment mix, about 45% of those using the proposed structure would arrive or depart by transit. The consultant has not estimated the percentage that would walk or use bicycles. OP finds the 45% transit-usage assumption to be reasonable. [2] This is based on the nature of the location, its demographics, its transit accessibility, the preferred retail and entertainment mix, and the probability of significant numbers of users walking to the site from the surrounding neighborhoods of Columbia Heights, Mt. Pleasant and Adams-Morgan.

[2] While the alternative retail/entertainment mix, which would substitute 80,000 square feet of discount retail for the movie theaters, may encourage slightly more people to use automobiles that would the preferred alternative, the zoning regulations actually require fewer parking spaces for the alternative use-mix.

B) Maximum Number of Simultaneous Users; C) Existing and Future Traffic Congestion

The applicant's traffic consultant has analyzed the "number of simultaneous users", as required by Section 2108.3, in terms of vehicles anticipated to use the planned parking facilities.[3] In its TIF application, the project developer estimated that on a typical weekday, the total number of spaces used in one-day will be between 1200 and 1300; i.e., each space will be used just once. On weekends, each space would turn over three times per day. There would be between 3600 and 3900 vehicles using the parking spaces each weekend day.

Based on the traffic study performed in December 2000 by Gorove Slade, and updated in April 2002, all but one intersection within a one-block area of the site currently operate at an acceptable level of service.[4] During the afternoon peak hour, the movements at northbound 16th Street and the one-way eastbound Irving Street operate at a level of service F.

For its post-development traffic analysis, the consultant made the following assumptions:

- Tivoli Square would be developed with a 52,000 square foot grocery store, 26,000 of local retail, 26,000 of office use; and 200 parking spaces;
- In addition to the Tivoli and DC USA developments, background traffic would increase at a rate of 1% per year;
- Minor turn-striping improvements would be made at 2 intersections.

With these conditions, Gorove Slade projects that all intersections would operate at acceptable service levels at peak hours. Only one turning movement (at 14th Street and Park Road) would be less than acceptable, but it would not be failing.

SECTION 3401.4

Harmony with the Zoning Regulations and Map, and Their Intent

As noted earlier, the project is of the type for which the C-3-A zone is designed. As analyzed in the last section of this report, the requested special exception meets the tests required for BZA approval under 11DCMR Section 2108.3.

It is of note that the requested parking reduction came close to having been allowed as a matter of right. Section 2104.1 allows, as a matter of right, a 25% reduction in the parking required under Section 2101.1 for non-residential structures that are not more than 800 feet from a Metrorail stop, and not less than 800 feet from an R-1, R-2, R-3 or R-4 district. The proposed project is less than 150 feet from two Metro entrances and well more than 800 feet from any R-1 through R-4 residential zones on three sides. However, although separated by 14th Street and an additional strip of C-3-A development, the site is closer than 800 feet to an R-4 zone on the east side of 14th Street.

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[3] The materials submitted for the record do not indicate the number of simultaneous patrons of the retail and entertainment facilities. OP has examined other DC USA documents going back to 2000, but has not been able to find projections for peak-hour patron occupancy of the structure. Given the nature of the special exception being requested, it is reasonable to consider vehicles as the type of "users" most germane to the zoning regulations' criteria.

[4] Levels of Service A - D are considered acceptable in the District. E indicates problems are arising. F is a failing level of service

No Adverse Impact on Neighboring Properties

The requested parking reduction is not likely to have an adverse impact on neighboring properties. OP finds that the applicant's parking and traffic study credibly demonstrates no adverse impact on nearby traffic congestion, and substantiates that the facility will provide slightly more parking than is needed to meet the demands of projected vehicle usage.

Should, however, this development, and other projected developments come to have a negative impact on traffic or the neighborhood's parking supply, or should more off-street parking eventually be needed, there are several possible mitigation measures. These might include:

- Extending the evening hours of residential on-street parking restrictions to 10:00 p.m., as has been done in other neighborhoods;
- Offering validated reduced-rate parking for patrons of some commercial facilities during hours when the residential parking supply is tight;
- Providing stacked attendant parking rather than self-parking.

By affecting parking supply and demand either on-site or off-site, these measures would reduce the incentive for commercial users to drive through the neighborhood looking for parking, and would reduce the pressure on neighborhood residential parking.

VIII. ANC AND COMMUNITY GROUPS

ANC 1-B supported the special exception request by a vote of 9-0. The neighboring ANC 1-A supported the request by a vote of 6-0-1. Ward 1 Councilperson Jim Graham has written in support of the zoning relief.

IX. OTHER AGENCY COMMENTS

Section 2108.5 requires the application to be referred to the Department of Public Works (DPW or D-DOT) for review and a report. As of April 11, 2002, D-DOT's report was in preparation. Ongoing discussions between OP and D-DOT staff had not indicated any significant D-DOT reservations about the special exception request as of April 11.

X. FINAL OP RECOMMENDATION

OP finds that the special exceptions request meets the criteria outlined in 11 DCMR Sections 2108 and 3104. The planned parking is sufficient to accommodate projected demand, and is not likely to create parking spillover into the neighboring community. In addition, reduction of parking below that normally required for projects in close proximity to a Metro station and in areas with high levels of public transit access supports policy goals of the Comprehensive Plan and the Long Range Transportation Plan to encourage use of transportation alternatives to the automobile.

The lower parking amounts will also contribute to the financial viability of the project. Since this site was first compromised during the civil unrest over 30 years ago, its redevelopment has been a top priority of the Columbia Heights neighborhood, and every District administration.

OP strongly recommends the Board APPROVE this request.

Aa/slc

Attachments (2)



Feature Key

- Zoning Boundaries
- Square Index
- Site Boundary

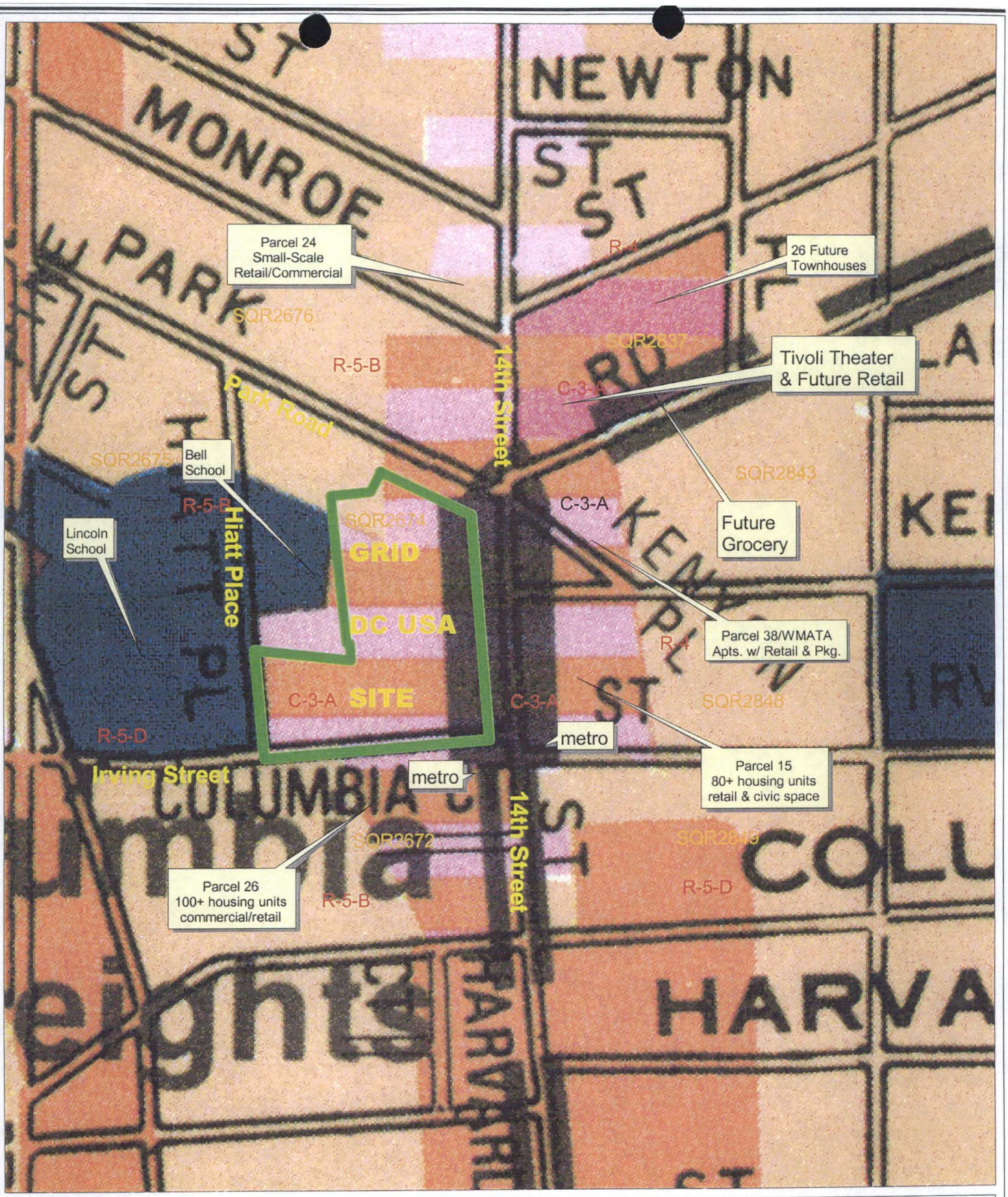
Application No. 16858
GRID - DC USA

DC Office of Planning
April 5, 2002

Scale 1:3461

50 0 50 100 150 200 Feet

Attachment 1



Generalized Land Use Key

- Residential Low Density
- Residential Moderate Density
- Residential Medium Density
- Residential High Density
- Water
- Commercial Low Density
- Commercial Moderate Density
- Commercial Medium Density
- Commercial Med.-high Density
- Commercial High Density
- Federal
- Institutional
- Local Public
- Parks, Recreation and Open Space
- Production and Technical Employment

Comprehensive Plan Landuse

DC Office of Planning
April 15, 2002

Scale 1:3461

N

0 150 Feet

Attachment 2