GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

MEMORANDUM

TO: D C Zoning Commission

FROM: JLS for Andrew Altman
Director

DATE July 2, 2004

SUBJECT: Case No **ZC-04-13** Setdown for a Planned Unit Development for Square 277, Lots 14, 15, 20-23, 45, 818, 837 and 838 and a related Map Amendment to the R-5-B Zone District for all but Lot 45, for 1200-24 R Street, N.W , filed by Holland & Knight LLP

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RECOMMENDATION
The Office of Planning recommends setdown of the proposed planned unit development and related map amendment to permit the construction of a four-story (50 5 feet) plus cellar apartment building and a flat consisting of:

- 60 apartment units and 2 flat units,
- 89 off-street parking spaces; and
- a 3,600 square foot community room.

BACKGROUND
The subject property consists of 23,251 9 square feet (1,800 square feet for Lot 45, 21,451 9 square feet for the remainder of the site) at the southeastern corner of Vermont Avenue and R Street, N W It is described as Square 277, Lots 14, 15, 20-23, 45, 818, 837 and 838 They are addressed as 1204 through 1208 R Street, 1214 through 1224 Street and 1642 Vermont Avenue Lot 45 is improved with a two-story with basement row house constructed in 1895 The remainder of the site is improved with a variety of buildings constructed between 1880 and 1954, a parking lot and a vacant lot

PROPOSAL
The applicant proposes to remove the existing improvements to the site (with the exception of Lot 45) and construct a four-story apartment building, 50 5 feet in height The building will contain 60 apartments, broken down as follows

- 5 efficiency,
- 14 one-bedroom,
- 11 one-bedroom with den,
- 20 two-bedroom,

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- 9 two-bedroom with den, and
- 1 three-bedroom.

A third floor is proposed to be added to the existing row house on Lot 45 which will be converted to a flat containing:

- 1 one-bedroom with den, and
- 1 three-bedroom with den.

Eighty-nine parking spaces are proposed to be provided on-site. Eighty-four of the spaces are to be located within a two-level parking garage beneath the building. The garage spaces will include:

- 38 compact spaces,
- 6 handicapped accessible spaces, and
- 45 standard parking spaces

The remaining 5 spaces are to be provided as surface parking, directly accessible from the public alley that runs parallel to R Street. Two of the spaces will be located on Lot 45, to the rear of the flat, and the other 3 will be located to the rear of the apartment building. The entrance ramp to the parking garage will also be located directly off the public alley, as will a service and delivery space, a 30-foot long loading berth and a 12-foot wide 200 square foot loading platform. Refuse facilities will be located at the rear of the building on the loading platform and will include trash dumpsters and recycling bins.

AREA DESCRIPTION

The subject property is located within the R-4 Zone District. To the north, across R Street, is Metropolitan Baptist Church and a field associated with Garrison Elementary School. The field is enclosed by a 6-foot high chain link fence and includes an outdoor swimming pool and associated outbuildings To the east, across Vermont Avenue, is a vacant lot enclosed by a chain link fence. To the south, across the public alley, is the parking lot and building for Vermont Avenue Baptist Church and the rear yards of row houses All surrounding properties are located within the R-4 Zone District. The properties to the north, across R Street and the east, across Vermont Avenue, are within the Greater U Street Historic District

Four blocks to the east is the Shaw-Howard University Metrorail Station (Green Line) and 3 blocks to the north is the U Street/African American Civil War Memorial/Cardozo Metrorail Station (Green Line).

ZONING

The applicant proposes the rezoning of the subject property (with the exception of Lot 45) to the R-5-B Zone District in combination with a PUD for the entire site to permit a 4-story apartment building and 3-story flat (Lot 45) on the subject property. The

proposed development conforms to most of the bulk requirements of the R-5-B Zone District, but needs flexibility to the minimum area for a PUD, maximum lot occupancy and minimum side yard requirements The proposed loading berth does not conform to the required minimum size.

	R-4	PUD/R-5-B	Proposal
Min. PUD Area	87,120 sq. ft.	43,560 sq. ft.	23,251.9 sq ft.*
Max. Bldg. Height	40 feet	60 feet	50.5 feet
Max. No. of Stories	3	No Limit	4
Min. Rear Yard	20 feet	16.6 feet	65 feet
Min. Side Yard	None	12.62 feet	9.67 feet**
Max Lot Occupancy	60 percent	60 percent	72.7 percent**
Maximum FAR	N/A	3.00	2.68
Parking	1 per 2 dwelling units	1 per 2 dwelling units	1 per 1 dwelling unit, plus 20 additional 6 for church room
Loading Berth	N/A	1 @ 55 ft. deep	1 @ 30 ft. deep*
Loading Platform	N/A	1 @ 200 sq. ft.	1 @ 200 sq. ft.
Delivery Space	N/A	1 @ 20 ft. deep	1 @ 20 feet deep

* Waiver requested
** Variance requested

Area Requirements
The minimum area requirement for a PUD within the R-5-B Zone District is one acre, or 43,560 square feet. The subject application proposes an area of 23,251.9 square feet, which includes the existing row house on Lot 45 that is proposed to remain and be converted to a flat within the R-4 District Without Lot 45 the area of the subject property would be less than one-half of an acre.

§ 2401.2 of the Zoning Regulations permits the Commission to reduce the area by not more than 50 percent (or in this case, to no less than one-half of an acre), 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 indicates that approximately 100 percent of the gross floor area of the development be devoted to dwelling units, not including the accessory parking OP notes that the community room, which will continue to be under the control of the Metropolitan Baptist Church, is proposed to occupy approximately 5.8 percent of the gross floor area.

The subject application requests this reduction in the minimum area for a PUD in the R-5-B.

Lot Occupancy
The maximum lot occupancy permitted within the R-5-B Zone District is 60 percent. The applicant is requesting a lot occupancy of 72.7 percent, an increase of 21 percent.

Section 2405 2 empowers the Commission to vary this requirement, "*depending upon the exact circumstances of the particular project.*"

Side Yard
The minimum side yard required with R-5-B Zone District is 3 inches per building height, but not less than 8 feet, or 12 62 feet. The subject application proposes a side yard of 9 67 feet, a reduction of 23 percent. Section 2405.5 empowers the Commission to vary this requirement, "*depending upon the exact circumstances of the particular project.*"

Loading Berth
The application proposes a loading berth 55 feet deep and the subject application proposes a loading berth only 30 feet deep, a 45 percent reduction in depth. Section 2405.6 empowers the Commission to vary this requirement, "*depending on the uses and the location of the project*"

The Generalized Land Use Map identifies the property as being in the moderate density residential land use category. The R-5-B Zone District is a moderate density general residence district, as defined by § 105.1(a)(5)(B) of the Zoning Regulations. The proposed use is not inconsistent with the moderate density residential designation

Section 350 of 11 DCMR sets forth the intent if the R-5 Districts:

350 R-5 DISTRICTS: GENERAL PROVISIONS

350 1 The R-5 Districts are General Residence Districts designed to permit flexibility of design by permitting in a single district, except as provided in §§ 350 through 361, all types of urban residential development if they conform to the height, density, and area requirements established for these districts under chapter 4 of this title The R-5 Districts shall also permit the construction of those institutional and semi-public buildings that would be compatible with adjoining residential uses and that are excluded from the more restrictive Residence Districts.

350 2 The R-5 Districts are subdivided into R-5-A, R-5-B, R-5-C, R-5-D, and R-5-E Districts. In R-5-A Districts, only a low height and density shall be permitted; in R-5-B, a moderate height and density shall be permitted; in R-5-C, a medium height and density shall be permitted; and in R-5-D and R-5-E, a relatively high height and medium-high density shall be permitted.

COMPREHENSIVE PLAN
The area has been identified on the Generalized Land Use Map in the moderate density residential land use category.

Moderate Density Residential Land Use Category: *"Row houses and garden apartments are the predominant uses, may also include low density housing"*

The project does not appear inconsistent with 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 residential development near two Metrorail stations – the Shaw/Howard University station and the U Street/Cordoza station

302 HOUSING: GENERAL

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 applicant is requesting additional density and has offered affordable housing within the project as an amenity. OP believes the proposed affordable units are not quite commensurate with the requested increase in density and project flexibility OP will continue to work with the applicant to determine the appropriate type and location of affordable units.

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 only three blocks from the closest Metrorail station.

405 PROTECTING THE QUALITY OF THE LAND AREAS

405.2 The policies established in support of the protecting the quality of the land areas objective are as follows.

(h) Encourage the planting and retention of private trees through planning, zoning, building regulation; and any discretionary governmental action, and ensure the prompt removal of dying trees (or diseased portions thereof), and

The Landscape Plan proposes the planting of 2 shade trees and 22 ornamental trees on the subject property. OP will continue to work with the applicant to determine if the landscape plan rises to the level of an amenity and is coordinated with the appropriate district agency.

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.

1100.8 Development in Metrorail station areas will be undertaken to assure orderly growth, compatible mixes of uses, appropriate densities, good pedestrian and vehicular circulation, and appropriate combinations of public and private action.

The subject application is for the provision of new housing near two Metrorail stations.

1304 WARD 2 OBJECTIVES HOUSING

1304.1 The objectives for housing are as follows:

(b) Provide for the housing needs of low- and moderate-income households;

(e) Reduce the overall cost of housing among low- and moderate-income households,

The application proposes the provision of four affordable housing units, their size and location has not been described. As noted above OP will continue to work with the applicant on this issue

1311 WARD 2 ACTIONS IN SUPPORT OF TRANSPORTATION OBJECTIVES

1311.1 The actions in support of transportation objectives are as follows:

(d) Provide sufficient parking in the Central Employment Area and provide adequate parking in both residential and commercial areas by doing the following:

(3)Strictly adhering to current parking requirements of the zoning regulations except in the 14th Street, N.W., Uptown Arts Overlay District and expeditiously implementing the Municipal Off-Street Parking Act,

The subject application proposes to provide parking as required by the Zoning Regulations

1326 WARD 2 OBJECTIVES FOR RESIDENTIAL LAND USE

1326.1 The objectives for land use are as follows:

(a) To conserve and enhance existing residential neighborhoods in Ward 2.

PUBLIC BENEFITS AND AMMENITIES

The applicant proposes the following public benefits and amenities:

1. Provision of high quality residential with significant public benefits and amenities to the neighborhood and the city as a whole.
2. Provision of market rate rental units.
3. Provision of four affordable rental units.
4 Provision of a 3,600 square foot community room for use and control by Metropolitan Community Church.
5. Exceptional site planning, urban design, architecture and landscaping.
6 20 parking spaces to made available for sale to the community

7. Purchase 3 historic district street signs for the Greater U Street Historic District
8. Contribution of $8,500 to the Department of Parks and Recreation for improvements to the Skate Park at 11th Street and Rhode Island Avenue

Section 2403 8 of the Zoning Regulations states that *"[i]n deciding a PUD application, the Commission shall judge, balance, and reconcile the relative value of the project amenities and public benefits offered, the degree of development incentives requested, and any potential adverse effects according to the specific circumstances of the case"* Therefore, the public benefits and amenities should balance any potential adverse impacts that the proposed development may incur over and above that of a project that is permitted as a matter of right.

In this case, the applicant is proposing a significantly larger building than could be provided as a matter of right within the R-4 Zone District, as shown in the chart below.

	R-4 Zone District	Proposal	Increase
Number of Dwelling Units (max.)	24	62	158.33 percent
Number of Stories (max.)	3	4	33.33 percent
Building Height (max.)	40 feet	50.5 feet	26.25 percent
Gross Floor Area (max.)	41,853.42 sf *	62,357 sf **	48.99 percent

* Based on a 3-story building with a 60 percent lot occupancy
** As revised by the applicant on July 1, 2004

Section 2403 3 states that the *"impact of the project on the surrounding area and on the operation of city services and facilities shall not be found to be unacceptable, but shall instead be found to be either favorable, capable of being mitigated, or acceptable given the quality of public benefits in the project"* In addition, § 2400.2 states that the *"overall goal is to permit flexibility of development and other incentives, such as increased building height and density, provided, that the project offers a commendable number of quality of public benefits and that it protects and advances the public health, safety, welfare, and convenience."* Although the above chart indicates that the requested increases are substantial, the Office of Planning believes that they are *"capable of being mitigated."* However, the Office of Planning views the proposed amenities package as not quite commensurate and will continue to work with the applicant

The provision of four affordable housing units can contribute toward mitigating the impact. Fifteen percent of the bonus gross floor area is 3,076 square feet. The application proposes 3,092 square feet spread out over four units. The following chart is illustrates the number, type and percentage of the units proposed for the project and the percentage of the types of units proposed as affordable.

Unit Type	All Units	Percent of All Units	Affordable Units	Percent of Affordable Units
Efficiency	5	8	2	50
1 bedroom	14	23	0	0
1 bedroom + den	12	19	1	25
2 bedroom	20	32	1	25
2 bedroom + den	9	15	0	0
3 bedroom	2	3	0	0

As shown on the chart above, the mix proposed for the affordable units is not representative of the total unit mix of the building, with 40 percent of the total number of efficiencies proposed as affordable

The provision of 20 off-street parking spaces for sale to the community within a two-block radius may contribute toward mitigating some impact of the proposal. However, as this is an amenity that is proposed to be sold rather than provided to the community, its value as an amenity needs to be determined.

The application indicates that a Community Room will be provided within the building, however, this room is under the control and use of Metropolitan Baptist Church and does not appear to be available to the residents of the building in a typical context. The application indicates the Church will use it as a "*community meeting area and small conference and seminar area for members of the Metropolitan Baptist Church congregation, and as available for use by the owners in the new housing development and members and organizations in the immediate surrounding community.*" The value of this amenity will be affected by the ability of the community and the extent to which they will be able to access this room. OP has asked for additional information on the specific uses and estimated availability of this space.

The application indicates that a minimum of three (3) historic signs will be provided for the Greater U Street Historic District. The cost for each sign is approximately $250. The District Department of Transportation will install the signs

The application proffers the provision of "*high quality residential with significant public benefits and amenities to the neighborhood and the city as a whole*" and "*exceptional site planning, urban design, architecture and landscaping.*" These are included under § 2403 9 as categories under which public benefits and amenities may be exhibited and documented. OP recognizes that the proposed project is a solid and attractive residential complex that improves the streetscape and neighborhood appearance, however, additional document is needed to explain how the proposal furthers these as amenities A letter, submitted to OP after the filing of the application, indicates that they will work with the Department of Public Works for increasing the amount of landscaping shown on the proposed Landscape Plan and that they will maintain any landscaping to be provided within the public space

The application also proffers the provision of "market rate rental units". The Office of Planning does not view this as an amenity.

The applicant has initiated discussions with the Department of Parks and Recreation for $8500 worth of improvements to the Skate Park located at 11th Street and Rhode Island Avenue

COMMUNITY COMMENTS

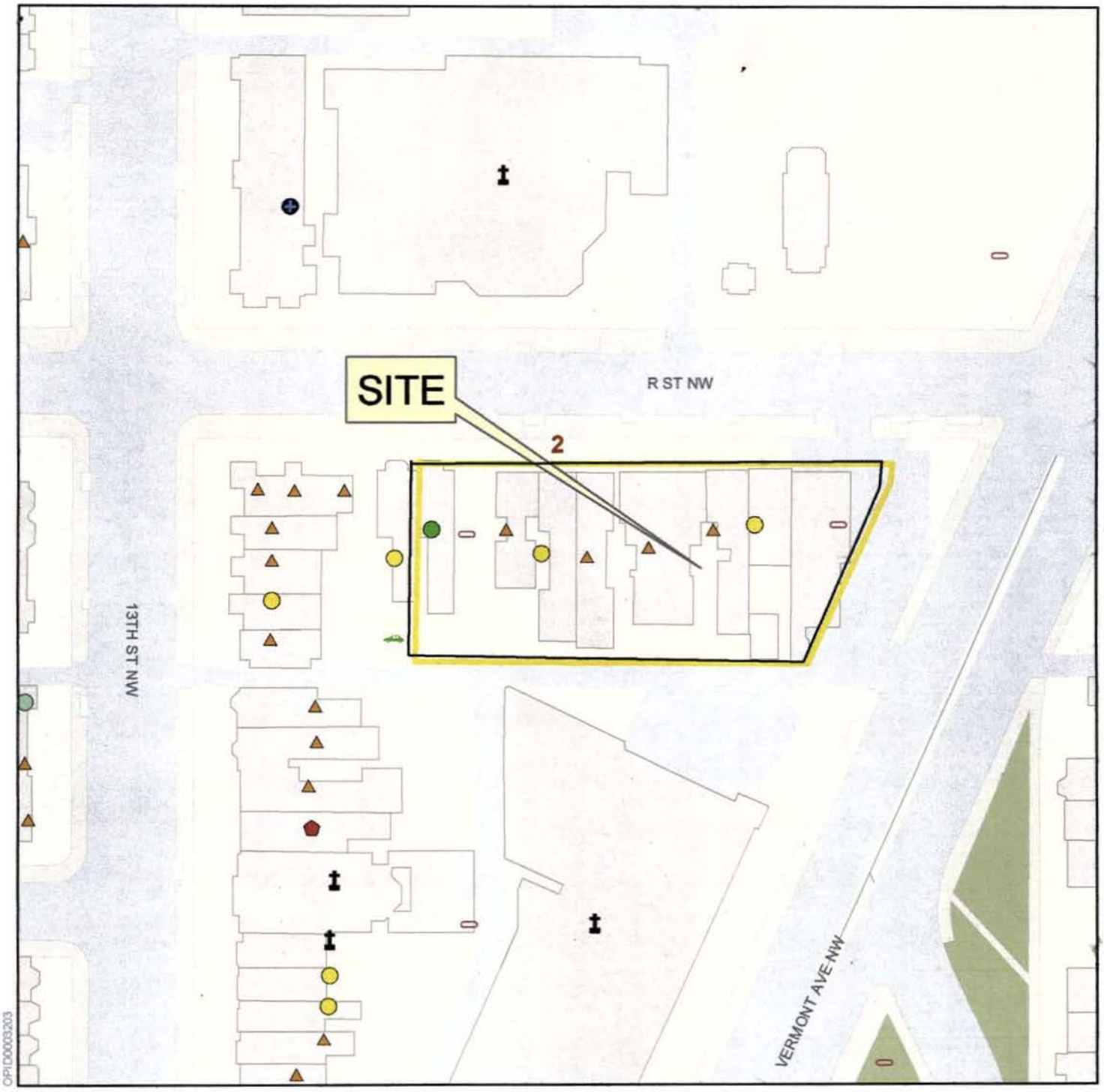
ANC 2F, in a letter dated April 22, 2004, indicated that they voted unanimously to support the proposed Planned Unit Development at their meeting of January 7, 2004. In a letter dated March 12, 2004 to the Zoning Commission, the ANC stated that the *"community is supportive of several amenities which will occur as a result of the redevelopment of the site, including the removal of non-conforming commercial and office use, and the applicant's commitment to provide an additional 20 parking spaces available for sale to residents in the community"*

RECOMMENDATION

Section 2403 10 indicates that a project *"may qualify for approval by being particularly strong in only one or a few of the categories in § 2303 9, but must be acceptable in all proffered categories and superior in many"* Section 2303 2 states that the *"applicant shall have the burden of proof to justify the granting of the application according to these standards"* The amenities package still needs additional definition, but OP believes the details can be resolved prior to public hearing. Overall, OP finds the project not inconsistent with the Comprehensive Plan.

The Office of Planning recommends setdown of the proposed Planned Unit Development 1200-24 R Street, N.W., Square 277, Lots 14, 15, 20-23, 45, 818, 837 and 838, and recommends setdown of a related map amendment to assign the R-5-B District to all but Lot 45.

AA/sjm,AICP



1200-24 R Street, N.W.

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

Office of Planning ~ June 22, 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.

- Rowhouse
- Single-Family Detached
- Single-Family Semi-Detached
- Resid. Garage
- Multi-family
- Store
- Religious
- Special Purpose
- Vacant

