GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

MEMORANDUM

TO: D.C. Zoning Commission

FROM: Andrew Altman
Director

DATE: February 27, 2004

SUBJECT: Case No. **ZC-03-27**: Setdown for a Planned Unit Development and a related Map Amendment to the C-2-B Zone District for 4600 Wisconsin Avenue, N.W. (Square 1732, Lots 817 and 820), filed by Shaw Pittman LLP

RECOMMENDATION

The Office of Planning recommends setdown of the proposed planned unit development and related map amendment to permit the construction of a six-story (65-foot) mixed use building, consisting of:

- 43 condominium apartments;
- 4,500 square feet of retail space; and
- 52 off-street garage parking spaces.

It also recommends that the applicant further study the impact the proposed development will have on shadows and views within the neighboring residential area.

BACKGROUND

The subject property consists of approximately 12,661 square feet of area and is located at the northwestern corner of Wisconsin Avenue and Brandywine Street, N.W. It is described as Square 1732, Lots 817 and 820. The two lots are known as 4600 and 4614 Wisconsin Avenue. Lot 820 is improved with a one-story commercial building constructed in 1949 and Lot 817 is improved with a two-story commercial building constructed in 1910.

PROPOSAL

The applicant proposes to remove the existing improvements to the site and construct a six-story mixed use building, 65 feet in height (plus a 10-foot high penthouse). It is to include 43 one and two bedroom apartments, including 3 affordable units, 52 below grade garage parking spaces (17 are required) and 4,500 square feet of retail space fronting on Wisconsin Avenue. The residential entrance to the building and the garage

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access will be from Brandywine Street. A loading area is proposed on the Brandywine Street side of the building, although no loading is required.

ZONING

The subject property is located within the C-2-A Zone District. Adjacent to the subject property to the north is a four-story office building with ground floor retail within the C-2-A Zone District. To the west is a one-story office building (Friendship Animal Hospital) within the C-2-A Zone District, beyond which are single-family and semi-detached dwellings within the R-2 Zone District. To the east, across Wisconsin Avenue, are retail and office buildings, beyond which is a five-story office building and radio and television transmission towers within the C-2-A Zone District. To the south, across Brandywine Street and within the C-3-A Zone District, is a five-story office building with ground floor retail and a two-story office building. Two blocks south on Wisconsin Avenue are the entrances to the Tenleytown Metrorail Station at Albemarle Street.

The applicant proposes the rezoning of the subject property to the C-2-B Zone District in combination with a PUD to permit a 6-story mixed use building on the subject property. The proposed development conforms to all of the bulk requirements of the C-2-B Zone District, with the exception of lot occupancy, minimum rear yard and minimum residential recreation space.

	C-2-A	PUD/C-2-A	PUD/C-2-B	Proposal
Minimum PUD Area	N/A	15,000 square feet	15,000 square feet	12,661 square feet*
Max. Bldg. Height	50 feet	65 feet	90 feet	65 feet
Max Lot Occupancy	60 percent	60 percent	80 percent	92 percent**
Min. Rear Yard	15 feet	15 feet	15 feet	0 feet**
Maximum Residential FAR	2.5	3.0	6.0	4.32
Max. Other FAR	1.5	2.0	2.0	0.67
Max. Total FAR	2.5	3.0	6.0	4.99
Min. Residential Recreation Space	20 percent	20 percent	15 percent	11.8 percent**

* Waiver requested
** Variance requested

Building Height

The proposed building height is consistent with the C-2-B Zone District. Although less than the maximum building height permitted with a PUD within the C-2-B District and equal to the maximum building height permitted with a PUD within the C-2-A District, it is more that is what is allowed as a matter of right within the C-2-A Zone District. Therefore, the Office of Planning recommends that a shadow study be submitted as a part

of the application so as to evaluate the impact the additional height will have on the surrounding neighborhood.

Area Requirements
The minimum area requirement for a PUD within all zone districts other than residential is 15,000 square feet, as provided by § 2401.1(c). The subject property contains 12,661 square feet, or 16 percent less area than required. However, § 2401.2 permits the Commission to reduce the area by not more than 50 percent, provided that "*after public hearing the Commission finds that the development is of exception merit and in the best interest of the city*" and that "*at least 80 percent of the gross floor area of the development shall be used exclusively for dwelling units and uses accessory thereto.*" The application proposes that approximately 86 percent of the gross floor area of the development be devoted to dwelling units, not including the accessory parking. The subject application requests this reduction.

Lot Occupancy
The maximum lot occupancy permitted within the C-2-B Zone District is 80 percent. The applicant is requesting a lot occupancy of 92 percent, an increase of 15 percent. Section 2405.2 empowers the Commission to vary this requirement, "*depending upon the exact circumstances of the particular project.*"

Rear Yard
The minimum rear yard required with C-2-B Zone District is 15 feet and the subject application proposes no rear yard.

Residential Recreation Space
The application proposes a residential recreation space of 11.8 percent, less than the minimum 15 percent required.

The Generalized Land Use Map recommends the mixed use land use category for the subject application, consisting of moderate density commercial and medium density residential. The C-2-B Zone District is a medium-high density community business commercial district, as defined by § 105.1(d)(2)(B) of the Zoning Regulations, similar to the C-2-A, which is defined by § 105.1(d)(2)(A) as a medium density. The proposed distribution of FAR, 4.32 residential and 0.67 for the retail space and parking, is not inconsistent with the medium density residential and moderate density commercial mixed use designation.

Section 720 of 11 DCMR sets forth the intent if the C-2 Districts:

720 COMMUNITY BUSINESS CENTER DISTRICTS (C-2)

720.1 The Community Business Center (C-2) District is divided into C-2-A, C-2-B, and C-2-C Districts.

720.6 The C-2-B District is designated to serve commercial and residential functions similar to the C-2-A District, but with high-density residential and mixed uses.

720.7 The C-2-B Districts shall be compact and located on arterial streets, in uptown centers, and at rapid transit stops.

720.8 In the C-2-B District, building use may be entirely residential or a mixture of commercial and residential uses.

COMPREHENSIVE PLAN

The area has been identified on the Generalized Land Use Map as mixed use, medium density residential and moderate density commercial land use categories.

Mixed Use: *"A combination of land use categories are depicted in areas where a variety of uses are to be encouraged. Mixed use areas include existing commercial areas and areas proposed for significant land use changes."*

Medium Density Residential Land Use Category: *"Multiple-unit housing and mid-rise apartment buildings are the predominant uses; may also include low and moderate density housing."*

Moderate Density Commercial Land Use Category: *"Shopping and service areas that generally provide a much broader range of goods and services are the predominant uses. Chain drug stores and grocery stores as well as branches of department stores, some specialty shops, and personal service establishments may be present."*

The Generalized Land Use Policy Map identifies the site within the Tenleytown Metrorail Station Housing Opportunity Area and within a Multi-Neighborhood Commercial Center, as shown on the Generalized Land Use Policies Map 2.

The map amendment is not inconsistent with the Comprehensive Plan objectives and policies, including:

204 STIMULATING PRIVATE SECTOR GROWTH

204.2 The policies established in support of the stimulating private sector growth objective are as follows:

(m) **Place a high priority on stimulating and facilitating a variety of commercial, retail, and residential development investments appropriate to selected Metrorail station areas outside of the Central Employment Area**, consistent with the Land Use Element and any ward and small area plan, and with sensitivity to surrounding areas.

The subject application will provide a retail and residential development near a Metrorail station, consistent with the Land Use Element for the Ward 3 Plan.

302 HOUSING: GENERAL

302.2 The policies established in support of the general objectives for housing are as follows:

(d) **Designate, as residential development opportunity areas, sites where significant housing development can appropriately occur and encourage multi-unit housing development near selected Metrorail stations**, at locations adjacent to Downtown, and adjacent to proposed employment centers and office areas;

303.2 The policies established in support of the low- and moderate-income housing objectives are as follows:

(d) Provide zoning incentives, as appropriate, to developers prepared to build low- and moderate-income housing, such as **permitting additional densities in exchange for incorporating low- and moderate-income housing in development projects**; tie provision of housing into large-scale commercial developments where zoning benefits are sought; and **give zoning preferences to mixed-use sites that include housing near appropriate Metrorail stations**;

The subject property is located within a housing opportunity area near a Metrorail station and the subject application is for a multi-unit housing development. The applicant is requesting additional density in exchange for incorporating affordable housing into the development.

403 IMPROVING AIR QUALITY

403.2 The policies established in support of the improving air quality objective are as follows:

(c) Promote land use patterns and transportation services which decrease reliance on automobiles for commuting and other routine trips. (Measures which reduce dependence on automobiles for a significant number of trips are essential to a reduction of regional air pollution. Clustering of residences, shopping, and work places where they can be served efficiently by Metrorail or frequent bus service promotes this essential independence.);

This application will contribute to clustering residences near a Metrorail station.

502 TRANSPORTATION: GENERAL

502.2 The policies established in support of the general transportation objectives are as follows:

(a) **Support land use arrangements that simplify and economize transportation services, including mixed-use zones that permit the co-development of residential and nonresidential uses to promote higher density residential development at strategic locations, particularly near appropriate Metrorail stations;**

The subject application is for a mixed use building, including residential and nonresidential uses, near a Metrorail station.

1100 DECLARATION OF MAJOR POLICIES

1100.2 District neighborhoods are the cornerstones of the District's social and physical environments:

(b) The Land Use Element supports incentives for residential and commercial development east of the Anacostia River. In addition, **it encourages a substantial amount of new housing, primarily in housing opportunity areas and near Metrorail stations**, in order for the District to perform its critical role as the region's urban center providing the greatest density of jobs and housing. In fulfilling this role, the District relieves many of the transportation and related environmental problems of the region.

1100.7 Among the specialized planning mechanisms to guide the future physical development of the District are the following:

(c) **Housing opportunity areas are areas where the District expects and encourages a significant amount of new housing or rehabilitated housing**;

The subject application is for the provision of new housing within a housing opportunity area and near a Metrorail station.

1118 SPECIALIZED PLANNING AREA CLASSIFICATIONS

1118.6 **Housing opportunity areas are areas where the District expects and encourages** either **new housing** or rehabilitated housing. These housing opportunity areas are not the only areas where new housing units will become available, but **represent locations of significant concentrations. Most Metrorail stations outside the Central Employment Area**, and some

within, **will support additional housing units. The conversion of existing nonresidential buildings for housing** and the return of vacant units to the housing market are two (2) additional devices which **will result in additional housing units.**

The subject application proposes the replacement of two nonresidential structures with a structure that will contain new housing units near a Metrorail station.

1401 WARD 3 ECONOMIC DEVELOPMENT

(b) The priority for stimulating and facilitating a variety of commercial, retail, and residential development investments appropriate to selected Metrorail station areas outside the Central Employment Area should be consistent with the Land Use Element and accompanying maps. **Residential development adjacent to Metrorail stations in the ward should include** "starter homes" and **owner-occupied housing.**

The subject application is for the provision of owner-occupied housing (condominium apartments) near a Metrorail station, consistent with the Land Use Element.

1402 WARD 3 HOUSING

1402.3 General housing objectives for Ward 3:

(b) Where new development is permitted or is prescribed in the Land Use Element, **use such development to provide additional housing, particularly for** the elderly and **low-to moderate-income populations.** Encourage a mix of populations within new or renovated multi-family structures, with up to twenty percent (20%) of the units set aside for low- and moderate-income residents.

1402.4 Policies in support of the general housing objectives: The District government should do the following:

(c) **Provide zoning flexibility for the production of new housing,** especially for the elderly and for low- and moderate-income households, through the following mechanisms:

(1) **Permitting increased residential densities** (consistent with design scale and infrastructure capacity) in exchange for incorporating low- and moderate-income or elderly housing in development projects;

(5) **Giving zoning preference to projects that include housing near each of the ward's Metrorail stations;**

This application is for the provision of housing, including affordable housing units, near a Metrorail station. The application requests additional density in exchange for the provision of the affordable housing units.

1409 WARD 3 LAND USE

1409.2 Relation of Ward 3 to the declaration of major policies in the Land Use Element of the Comprehensive Plan. The objectives and policies for land use/zoning in Ward 3 are as follows:

(k) Maintain and **expand the existing housing stock**, where feasible and consistent with the Comprehensive Plan **to ensure a greater variety of housing types, opportunities, and choices**;

The applicant's proposal will expand the housing stock, consistent with the Comprehensive Plan and contribute a greater variety of housing types, opportunities and choices.

The application is also not inconsistent with many of the principles of and recommendations for a transit-oriented neighborhood as defined in "Trans-Formation: Recreating Transit-Oriented Neighborhood Centers in Washington D.C.", dated September 2002. Those principles and recommendations include a "mix of uses", "maintain consistent building setbacks", "create an attractive and interesting sidewalk streetscape" and "maintain a continuous and active streetwall of development."

PUBLIC BENEFITS AND AMMENITIES

The applicant proposes the following public benefits and amenities:

1. Janney Elementary School PTA: $50,000 for the replacement of the wooden play equipment on the lower playground and additional play equipment for the older students, including necessary storm water management and soil erosion measures at Janney Elementary School.
2. Friend of the Tenley Library: $25,000 for the purchase and/or maintenance of Information Technology ("IT") resources for the Tenleytown Branch of the D.C. Public Library.
3. Wilson Senior High School PTA: $20,000 for necessary repairs to the Wilson Senior High School buildings, including the repainting of the cupola.
4. Friends of Fort Bayard Park: $15,000 to help fund the renovation and rehabilitation of Fort Bayard Park, as approved by the National Park Service.
5. Affordable Housing: provision of three affordable housing units within the proposed building.
6. Grant Road Historic District: purchase historic district street signs for the Grant Road Historic District.

COMMUNITY COMMENTS

The applicant has met several times with an ANC 3E focus group to discuss the proposal. The Coalition to Stop Tenleytown Overdevelopment has expressed strong objections about the project, and indicated its preference for a smaller building on-site.

The Smart Growth Recognition Program Jury of the Smart Growth Alliance recognized the proposal as a "Smart Growth Project Proposal" on October 2, 2003.

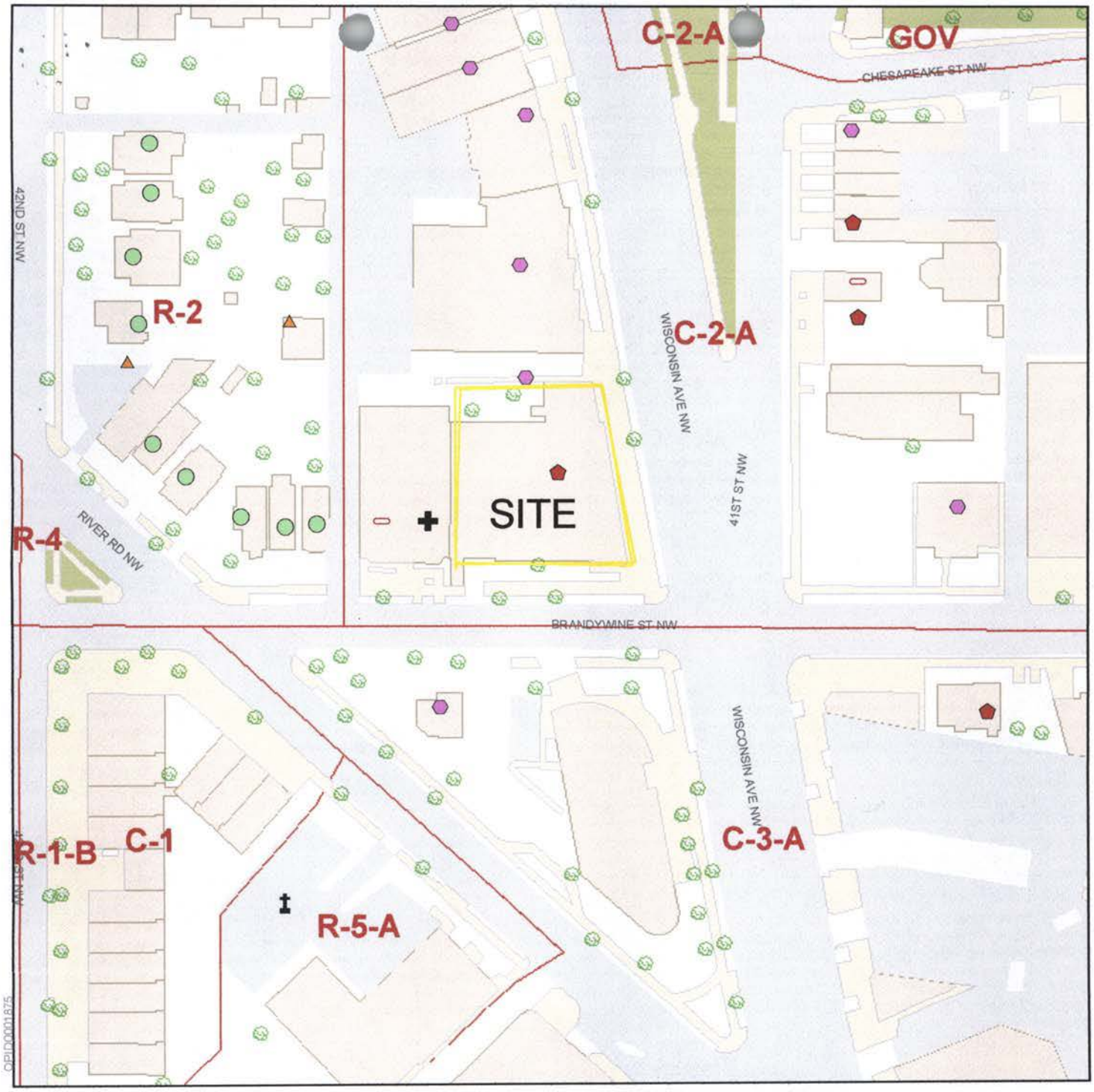
Other comments received by the Office of Planning have expressed concern over the proposed lot occupancy and potential shadowing by the building as a result of its height. The Office of Planning has requested that the applicant prepare shadow and view studies to assess any impact on neighboring properties.

RECOMMENDATION

The Office of Planning continues to work on the Upper Wisconsin Avenue Corridor Plan with the community. However, there is nothing proposed within the draft plan that would be contrary to the prepared project. The project is consistent with many elements of the Comprehensive Plan, especially its designation as a housing opportunity site. The proposed application is not inconsistent with its General Land Use designation. Therefore, the Office of Planning concludes that the project should be set down for public hearing.

The Office of Planning recommends setdown of the proposed Planned Unit Development and map amendment to assign the C-2-B Zone District to 4600 Wisconsin Avenue, N.W., Square 1732, Lots 817 and 820.

AA/sjm,AICP



ZONING AND LAND USE MAP
Case No. ZC 03-27

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Feet

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

Office of Planning ~ February 20, 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. Oblique imagery ©2003 Pictometry International

- Zoning Districts
- Buildings
- Alleys and Parking
- Roads
- Sidewalks
- Trees

- Single-Family Detached
- Multi-family
- Store
- Office
- Religious
- Medical