GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

MEMORANDUM

TO: D C Zoning Commission

FROM: Andrew Altman
Director

DATE November 18, 2004

SUBJECT: **Z.C. Case No. 04-13** Final Report for Consolidated Planned Unit Development Review and related Map Amendment to the R-5-B Zone District for Square 277, Lots 14, 15, 20-23, 45, 818, 837 and 838, for 1200 R Street, N W., filed by Holland & Knight LLP

APPLICATION

Logan Phase II, LLC, the applicant, seeks approval of consolidated Planned Unit Development (PUD) review and related map amendment to assign the R-5-B Zone District to the subject property for the construction of an apartment building in combination with the renovation of an existing row house consisting of

- 63 condominium apartment units,
- 89 off-street parking spaces, and
- a 3,749 square foot community room.

The site is located within the R-4 Zone District Lot 45 only is located within the Greater 14th Street Historic District and is improved with the row house that is to be renovated

SUMMARY RECOMMENDATION

The Office of Planning has determined that the proposed consolidated PUD and related map amendment are not inconsistent with the Comprehensive Plan The subject application will result in the provision of new dwelling units, including a substantial amount of affordable housing, within walking distance of public transit It will also provide 20 off-street parking spaces for sale to the community, relieving demand for on-street parking spaces as requested by the community and the Comprehensive Plan. A green roof, which will benefit not just the community but the entire Washington area, is also proposed These amenities, in addition to the other amenities and benefits proffered, serve to create a project that has the potential to mitigate any adverse impacts that may arise as a result of it

ZONING COMMISSION
District of Columbia
CASE NO. 04-13
EXHIBIT NO. 25

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Therefore, the Office of Planning recommends that the application be **APPROVED,** subject to the conditions contained at the end of this report.

BACKGROUND

The subject property consists of 23,251 square feet of property at the southwestern 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 R 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.

SITE AND AREA DESCRIPTION

The subject property is located within the R-4 Zone District. To the north, across R Street, are the 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 a 10-foot wide public alley, is a parking lot and buildings for the Vermont Avenue Baptist Church, and the rear yards of row houses fronting on 13th Street. To the west and within the Greater 14th Street Historic District, are row houses. All surrounding properties are located within the R-4 Zone 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).

PROPOSAL

This application proposes the construction of a residential building that will require the approval of two waivers and two variances, as described below The remainder of the project is in conformance with the minimum requirements for a PUD within the R-5-B Zone District.

Project Description

The proposed development will provide for a four-story residential building with an underground parking garage It will consist of 63 condominium apartment units, broken down as follows.

Efficiency	5
One-bedroom	14
One-bedroom with den:	14
Two-bedroom·	20
Two-bedroom with den	9

Three-bedroom· 1

Eighty-nine parking spaces are proposed 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 parking spaces are to be provided as surface parking, directly accessible from the public alley parallel to R Street. Two of the spaces will be located on Lot 45, to the rear of the row that is to be retained, 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. All residents will have access to the trash dumpsters and recycling bins from within the building.

In response to comments received by the applicant from the Commission at set down, the applicant has provided additional details regarding the HVAC units to be located on the roof The HVAC units will be less than four feet in height and will not extend above the parapet walls on the roof Therefore, the HVAC units will not require enclosures and are not subject to the roof structure provisions per § 411.17.

The applicant revised the canopy over the main entrance to the building on R Street, in response to comments received from the Commission. As a result, the canopy height has been raised to the height of the second story windows, and is now supported by columns and not cables attached to the building

The Commission also requested additional information regarding the operation of the parking spaces to be made available for sale to the community. These spaces will be operated under a condominium regime and will be made for sale only to residents within a two-block area of the site. In order to control the two-block residency requirement, owners of parking spaces will have to annually document that they live within the two-block area

ZONING

The applicant proposes the rezoning of the subject property to the R-5-B Zone District in combination with a PUD for the entire site to permit a 4-story apartment building 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,

minimum size of a loading berth, maximum lot occupancy and minimum side yard requirements, as shown in the table below.

	R-4	PUD/R-5-B	Proposal
Min. PUD Area	87,120 sq. ft.	43,560 sq. ft.	23,251 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	2.71
Parking	1 per 2 dwelling units	1 per 2 dwelling units	1 per each dwelling unit, 6 for community room & 20 for sale
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

Uses proposed for the building include apartment units and a church, both of which are permitted as a matter of right within the R-5-B Zone District. However, church programs are proposed in association with the church use in the community room. Church programs are permitted within residential zone districts as special exceptions subject to the provisions of § 216. As this is a PUD application, the Commission is empowered to approve the use. An analysis of how the proposed "church programs" use conforms to those provisions is described below.

Minimum Area Requirement and Exceptional Merit

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 square feet, or a reduction of 47 percent. § 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 exceptional 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 94.2 percent of the gross floor area of the development will be devoted to dwelling units, not including the accessory parking, in excess of the minimum requirement.

The application is of exceptional merit and in the best interest of the city as a result of the amenities proposed, specifically the ones relating to affordable housing and the green roof. The application proposes approximately 25 percent of the bonus density as affordable, significantly more than and close to twice the 15 percent that the Office of Planning typically requests of PUD applicants. In addition, between 8 and 9 percent of

the total building is proposed as affordable, also a significant amount. The units proposed as affordable are 4 two-bedroom apartments and one one-bedroom apartment with a den These units proposed consist of the larger of the units within the building, the ones more likely to house families None of the efficiencies or one-bedroom apartments without dens are proposed as affordable and the affordable units are not consolidated within any one part of the building. Instead they are spread out over three floors.

The green roof will occupy approximately 50 percent of the roof. Green roofs have the potential to reduce storm water runoff, reduce the heat island effect and reduce energy consumption within the building, specifically electrical demand for air conditioners to cool the interior of the building These benefits will not only positively affect the subject property, but also the entire Washington area will benefit from reduced demand on electrical generation, reduced storm water runoff into regional waterways and the decrease in the heat island effect.

The Office of Planning has determined that the proposed application conforms to the provisions of § 2401 2, because the request to reduce the area of the PUD is not more than 50 percent of the minimum required, at least 80 percent of the gross floor area will be devoted to dwelling units and uses accessory to those units, and because the development will be of exceptional merit and in the best interest of the City

The project rises to the exceptional merit standard by the provision a green roof, which has the potential to benefit the entire metropolitan area, and by the provision of an exceptional percentage of affordable housing that results in five affordable housing units These units consist of approximately 25 percent of the bonus density, resulting in a substantial amount of affordable units for a building of this size. Therefore, the Office of Planning recommends that the Commission approve the waiver to reduce the area of the PUD to 23,251 square feet

Side Yard

The minimum side yard required within the R-5-B Zone District is 3 inches per foot of building height, but not less than 8 feet, or 12.62 feet for the proposed building. The subject application proposes a side yard of 9.67 feet, a reduction of 23 percent, or almost 3 feet Section 2400 2 indicates that the "*overall goal*" of Planned Unit Developments "*is to permit flexibility of development provided, that the project offers a commendable number or quality of benefits* " and § 2400.4 states that "*the PUD process shall not be used to circumvent the intent and purposes of the Zoning Regulations, nor to result in action that is inconsistent with the Comprehensive Plan* " Section 2405 5 empowers the Commission to approve modifications "*depending upon the exact circumstances of the particular project* "

In this case the applicant is requesting to reduce the required side yard in response to comments from the community to extend the face of the building along the Vermont Avenue frontage By extending the face of the building and reducing the side yard, the streetscape along Vermont Avenue is improved with the provision of a building façade

along that frontage. This is especially important at this location because the lot on the south side of on Vermont Avenue is improved as a parking lot The combination of the side yard and the parking lot would result in a large gap in the urban fabric, adversely affecting the streetscape along Vermont Avenue. By extending the face of the building along Vermont Avenue, a more continuous streetscape is provided and the rear of the building is less visible from the street

The exact circumstances of this particular project is that the adjoining lot is developed as a parking lot and the community requested that the "openings" in the streetscape be reduced to the extent possible. Although the application requests a reduction in the side yard, the overall building will be in conformance with the R-5-B Zone District as indicated by its conformance with the maximum FAR permitted. Therefore, this proposal does not circumvent the intent and purposes of the Zoning Regulations. It is also not inconsistent with the Comprehensive Plan and proffers commendable public benefits, as described within this report.

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

The exact circumstances of the project are that the applicant proposes to extend the building along its Vermont Avenue frontage so as to improve the streetscape along that street. Similar to the side yard flexibility, the applicant proposes to increase the building's frontage along Vermont Avenue. Although the applicant is increasing the lot occupancy to 72.7 percent, the FAR proposed is 2.71, less than the maximum 3.0 permitted, an indication that the applicant is not proposing to overbuild the site.

Loading Berth
Chapter 22 of the Zoning Regulations requires a loading berth 55 feet deep for apartment houses with 50 or more dwellings units, and the subject application proposes a loading berth 30 feet deep for an apartment building with 63 units, 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 size of the loading berth required by the Zoning Regulations is based on the total number of units within a building, and not on the sizes of the individual units within the building. The sizes of individual units may be a more controlling factor in the size trucks utilizing the loading berth than the total number of units within the building. In this case the subject application states that the larger loading berth is not necessary due to the sizes of the units proposed. The "uses of the project" include residential units that average approximately 1,050 in size, and the application indicates that 30-foot deep loading berths are sufficient for trucks servicing units of this size

Church Programs
Section 2405.8 states that *"[a]pproval of the Board shall not be required for any such use approved by the Commission under § 2405 7, and the Commission shall not be required to apply the special exception standards normally applied by the Board"* Section 2405.7 states that *"[n]otwithstanding the other prerogatives of the Commission in approving uses in PUDs, the Commission shall reserve the option to approve any use that is permitted as a special exception and that would otherwise require the approval of the Board of Zoning Adjustment"* Therefore, the Commission is empowered to approve the "Church Program" use on the subject property and is not required to apply the special exception standards

The following is an analysis of how the proposed use is in conformance with Section 216, the specific standards for the "church program" use.

216.1 "Use for a program conducted by a church congregation or group of churches shall be permitted as a special exception in an R-1 District if approved by the Board of Zoning Adjustment under § 3104, subject to the provisions of this section"

The programs will be conducted by Metropolitan Baptist Church within a residential zone district.

216 2 "The church program shall not be organized for profit, but shall be organized exclusively for the promotion of the social welfare of the community."

The application indicates that the church programs are not organized for profit, but for *"the promotion of social welfare of the community"*

216.3 "The part of the church program conducted on the property shall be carried on within the existing church building(s) or structure(s)"

The church will be the owner of the community room and church programs and services will be conducted within it. The proposed programs include an adult literacy enrichment program for community residents, a Christ-centered counseling and therapy program addressing psychological and emotional health, a program engaging in community and economic concerns within Washington and Maryland, and for a museum of the history of the Church

216 4 "The staff conducting, the program shall be composed of persons, at least seventy-five percent (75%) of whom volunteer their time and services"

The application indicates that "many" of the persons conducting the programs will be volunteers, but the exact percentage is not known. The number of people operating the various programs, whether paid or not, is not as significant as the fact that there will be church programs operated on site. Under the current application it appears that this Section would not be applicable to the church program use.

216 5 *"The operation of the program shall be such that it is not likely to become objectionable in the Residence District because of noise and traffic "*

The proposed church programs currently operate out of the church building on the north side of R Street, and the programs are proposed to be relocated to the subject property. All of the church programs will operate within the community room, not outdoors, minimizing the amount of noise generated by the use.

The programs are also designed to cater to residents of the surrounding neighborhood and the applicant anticipates that most patrons will continue to walk to the programs within the proposed building Therefore, traffic generated by the programs will be minimal.

216 6 *"No signs or display indicating the location of the church program shall be located on the outside of the building or the grounds "*

The applicant requests that a sign be permitted to indicate the location of the church program use as it will be located within a residential building The Office of Planning agrees that a sign should be permitted indicating the location of the church use, which will have an entrance separate from the residential use. A small sign indicating the location of the church entrance on Vermont Avenue should be sufficient to also indicate the location of associated programs. The Office of Planning believes that a four square foot sign would be sufficient to identify the space while not detracting from the residential character of the building.

216 7 *"Any authorization by the Board shall be limited to a period of three (3) years, but may be renewed at the discretion of the Board."*

The applicant requests flexibility from the 3-year time limit and intends to offer church programs within the community as long as there is a demand for them and as long as they do not create any adverse impacts due to noise and traffic However, the 3-year time limit also provides the community with the assurance that should the programs adversely affect it due to noise or traffic, the opportunity exists that the use could be rescinded or modified Although the programs currently operate within the community and out of an existing church building across R Street, the

dynamics of the use may change when it is relocated to within a residential building. Therefore, the Office of Planning recommends that the use be authorized for a period of 3 years

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

The rezoning of the subject property from the R-4 to the R-5-B Zone District within a PUD will allow for the construction of this mid-rise (4-story) apartment building, consistent with the moderate density residential land use designation of the subject property on the Generalized Land Use Map The R-5-B Zone District is defined under § 105 1(a)(5)(B) of the Zoning Regulations as a "*moderate density general residence district*", consistent with the Generalized Land Use Map and the proposed development of the site.

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 is not inconsistent with Comprehensive Plan objectives, actions 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/African American Civil War Memorial/Cordozo Station In addition, the application is consistent with the Land Use Element of the Ward 2 Plan, under § 1327 1, which states that *"[a] substantial part of the amenities provided in proposed Planned Unit Developments (PUDs) shall accrue to the community in which the PUD is located "*

The amenities for the proposed PUD include the provision of 20 off-street parking spaces for sale to residents within a two-block area, a contribution to the 11th Street Streetscape Plan (the subject property is approximately one block from 11th Street), the provision of 5 affordable housing units within the proposed building and 20 signs for the Greater 14th Street Historic District. All of these will be provided within the community.

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 five affordable housing units within the project as an amenity in exchange for additional density. The provision of these five units is equal to approximately 25 percent of the bonus gross floor area requested, a substantial amount. In addition, the provision of these affordable units will significantly "*provide for the housing needs of moderate income households*" (§ 1304 1(b)), an objective of the Ward 2 Housing Element of the Comprehensive Plan.

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 south of the U Street/African American Civil War Memorial/Cordozo Metrorail station and four blocks west of the Shaw-Howard University Metrorail station. Frequent cross-town Metrobus service is provided on U Street, three blocks to the north, on the Nos 90, 92, and 93 Routes (U Street-Garfield Line) and on the No. 96 Route (East Capitol-Cordozo Line) These public transportation options that will be available to the residents of the proposed building will have the benefit of providing alternatives to the automobile for personal and work related trips, positively affecting air pollution in the region

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

Approval of the subject application, of which the Landscape Plan is a part, will result in the requirement that the proposed trees are planted in accordance with the Commission's action as a part of the zoning process The Landscape Plan proposes the planting of 11 shade trees within the tree boxes surrounding the site that will be enlarged by the applicant from the standard DDOT size of 2 5 feet by 4 5 to 5 feet by 10 feet, plus the planting of 9 ornamental trees and 2 evergreen trees between the building and the sidewalk. The enlargement of the tree boxes and the planting of new trees within those tree boxes, in combination with the proposed amenity to contribute to the 11th Street Streetscape Plan, will contribute to DDOT's "*upgrade of its street tree maintenance program* " (§ 1307.1(f))

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 In combination with the increase in density that is proposed as a part of application with the map amendment to assign the R-5-B Zone District to the subject property, the result will be 41 more dwelling units than would otherwise be permitted on the subject property With respect to the existing situation, the proposal will provide for a 60 percent increase in the number of housing units on the subject property. As a result, the proposed building will contribute to a substantial increase in new housing near Metrorail stations, which will serve to "*promote the increased use of transit*", an objective of the Transportation Element of the Comprehensive Plan under § 503.1

*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 five affordable housing units, and includes four two-bedroom units and one one-bedroom plus den unit, equal to approximately 25 percent of the bonus increase in gross floor area, and between 8 and 9 percent of the total building square footage The units are not consolidated in one part of the building, but rather are spread out on three floors of the building No efficiency or one-bedroom units are proposed as affordable, even though they constitute 32 percent of the building The Office of Planning notes

favorably that the applicant has provided a significant amount of affordable housing and included the larger units, which are more likely to house families, as affordable, in conformance with § 1303.13 of the Ward 2 Plan *"to help moderate-income families continue to reside in Ward 2 and thereby retain its ethnic and economic diversity."*

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 one parking space per dwelling unit, in excess of the minimum one parking space required per dwelling unit by § 2101.1 of the Zoning Regulations. In addition, the application also proposes to provide 20 parking spaces for sale to the community within two blocks of the site as an amenity to help provide for adequate parking within the existing community, for a total of 51 more parking spaces than required. The provision of these additional parking spaces will contribute to alleviating one of the issues addressed by the Ward 2 Plan in that *"[p]arking in the residential neighborhoods of Ward 2 is a major problem Since many dwellings do not have off-street parking, cars compete for limited on-street spaces "* (§ 1309.11)

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.

The proposed residential building will conserve and enhance this existing residential neighborhood within Ward 2 It will provide for new and additional residential units within a mid-rise building and within an area recommended for moderate density residential use on the Generalized Land Use Map It will also enhance the existing residential neighborhood through the provision of five new affordable housing units.

PUBLIC BENEFITS AND PROJECT AMMENITIES

The applicant proposes the following public benefits and project amenities

1. Housing· The application states that an additional 24 more housing units will be made possible by the approval of the PUD application and map amendment request than currently exist on the site The application makes reference to Zoning Commission Order No. 02-17 (5401 Western Avenue, N.W.), where the Zoning Commission found that housing above that permitted as a matter of right does constitute a public benefit, especially within a housing opportunity area The subject property is not located within a housing opportunity area. However, the Office of Planning concludes that this residential use within a residential zone does not rise to the level of a project amenity Therefore, the Office of Planning recognizes the additional housing as a public benefit.

2. Affordable Housing: The application proffers 5,293 square feet of the gross floor for affordable housing, which is approximately 25 percent of the bonus density achieved through the proposed PUD The Office of Planning typically requests that 15 percent of the bonus density be designated as affordable and this proposal is equal to between 8 and 9 percent of the total building as affordable Five affordable housing units are proposed (four two-bedroom units and one one-bedroom plus den unit) on the lower, first and second levels of the building No efficiencies or one-bedroom apartments without dens are proposed as affordable, even though they constitute 32 percent of the building. The Office of Planning notes favorably that the applicant has included the larger units, which are more likely to house families, as affordable, and has spread them out over three floors of the building The Office of Planning recognizes that the provision of approximately 25 percent of the bonus gross floor area as affordable housing rises to the to level of a significant project amenity.

3 Community Room The application includes the provision of a 3,479 square foot community room This room will be under the control of Metropolitan Baptist Church and its primary purpose will be to house a small chapel for approximately 20 people. The provision of this room for the Church was made a part of the sale of the property by the Church to the applicant. The Church also intends to use the room for numerous ministries, as permitted under § 216 of the Zoning Regulations, including an adult literacy enrichment program for community residents, a Christ-centered counseling and therapy program addressing psychological and emotional health, a program engaging in community and economic concerns within Washington and Maryland, and for a museum of the history of the Church

The room will also be made available to the residents of the building and organizations within the community at least two days per month, with additional times to be arranged through the Church The value of the community room as an amenity is affected by the ability of and the extent to which the community will

be able to access it As proposed, the community will have limited access to the room. Therefore, the Office of Planning does not recognize the community room as an amenity, but instead as a public benefit.

4 Building Design The exterior of the building has been designed to create an interesting visual experience. It is broken up into sections, with the appearance of traditional row houses flanking an apartment building in the center Special attention has been given to the corner by differentiating the architecture on the corner from the rest of the building. Varying rooflines and cornices are provided at the top of building, breaking up the massing of the structure along the R Street frontage. The height of the bays has been limited in places to the second floor to more accurately mimic the bays on traditional Washington row houses, and the fenestration on the third floor varies from that on the two lower floors, breaking up the monotony of the façade

The Vermont Avenue frontage has larger windows than R Street and a pattern that repeats three times, reflecting the greater importance of avenues over streets within Washington.

The rear elevation has been articulated, with varying materials used to accentuate the differences Many of the units include balconies on the south side or rear of the building, which will serve to provide for "eyes on the alley", while also providing an opportunity for residents to view the traditional architecture of the circa 1895 church building across the alley Although most of the building is not located within the Greater Fourteenth Street Historic District, the applicant did work with the Historic Preservation Office on the design The Office of Planning recognizes the building design a project amenity.

5. Landscape Plan: A landscape plan was included as a part of the submission. The applicant proposes to increase the size of the tree boxes adjacent to the subject property to 5 feet by 10 feet, larger than the standard DDOT size of 2 5 feet by 4.5 feet, and the planting of 11 shade trees within these boxes, in coordination with DDOT. The landscape plan also proposes the planting of 9 ornamental trees and 2 evergreen trees, in addition to shrubs and ground cover The Office of Planning notes that the proposed landscaping, in combination with the building design, will significantly improve the appearance of this prominent corner, and therefore recognizes it as a project amenity

6. Environmental "Greenroof" Technology The application proposes to plant approximately 50 percent of the roof as a green roof This green roof will include low growing succulent plants within a planting bed consisting of a three-inch layer of soil. Few PUD applications have included the provision of a green roof as a project amenity The inclusion of a green roof as a part of the building indicates a superior architectural amenity, demonstrating that the inclusion of

green technology on a relatively small residential building project is an achievable and viable option that can be applied elsewhere.

The benefits of a green roof include

1. Reduced storm water runoff as the plants absorb some of the rain;
2. A reduction in the urban heat island effect as the roof through evaporative cooling; and
3. Reduced summertime temperatures within the building, reducing the need for air conditioning and the demand for electricity.

These benefits have the potential to positively affect not just the community in which the building is located, but also the Washington area as a whole Therefore, the Office of Planning recognizes provision of a green roof as a superior project amenity

7. Historic District Signage: The application proffers 20 historic district signs for the Greater Fourteenth Street Historic District. These signs are part of a program of the Historic Preservation Office in consultation with DC Heritage Tourism, DDOT and neighborhood preservation organizations and provide greater awareness of and appreciation for the City's historic districts The provision of these twenty signs will contribute toward realizing the goal of the Historic Preservation Office of achieving citywide implementation of this program. Therefore, the Office of Planning recognizes this a project amenity.

8. Contribution to DDOT's "11th Street Streetscape Plan". The application proffers $20,000 to DDOT's 11th Street Streetcape Plan. The 11th Street Streetscape Plan will benefit not only the community, which will benefit directly from the improvements, but also those that travel on 11th Street as its improved appearance will be visible to all that use it. The Office of Planning recognizes this contribution as a project amenity

9. Twenty Off-street Parking Spaces. The application proposes the provision of twenty off-street parking spaces for sale to the community within a two-block radius of the subject property. This project amenity is similar to that which was accepted for a PUD approved by the Zoning Commission under Zoning Commission Order No 03-04 (1437-51 Belmont Street, N W.), where 136 parking spaces were offered for sale to the residents of the project and to the community within a one-block area. In this case the applicant proposes to extend the radius to two blocks due to the location of several non-residential uses within the immediate vicinity Although this is an amenity that is to be sold rather than provided to the community, the provision of 20 off-street parking spaces will reduce the demand for on-street parking by the number of off-street parking spaces provided Therefore, the Office of Planning recognizes this as a project amenity

CONCLUSION

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."* The public benefits and project 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 Requested
Number of Dwelling Units (max.)	**24**	**63**	**162.50 percent**
Number of Stories (max.)	**3**	**4**	**33.34 percent**
Building Height (max.)	**40 feet**	**50.5 feet**	**26.25 percent**
Gross Floor Area (max.)	**41,851.8 sf ***	**62,996 sf**	**50.52 percent**

* Based on a 3-story building with a 60 percent lot occupancy.

The application requires flexibility to the side yard, lot occupancy, loading berth, percent of church staff that must be volunteer, signage for the church program use and the minimum area of the PUD

Section 2403 3 of the Zoning Regulations 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."* The Office of Planning concludes that the public benefits and project amenities offered by the subject application are capable of mitigating the increases requested by the applicant for the proposed building.

Of the many public benefits and project amenities proffered by the applicant, two stand out as significant project amenities. One is the green roof and the other is the amount of affordable housing Green roofs have the potential to reduce storm water runoff, reduce the heat island impact and reduce electrical consumption in the summer months due a reduced need for air conditioning within the building. As a result, the benefits of a green roof extend far beyond the subject property, especially as the generation of electricity is a regional issue, extending far beyond the limits of the District. Therefore, this amenity will advance public health and welfare as it will reduce the impacts this building will

have on air and water pollution Few buildings within the City have been improved with green roofs, and even fewer PUDs have used it as an amenity Therefore, it is important that the green roof be promoted as a significant amenity as a result of the many benefits it can provide

Affordable housing is an amenity supported by the Office of Planning and the Comprehensive Plan, including the Ward 2 Plan. The Office of Planning now typically requests that applicants provide 15 percent of the bonus density as an amenity. In this case the applicant has proffered significantly more than the 15 percent requested, and is proposing approximately 25 percent of the bonus density as affordable As a result, affordable units will occupy between 8 and 9 percent of the building, a considerable amount Provision of five affordable housing units on the subject property will advance public health and welfare through the provision of below market rate units that will be affordable to those that would not otherwise be able purchase them. Therefore, this also is a significant amenity

The other project amenities and public benefits also serve to mitigate the impact of the proposal on the community. The other amenities proposed are the building design, the landscape plan, the provision of historic district signage, a contribution to the 11th Street Streetscape Plan and the provision of 20 off-street parking spaces to be sold to the community. The project benefits proposed are housing and the community room. Although not all of these are viewed as project amenities, and not all of the amenities rise to the level of a superior amenity, the combination of these serve to mitigate the impacts of the proposed building on the community 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."* In this case the Office of Planning has found the project to be superior in two categories, strong in all found to be acceptable as a project amenity, and acceptable in all as a public benefit

The flexibility will allow the building wall of the proposed building along Vermont Avenue to be increased, improving the urban fabric of the streetscape, especially in light of the existing parking lot on the south side of the alley Despite these variances, the overall size of the building is not increased as the FAR, permitted to a maximum of 3 0 within the R-5-B Zone District, is only 2.71. Therefore, these variances will not result in the overbuilding of the site. The loading area is to be reduced because the use as proposed would contain units that average less than 1,050 square feet, and the application indicates that the smaller loading berth as proposed is sufficient for the proposed building

The application documents how the church program use proposed for the community room conforms to § 216 of the Zoning Regulations The application is in conformance with most of them However, the Office of Planning recommends that the approval be limited to 3 years, as stated in § 216 7 This is because the use, although now operating out of a church building across the street, will now operate out of a residential building,

altering the dynamics of the use The 3-year limitation with the option of being renewed gives the community the security it needs to ensure that the use does not become a problem due to noise and/or traffic. In addition, the Office of Planning does not recommend that the staff be restricted to 75 percent as volunteers, but does suggest that the signage for the church use be limited to four square feet (4 sf) only.

The Commission must consider whether the "*development is of exceptional merit and in the best interest of the City*" (§ 2401.2(a)) in determining the waiver of the minimum area required for a PUD within the R-5-B Zone District. The application indicates that the proposed project is of exceptional merit, in that it is providing an exceptional amount of affordable housing and a green roof, in addition to the other benefits and amenities proposed and described above The Office of Planning concludes that the application does represent exceptional merit due to the green roof, the superior amount affordable housing and the family oriented sizes of the affordable units.

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

The Office of Planning recommends approval of the proposed Planned Unit Development and related map amendment to assign the R-5-B Zone District to the subject property, for 1200 R Street, N W , Square 277, Lots 14, 15, 20-23, 45, 818, 837 and 838, subject to the following conditions:

1 That signage be permitted for the community room at a size not exceed four square feet (4 sf); and
2. That the "church programs" use proposed for the community room be approved for 3 years, with the opportunity for renewal, and that future renewals be discretely considered from the overall PUD.

AA/sjm, AICP

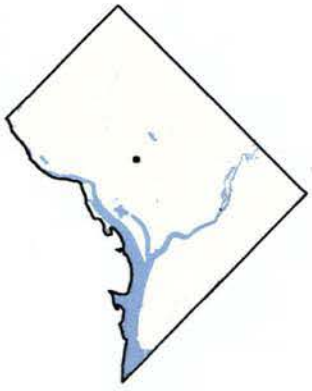


Zoning Commission Case No. 04-13
1200-24 R Street, N.W.

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

Office of Planning ~ June 22, 2004

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