

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING



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D.C. OFFICE OF ZONING

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MEMORANDUM

TO: District of Columbia Zoning Commission

ZONING COMMISSION
District of Columbia

FROM: *ALSA*
Ellen McCarthy, Director

CASE NO. 05-30

DATE: June 30, 2006

EXHIBIT NO. 41

SUBJECT: **Final Report - Zoning Commission Case No. 05-30**
Consolidated PUD and Map Amendment
6000 New Hampshire Avenue, N.W.
(Parcel 126/74; Square 3714, Lots 69-73, 801, 824, 826; and Square 3719 Lot 858)

APPLICATION

The West Group Development Company, LLC and The Jarvis Company, LLC (the developers) seek approval (on behalf of the applicant 6000 New Hampshire, LLC) for a consolidated Planned Unit Development (PUD) and related map amendment from R-1-B to R-5-A for property known as Parcel 126/74 and Square 3719, Lots 69-73, 801, 824 and 826 in the Lamond-Riggs neighborhood of the District.

The Zoning Commission setdown the application for a public hearing at its regularly held meeting on November 14, 2005.

RECOMMENDED ACTION

The Office of Planning recommends approval of the development proposal on condition that DDOT's requirements are met, including:

- Submission of a legally binding Homeowner's Agreement regarding maintenance of private streets, subject to DDOT's legal review.
- Installation of traffic mitigation measures, including installation of required signs and traffic signals

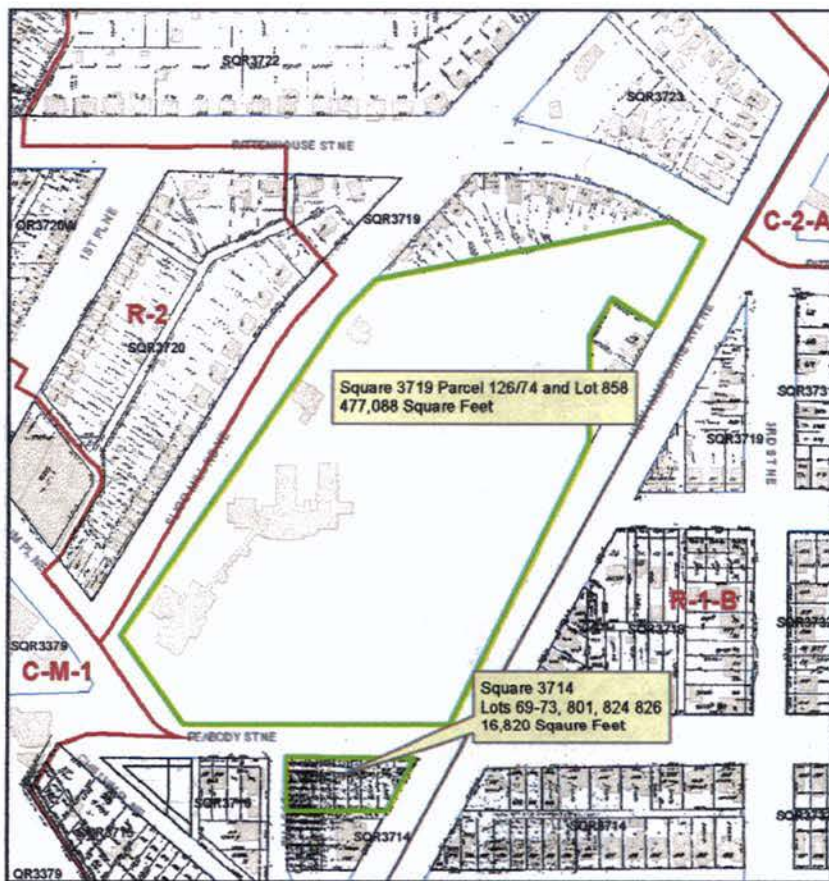
The Office of Planning supports the increase in the District’s residential housing stock and this development proposal would provide a variety of housing types for varying income levels in a well established residential neighborhood of the District.

Based on information provided by relevant District agencies, including DDOT, DHCD, DCFEMS, and DCWASA, OP’s analysis concluded that the requested relief can be granted without adverse effects on surrounding neighborhoods. The site’s density is well within the standards prescribed for a low density residential zone district at an FAR of 0.77, which falls between 1.0 FAR for the PUD request and the effective FAR of 1.2 for the R-1-B Zone District. Therefore, the proposed density is not inconsistent with the Zone Regulations and Generalized Land Use Map and the goals of the Comprehensive Plan.

The proposed housing types have been designed to include a variety of future homeowners of varied incomes, which would ensure the development of a vibrant and diverse neighborhood inclusive of seniors and young families. The site’s design including defined pocket parks within the development would encourage activity between residents of the new and existing community.

SITE DESCRIPTION AND SURROUNDING AREA

The site is assembled with a number of lots that total approximately 11.5 acres, including: Square 3719 - Parcel 126/74, and Lot 858 and in Square 3714: Lots 69-73, 801, 824 and 826. The larger Parcel 126/74 is irregularly shaped and bounded by Rittenhouse Street, New Hampshire Avenue, Peabody Street, Chillum Place and Sligo Mill Road, N.E. The multiple lots of Square 3714 are located across Peabody Street, south of the larger parcel and are bounded by Peabody Street, New Hampshire Avenue, 1st Street N.E., and a 15-foot wide alley. The immediate neighborhood is comprised of a number of zones including, R-1-B, R-2, C-2-A and a small area of industrial zoned, C-M-1, parcels to the south east of both squares.



Proposed Site and Current Zoning

Both sites are currently zoned R-1-B and the larger parcel is developed with vacant buildings, which previously housed the Masonic Star Nursing Home and offices for Med-Star Health. Based on the variety of proposed housing types, the related map amendment would rezone the site to R-5-A to incorporate the existing structures, which would be converted to condominium apartment buildings, as part of the overall site development. The Generalized Land Use Map designates the sites as low-density residential and the proposed development's density is consistent with low density FAR prescriptions.

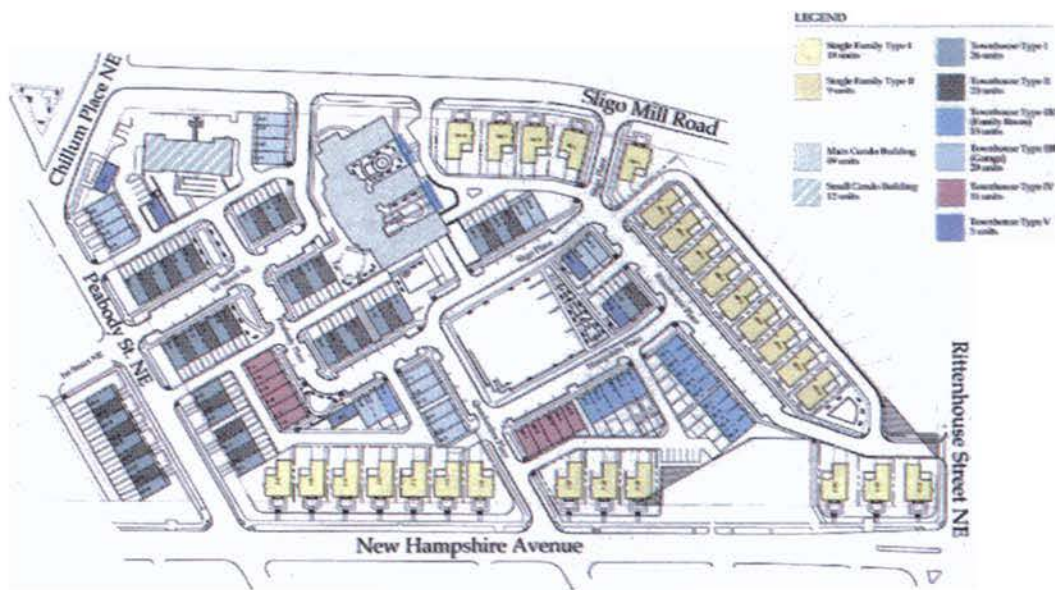
PROJECT DESCRIPTION

Since setdown of the application, the site plan has been amended to reflect the Commission’s and OP’s concerns regarding the layout and density of the proposal. The plan now reflects 187 units, including the elimination of 12 townhomes. The 505,062 square foot site would be developed with a total building area of 136,895 square feet, representing a total lot occupancy of 27.1% or 0.77 FAR, as reflected in the overall site summary submitted by the applicant (*Sheet T01- June 28, 2006*).

The housing styles include single family detached homes (27), townhouses (99) and apartment condominiums (61) designed to appeal to residents of varying income levels. Each category of structure would vary in size, including six sizes of town homes and condominium apartments, and two types of single-family residential structures as follows:

Townhomes	99	Condominium	61	Single Family	27
Type I	26	1 BR	14	Type I	18
Type II	23	1BR/Den	7	Type II	9
Type III A	15	2BR	25		
Type IIIB	20	2BR/Den	8		
Type IV	11	3BR	6		
Type V	4	Eff.	1		

Garages are provided to fulfill the parking requirements and 83 on-street parking spaces would be made available. 188 on-site parking spaces are required by regulation and 297 spaces would be provided. A series of pocket parks have also been included as open space recreation features of the development.



Scale: 1"=100'

6000 New Hampshire Avenue

Proposed Unit Layout Plan

Additional site details will be discussed subsequently in the relevant areas of the report.

ZONING AND REQUESTED FLEXIBILITY

The properties are currently zoned R-1-B. Bulk requirements for this Zone District include a maximum height of 40 feet (3 stories), a minimum lot area of 5,000 square feet and a minimum lot width of 50 feet. Under the PUD guidelines the maximum FAR is 0.4, and a maximum height of 40 feet is permitted.

R-5-A zoning is proposed for the lots, which permits low density residential development with a maximum height of 40 feet and FAR of 0.9. Under a PUD in the R-5-A Zone District residential structures are permitted up to 60 feet in height and a FAR of 1.0.

The following tables summarize the R-5-A District regulations as they apply to the three proposed housing types. The applicant included a more detailed tabulation of the lots and relevant aspects are highlighted for clarity as follows:

A. SQUARE 3719

Table 1 – Townhouse/Row Dwellings¹ (95 units) (A-Q, Z-AD, AH, AZ, BE)

	Permitted/ Required R-5-A	Permitted/ Required R-5-A w/PUD	Proposed	Zoning Lot
Height	40'	60'	Variable- up to 40.25 feet	
Min. Lot Area	TBD ²	TBD ²	Variable- one unit at 1,571 square feet.	
Min. Lot Width	TBD ²	TBD ²	Variable	
FAR	0.9	1.0	Variable- Needs relief	D, F, G, H, J, L, Q, AB, BE
Lot Occupancy	40%	40%	Variable- up to 54% -	D, F, G, H
Rear Yards	20'	20'	(variable)	
Side Yards	8'	8'	(variable)	
Parking	1 per d.u.	1 per d.u.	184	

1. Row dwellings as new structures are special exception uses in the R-5-A zone. These will be built in groups of buildings under Section 410.1.
2. This may be prescribed by the Board as part of the special exception

Table 2 – Apartment/Condo Units (Existing Buildings with Addition) (61 units) (BA, BB)

	Permitted/ Required R-5-A	Permitted/ Required R-5-A w/PUD	Proposed
Height	40'	60'	Up to 52.75 feet
Min. Lot Area	TBD ²	TBD ²	21,800 sq. ft. (BA) 47,581 sq. ft. (BB)
Min. Lot Width	TBD ²	TBD ²	123.5 ft., 129 ft.
FAR	0.9	1.0	1.39 (BB)
Lot Occupancy	40%	40%	25.3%, 37.8%
Rear Yards	20'	20'	38.33 ft., 64.60 ft.
Side Yards	Not less than 8'	Not less than 8'	Greater than required
Parking	1 per d.u.	BA - 12, BB - 49	12, 31(BB)

Table 3 – Single-Family, Detached Dwellings (27 units) (R-X, AE-AG, AI-AY)

	Permitted/ Required R-5-A	Permitted/ Required R-5-A w/PUD	Proposed
Height	40'	60'	Varies – none greater than 41'
Min. Lot Area	4,000 ¹	4,000 ¹	Varies -Most greater than 4000 sq. ft. ²
Min. Lot Width	40' ¹	40' ¹	52'
FAR	0.9	1.0	1.0
Lot Occupancy	40%	40%	40.1% – S,T,U,V
Rear Yards	20'	20'	Varies –none less than 20 feet
Side Yards	10'	10'	Needs Relief – AF, AG, AI, AJ, AO-AV
Parking	1 per d.u.	1 per d.u.	54 spaces

¹ This is the minimum for this use in the R-4 zone. Lots S, T, U and V are 3,811 Square Feet

B. SQUARE 3714

Table 1 - Townhouse/Row Dwelling – (9 units) (AZ1-AZ9)

	Permitted/ Required R-5-A	Permitted/ Required R-5-A w/PUD	Proposed
Height	40'	60'	32.75 feet
Min. Lot Area	TBD ²	TBD ²	1868.78 Sq. ft. per unit
Min. Lot Width	TBD ²	TBD ²	18
FAR	0.9	1.0	1.18 (AZ)
Lot Occupancy	40%	40%	39.5%
Rear Yards	20'	20'	35 feet
Side Yards	8'	8'	4.06 feet (L), 15 feet (R)
Parking	1 per d.u	1 per d.u	18

**For the Town houses/row dwellings in both Squares, 172 spaces are required under the PUD and a total of 226 spaces are provided.

The above tables, based on the applicant's Zoning Table (Lot Tabulation, Sheet T01), show that flexibility would be required from several provisions of the Zoning Regulations, including:

- lot occupancy for the town homes and at least four single family dwellings.
- the side yard requirements for the townhomes in Square 3714 and single family residences.
- FAR requirements for the proposed town homes.
- Sections 410 and 2516 of the Zoning Regulations for the town homes to be considered as groups of single buildings (Section 410 would no longer apply pending final action by the Zoning Commission in September 2006).

Flexibility

The applicant is requesting flexibility from the lot occupancy, side yard, rear yard, FAR requirements, and having multiple buildings on a single lot. The applicant's lot tabulation (Sheet T01) provides a table that outlines how each "zoning lot" meets the requested R-5-A Zone requirements.

The existing topography of the site varies from flat to gently sloping with a grade range between 250 feet (Sligo Mill Road) to 210 feet AGL (New Hampshire Avenue). In order to generally preserve green space and reduce the need for extensive grading on the overall site, the applicant has reduced the rear yard and side yard requirements for a few residences, thereby exceeding the lot occupancy on a small percentage of the lots. These deviations allow for the houses to be sited on the most favorable portions of the site with minimal grading. Limiting site grading controls the cost of development. In addition, it furthers the attempt to provide a variety of housing on the site, including provision of residences with minimal yard maintenance.

Lot Occupancy and FAR

The Zoning Regulations allow a maximum of 40% lot occupancy and a 1.0 FAR for the requested PUD. Of the 55 lots, 8, or 14%, exceed the maximum lot occupancy. Four of the eight lots (S, T, U, V) have lot occupancies at 40.1% and only two (G and H) are over 50%. The latter lots would contain seven town home units in total. The flexibility relief is relative to the PUD related zoning from R-1-B to R-5-A. It represents an increased FAR of 0.37.

Rear Yard

The Zoning Regulations require a rear yard setback of 20-feet. In the original submission a large number of the lots did not meet the requirements. The applicant has made changes to many of the lots and of the 55 lots, 2 (Lots AB and AG), or 4%, have a reduced rear yard. The greatest reduction in the rear yard is on Lot AB which is irregularly shaped with a rear yard of an average width of 15.06 feet. One single-family lot would have a rear yard of varying width, also with an average of 15.95 feet, as shown on submitted plans and on the Lot Tabulation Sheet (T01).

Side Yard

A side yard of 8 feet is required on 55 lots and of these 47, or 87%, of the lots do not meet the side yard requirement. Most of these lots have side yards of 7.5 feet. However, three of the units (Lots 44, 51, 52) have side yards below 3 feet and abut roadways. Another 3 lots (Lots 50, 63, 102) have their turrets extending out into the side yard and reducing the yards to below 3-feet in those areas.

OP does not believe that the minimal deviations proposed will adversely affect the privacy, light, and air to each unit. While OP has concerns about lots that exceed the maximum lot occupancy beyond 50% along with reduced rear yard, OP is satisfied that decks have been included in all the housing types proposed since this would eliminate the burden in obtaining a variance or special exception approval for some homeowners who may desire to add a deck in the future, as this review process may be burdensome to some property owners.

PLANNED UNIT DEVELOPMENT STANDARDS and PURPOSE

In order to maximize the use of the site consistent with the Zoning Regulations and be compatible with the surrounding community, the applicant is requesting that the proposal be reviewed as a consolidated PUD. 11 DCMR, Chapter 24 prescribes the purpose and standards of a PUD which is “designed to encourage high quality developments that provide public benefits.”

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 public benefits and that it protects and advances the public health, safety, welfare, and convenience.”

Development of the site utilizing the PUD process and the proposed zoning map amendment will facilitate the redevelopment of a large, under-developed parcel in the Lamond-Riggs neighborhood. The request will allow a diversified development of housing for a variety of income levels, and family sizes. The PUD process will allow the applicant to propose a residential development whose design, architecture and site planning are complementary in density to the surrounding community. Through the flexibility of the PUD process, the design of the project should be able to achieve a development that would provide open space with hundreds of additional shade tree plantings not currently on the site, on-site parking, pedestrian access, on-site storm water management and erosion control.

Comprehensive Plan

Section 2403.4 of the Zoning Regulations requires that the application is “not inconsistent with the Comprehensive Plan and with other adopted public policies and active programs related to the subject site.” The PUD is also consistent with sections of the Comprehensive Plan including the Housing Element of the Plan as follows:

- **Section 302.1** states that the general objectives for housing are to stimulate production of new and rehabilitated housing to meet all levels of need and demand and to provide incentives for the types of housing needed at desired locations.
- **Section 302.2** establishes policies in support of the general objectives of housing to:
 - (a) Encourage the private sector to provide new housing to meet the needs of present and future District residents at locations consistent with District land-use policies and objectives...(Also stated in **1508.1 (c)**)....
 - (e) Encourage housing on suitably located public or private properties that are vacant, underutilized or unused....with particular emphasis on the needs of low and moderate income residents.

Objectives in support of providing low and moderate income housing to residents are simply stated in **Section 303.1 (e)** as an “objective to encourage homeownership” and **Section 304.2 (c)**, which “encourages the provision of zoning incentives to developers prepared to build elderly housing, such as permitting additional densities in exchange for incorporating elderly housing in development projects.”

Section 1507.1 lists housing as the primary land use in Ward 4. “The continued well-being of the ward depends in part on ... expanding the housing stock particularly for low and moderate income persons. Meeting this need requires the involvement of public and private sectors working as partners.”

The application is consistent with the Comprehensive Plan’s Housing Elements and the Housing objectives for Ward 4, since it will provide a variety of housing options. The available land area and proposed density, would allow the applicant to provide housing for a wider income-range, thereby encouraging home ownership among first time homebuyers, senior citizens and market-rate housing within the same development. Accordingly, the project will provide 17 units of affordable housing, including the 12 units of the west condominium building which will be restricted to residents 55 years and older. 5 townhomes would be allocated as affordable housing for residents. The Department of Housing and Community Development (DHCD) recommends that the designated affordable units should be defined as units priced to households making 50-80% of AMI. Half of the affordable units should be designated to households making 50%-60% of AMI and the other half to those making 60%-80% of AMI (memo attached).

COMPREHESIVE PLAN GENERALIZED LAND USE MAP

The Generalized Land Use Map recommends the subject site for low density residential. However, the proposed map amendment would rezone the site (for this development proposal only) to the R-5-A Zone District. While the latter accommodates moderate density residential uses, OP believes that the adaptive re-use of the existing structures for apartment condominiums enables the site to provide a variety of housing for first-time home buyers of moderate income. OP believes that in this instance, the proposed zoning could be supported since it directly supports the housing objectives for the Comprehensive Plan as stated above.

More importantly, the effective density of the R-1-B Zone District is 1.2 FAR (with 40% lot occupancy and 3 stories). Based on the site’s area, (501,691 square feet) the site could be developed within the R-1-B Zone density of up to 602,029 square feet of residential floor area. A total of 393,448 gross square feet is proposed with an overall FAR of 0.77, which remains well within the range of low density as prescribed by the Land Use Map.

Therefore, OP believes that the development meets the intent of the Comprehensive Plan Elements and objectives, and the density for the site overall is well within the range that could be supported by the Land Use Map.

Public Benefits and Amenities

Section 2403.5 through 2403.13 discusses the definition and evaluation of public benefits and amenities. Section 2403.9 addresses the requirement for public benefits and amenities as follows:

“Public benefits and project amenities of the proposed PUD may be exhibited and documented in any of the following or additional categories:

- (a) Urban design, architecture, landscaping, or creation or preservation of open spaces;*
- (b) Site planning, and efficient and economical land utilization;*
- (c) Effective and safe vehicular and pedestrian access, transportation management measures, connections to public transit service, and other measures to mitigate adverse traffic impacts;*
- (f) Housing and affordable housing;*
- (h) Environmental benefits, such as stormwater runoff controls and preservation of open space or trees;*
- (i) Uses of special value to the neighborhood or the District of Columbia as a whole;*

Urban Design and Site Planning

OP initially requested that the applicant address the density of the site and provide improvements to the green space features of the design. OP is satisfied that an attempt was made to address the density concerns of the Commission, including the removal of twelve rowhouse units. In addition, open space features have been located throughout the development, including a pet park, which would facilitate interaction among residents in the development, as well as the existing neighborhoods.

The new homes have been designed to accommodate a variety of residents including seniors to the first time home buyer and young urban dweller. Therefore, the home styles vary from condominium units (efficiency to 3 bedroom), townhomes and single family residences. OP is supportive of the retention of the existing buildings which would be rehabbed to provide senior housing, as well as condo units for future residents. These two older structures would provide some context to anchor the development with the rest of the neighborhood, since these structures have existed on this site since the 1950's.

The design of the town homes and single family residences while contemporary would be developed with brick to reflect the residential quality of the existing neighborhood, which was designed and developed during the 1950's. Two and three-story townhomes have an urban quality reflective of rowhouse development in the District and all vehicular access is provided through the rear via a 16-foot wide alley system included throughout the development.

The streets including their widths were laid out with the intent to encourage pedestrian activity while minimizing cut-through traffic and speeding, as well as to provide 83 on-street parking spaces.

While townhome development is not typical of the existing neighborhood, OP is supportive of the overall site plan, as it rings the development with the single-family homes along the major roads, including New Hampshire Avenue, Rittenhouse Street and Sligo Mill Road to reflect their residential character and focuses the townhomes towards the interior of the site for the most part (except along Peabody Street).

Extensive landscaping of a variety of large shade trees such as sycamore, red maple, elm and ash have been included to surround public spaces and in front of homes to complement the tree-lined streets of the existing neighborhoods. This would also reduce the impact of the heat island effect from additional paving to the existing site and represents a significant energy saving for future residents.



Proposed Landscaping (S04)

Open Space and Recreation

The applicant's updated site plan includes a number of pocket parks within the proposed development and represents a substantial improvement over the earlier design of one common open space described as a great lawn. Eleven (11) areas including pocket parks, garden areas, a pet park and the great lawn area have been well articulated in the latest submission and OP is satisfied that an attempt has been made to improve the open space features for residential recreation. The three main areas described as open space lots Y, BC and BD and the pocket

parcs represent approximately 56,116 square feet of park recreation area. The applicant's pre-hearing statement (page 5) outlines the parks' and gardens' areas.

OP is satisfied that the applicant has addressed the recreation feature as it represents an important aspect of the development for future residents. Further, since the development is not a gated community, OP believes the parks would facilitate integration between the new and existing surrounding community.

Environmental Benefits

Up to 36% of the site has been dedicated to green space which includes yards, parks and landscape areas. Site plans show a stormwater management facility designed to retain excess run-off before it is released into the city's system. OP encourages the applicant to apply pervious pavement for the rest of the site not dedicated to driveways, (which must be designed to DDOT's standards) to further reduce runoff that could be naturally captured on-site. Based on comments provided to OP regarding the development, the water and sewer mains must be designed to D.C Water and Sewage Authority's (DCWASA) standards and policy as stated in DCWASA's manual. The applicant has stated that drainage calculations have been done in accordance with DC Department of Health Storm Water Management Guidebook and that post discharge rates from the proposed stormwater retention facility will be at or below pre-development rates for 2-yr and 15-yr storm events as required by DCWASA (memo attached).

Based on the applicant's submission, the site would not be significantly graded. Thus, its gently sloping feature would be retained to some extent, as shown by its proposed Tier Garden, the Great Lawn area (S10, S11) and the site sections shown for 1st Street and Rittenhouse Place (Sheet A11 and A12). Proposed retaining walls have been identified in at least 5 places on the site plan (Sheet S26).

The proposal to plant a significant number of shade trees throughout the development would be environmentally beneficial to the new residents and to the District by reducing the heat island effect of increased pavement, with a subsequent decrease in energy costs. In addition, the District's percentage tree canopy cover would increase as the proposed shade trees mature. Since a large portion of the site would be devoted to open space this would also limit the amount of run-off from the site into the District's combined storm water/sewer system.

Effective and Safe Vehicular Access

New roads would connect to the existing road pattern to integrate the new residences with the surrounding neighborhood and will encourage pedestrian activity with the inclusion of a system of sidewalks and alleys. The alleys would also permit rear-loaded garages and trash collection as well as utility connections for the residences. OP believes that the width of the proposed private streets is conducive to pedestrian activity and mitigates speeding.

DDOT has stated that it does not object to the proposed private streets in this instance, but would require the applicant submit the Homeowner Association documents which states that the maintenance and upkeep of the private streets, such as trash/recycle pick-up, snow removal or

street cleaning be under the Homeowners' agreement. In addition, DDOT requires, and the applicant has agreed to paved private streets to DDOT standards. In addition, in order to minimize curb cuts, DDOT has determined that only three (3) curb cuts should be allowed on Sligo Mill Road and two (2) on Peabody Street. The applicant's plans have been amended to reduce the northern-most curb cut at Peabody Street which provides access to the alley at that location. Therefore, this intersection would be closed.

OP is satisfied that the application exceeds the number of required parking spaces for the development. Based on the proposed housing, 187 units are required and 295 spaces would be provided with 83 additional on-street parking spaces for visitors. Typical parallel parking stall dimensions are 7'x22' and 90° spaces would measure 9'x19'. Garages will be provided on most residential lots to accommodate the residential parking spaces beyond that required by the zone regulations, since some residences would provide up to 2 car spaces (Townhouse Type I and II will provide garage and driveway parking areas). Therefore, over-flow parking is not expected from the development into the existing neighborhood.

OP understands that existing neighborhoods are concerned that traffic would be adversely impacted including along New Hampshire Avenue. OP has relied on DDOT's comments for the development's impact on traffic in the area and OP understands that based on additional information requested from the applicant, DDOT has determined that a traffic signal should be installed by the applicant at the New Hampshire Avenue/Quackenbos Street intersection. The applicant's traffic study indicated that queuing may present problems at New Hampshire and Rittenhouse Street during the PM peak hour. The applicant has stated that signs will be installed to remind drivers not to block intersections to allow westbound drivers to turn onto Rittenhouse Place. The applicant has also agreed to comply with DDOT's requests including the paving of the driveways to DDOT's specifications.

OP is satisfied that the applicant has extended the street pattern of the surrounding neighborhood without the creation of dead-ends which would allow vehicles multiple access drives for traffic dispersal from the new development. The applicant has also agreed to upgrade several crosswalks within the development's vicinity as pedestrian enhancements for safety.

The development is within a mile from the Fort Totten Metro Station and is well served by Metrobus routes along New Hampshire Avenue. OP believes that an improved network of sidewalks would encourage pedestrian activity of residents to and from the metro station.

Affordable Housing

As previously stated, the project will provide 17 units of affordable housing, including the 12 units of the west condominium building which will be restricted to residents 55 years and older. 5 townhomes would be allocated as affordable housing for residents. DHCD recommends that the designated affordable units should be defined as units priced to households making 50-80% of AMI with half of the affordable units assigned to households making 50%-60% of AMI and the other half to those making 60%-80% of AMI.

In conclusion, OP believes that the amenities provided by this project will help create a new and attractive addition to a well established residential community. In addition, it is a residential development that would promote homeownership and provides a variety of housing types to encourage long-term residency and increase neighborhood stability. The District needs housing that is affordable to a variety of income levels. The affordable criteria will be targeted towards families and individuals whose annual incomes are less than 80% of the area median income. In addition, the condominium building will be restricted to residency by persons fifty-five and older and will also be handicap accessible, with other features to facilitate independent living.

New curb and gutter treatments with improved sidewalks will encourage pedestrian activity to facilitate healthier lifestyles. In addition, the amenities of the pocket parks and the additional shade trees that do not currently exist are of significant benefit to the immediate neighborhood and the District's tree canopy cover at maturity.

Further, the applicant has submitted a First Source Employment Agreement with the Department of Employment Services, as well as a Memorandum of Understanding with the District's Office of Local Business Development to facilitate the recruitment of District residents for new jobs created by the construction of the project.

OP believes that the project overall is a significant residential development for this quadrant of the District's well established neighborhoods. It represents an addition to an existing neighborhood, which will only enhance the residential quality with its varied residential structures, and its potential to attract diversity to the District's neighborhoods.

SPECIAL EXCEPTION

§§ 410 and 2516

Section 410 in its current format¹ addresses the criteria for special exception approval for development of a group of one-family dwellings, flats, or apartment houses, to be deemed a single building in the R-5 zone district. Based on the requirements of §§ 410.2 through 410.9, all buildings in each group will be erected simultaneously, with their front entrances abutting a front yard and private street. No service entrances are necessary in this development and all units have adequate and free access to the street from each of the units. Fire protection is addressed in the project's proposal with the inclusion of hydrants throughout the development and access provided by its 20' wide (drive aisle) private streets and alleys (16 feet wide) which were determined adequate by the D.C. Fire and Emergency's review of the proposal. While the applicant has requested flexibility from the yard requirements for some lots, the majority of lots meet the yard requirements and all units of each building group have access to light and air. OP does not believe that the small percentage of lots which do not meet this requirement would

¹ Section 410 will be repealed by the Zoning Commission upon publication of the final order, ZC 06-05 in the DC Register. However, cases filed before February 2006, are still subject to the provisions of the Section.

create an adverse impact to the enjoyment of light and air by future residents of these and abutting properties.

Section 2516 requires special exception relief for erection of two or more principal buildings on a single subdivided lot in a residence district or within 25 feet of a Residence District. Further, Section 2516.8 requires the provisions of 2516 to apply to structures erected under the terms of § 410 and the proposal shall comply with the substantive provisions and not have an adverse impact on the present and future development of the neighborhood (§ 2516.9)

§ 2516.10 requires OP to address concerns related to public safety relative to police and fire, education, recreation, parking, loading, traffic, urban design, site planning, the impact of proposed development on neighboring properties and recommendation of other District agencies. OP relies on relevant agency comments for all the above concerns except urban design and site planning and these were addressed in the prior section of the report.

OP did not receive a recommendation from the Police Department. The Fire Department discussed the proposal with OP and commented that the drive aisle of the private streets are adequate for fire protection services but any new fire hydrants should be placed at street intersections rather than in the middle of the block. In addition, hydrants must comply with DC specifications, which are different than the requirements in Maryland and Virginia.

OP has no information from the DC Public Schools at this time. However, based on recent developments regarding the District's school population size and school consolidations, OP believes that a housing development of 187 units, 12 of which would be assigned to seniors, would not pose an adverse impact on the District's school system. Ward 4 is currently served by 15 elementary schools and 4 senior high schools under the District's public school system.

Based on the previous discussion of the project amenities, OP believes that the project would not pose an adverse impact on the existing neighborhood. OP believes that the environmental aspects of the project have been adequately addressed and would also require further review by the Department of Health (DOH) before final permits are issued.

COMMUNITY COMMENTS

The applicant has held several meetings with the community since 2004. OP understands that the community in general prefers the site be developed to its current R-1-B Zone density. Various community groups within the Lamond-Riggs neighborhood including Lamond Community Action, Citizens Aware, the Lamond-Riggs Citizens Association and the ANC 4B have expressed many concerns regarding the project which have been made part of the record.

The major opposition to the project involves the rezoning of the property from R-1-B to R-5-A which is believed to increase the density two-fold. In addition, residents are also concerned about run-off from

the site, as well as the potential adverse impact of increased traffic, particularly along New Hampshire Avenue which is a major thoroughfare to and from the District.

OP understands that the ANC has voted not to support the project until all relevant District agency comments have been submitted.

As previously discussed, OP believes that the applicant has attempted to address the community's, as well as OP's concerns regarding increased density, as well as the mitigation of adverse impacts that may result from increased traffic through discussions with the District Department of Transportation (DDOT). The applicant's traffic study determined that the level of service at the relevant intersections along New Hampshire Avenue would remain at level of service A and B, and DDOT's report supports the study's findings that nearby signalized intersections are projected to operate at an acceptable level of service B or better after project completion. DDOT has requested that the applicant install a traffic signal at the intersection of New Hampshire and Quackenbos Street to regulate the flow of traffic to and from the new development, as well as the installation of signs at intersections, including at Rittenhouse Street to assist the queuing of vehicles.

RECOMMENDATION

The Office of Planning (OP) supports the proposed development as it increases the District's housing inventory with a variety of housing types for different income levels, particularly in this quadrant of the District. Information provided and relevant agency comments indicate that the application is consistent with the requirements of the Zoning Regulations and elements of the Comprehensive Plan. The applicant has attempted to address the concerns of the Commission, and the Office of Planning requested at the ZC meeting in October 2005 and in subsequent meetings with the Office of Planning, DDOT and the community.

Therefore, the Office of Planning recommends approval of the development proposal on condition that DDOT's requirements are met, including:

- Submission of a legally binding Homeowner's Agreement regarding maintenance of private streets, subject to DDOT's legal review.
- Installation of traffic mitigation measures, including installation of required signs and traffic signals.

ATTACHMENTS:

1. DHCD Memo to OP
2. DCWASA Recommendation
3. DC FEMS comments to OP