

MEMORANDUM

TO: District of Columbia Zoning Commission

FROM: Anne Fothergill, Development Review Specialist
JLS
 Jennifer Steingasser, Deputy Director, Development Review & Historic Preservation

DATE: January 4, 2020

SUBJECT: Setdown Report for a Petition to Rezone 501-513 Rhode Island Avenue, NE (Parcels 131/216 and 131/44) from the PDR-2 zone to the MU-10 zone

I. RECOMMENDATION

The Office of Planning (“OP”) proposes a map amendment for the District-owned properties at 501-513 Rhode Island Avenue, NE (Parcels 131/216 and 131/44) from the PDR-2 zone to the MU-10 zone.

The Comprehensive Plan provides that the zoning of any given area should be guided by the Future Land Use Map (FLUM) and Generalized Policy Map interpreted in conjunction with the text of the Comprehensive Plan, including the citywide and area elements, as well as any approved Small Area Plans. A detailed discussion of how the proposal would not be inconsistent with the Comprehensive Plan and the approved Small Area Plan, “Rhode Island Avenue - Diamond of the District,” is provided below.

OP recommends that the Zoning Commission **set down** the petition for public hearing.

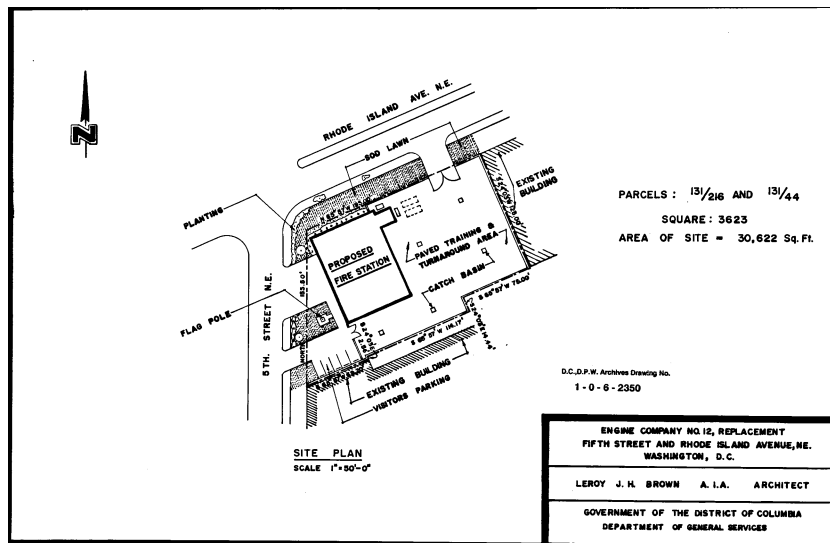
II. APPLICATION-IN-BRIEF

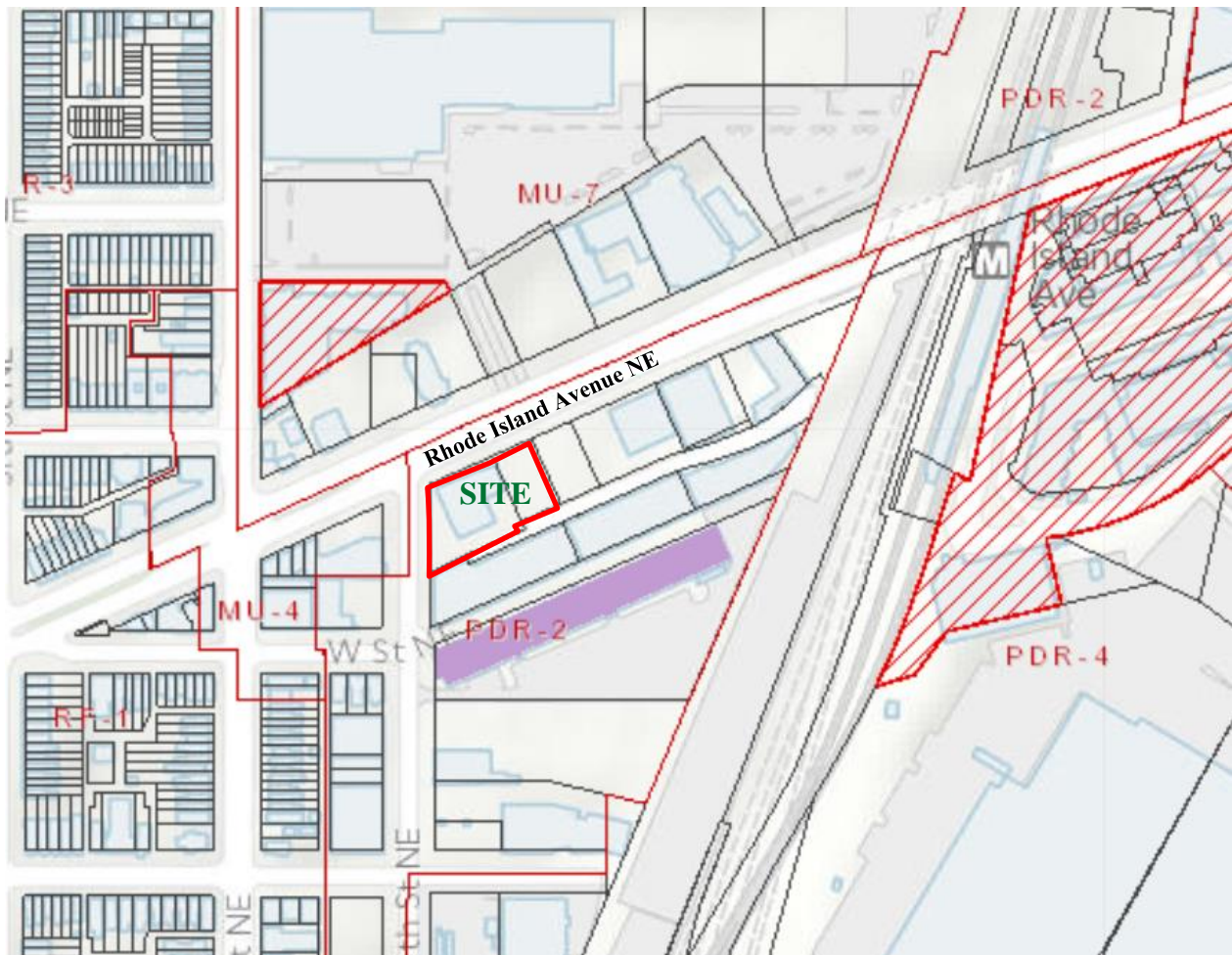
Applicant:	Office of the Deputy Mayor for Planning and Economic Development, represented by the Office of Planning
Proposed Map Amendment:	PDR-2 to MU-10
Address:	501-513 Rhode Island Avenue, NE
Ward and ANC:	Ward 5/ANC-5E
Legal Description:	Parcels 131/216 and 131/44
Property Size:	30,574 square feet combined
Future Land Use Map Designation:	Mixed Use - High-Density Residential and Medium-Density Commercial

Generalized Policy Map Designation:	Neighborhood Conservation Area
Historic District:	None

III. SITE AND AREA DESCRIPTION

The two adjoining parcels, the subject property, are located at the corner of Rhode Island Avenue and Fifth Street, N.E. The two parcels stretch for approximately 240 linear feet along Rhode Island Avenue and approximately 130 feet along 5th Street, N.E. The subject property is improved with the District's Fire and Emergency Medical Services Department fire station facility, Engine Company Number 12, that fronts on Fifth Street, N.E. and has an address of 2225 Fifth Street, N.E. The 16,000 SF facility was constructed in 1987. There are two adjoining curb cuts on Fifth Street for fire trucks to enter the station. There is a surface parking lot to the east of the station accessed by two curb cuts on Rhode Island Avenue and Fifth Street, N.E.





Directly to the south of the subject property is a narrow parcel, 131/217, that runs east-west on the south side of all of the properties along this block of Rhode Island Avenue, N.E. That parcel is proposed for a rezoning to the MU-10 zone in ZC Case No. 20-23. Also adjoining the subject property to the south is Parcel 131/208 at 2215 5th Street, N.E., which is currently a storage facility.

Abutting the subject property to the east are five properties fronting Rhode Island Avenue, N.E. and these properties are also being proposed for a rezoning to the MU-10 zone in ZC Case No. 20-23. If that rezoning is approved, the rest of the block to the east of this site is expected to be redeveloped into mixed-use buildings.

To the north across Rhode Island Avenue is the former Rhode Island Avenue Shopping Center and that is currently being redeveloped into a mixed-use development with approximately 1,500 new residential units.

IV. DEVELOPMENT CAPACITY OF EXISTING AND PROPOSED ZONES

The petitioner is requesting to rezone approximately 30,000 square feet of land area from the PDR-2 zone to the MU-10 zone. The current PDR-2 zoning does not permit multi-family residential development, which is inconsistent with the Future Land Use Map's mixed use designation.

Existing PDR-2 Zoning: Subtitle J, Chapter 2 of the zoning regulations states “*The PDR-2 zone is intended to permit medium-density commercial and PDR activities employing a large workforce and requiring some heavy machinery under controls that minimize any adverse impacts on adjacent, more restrictive zones.*” The PDR-2 zone permits a maximum density of 4.5 floor-area ratio (FAR) for uses falling within the below use categories listed in Subtitle J § 202.2:

- (a) Agriculture, large
- (b) Animal care and boarding and animal shelter
- (c) Arts, design, and creation
- (d) Basic utilities;
- (e) Large-scale government;
- (f) Production, distribution, and repair; and
- (g) Waste-related services.

All other permitted, conditional, or special exception uses are limited to a maximum density of 3.0 FAR. The maximum permitted building height, not including a penthouse, in the PDR-2 zone is 60 feet.

Proposed MU-10 zone: Subtitle G, Chapter 4 Section 400.8 of the zoning regulations states “*The MU-10 zone is intended to:*

- (a) *Permit medium- to high-density mixed-use development with a balance of uses conducive to a higher quality of life and environment for residents, businesses, employees, and institutions;*
- (b) *Be applied to areas where a mixture of uses and building densities is intended to carry out elements of the Comprehensive Plan, small area plans, or framework plans, including goals in employment, population, transportation, housing, public facilities, and environmental quality;*
- (c) *Require a level of public space at the ground level; and*
- (d) *Allow residential and non-residential bulk to be apportioned between two (2) or more lots in the same square.*

The MU-10 zone permits a maximum density of 6.0 FAR (7.2 with Inclusionary Zoning) and no more than 3.0 FAR may be for non-residential uses. The MU-10 zone permits a maximum height of 90 feet (100 feet with IZ), not including a penthouse.

The following table compares the development standards of the current PDR-2 zone and the proposed MU-10 zone.

	Existing PDR-2	Proposed Zone: MU-10
Permitted Uses:	PDR Uses Subtitle U, Chapter 8	Uses permitted as a matter of right in any R, RF, and RA zones, and MU-Use Groups F and G
Height:	60 feet max.	90 feet max. 100 feet max. (IZ)
FAR:	3.0	6.0

	4.5* *certain uses only: Large agriculture; Animal care and boarding and animal shelter; Arts, design, and creation; Basic utilities; Large-scale government; Production, distribution, and repair; Waste-related services	7.2 (IZ) 3.0 Non-Residential
Penthouse Height:	12 feet max.; 1 story 18.5 feet mechanical max.; Second story permitted for penthouse mechanical space	20 feet max.; 1 story plus mezzanine Second story permitted for penthouse mechanical space
Lot Occupancy:	60 % max. (residential) 80 % (IZ) 100% (non-residential)	75% max. (residential) 80% (IZ) 100% (non-residential)
Rear Yard:	2.5 inches/ft. of vertical distance from mean finished grade at the middle of the rear of the structure to the highest point of the main roof or parapet wall, but not less than 12 feet	2.5 inches/ft. of vertical distance from mean finished grade at the middle of the rear of the structure to the highest point of the main roof or parapet wall, but not less than 12 feet
Side Yard:	None required unless abutting a residential zone	
GAR:	0.3 min.	0.2 min.

The current PDR-2 zoning does not allow for residential use or a development capacity equal to the mixed-use high-density residential/medium-density commercial of the MU-10 zone. As outlined in Sections V and VI of this report, the Comprehensive Plan and Small Area Plan both support the rezoning of the subject property to the MU-10 zone.

V. COMPREHENSIVE PLAN

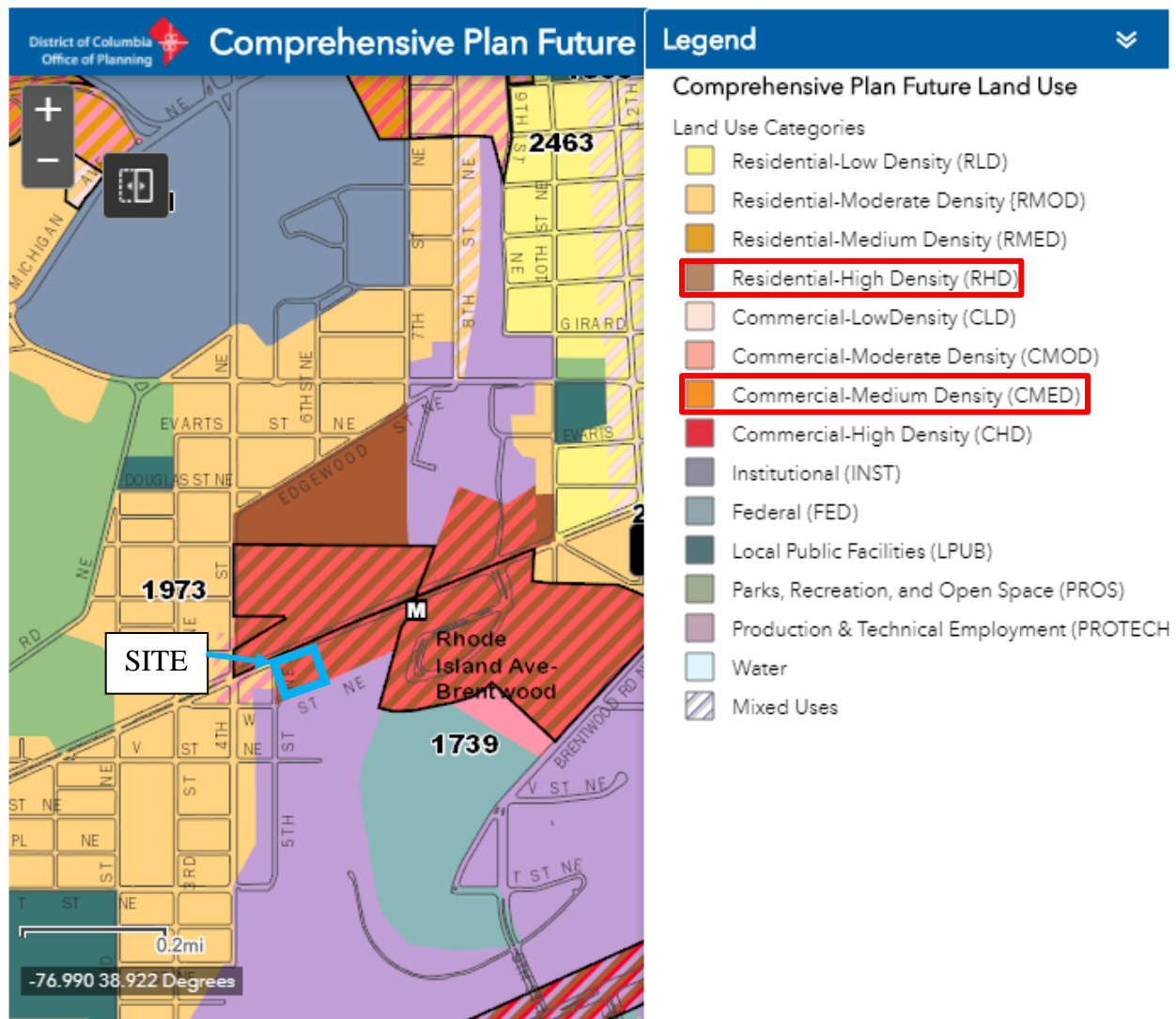
A. COMPREHENSIVE PLAN MAPS

The Guidelines for Using the Generalized Policy Map and the Future Land Use Map in the Framework Element state that the “Generalized Policy Map and Future Land Use Map are intended to provide generalized guidance for development and conservation decisions, and are considered in concert with other Comprehensive Plan policies.” Additionally, “the zoning of any given area should be guided by the Future Land Use Map, interpreted in conjunction with the text of the Comprehensive Plan, including the Citywide Elements and the Area Elements.”

As described below, the proposed zoning map amendment would be not be inconsistent with the map designations or the Citywide and Area Elements.

Generalized Future Land Use Map (FLUM)

The Future Land Use Map (FLUM) indicates that the site is appropriate for Mixed Uses - high-density residential and medium-density commercial uses. The FLUM does not show a purple stripe indicating a designation of future PDR use for the subject property.



Mixed Use Categories: The Future Land Use Map indicates areas where the mixing of two or more land uses is especially encouraged. The particular combination of uses desired in a given area is depicted in striped patterns, with stripe colors corresponding to the categories defined on the previous pages. A Mixed Use Future Land Use Map designation should not be confused with the Mixed Use (MU) zoning districts, although they frequently apply to the same area or parcel of land. The Mixed Use Category generally applies in the following circumstances:

- a. Established, pedestrian-oriented commercial areas that also include substantial amounts of housing, typically on the upper stories of buildings with ground-floor retail or office uses;*
- b. Commercial corridors or districts which may not contain substantial amounts of housing today, but where more housing is desired in the future. The pattern envisioned for such*

areas is typically one of pedestrian-oriented streets, with ground-floor retail or office uses and upper story housing;

- c. Large sites (generally greater than 10 acres in size), where opportunities for multiple uses exist, but a plan depicting the precise location of these uses has yet to be prepared; and*
- d. Development that includes residential uses, particularly affordable housing, and residentially compatible industrial uses, typically achieved through a Planned Unit Development or in a zone district that allows such a mix of uses.*

The general density and intensity of development within a given Mixed Use area is determined by the specific mix of uses shown. If the desired outcome is to emphasize one use over the other (for example, ground-floor retail with three stories of housing above), the Future Land Use Map may note the dominant use by showing it at a slightly higher density than the other use in the mix (in this case, Moderate Density Residential/Low Density Commercial). The Comprehensive Plan Area Elements may also provide detail on the specific mix of uses envisioned.

It should also be acknowledged that because of the scale of the Future Land Use Map and the fine-grained pattern of land use in older parts of the city, many of the areas shown purely as “Commercial” may also contain other uses, including housing. Likewise, some of the areas shown as purely “Residential” contain existing incidental commercial uses such as corner stores or gas stations, or established institutional uses, such as places of worship. The “Mixed Use” designation is intended primarily for larger areas where no single use predominates today, or areas where multiple uses are specifically encouraged in the future.

A variety of zoning designations are used in Mixed Use areas, depending on the combination of uses, densities, and intensities. All zone districts formerly identified as commercial, SP, CR and Waterfront were renamed as MU zone districts in 2016, and are considered to be mixed use. Residential uses are permitted in all of the MU zones, however, so many Mixed Use areas may have MU zoning.

High Density Residential

High Density Residential: This designation is used to define neighborhoods and corridors generally, but not exclusively, suited for high-rise apartment buildings. Pockets of less dense housing may exist within these areas. Density is typically greater than a FAR of 4.0, and greater density may be possible when complying with Inclusionary Zoning or when approved through a Planned Unit Development. The RA-4 and RA-5 Zone Districts are consistent with the High Density Residential category, and other zones may also apply.

Medium Density Commercial

Medium Density Commercial: This designation is used to define shopping and service areas that are somewhat greater in scale and intensity than the Moderate Density Commercial areas. Retail, office, and service businesses are the predominant uses, although residential uses are common. Areas with this designation generally draw from a citywide market area. Buildings are larger and/or taller than those in Moderate Density Commercial areas. Density typically ranges between a FAR of 4.0 and 6.0, with greater density possible when complying with Inclusionary Zoning or when approved through a Planned Unit Development. The MU-8 and MU-10 Zone Districts are consistent with the Medium Density category, and other zones may also apply.

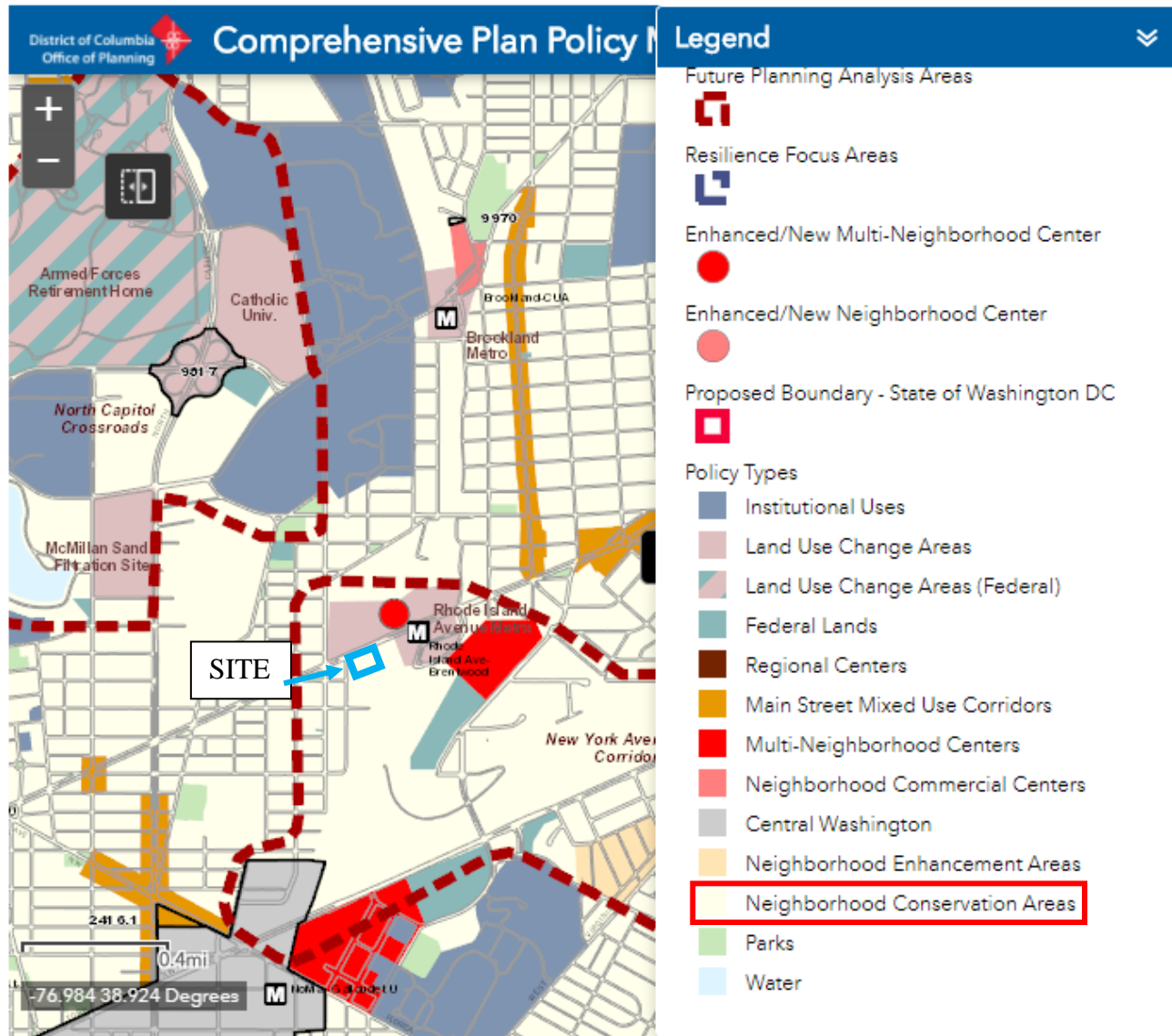
The Framework Element describes the Medium Density Commercial category as permitting densities of 4.0 - 6.0 FAR, and specifically identifies the MU-10 zone as being compatible with this particular designation. The MU-10 zone permits a maximum density of 6.0 FAR (7.2 FAR with IZ), with 3.0 FAR maximum for non-residential uses, and a maximum height of 90 feet (100 feet with IZ).

The general density and intensity of development within Mixed Use areas are determined by the specific mixed of uses shown on the FLUM. If the desired outcome is to emphasize one use over another, the FLUM may note the dominant use by assigning it a higher density and the Area Elements may also provide detail on the mix of uses envisioned for a site. In this case, the FLUM indicates a preference for residential uses, which the current PDR zoning does not generally allow.

The request to rezone the subject site to MU-10 is consistent with the FLUM designation as Mixed Use medium density commercial and high density residential. Should the District want to redevelop this site in the future, the MU-10 zone is an appropriate zone for the subject property given its close proximity to a Metrorail station and the goal of providing more housing across the city. The District could consider a private-public partnership for a mixed use redevelopment of Engine 12 as they have recently done with Engines 1 and 13. The height and overall density of the MU-10 zone are consistent with what is described in the Framework Element and the supplemental guidance provided in the Small Area Plan discussed in Section VI.

Generalized Policy Map

The Generalized Policy Map indicates that the area of the proposed map amendment is within the policy area designated as Neighborhood Conservation Area as well as a Future Planning Analysis Area.



Neighborhood Conservation Area

Neighborhood Conservation areas have little vacant or underutilized land. They are generally residential in character. Maintenance of existing land uses and community character is anticipated over the next 20 years. Where change occurs, it will typically be modest in scale and will consist primarily of infill housing, public facilities, and institutional uses. Major changes in density over current (2017) conditions are not expected but some new development and reuse opportunities are anticipated, and these can support conservation of neighborhood character where guided by Comprehensive Plan policies and the Future Land Use Map. Neighborhood Conservation Areas that are designated “PDR” on the Future Land Use Map are expected to be retained with the mix of industrial, office, and retail uses they have historically provided.

*The guiding philosophy in Neighborhood Conservation Areas is to conserve and enhance established neighborhoods, but not preclude development, particularly to address city-wide housing needs. Limited development and redevelopment opportunities do exist within these areas. The diversity of land uses and building types in these areas should be maintained and new development, redevelopment, and alterations should be compatible with the existing scale, natural features, and character of each area. **Densities in Neighborhood Conservation Areas are guided by the Future Land Use Map and Comprehensive Plan policies.** Approaches to managing context-sensitive growth in Neighborhood Conservation Areas may vary based on neighborhood socio-economic and development characteristics. In areas with access to opportunities, services, and amenities, more levels of housing affordability should be accommodated. Areas facing housing insecurity (see Section 206.4) and displacement should emphasize preserving affordable housing and enhancing neighborhood services, amenities, and access to opportunities.*

Rhode Island Small Area Plan

In 2011 the D.C. Council adopted the Rhode Island SAP, which recommended that the area where the subject property is located be rezoned to encourage medium- to high-density mixed-use, transit-oriented development. Subsequent to the adoption of the Rhode Island SAP, the D.C. Council amended the Comprehensive Plan, which incorporated the recommendations of the Rhode Island Avenue SAP with a change to the Property's FLUM designation from PDR to Mixed Use (High Density Residential/Medium Density Commercial) but no change was made to the designation in the Generalized Policy Map at that time and it is currently a Neighborhood Conservation Area.

The proposed map amendment is not inconsistent with the Framework Element's description of a Neighborhood Conservation Area. As stated above, being in a Neighborhood Conservation Area does not preclude development, particularly if the development would address citywide housing needs. The text also states that "densities in Neighborhood Conservation Areas are guided by the FLUM and Comprehensive Plan policies," and as such new development should be compatible with the scale and character of each area. The density permitted in the proposed MU-10 zone is consistent with the guidance of the SAP, the FLUM, and Comprehensive Plan policies. The proposed rezoning would allow future opportunities including multi-family residential use, which is currently not permitted under the existing PDR zoning.

According to the Purpose of the Generalized Policy Map, "The map should be used to guide land-use decision-making in conjunction with the Comprehensive Plan text, the Future Land Use Map, and other Comprehensive Plan maps. Boundaries on the map are to be interpreted in concert with these other sources, as well as the context of each location." In this case, the recommendations of the Rhode Island SAP, the mixed-use designation on the FLUM, and the Upper Northeast Element policies all support a determination that the proposed Zoning Map amendment is not inconsistent with the GPM. This determination is further supported by the surrounding context as the rezoning will allow for the type of mixed-use development that is compatible with development currently underway to the north and northeast of the Property, and is appropriate given the Property's location adjacent to Metrorail and the Rhode Island Avenue corridor, a designated Great Street.

The site is conveniently located in a transit-oriented location near the Rhode Island Avenue Metrorail Station and any future redevelopment would support transit use and improvements to the

public space in connection with the site's development would enhance the pedestrian experience. The rezoning would provide an opportunity for development that could include new housing and affordable housing, thus enabling the type of housing diversity encouraged by the District.

B. COMPREHENSIVE PLAN POLICIES

The rezoning will further many of the written elements of the Comprehensive Plan including the following:

Citywide Elements

Land Use

The location of the subject property along the Rhode Island Avenue corridor and one block from a metro station lends itself to mixed use development. The rezoning to MU-10, which would allow for housing and other uses and contribute to the revitalization of this prominent corner, is consistent with the Land Use policies.

The Land Use Goal is: Ensure the efficient use of land resources to meet long-term neighborhood, citywide, and regional needs; to help foster other District goals; to protect the health, safety, and welfare of District residents, institutions, and businesses; to sustain, restore, or improve the character and stability of neighborhoods in all parts of the city; and to effectively balance the competing demands for land to support the many activities that take place within District boundaries. (§ 302.1)

Policy LU-1.3.2: Development Around Metrorail Stations

Concentrate redevelopment efforts on those Metrorail station areas which offer the greatest opportunities for infill development and growth, particularly stations in areas with weak market demand, or with large amounts of vacant or poorly utilized land in the vicinity of the station entrance. Ensure that development above and around such stations emphasizes land uses and building forms which minimize the necessity of automobile use and maximize transit ridership while reflecting the design capacity of each station and respecting the character and needs of the surrounding areas.

Policy LU-1.3.3: Housing Around Metrorail Stations

Recognize the opportunity to build senior housing and more affordable "starter" housing for first-time homebuyers adjacent to Metrorail stations, given the reduced necessity of auto ownership (and related reduction in household expenses) in such locations.

Policy LU-2.1.1: Variety of Neighborhood Types

Maintain a variety of residential neighborhood types in the District, ranging from low-density, single family neighborhoods to high-density, multi-family mixed use neighborhoods. The positive elements that create the identity and character of each neighborhood should be preserved and enhanced in the future.

Policy LU-2.1.3: Conserving, Enhancing, and Revitalizing Neighborhoods

Recognize the importance of balancing goals to increase the housing supply and expand neighborhood commerce with parallel goals to protect neighborhood character, preserve historic resources, and restore the environment. The overarching goal to “create successful neighborhoods” in all parts of the city requires an emphasis on conservation in some neighborhoods and revitalization in others.

Policy LU-2.4.1: Promotion of Commercial Centers

Promote the vitality of the District’s commercial centers and provide for the continued growth of commercial land uses to meet the needs of District residents, expand employment opportunities for District residents, and sustain the city’s role as the center of the metropolitan area. Commercial centers should be inviting and attractive places and should support social interaction and ease of access for nearby residents.

Policy LU-3.1.4: Rezoning of Industrial Areas

Allow the rezoning of industrial land for non-industrial purposes only when the land can no longer viably support industrial or PDR activities or is located such that industry cannot co-exist adequately with adjacent existing uses. Examples include land in the immediate vicinity of Metrorail stations, sites within historic districts, and small sites in the midst of stable residential neighborhoods. In the event such rezoning results in the displacement of active uses, assist these uses in relocating to designated PDR areas.

There are policies in the Land Use Element regarding the appropriate retention of the city’s limited industrial land, which is crucial for some PDR sites in the District. There are also policies that discuss optimal location of industrial uses and when it may be appropriate to consider the rezoning of industrial land, including factors like proximity to a metro station. Specifically, the Upper Northeast element states:

UNE-2.5.2: Redevelopment of Older Commercial and Industrial Sites

Encourage the long-term reuse of older commercial and industrial sites in the Rhode Island Avenue Metro station vicinity with higher-value mixed uses, including housing. Future mixed-use development should be pedestrian-oriented, with design features that encourage walking to the Metro station and nearby shopping.

Additionally, in this case, the 2011 Small Area Plan for Rhode Island Avenue called out this sub-area of Rhode Island Avenue specifically for future residential and mixed uses. The Future Land Use Map does not show a purple (PDR) stripe over this property. While the proposed rezoning may conflict with some of the Citywide Elements’ guidance to retain industrial land, the FLUM and the SAP both support mixed use zoning in this location.

Transportation

The overarching goal for transportation in the District is: Create a safe, sustainable, efficient multi-modal transportation system that meets the access and mobility needs of District residents, the regional workforce, and visitors; supports local and regional economic prosperity; and enhances the quality of life for District residents.(§ 401.1)

The proposed map amendment advances the Transportation goal by allowing the possibility of future mixed-use development on a major District corridor.

Housing

The overarching goal for housing is: Develop and maintain a safe, decent, and affordable supply of housing for all current and future residents of the District of Columbia.

The proposed map amendment advances the Housing goal by allowing the possibility of future mixed-use development. It also advances many housing policies including:

- H-1.1 Expanding Housing Supply
- Policy H-1.1.3: Balanced Growth
- Policy H-1.1.4: Mixed Use Development
- Policy H-1.2.3: Mixed Income Housing

Policy H-1.2.4: Housing Affordability on Publicly Owned Sites

Require that a substantial percentage of the housing units built on publicly owned sites, including sites being transferred from federal to District jurisdiction, are reserved for low and moderate income households.

Because the property is District-owned any future disposition and development would be subject to affordability requirements that exceed those of standard Inclusionary Zoning. Those conditions are reflected in District law 10-801 and in summary require the following:

A project within ½ mile of a Metrorail station at least 30% of the units shall be dedicated as affordable housing;

- in the case of rental units, at least 25% of the units for which a very low-income household will pay no more than 30% of its income toward housing costs, and the remainder of such units shall be housing for which a low-income household will pay no more than 30% of its income toward housing costs; and
- In the case of ownership units, 50% of the units for which a low-income household will pay no more than 30% of its income toward housing costs, and 50% of the units shall be housing for which a moderate-income household will pay no more than 30% of its income toward housing costs.

Environmental Protection

The overarching goal for environmental protection is: Protect, restore, and enhance the natural and man-made environment in the District of Columbia, taking steps to improve environmental quality, prevent and reduce pollution, and conserve the values and functions of the District's natural resources and ecosystems. (§ 601.1)

New development in the District must comply with the D.C. Green Buildings Act and D.C. Green Construction Code and meet Green Area Ratio and storm water management regulations. As such, redevelopment of the subject property with the proposed MU-10 zoning would improve the overall environmental quality of the site compared to the existing conditions.

Urban Design

The overarching goal for urban design in the District is: Enhance the beauty and livability of the city by protecting its historic design legacy, reinforcing the identity of its neighborhoods, harmoniously integrating new construction with existing buildings and the natural environment, and improving the vitality, appearance, and security of streets and public spaces. (§ 901.1)

There is a public space requirement in MU-10 zone and that could be a beneficial feature that would significantly enhance the urban design and pedestrian experience along this block. With the MU-10 zone, 8% of this lot area would need to be a public plaza and in this case that would be almost 10,000 square feet. A large public plaza along with attractive new mixed use buildings and streetscape improvements would be a significant improvement to this prominent and busy block.

Upper Northeast Area Element

There is general—though not universal—agreement that the Rhode Island Avenue, Brookland/CUA, and Fort Totten Metrorail stations are logical locations for future development. The stations are currently adjoined by parking lots and industrial uses that do not take advantage of their proximity to Metro. These areas may provide opportunities for apartments, condominiums, townhomes, and other types of moderate and medium density housing, provided that measures are taken to buffer adjacent lower density neighborhoods, address parking and traffic issues, and mitigate other community concerns. There are differences of opinion as to the appropriate density of development and the precise mix of uses at each station. Small Area Plans are needed for each area to continue the community dialogue on their future.

Land around the Rhode Island Avenue Metro station is underutilized and does not provide the community focal point it could. The WMATA parking lot presents the most immediate and obvious opportunity for redevelopment, but over time additional properties may transition to new uses. Medium to high density housing is strongly encouraged in this area, and traffic improvements are recommended to make the station more accessible for pedestrians, bicyclists, and transit users.

The general character of the Avenue is not expected to change significantly over the next 20 years, but there are opportunities for moderate density infill development in several locations. Filling in “gaps” in the street wall would be desirable in the commercial areas, creating a more pedestrian friendly environment. While most of the street is zoned for commercial uses, development that includes ground floor retail uses and upper story housing would be desirable. The surrounding area is under-served by retail uses and would benefit from new restaurants, local-serving stores, and other services.

UNE-2.5.1: Rhode Island Avenue/Brentwood Metro Station

Encourage the development of additional medium-to high-density mixed use development around the Rhode Island Avenue Metro station, particularly on the surface parking lots in the station vicinity. Review the Rhode Island properties west of and proximate to the Rhode Island Avenue Metro station for transit connections and appropriate land use recommendations.

The subject property is located within the Upper Northeast Area Element of the Comprehensive Plan. According to the Area Element, this area is largely a residential community, but it also contains a mix of uses including the largest concentration of industrial land uses in the District, as well as businesses along commercial streets, including Rhode Island Avenue. The subject property is located within the Rhode Island Avenue Metro Station Area Policy Focus Area of the Upper Northeast Area Element. The Area Element states that that the area around the Rhode Island Avenue station is logical for future development with medium to high density housing but advises that Small Area Plans are needed for each area. Fortunately there is a Small Area Plan that provides guidance for future development in this specific area (see Section VI below).

The proposed map amendment is not inconsistent with the guidance found in the Citywide and Area Elements of the Comprehensive Plan and should the property be rezoned, its future redevelopment could enhance many of the policies.

VI. SMALL AREA PLAN

Rhode Island Avenue “Diamond of the District” Small Area Plan

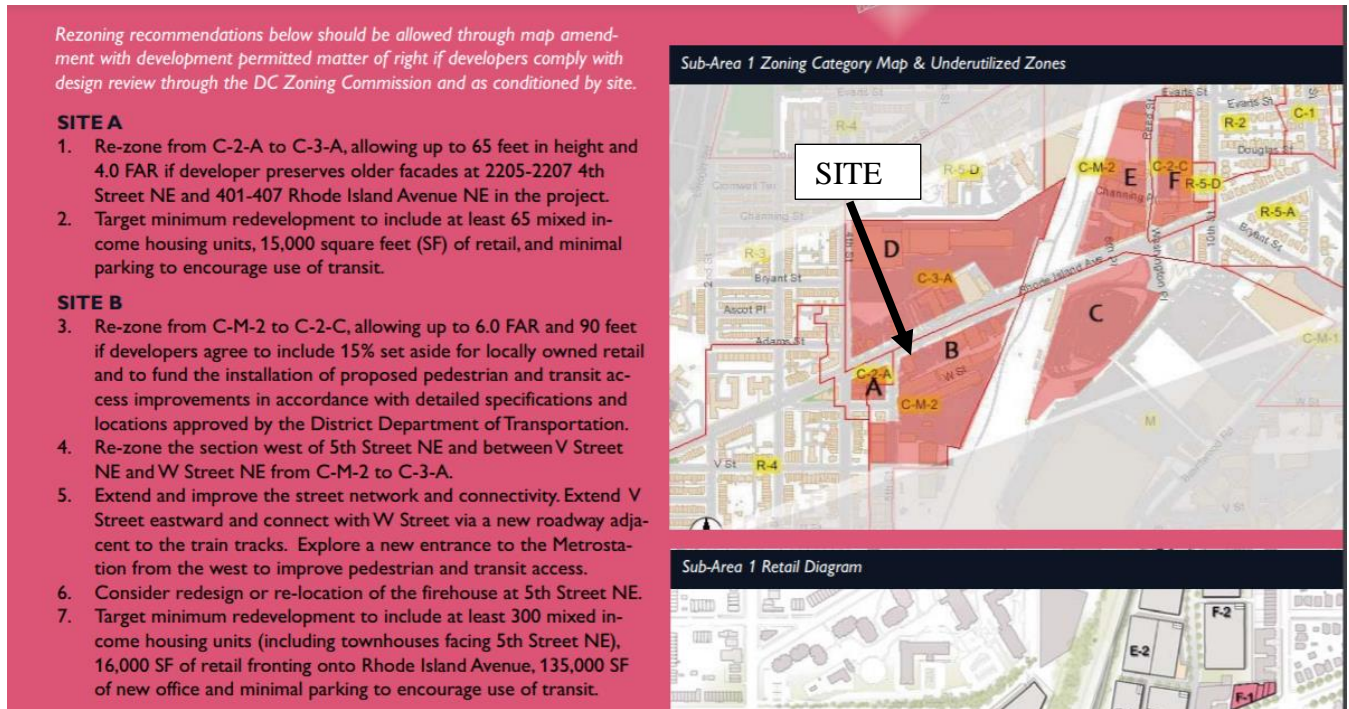
The subject property is located within the boundaries of the Rhode Island Avenue Small Area Plan, which was adopted by the D.C. Council in 2011. The Rhode Island SAP “aims to convey the wide range of investment opportunities on the Avenue and to outline objectives, preferences and concerns shared by area stakeholders and District Government for the appropriate redevelopment of under-utilized, commercial properties along the Avenue. This plan also seeks to shape attitudes about the kinds of preferred investments which will strengthen the corridor’s identity locally and regionally.” The Small Area plan provides design and development guidelines for future development.

The SAP found that Rhode Island Avenue is a well-served and well-used transit corridor with the Rhode Island Avenue Metrorail station along the Red Line and 19 Metrobus routes. The subject property is located within the 4th to 10th Street NE study area of the SAP and the SAP encourages transit-oriented development at medium to high density for those blocks.

The SAP assessed the assets of SubArea 1 (4th to 10th Street NE) - Site B, where the subject property is located, and found:

2. *Preservation of existing fire house with other opportunities for potential development sites to realize available density.*
3. *Over 270,000 SF of unused building area currently with the potential of over 510,000 SF total building area. Has potential to yield over 16,000 SF of retail and 139,000 SF of office/ light production space.*
4. *Area for possible change in zoning to allow more housing along Rhode Island in a mix of office, retail and housing and push the C-M-2 zone back to W Street NE.*

The SAP made specific rezoning recommendations through map amendments for Sub-Area 1 – Site B:



As can be seen in the graphic above, the SAP made the following rezoning recommendations for SubArea 1- Site B:

3. Re-zone from C-M-2 to C-2-C, allowing up to 6.0 FAR and 90 feet if developers agree to include 15% set aside for locally owned retail and to fund the installation of proposed pedestrian and transit access improvements in accordance with detailed specifications and locations approved by the District Department of Transportation.

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6. Consider redesign or re-location of the firehouse at 5th Street NE.
7. Target minimum redevelopment to include at least 300 mixed income housing units (including townhouses facing 5th Street NE), 16,000 SF of retail fronting onto Rhode Island Avenue, 135,000 SF of new office and minimal parking to encourage use of transit.

[emphasis added]

The SAP recommends rezoning the subject property located within SubArea 1-Site B to allow for greater density and more housing and matter-of-right development up to 6.0 FAR and 90 feet in height. The proposed MU-10 zone permits a maximum density and height of 6.0 FAR and 90 feet with additional height and density permitted for Inclusionary Developments.

Within SubArea 1-Site B, the SAP refers specifically to the subject property twice – once in an assessment of assets it refers to the preservation of the existing firehouse and once in the rezoning recommendation it suggests consideration of relocation or redevelopment of the fire station. The rezoning of the fire station does not preclude its preservation and its redevelopment would be an option.

The SAP discusses pushing the industrial uses off Rhode Island Avenue and back to W Street NE and rezoning to allow increased density and residential use along the avenue. A conceptual plan diagram within the SAP shows residential uses on Fifth Street and Rhode Island Avenue immediately adjacent to the fire station.

The zoning map amendment application is not inconsistent with the recommendations in the Rhode Island Avenue SAP. Rezoning the subject property with the density and uses recommended in the SAP would provide the opportunity for potential higher density, mixed-use development at the subject property in the future, including residential uses that are not permitted in the current zone.

VII. SUMMARY AND RECOMMENDATION

The subject property is located within a study area recommended for future mixed use redevelopment in the Small Area Plan and is depicted in the FLUM with a mix of higher density residential and commercial uses, not industrial uses. OP recommends that the Commission **set down** the proposed map amendment as it is not inconsistent with the policies and goals of the Comprehensive Plan and the Small Area Plan, as summarized in this report.