GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

ZONING COMMISSION
District of Columbia
CASE NO. 03-22
EXHIBIT NO. 12

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MEMORANDUM

DATE: **April 1, 2005**

TO: **District of Columbia Zoning Commission**

FROM: **Ellen McCarthy, Interim Director OP** (ES for)

SUBJECT: **Zoning Commission Case No. 03-22, 1333 M Street S.E.**

I. APPLICATION-IN-BRIEF

Applicant: FLAG, LLC for Cohen Companies & ADC Builders

Location: Square 1048S
Ward 6; Advisory Neighborhood Commission 6B.

Proposal: An amendment to the Zoning Map to rezone land to permit the construction of a 26 unit townhouse development.

II. RECOMMENDED ACTION

The Office of Planning recommends that the Zoning Commission set down for public hearing a proposed map amendment to rezone Square 1048S from M (General Industry) to W-2, in conformance with preliminary analysis associated with Zoning Commission Case 04-02, Capitol Gateway Overlay II East M Street, or, in the alternative, the applicant proposed R-5-B (Moderate Density Residential).

III. BACKGROUND

At its October 20, 2003 meeting, the Zoning Commission considered Case # 03-22 for the rezoning of Square 1048S, located within the East M Street area of the Near Southeast neighborhood, from M (General Industry) to a zone that would permit the construction of a 26-unit townhouse development. The Office of Planning submitted a report dated October 10, 2003 providing analysis of the proposal, recommending set-down with what was considered a more appropriate and flexible CR (Mixed use commercial/residential) designation.

The Commission did not set down this application, but instead requested that OP study the broader context for the East M Street target area (east of 11th Street SW, between the freeway and Water Street SW) within which the subject site lies:

- the placement of the Capital Gateway (CG) Overlay over the area; and
- a review of current and potential zoning and land use in the area, in relation to the goals and objectives of the AWI and Near Southeast Urban Framework Plans.

The applicant for this proposal has now submitted a letter to the Commission requesting that ZC Case No. 03-22 be reactivated and placed on the April agenda for setdown.

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IV. Zoning Commission Case 04-02, CG Overlay II (East M Street)

Zoning Commission Case 04-02, CG Overlay II (East M Street) was initiated in January of 2004 to address the broader area as requested by the Commission. A proposal to apply the CG Overlay to the area and rezone lands from M, CM-1 and CM-2 to W-2 and W-3 was advertised for public hearing. The subject property at 1333 M Street SE was advertised to be rezoned to either W-3 or W-2.

The Office of Planning submitted several zoning scenarios to the Commission, with a final recommendation for the establishment of W-3, W-2 and W-1 on various parcels throughout the East M Street area. Public hearings were held, and the Commission discussed the various options, but proposed action has not yet been taken. It is anticipated that a revised proposal, which may require renotification and a new public hearing, will be brought forward.

V. ANALYSIS AND RECOMMENDATION

As the applicant's proposal for 26 rowhouse units of 3 stories in height has not changed, the analysis of the October 10, 2003 Office of Planning report remains relevant. As noted in that report, OP is not opposed to the form of development proposed by the applicant, in that it would provide new residential units close to the waterfront. OP continues to feel that the site could accommodate a higher density of development than that proposed, and that the area would benefit from the additional residences and from a mixed use development as being more in keeping with the goals of the Anacostia Waterfront and Near Southeast Area plans.

However, as a result of work associated with the area wide study and the advertised map amendments, OP feels that W-2 would be a more appropriate zone than the originally proposed CR or the applicant proposed R-5-B zone. W-2 would permit the development proposed by the applicant, and would allow the flexibility to add future additional housing or other permitted uses on part of the site or in combination with other adjacent parcels, if market conditions permit. A revised chart comparing development potential for this site under each of these zones is attached (Appendix II).

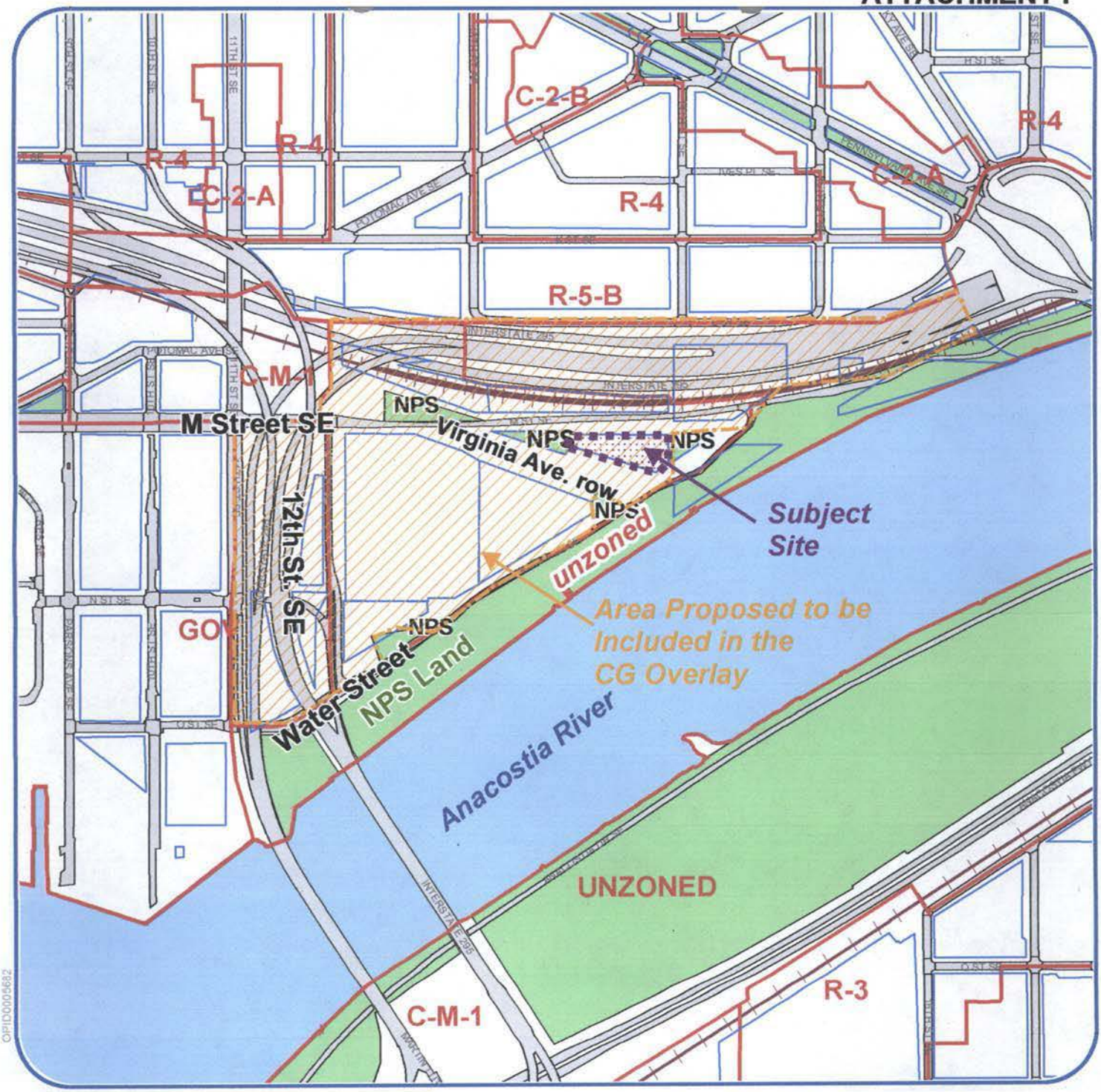
As the proposal is not contrary to goals and objectives of the Comprehensive Plan, the Anacostia Waterfront Initiative, or preliminary analysis of appropriate zoning categories arising from the East M Street study (Case 04-02), OP recommends that this case be set down for public hearing, advertising the property to be rezoned from M to W-2 with R-5-B in the alternative.

ATTACHMENTS:

I. Context Plan
II. Revised Project Profile

EM/jl

ATTACHMENT I



Legend

- Proposed CG Overlay
- Subject Site
- Property Squares
- Zoning Districts
- National Parks

ZC Case 03-22 - 1333 M Street SE
SITE PLAN

N
W E
S

Feet
400 200 0 400

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

Office of Planning ~ April, 2005

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.

Revised Project Profile Zoning Commission Case No. 03-22, 1333 M Street S.E., Map Amendment

Standard	Existing Zone M	Applicant Proposed R-5-B	Currently Proposed W-2	Proposed Development[1]
Lot Area:		n/a	n/a	40,580 sq.ft. (.93 acres)
Uses:	industrial, commercial, warehouse	moderate density residential	medium density mixed residential / commercial	26 town homes
Height:	90' max.	50' max.	60' max.	40'
PUD Height	90' max.	60' max.	60' max.	40'
Stories:	not prescribed	not prescribed	not prescribed	3
Floor Area Ratio:	6.0	1.8 max.	4.0 max.	1.8
Sq.Ft.	243,480 sq.ft. max.	73,044 sq.ft. max.	162,320 sq.ft. max.	72,945 sq.ft. total
PUD FAR:	6.0	3.0 max.	4.0 max.	
Sq.Ft.	243,480 sq.ft. max.	121,740 sq.ft.	162,320 sq.ft. max.	
Lot Occupancy:	n/a	60% max.	75%	59.8%
Rear Yard Setback:	12'[2] min.	15' min.	12' min.	conforming
Side Yard Setback:	not required	not required but 8' min. if provided	not required but 8' if provided	conforming
Ground Level Open Space:	n/a	n/a	n/a	conforming
Recreation Space:	n/a	n/a	n/a	n/a
Parking:	1/d.u. = 26 min.	1/d.u. = 26 min.	1/d.u. = 26 min.	60 total[3]

1 Information provided by applicant.
2 for a through lot or a corner lot abutting 3 or more streets, may be measured to the centerline of the street abutting the rear of the structure (§842.6).
3 Includes 2 designated spaces per unit, plus 8 visitor spaces in underground parking.

ATTACHMENT II