HOLLAND & KNIGHT LLP

2099 Pennsylvania Avenue, N.W.
Suite 100
Washington, D.C. 20006-6801

202-955-3000
FAX 202-955-5564
www.hklaw.com

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REPORT TO THE ZONING COMMISSION

CASE NO. 03-11
2425 L STREET, N.W.

STEVEN E. SHER,
DIRECTOR OF ZONING AND LAND USE SERVICES
HOLLAND & KNIGHT LLP

JULY 10, 2003

I. Introduction

II. Nature of applications

A. Consolidated review of planned unit development

B. Map amendment from R-5-D to C-2-C

III. Site location

A. 2425 L Street, N.W.

B. West End area, between the Central Employment Area and Georgetown

IV. Site description

A. Mostly rectangular-shaped property located on the north side of L Street between 24th and 25th Streets, N.W. (Square 25, Lot 806)

B. Contains approximately 99,879 square feet of land area

C. Has frontage of approximately 446 feet on L Street, 231 feet on 24th Street and 216 feet on 25th Street

ZONING COMMISSION
District of Columbia
Case 03-11
Exhibit 29

ZONING COMMISSION
District of Columbia
CASE NO.03-11
EXHIBIT NO.29

D. Existing condition:

1. Developed with building formerly used as the Columbia Hospital for Women, now vacant

a) Five story main portion of the building constructed in 1916

b) Additions constructed in 1958, 1979 and 1988

2. Pedestrian access from all three streets; vehicular access from 25th and L Streets

3. Subject to covenant restricting development:

a) Maximum gross floor area of 350,000 square feet

b) Maximum of 28,000 square feet of retail and service uses permitted in the C-1 and C-2 Districts

c) Any residential units must be sold as condominiums

E. Abutting streets

1. L Street – 90 feet wide

2. 24th Street – 90 feet wide

3. 25th Street – 90 feet wide

4. Pennsylvania Avenue (crosses the intersection of 25th and L Streets) – 130 feet wide

V. Description of the surrounding area (see aerial photograph, c. 1995, attached)

A. General area: West End Area contains broad mix of uses and building types

B. Remainder of Square 25

1. To the north at 2440 M Street: physicians' office building and site of a residential addition approved by the Board of Zoning Adjustment

2. To the north at 2400 M Street: vacant lot approved for construction of an apartment house

C. To the north (across M Street):

1. Monarch Hotel (northwest corner of 24th and M Streets)

2. Park Hyatt Hotel (northeast corner of 24th and M Streets)

3. High-rise office building at the corner of 25th and M Streets

4. Further to the north is a mix of apartments and offices, mostly high-rise

D. To the east (across 24th Street):

1. Westin Hotel (southeast corner of 24th and M Streets)

2. Four story apartment building, two story rowhouse

3. West End Library

4. Further to the east are offices, apartments, parking lot and the new Ritz-Carlton Hotel, apartments and health club

E. To the south (across L Street):

1. High-rise mixed-use office and apartment building at 2401 Pennsylvania Avenue

2. Further to the south, along Pennsylvania Avenue, are high-rise apartments, hotels and a church

F. To the west (across 25th Street):

1. Three story rowhouses and small apartment buildings

2. Further to the west is the Westbridge mixed use office and residential building

G. General area:

1. High-rise apartments

2. High-rise office buildings, most with ground floor retail

3. Hotels

4. Rowhouse and low and mid-rise apartments

5. Public facilities

   a. Fire Station

   b. Metropolitan Police Department Special Operations Division

   c. West End Library

   d. Francis Junior High School

VI. Zoning

A. Existing zoning: R-5-D

1. General residential district permitting single family, two family and multi-family dwellings, as well as a broad range of institutional uses (e.g., clinic, hospital, museum) as a matter-of-right

2. Maximum height: 90 feet

3. Maximum FAR: 3.5

4. Maximum percentage of lot occupancy: 75 percent

5. Minimum required rear yard – 4 inches per foot of height at the rear, minimum of 15 feet

6. Side yard – not required

7. Minimum required parking for apartment house use: 1 space for each 3 dwelling units

8. PUD guidelines

   a) Height: 90 feet

   b) FAR: 4.5

   c) Yards and courts: as otherwise provided, subject to the

Zoning Commission's discretion to approve greater or lesser

d) Parking and loading: as otherwise provided, subject to the Zoning Commission's discretion to approve greater or lesser

B. History

1. Property was zoned R-5-B in 1958

2. Property was rezoned to R-5-C in 1987

3. Property was redesignated R-5-D in 1992

C. Proposed zoning: C-2-C

1. Uses (§§721 – 734)

a) Commercial use permitted as a matter-of-right, including retail, service and office use

b) Hotel

c) Residential use permitted as carry-over from Special Purpose and Residential Districts

2. Height - maximum of 90 feet (§770.1)

3. Density - maximum of 6.0 FAR, with nonresidential uses limited to 2.0 FAR (§771.2), further limited by existing covenant

4. Lot occupancy – residential uses limited to 80% (§772.1)

5. Rear yard – minimum of 15 feet (§774.1)

6. Side yard - not required (§775.5)

7. Residential recreation space - minimum area equal to 15% of the gross floor area devoted to residential use (§773.3)

8. Parking (§2101.1)

a) For apartment house use, minimum of 1 space for each 4 units

b) For retail use, minimum of 1 space for each 750 square feet of gross floor area floor area in excess of 3,000 square feet

c) None required for change of use or increase in intensity of use for historic landmark

9. PUD guidelines

a) Height: 90 feet

b) FAR: 6.0, of which no more than 2.5 FAR may be nonresidential

c) Yards and courts: as otherwise provided, subject to the Zoning Commission's discretion to approve greater or lesser

d) Parking and loading: as otherwise provided, subject to the Zoning Commission's discretion to approve greater or lesser

D. Zoning of the area (see map, attached)

1. To the north and northeast:

a) C-2-C along the south side of M Street

b) CR along the north side of M Street

2. To the east:

a) R-5-B along the north side of L Street between 23rd and 24th Streets

b) CR (including a PUD) in the block bounded by 22nd, 23rd, L and M Streets

3. To the southeast: R-5-B and R-5-D on the south side of L Street between 22nd and 24th Streets

4. To the south, southwest and west: C-2-C (including a PUD for part)

5. To the northwest: R-5-B, followed by CR

6. Zoning history

a) 1958 zoning (see map attached)

(1) C-M-2 for the area north of M Street

(2) C-2 for the south side of M Street and Pennsylvania Avenue

(3) R-5-B for the subject property and others to the east and west

b) 1974 Rezoning (see July, 1975, Zoning Atlas, attached)

(1) CR applied to the area north of M Street

(2) C-2-B at 6.0 FAR (now C-2-C) applied to the south side of M Street

(3) R-5-B left for the Hospital, government facilities and low-rise residential areas

c) Planned unit developments in the area

(1) 2401 Pennsylvania Avenue – office, retail and residential development with a maximum of 92 feet in height and 7.66 FAR overall (Case No. 88-2C, Order No. 586, August 8, 1988)

(2) 2200 M Street – hotel, retail and residential development (Ritz Carlton) with a maximum height of 110 feet and 6.81 FAR overall and rezoning from R-5-E and C-2-C to CR (Case No. 98-1M/97-9C, Order No. 855, October 23, 1998)

VII. Description of the proposed project

A. Uses:

1. Apartment house of approximately 150 to 235 units

2. Ground floor retail of no more than 28,000 square feet (approximately 15,000 square feet included in FAR)

B. Height: maximum of 90 feet

C. Floor area ratio:

1. Residential use: 3.16

2. Retail: 0.15

D. Parking:

1. Two level underground garage with access from 24th and 25th Streets

2. Minimum of 1 space to be provided for each apartment unit

3. Minimum of 31 spaces to be provided for retail

4. Remainder to be allocated between the uses depending upon future demand

E. Loading

1. One 55 foot berth, one 30 foot berth and one service delivery loading space on the northwest side of the ground floor with access from 25th Street

2. One 30 foot berth on the northeast side of the ground floor with access from 24th Street

F. Comparison to matter-of-right and PUD standards for C-2-C

1. Use: residential and retail uses permitted as a matter-of-right

2. Height:

a) Matter-of-right: 90 feet

b) PUD guideline: 90 feet

c) Proposed: maximum of 90 feet (with some lower areas, per approval from the Historic Preservation Review Board)

3. FAR:

   a) Matter-of-right: 6.0, of which no more than 2.0 may be nonresidential

   b) PUD guideline: 6.0, of which no more than 2.5 may be nonresidential

   c) Proposed: 3.31, of which 0.15 is nonresidential

4. Proposed gross floor area of 330,391 square feet is approximately 19,000 square feet less than the existing matter-of-right and approximately 269,000 square feet less than permitted as a matter-of-right under proposed C-2-C

VIII. Compliance with PUD evaluation standards of §2403

A. Impact of project shall be favorable, capable of being mitigated or acceptable (§2403.3)

   1. Replacing hospital with an apartment house and neighborhood serving retail, both favored uses under the Comprehensive Plan and city policies

   2. Traffic will have no significant impact on levels of service at build-out, per report by Wells & Associates

   3. Proposed height is equal to the height now permitted

   4. Proposed density is less than density now permitted

   5. Tax base implications for District are favorable

B. Project is not inconsistent with the Comprehensive Plan and with other adopted public policies and active programs related to the subject site (§2403.4): see section IX, below

C. Commission shall "judge, balance, and reconcile the relative value of project amenities and public benefits offered, the degree of development incentives requested and any potential adverse effects" (§2403.8)

D. Public benefits and project amenities

1. On-site benefits and amenities

a) Residential use

b) Neighborhood serving retail and service uses

c) Historic preservation

d) Retention of open space around the main residential entrance

e) Parking for residents and retail users

2. Community benefit: First Source Employment Agreement

balanced against

E. Development incentives:

1. No increase in height or FAR over existing or proposed matter-of-right density

2. Additional retail density, but less than proposed matter-of-right

F. Areas of flexibility from C-2-C or PUD standards: none

IX. Consistency with the Comprehensive Plan

A. The District Elements

1. The District of Columbia Comprehensive Plan Act of 1984 (D.C. Law 5-76, March 9, 1984)

2. The District of Columbia Comprehensive Plan Act of 1984 Land Use Element Amendment Act of 1984 (D.C. Law 5-187, February 15, 1985)

3. The Comprehensive Plan Amendments Act of 1989 (D.C. Law 8-129, January 5, 1990)

4. The Comprehensive Plan Amendments Act of 1994 (D.C. Law 10-193, October 19, 1994)

5. Comprehensive Plan Land Use Maps Approval Resolution of 1996 (Resolution 11-313, May 7, 1996)

6. The Comprehensive Plan Amendments Acts of 1998 (D.C. Law 12-275, April 27, 1999)

B. Interpretation of the District elements

1. "The primary dynamic of the District elements of the Plan is the overlapping of its elements' goals. This overlapping is intentional." (§112.1)

2. "District elements of the Plan should be studied and executed in concert with each other and should be interpreted broadly." (§111.(a))

3. "The interpretation and implementation of any element should necessarily rely upon, and be respectful of, the objectives and policies of other elements." (§112.1(b))

4. "An element may be tempered, even defined, by one (1) or more of the other elements. This may occur within one (1) element and between elements. Since the Land Use element integrates the policies and objectives of all other District elements, it should be given greater weight than the other elements." (§112.1(c))

5. "The interpretation of the District elements of the Plan should also be guided by the major themes set forth in §101.1, which establish the overall priorities of the District elements of the Plan." (§112.2)

C. Major Themes

1. Stabilize and Improve the District's neighborhoods (§102)

2. Respect and improve the physical character of the District (§106)

D. Land Use element

1. Generalized Land Use Map:

a) Institutional (reflecting previous hospital use)

b) Broader area to north and east is mixed-use, high density residential, medium density commercial

c) Pennsylvania Avenue corridor is mixed-use, high density residential, low density commercial

2. Major policy to "ensure that all neighborhoods have adequate access to commercial services within the District and sufficient housing opportunities to accommodate a range of needs" (§1100.2(a))

3. Objective to "encourage development of adequate neighborhood shopping and support services in all sections of the District" (§1102.1(d))

E. Housing element

1. Major policies

a) Central theme to "stimulate a wider range of housing choices and strategies through the preservation of sound older stock and the production of new units" (§300.2)

b) Housing viewed as "key part of total urban living system that includes access to transportation and shopping centers, the availability of employment and training for suitable employment, neighborhood schools, libraries, recreational facilities, playgrounds, and other public amenities" (§300.4)

2. "Stimulate the production of new and rehabilitated housing to meet all levels of need and demand and to provide incentives for the type of housing needed at desired locations" (§302.1)

3. "Encourage the private sector to provide new housing to meet the needs of present and future District residents at locations consistent with District land-use policies and objectives" (§302.2(a))

4. "Encourage multi-unit housing development near selected Metrorail stations, at locations adjacent to Downtown and adjacent to proposed employment centers and office areas" (§302.2(d))

5. "Encourage housing on suitably located public or private properties that are vacant, surplus, underutilized, or unused" (§302.2(e))

6. "Encourage the private sector to meet housing needs through the development of infill housing" (§302.2(f))

7. "Use Planned Unit Developments ... to encourage the construction or rehabilitation of additional single and multi-family housing at suitable locations" (§306.2(i))

8. "Promote the conservation, enhancement, and revitalization of the residential neighborhoods of the District for housing and neighborhood-related uses" (§1104.1(a))

9. "Encourage the retention and expansion of residential uses in mixed use neighborhoods to help maintain the residential character of these areas" (§1104.1(g))

F. Environmental Protection element: policy to promote improvement of air quality by "promot[ing] land use patterns and transportation services which decrease reliance on automobiles for commuting and other routine trips" (§403.2(c))

G. Transportation element:

1. "Support land use arrangements that simplify and economize transportation services ..." (§502.2(a)).

2. "Require major developments to demonstrate that adequate parking will exist for occupants and other users" (§505.2(e))

H. Urban design element:

1. "Preserve and enhance the outstanding physical qualities of District neighborhoods" (§702.1(b))

2. "Design residential, commercial, and all other buildings to complement or enhance the physical character of the District;" (§708.2(a))

3. "Design buildings to include the use of appropriate arrangements of building materials, height, scale, massing, and buffering to complement the immediate region." (§708.2(b))

4. Areas of Stable Architectural Character (§711):

   a) Objective to "maintain those areas of the District that have a positive physical image and to provide that new development and renovation within or adjacent to these areas is complementary in scale and character." (§711.1)

   b) "Encourage infill development to be complementary to the established character of the area. In-fill development in stable areas should not create sharp changes in physical pattern which might lead to deterioration" (§711.2(a))

I. Ward 2 element

1. Economic Development: "Enhance the image of Ward 2 as a place to do business and reside" (§1301.1(a))

2. Housing

   a) "Stimulate production of new and rehabilitated housing to meet all levels of need and demand and to provide incentives for the types of housing needed at desired locations" (§1304.1(a))

   b) "Encourage the private sector to provide new housing to meets the needs of present and future District residents at locations consistent with District land-use policies and objectives" (§1305.1(a))

   c) "Improve neighborhood-level commercial services throughout the ward" (§1305.1(h))

3. Transportation: "Support land use policies that encourage better use of transportation services throughout the entire city such as concentrating employment in the Central Employment Area, locating development near Metrorail stations, and developing new housing within walking distance of the Central Employment Area" (§1311.1(f))

4. Preservation and Historic Features: "Preserve and reuse historic landmarks" (§1319.1(a))

5. Land Use: "Complete residential (non-hotel) development in the West End" (§1327.1(a)(4))

X. Compatibility with the area

A. Abutting properties are in same zone and will be devoted to uses and buildings which are the same height and at higher densities than proposed for the subject site

B. Use:

1. Apartment house and neighborhood retail replacing hospital

2. Other surrounding uses are compatible

C. Height

1. Approved buildings to the north are the same height as that proposed

2. Existing building to the south is slightly higher

3. Predominant height in the area is 90 feet or greater

D. Density: proposed FAR is lower than the existing and approved mixed-use projects to the north and south and separated by streets from any lower buildings

XI. Conclusions

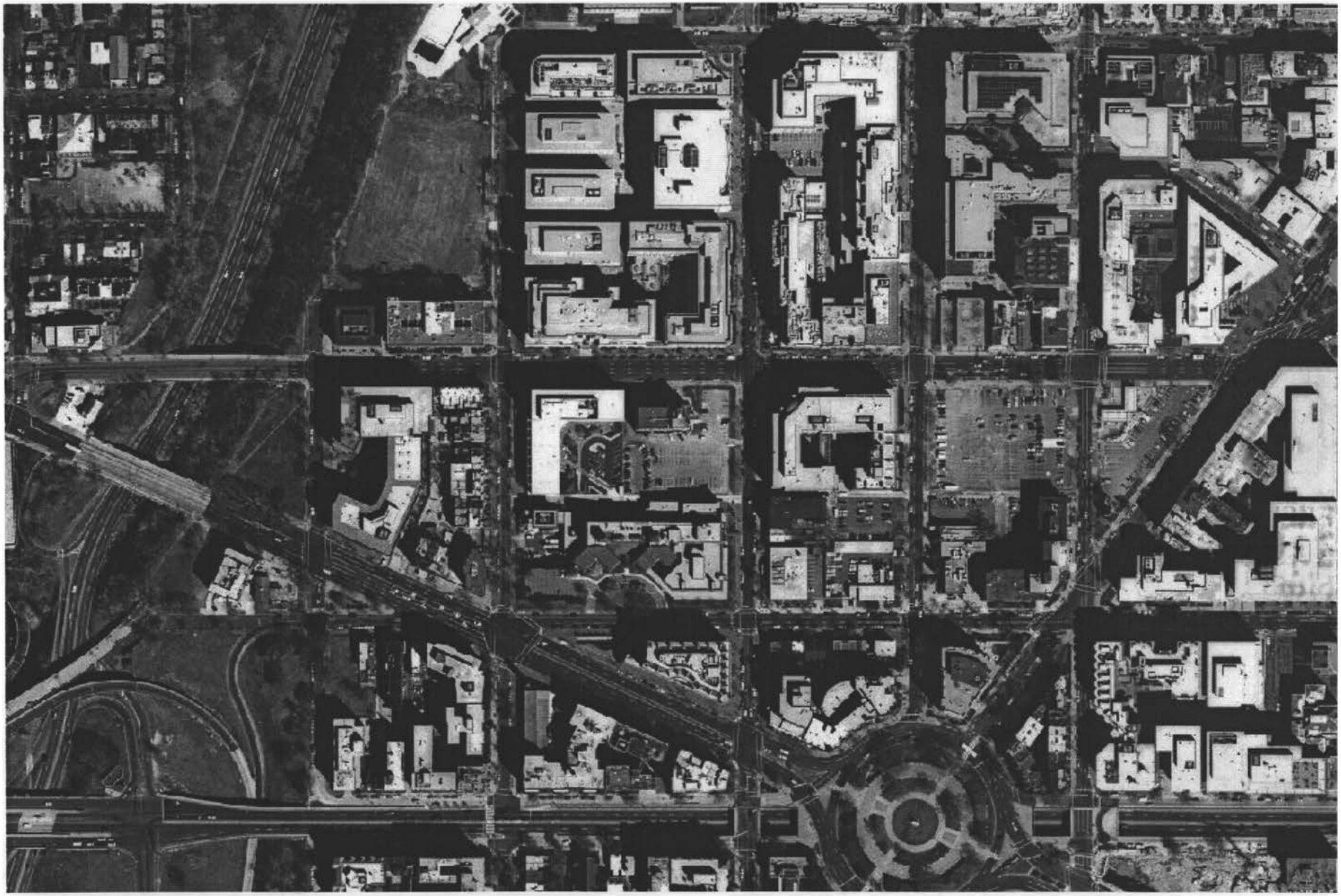
A. Project is not inconsistent with the Comprehensive Plan

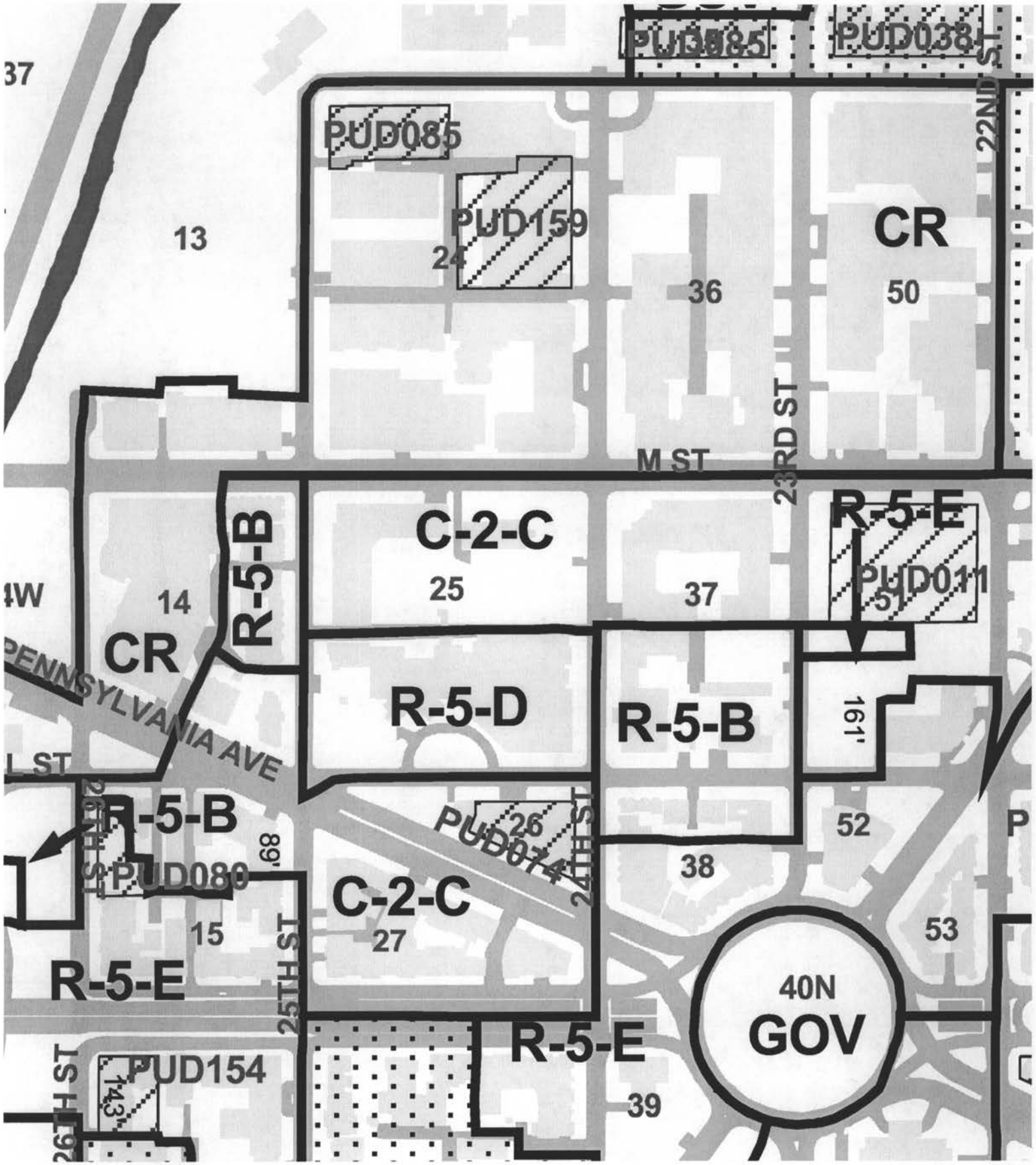
B. Project is within the applicable height and bulk standards of the Zoning Regulations and is consistent with the zoning immediately to the north and south

C. Project enhances the residential component of the mix in the Wets End

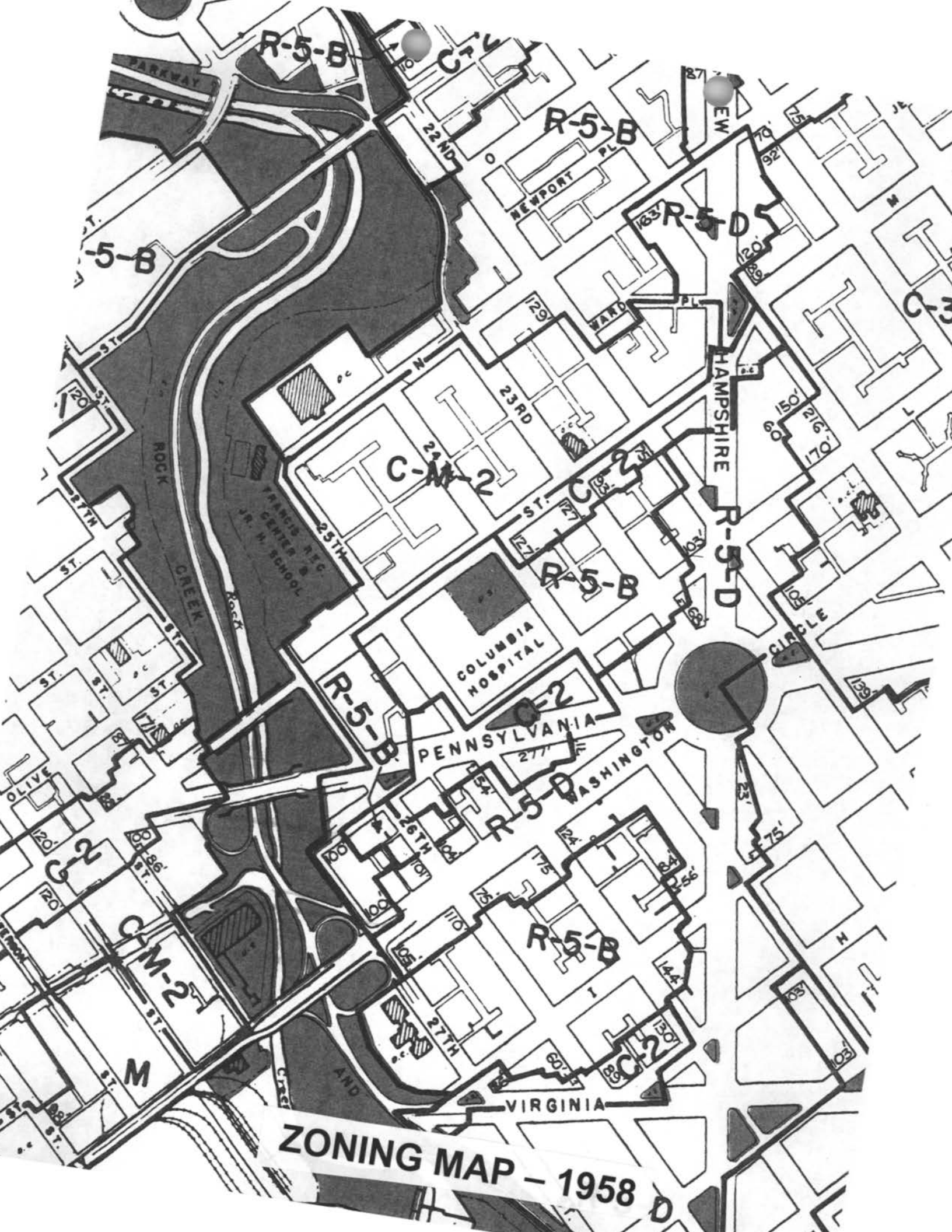
D. PUD allows the Zoning Commission to condition approval to what is specifically proposed, without allowing more density or uncontrolled development

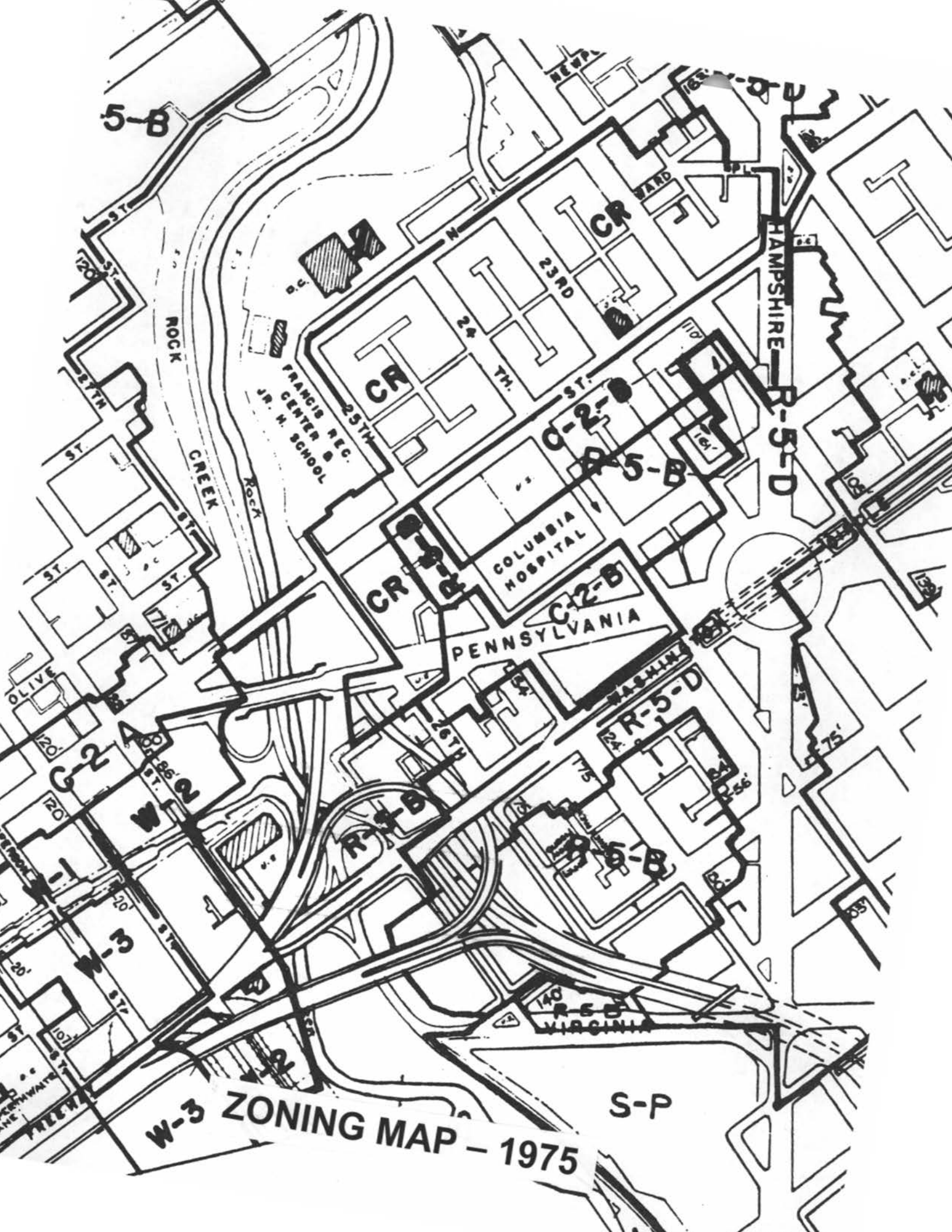
E. Project should be approved


N



ZONING MAP – 2003


R-5-B
PARKWAY
22ND
NEWPORT PL
R-5-D
HAMPSHIRE
23RD
C-2
ROCK CREEK
FRANCIS REC. CENTER & JR. H. SCHOOL
25TH
COLUMBIA HOSPITAL
CIRCLE
PENNSYLVANIA
WASHINGTON
26TH
27TH
OLIVE
C-M-2
VIRGINIA
ZONING MAP – 1958


W-3 ZONING MAP – 1975
5-B
CR
C-2-B
R-5-D
R-5-B
C-2-A
W-3
S-P
HAMPSHIRE
PENNSYLVANIA
VIRGINIA
COLUMBIA HOSPITAL
FRANCIS REC. CENTER & JR. H. SCHOOL
ROCK CREEK
23RD
24TH
25TH
26TH
OLIVE
N
ST.