

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

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Office of the Director

MEMORANDUM

TO: District of Columbia Zoning Commission

FROM:  Ellen McCarthy, Director

DATE: March 29, 2006

SUBJECT: Zoning Commission Case No. 03-03B – **Modification
Setdown and Final Report - Capitol Gateway Estates**

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APPLICATION

The applicants, the DC Housing Authority and A&R/TH LLC are requesting a modification of the previously approved development proposal (PUD 03-03) for property known as Capitol Gateway Estates located in Squares 5246, 5276, 5279, 5280 and 5281.

The requested modification is **two-fold**:

1. The correction of the lot numbers recorded in ZC Order # 03-03 published in the D.C. Register on December 31, 2004 for the **Square 5246** which included all the Square's lots, 41 through 78. According to the applicant **Lots 41-49 should be excluded and lots 50 and 66 included**. In addition, **Lot 51 in Square 5272 should also be excluded**. These lots will become part of a future commercial PUD. Therefore, for PUD # 03-03, the revised listing should read as Square 5246, Lots 50-56, 66-78 and the order should be amended as follows:

- Amend the last sentence in the Findings of Fact, No.1 to read:

"... The property is identified as Lots ~~51-56~~ 50-56 and ~~67-78~~ 66-78 in Square 5246; ~~Lot 51 in Square 5272~~; Lot 53 in Square 5279; Lots 99-114 and 118-204 in Square 5280; and Lots 36-92, 96-98, and 101-139 in Square 5281 (the "PUD Site").

- Amend the preamble of the "Decision" to read:

"... In consideration of the Findings of Fact and Conclusions of Law stated herein, the Commission orders APPROVAL of the second stage **ZONING COMMISSION**
District of Columbia

CASE NO. 03-03B

ZONING COMMISSION
District of Columbia

CASE NO. 03-03B
EXHIBIT NO. 13

PUD for property located near East Capitol Street and Southern Avenue, S.E. specifically Lots ~~51-56~~ 50-56 and ~~67-78~~ 66-78 in Square 5246; ~~Lot 51 in Square 5272~~; Lot 53 in Square 5279; Lots 99-114 and 118-204 in Square 5280; and Lots 36-92, 96-98, and 101-139 in Square 5281.”

2. Replacement of the East Capitol Community Building proposed at the corner of East Capitol Street and 56th Place, with 12 townhomes with frontage on East Capitol Street and 56th Place.

This would increase the number of units in the PUD from 226 units to 238 units, including 74 townhouses.

RECOMMENDATION

The Office of Planning has no objection to the requested corrections to the Zoning Map for Square 5246 **to exclude Lots 41-49 and include Lots 50-56 and 66-78**. This would reflect the development of the square as intended by the applicant and OP **recommends approval as a minor modification request**.

OP **recommends setdown for public hearing of the modification request to allow** construction of the 12 townhomes in lieu of the development of the community center as previously approved by Order No 03-03.

Prior to submission of the applicant’s pre-hearing statement, OP requests that the applicant submit to OP **a detailed site plan for the townhome site**, which shows the individual lots with all relevant measurements clearly indicated, as well as further information regarding the treatment of open space at the rear of the lots which front 56th Place, S.E.

BACKGROUND

Zoning Commission Order No. 03-03 dated May 10, 2004, approved a second-stage (final) PUD for multiple properties in Squares 5246, 5279, 5280, and 5281, the former site of an East Capitol Street public housing complex. The Order approved the construction of a large, HOPE VI community development project that would comprise 226 new residences including: 14 detached homes, 122 semi-detached dwellings, 62 row dwellings, and 7 grand homes and a community center at the corner of East Capitol Street and 56th Place. The redevelopment plan also provided for the closing and realignment of several alleys and existing streets. **The Order also approved the change of zoning from unzoned and R-2 to R-5-A.**

A second component of the Hope VI project is the renovation of existing high-rise apartment buildings at the corner of Southern Avenue and East Capitol Street (Square 5279). Initially included in the Stage 1 PUD as a demolition with construction of a low-

rise apartment building, the current proposal includes renovation of the existing structures with some ground floor retail and the subject of a separate PUD application.

The third is the 150-unit senior housing building on the northeast corner of Blaine and 58th Streets, which has been completed. This component was also approved in a separate combined PUD application, ZC 02-04.

The fourth is the community center/child development center, which would have occupied the southeast corner of 56th Place and East Capitol Street and the final component is the commercial center, which is proposed on the north side of East Capitol Street, south of the senior building (Square 5276). The commercial component was excluded from the first stage PUD to allow additional time to secure a major grocery store tenant and finalize the design.

The subject development component of the modification is the mixed residential portion and the previously considered community center site in Square 5280.



Aerial View of Current Conditions of the PUD Site as at
November 2005

PROJECT DESCRIPTION

As previously stated, the modification request is being made to reflect the correct lot numbers for the previously approved PUD to ensure accurate recordation and mapping, excluding Lots 41-49 of Square 5246 and including Lots 50 through 56 and 66 through 78. Further, Lot 51 in Square 5272 is also excluded entirely from the present PUD. The excluded lots are expected to become part of a separate commercial PUD application for the continued development of the HOPE VI project.

In addition, 12 new town homes similar to approved designs would replace the proposed community center designated for the corner of East Capitol Street and 56th Place.

The requested modifications are graphically represented as follows:



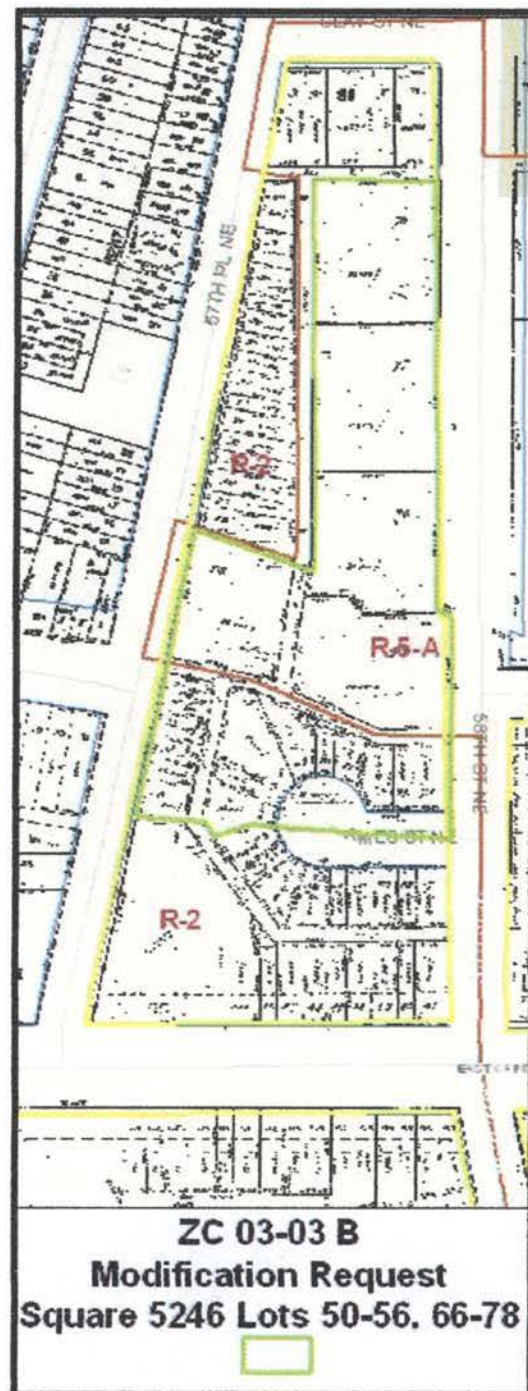
Stage II PUD – Square 5280 and 5281 as Approved

Modification Request – Square 5280

According to the applicant's statement, the intended occupants and programs for the community center have relocated to office space off-site. In addition, the East Capitol Community Development Corporation would no longer need the amount of programming

space projected for the community center. The CDC plans to locate in the rental tower building at 5929 East Capitol Street, which would be included in a separate PUD as part of the continued development of HOPE VI project. Further, the anticipated daycare for the community center is proposed to be located in the new retail/commercial component of the development.

B.



ZONING

The following table summarizes the area measurements for the proposed housing in the subject portion of Square 5280:

TABLE 1 – Proposed Site Plan Measurements

Street Name	Unit Type	Lot Area (Sq. Ft)	Lot Width (Feet)	FAR	Lot Occupancy (40% Max.)	Rear Yard (Feet) 20' Min.	Side Yard (Feet) 8' Min.
56th Place, SE	s	2,846	27.5'	0.7	30%	20' or >	6'
56th Place, SE	s	2,824	28.75' IR	0.71	30%	20' or >	6'
East Capitol Street, SE	s	4,033	37.5' IR	0.5	21%	20' or >	8' or >
East Capitol Street, SE	r	2,039	22'	0.98	42%	18	0
East Capitol Street, SE	r	2,013	22'	0.99	42%	20' or >	0
East Capitol Street, SE	r	2,013	22'	0.99	42%	20' or >	0
East Capitol Street, SE	s	2,532	27.67'	0.8	33.60%	20' or >	6'
East Capitol Street, SE	s	2,532	27.67'	0.8	33.60%	20' or >	6'
East Capitol Street, SE	r	2,013	22'	0.99	42.30%	19	0
East Capitol Street, SE	r	2,013	22'	0.99	42.30%	20' or >	0
East Capitol Street, SE	r	2,039	22'	0.98	42%	20' or >	0
East Capitol Street, SE	s	3,984	37.5' IR	0.5	21.40%	20' or >	8' or >
Open Space	c				0		
TOTAL		30,881		0.80			
				24,528 GFA			

Key

Semi-detached -	s
Row house -	r
Community (Open) Space -	c
Intersects Rear (wall)* -	IR

Note: * indicates measurement was taken from rear wall.

FLEXIBILITY

Based on the above, flexibility from the lot occupancy limits and yard requirements (**highlighted in bold**) are needed.

OP has no objection to the relief requested since the variations from the requirements (§ 404, 404, 405) are minimal and the Commission has the option to approve lot occupancy and yards which are less than the normal requirements, depending on the circumstances of the project. (§2405.4, 2405.5)

OP has no indication at this time that any other relief may be necessary.

Various styles of row structures and semi-detached units were previously proposed and approved for townhomes including, 3 story row dwellings (Unit B -65 units; Unit HC – 1 Unit), 3- story semidetached (Unit G – 38 Units; Unit H 36 Units). The applicant has indicated that the residences would be 3-story dwellings but has not provided further information about the unit categories as mentioned.

(The previously approved unit types for the 3 story row and semi-detached structures are attached for reference).

COMPREHENSIVE PLAN

In evaluating the proposed modification of the Capitol Gateway Estates development for consistency with the Comprehensive Plan, OP considered the request's compliance with major themes of the Comprehensive Plan, compliance with the objectives and policies of the major elements of the Comprehensive Plan, and consistency with the Generalized Land Use Map.

The Findings of Fact of the ZC Order No. 03-03 indicated that the PUD advanced at least 10 Major Themes of the Comprehensive Plan. OP believes that the scale of the modification is within the recently approved zoning category and therefore would not change the material facts upon which the original PUD was approved.

AGENCY REFERRALS

OP will request comments from the District Department of Transportation (DDOT) for review of traffic impacts. Based on the nature of the request and the review of the previously approved PUD by other District agencies, OP does not believe the requested modification requires any other district agency review.

DDOT's comments would be incorporated into OP's final report and will be forwarded to the Zoning Commission, if received prior to the scheduled public hearing.

COMMUNITY COMMENTS

The applicant has a comprehensive community outreach and involvement plan that keeps the community informed of the project. At the time of this report there is no report on file from ANC 7C or 7E.

RECOMMENDATION

The Office of Planning has no objection to the requested corrections to the Zoning Map for Square 5246 **to exclude Lots 41-49 and include Lots 50 through 56 and 66 through 78**. This would accurately reflect the development of the square as intended by the applicant and OP **recommends approval as a minor modification request**.

OP **recommends setdown for public hearing of the modification request to allow** construction of the 12 townhomes in lieu of the development of the community center as previously approved by Order No 03-03.

Prior to submission of the applicant's pre-hearing statement, OP requests that the applicant submit to OP and the Commission **a detailed site plan for the townhomes**, which shows individual lots with all relevant measurements clearly indicated, as well as further information regarding the treatment of open space at the rear of the lots which front 56th Place, S.E.

Attachment:

1. Zoning and Land Use Map of Project Area
2. Previously approved unit types

Attachment 1

Previously Approved Town Home Unit Types

3-Story Row Dwelling¹ – Unit B – 65 Units

	Permitted/ Required R-5-A	Permitted/ Required R-5-A w/PUD	Proposed
Height	40'/3 Stories	60'	40'
Min. Lot Area (sq.ft.)	1,800 ²	1,800 ²	3,000 ³
Min. Lot Width	14'	14'	22'
FAR	0.9	1.0	0.79 ³
Lot Occupancy	40%	40%	26% ³
Rear Yards	20'	20'	20' ³
Side Yards	10'	10'	8' ³
Parking	1	1	1 ³

¹ Row dwellings, as new structures, are special exception uses in the R-5-A zone.

² This may be reduced if the difference is accumulated into common spaces

³ Calculations for each lot included in previously approved submissions for PUD 03-03.

3-Story Row Dwelling¹ – Unit HC – 1 Unit

	Permitted/ Required R-5-A	Permitted/ Required R-5-A w/PUD	Proposed
Height	40'/3 Stories	60'	40'
Min. Lot Area (sq.ft.)	1,800 ²	1,800 ²	3,500 ³
Min. Lot Width	14'	14'	22'
FAR	0.9	1.0	0.74 ³
Lot Occupancy	40%	40%	25% ³
Rear Yards	20'	20'	20' ³
Side Yards	10'	10'	8' ³
Parking	1	1	1 ³

¹ Row dwellings, as new structures, are special exception uses in the R-5-A zone.

² This may be reduced if the difference is accumulated into common spaces

³ Calculations for each lot included in previously approved submissions for PUD 03-03.

3-Story Semi-detached Dwelling – **Unit G** – 38 Units

	Permitted/ Required R-5-A	Permitted/ Required R-5-A w/PUD	Proposed
Height	40'/3 Stories	60'	40'
Min. Lot Area (sq.ft.)	3,000 ¹	3,000 ¹	3,400
Min. Lot Width	30' ¹	30' ¹	30'
FAR	0.9	1.0	0.66
Lot Occupancy	40%	40%	22%
Rear Yards	20'	20'	20' ²
Side Yards	10'	10'	8' ²
Parking	1	1	1 ²

¹ This is the minimum for this use in the R-4 zone. Min. lot requirements are as prescribed by the Board under its review in accordance with §410.

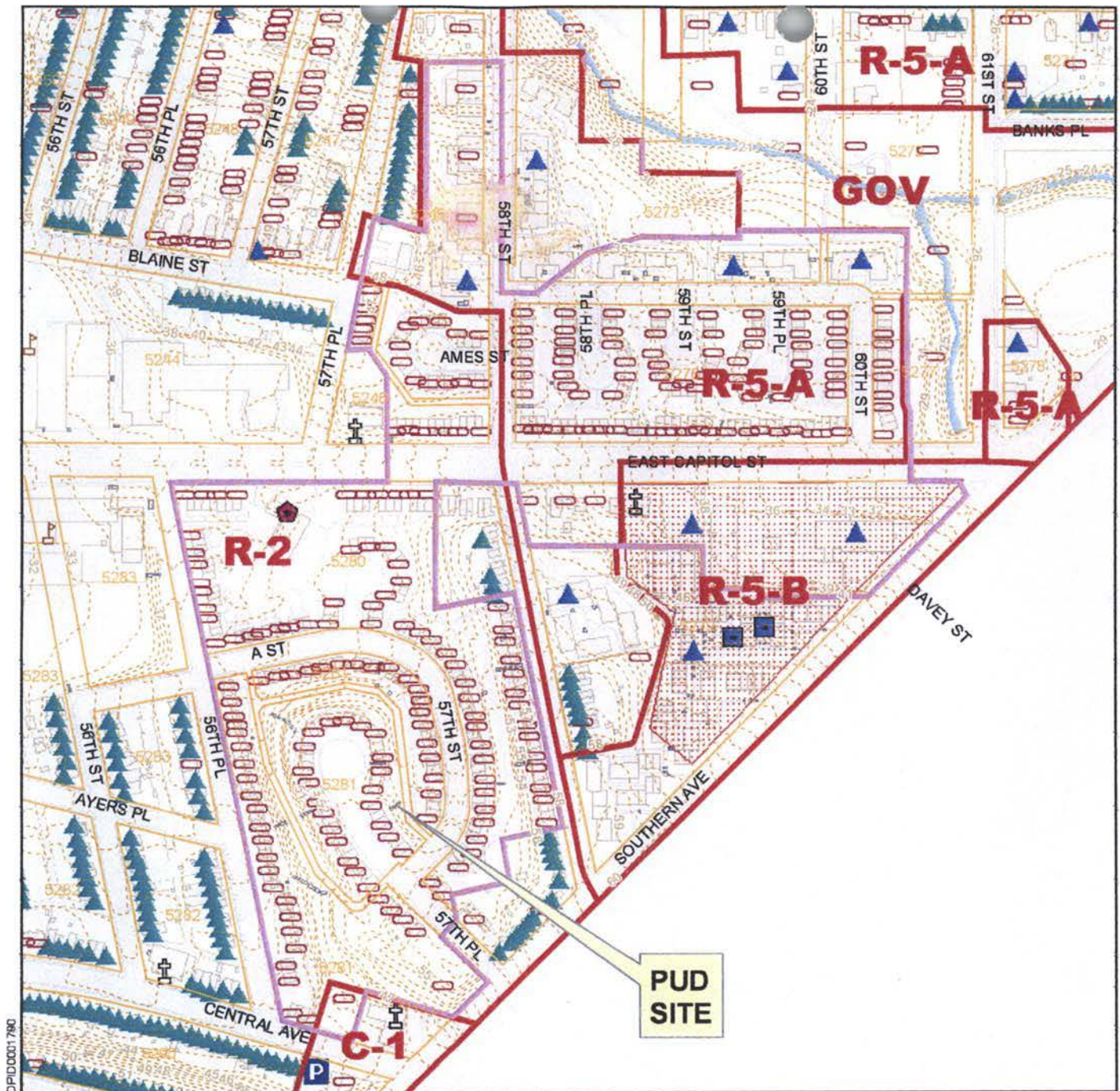
² Calculations for each lot are provided in Attachment 5.

3-Story Semi-detached Dwelling – **Unit H** – 36 Units

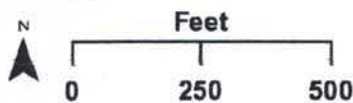
	Permitted/ Required R-5-A	Permitted/ Required R-5-A w/PUD	Proposed	Flexibility Required
Height	40'/3 Stories	60'	40'	None
Min. Lot Area (sq.ft.)	3,000 ¹	3,000 ¹	3,400	As noted ¹
Min. Lot Width	30' ¹	30' ¹	22'	As noted ¹
FAR	0.9	1.0	0.70	As noted
Lot Occupancy	40%	40%	23%	As noted
Rear Yards	20'	20'	20' ²	As noted
Side Yards	10'	10'	8' ²	As noted
Parking	1	1	1 ²	As noted

¹ This is the minimum for this use in the R-4 zone. Min. lot requirements are as prescribed by the Board under its review in accordance with §410.

² Calculations for each lot included in previously approved submissions for PUD 03-03.



Zoning and Land Use Zoning Commission Case No. 03-0003



★ ★ ★ Government of the
District of Columbia
Anthony A. Williams, Mayor

Office of Planning - February 17, 2004

This map was created for planning
purposes from a variety of sources.
It is neither a survey nor a legal document.
Information provided by other agencies
should be verified with them where appropriate.

Note: Land Use Info based on OTR records.

Legend

- Zoning
- PUDs
- Property Squares
- Elevation Contours - 1m
- Buildings
- Sidewalks
- Roads
- Parks
- property

Land Use Legend

- ▲ Row house
- Club-Private
- ★ Theater
- 🏨 Hotel
- ▲ Resid. - Transient
- ▲ Fraternity/Sorority
- ▲ Dormitory
- ▲ Condo
- ▲ Non-conforming use
- ▲ Multi-family Dwelling
- 🏠 Office
- 🏠 Retail
- P Parking Garage/Lot
- ✠ Religious
- 🏫 Educational
- 🏛 Embassy, Chancery
- 🏛 Museum, Library
- 🚶 Recreational
- 🛑 Public Service
- 🛑 Special Purpose
- 🛑 Vacant