

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

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Office of the Director

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MEMORANDUM

TO: District of Columbia Zoning Commission
FROM: *LS EV*
Ellen McCarthy, Director OP
DATE: January 9, 2006
SUBJECT: Zoning Commission Case No *05-43*
Setdown Report and Prehearing Statement

PETITION

The Office of Planning requests the Zoning Commission amend Section 1706 8 (b) of 11 DCMR, to include Squares 344, 373, and 374, and National Park Service Reservation 174 (the property formerly developed with the old convention center) within Housing Priority Area B

The proposal has included National Park Service Reservation 174, at the southeast corner of 11th and New York Avenue, pending possible transfer of jurisdiction. Should the jurisdiction not be transferred, the Reservation would not be subject to zoning.

This report also serves as a pre-hearing statement.

RECOMMENDATION

The Office of Planning recommends that this case be set down for a public hearing.

SITE AND AREA DESCRIPTION

The subject site is in the DD/C-3-C Zone District. It is located in the central business district and is immediately adjacent to the southwest corner of Mount Vernon Square. It is bounded by New York Avenue on the north, and 9th, H and 11th Streets on the east, south and west. It contains the former rights of way of 10th Street and I Street, N W ¹The

¹ By a Section 106 Memorandum of Agreement concerning the construction of the MCI Arena and the closing of a block of G Street, the portions of 10th and I Streets that were closed for the construction of the former convention center are required to be re-opened as part of the re-development of the site.

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10.16-acre site, until recently, was developed as the principal convention center for Washington, D.C. and is currently used as a temporary commuter parking lot as approved by the Board of Zoning Adjustment in case number 17145.

Surrounding uses include a mix of office buildings, hotels, public assembly venues and government offices. To the north (from west to east across New York Avenue) a new hotel is under construction at 11th Street, an office building and PUD is nearing completion at 9th Street, and the City Museum and Washington Convention Center have been opened at Mount Vernon Square. To the east, across 9th Street, is the "Tech World" office and Renaissance Hotel complex. To the south (from east to west across H Street) are two recently completed office buildings housing federal government offices, and the Grand Hyatt Hotel. To the west, across 11th Street, is a large office building. Other significant nearby uses include the MCI Arena, the Martin Luther King public library, the National Portrait Gallery, and the Museum of American Art.

The site is a pivotal and important site representing 10 acres of valuable city-owned downtown land. A development team has been selected for the long term development of the site and is working with the Office of the Deputy Mayor for Planning and Economic Development and the Office of Planning in refining the redevelopment and uses for the site.

Housing Priority Area B is immediately adjacent to the subject site on the north (Squares 372 and 343). The Downtown Shopping District or Retail Core, is immediately adjacent to the site on the south (Squares 345 and 375).

ZONE DISTRICT

The site is in the DD/C-3-C zone district. The DD overlay is applied to the core of the downtown. Section 1700.2 sets forth the purpose of the DD overlay.

The purpose of the DD Overlay District is to help accomplish the land use and development policies of the Comprehensive Plan relating to the affected Downtown sectors. The adopted planning policies for this area are primarily contained in 10 DCMR, chapter 9, entitled "Downtown Plan Element," and 10 DCMR, chapter 11, entitled "Land Use Element," as amended.

1700.3 The most important general purposes include the following:

- (a) To create a balanced mixture of uses by means of incentives and requirements for critically important land uses identified in the Comprehensive Plan, including retail, hotel, residential, entertainment, arts, and cultural uses,

The current zone classification (without inclusion within a housing priority area) would allow for a maximum FAR of 6.5 as a matter of right, with height as permitted by the Height Act.

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If included within the Housing Priority Area B the following residential and mixed-use provisions would apply (1706.5):

- Maximum FAR of 9.5 as a matter of right
- Maximum FAR of 10.0 through the acceptance of Transferred Development Rights (TDR) or bonus density earned from affordable housing or preferred retail uses.
- Each lot shall provide on-site or account for off-site in a combined lot development no less than 3.5 FAR of residential use;
- A maximum residential FAR that may be accepted through combined lot development is 6.0 provided it is dedicated to residential use.
- A maximum FAR limitation would not apply to any lot that devotes such increase in gross floor area entirely to residential use on-site
- Height would be as permitted by the Height Act.

These densities are compatible with the allowable densities to the north (already the Housing Priority Area B) and the areas to the south which are in the Downtown Shopping District subarea. The Shopping subarea allows a maximum density of 10.5 FAR if achieved through bonus density for building with a height of 130 feet and a maximum density of 9.5 FAR if achieved through bonus density for building with a height of 110 feet.

COMPREHENSIVE PLAN

The proposal is not inconsistent with many elements of the Comprehensive Plan and specifically it is consistent with Chapter 9- Downtown Plan Elements

Major themes within the Comprehensive Plan relevant to this development are

- 1) Stabilizing and improving the District's neighborhoods, and,
- 2) Preserving and Promoting Cultural and Natural Amenities
- 3) Respecting and improving the physical character of the district,
- 4) Increasing the Quantity and Quality of Employment Opportunities in the District
- 5) Promoting Enhanced Public Safety

Chapter 9, The Downtown Element of the Comprehensive Plan addresses the specific goals and policies for the downtown and its subareas.

- 900.3 The key land use concept for Downtown is a balanced mixture of uses to attract a variety of persons, such as District residents, suburban residents, and out-of-town visitors. The most important uses are retail, hotel, residential, and arts and culture. Although private office space will also be important, the concept of the "Living Downtown" recognizes that special efforts will be needed to attract the other desired uses.

The amendment would further the concept of the Living Downtown requiring housing and creating a mix of uses anticipated by Sections 901, Downtown Land Use, 903 Residential Land Use, and 928, Convention Center Area

901 DOWNTOWN LAND USE

901.1 The Downtown land use objective is to create a mix of different land uses in Downtown that will attract and serve a variety of users, as well as new uses, ensuring an active and productive Downtown at different times of the day and night. This objective will also provide diversified, balanced economic development that will help limit the impact of economic downturns on the local economy and the tax base.

901.2 The policies established in support of the Downtown land use objective are as follows

- (a) A variety of regulatory measures and incentives should be used to achieve an overall mix of land uses appropriate to creating an active Downtown, placing special emphasis on achieving a critical mass of key land uses in overall numerical terms and in geographical patterns;

903 RESIDENTIAL LAND USE

903.1 The Downtown residential land use objective is to develop a significant residential community in Downtown in order to encourage a lively mix of activities, particularly in areas where existing neighborhoods can be retained and expanded, and where residents are important to mixed-use objectives

928 CONVENTION CENTER AREA

928.1 The Convention Center area objectives are to create a major concentration of residential, hotels and related retail and service uses around the Convention Center and to provide connecting pedestrian links to adjacent areas creating a special sense of place and activity around the center

928.2 The policies established in support of the Convention Center area objectives are as follows

- (a) Encourage development of residential, hotels, entertainment, restaurants, shops, and convention-related services on squares immediately adjacent to the Convention Center;

Regarding the redevelopment of the old convention center site, Section 928.2 (h) states:

- (1) If the old building is demolished, the underlying rights of way of 10th and I Streets, N W , should be restored to vehicular or pedestrian traffic in the configuration that existed immediately prior to the construction of the building.

- (2) The old Washington Convention Center site should continue to serve as a major destination for tourists, visitors, and residents. The site should be zoned to permit retail, entertainment, residential, hotel, and convention center related uses, along with sufficient underground parking, as the preferred uses. Privately financed development of the preferred uses, and of underground exhibit space with a connection to the new convention center, should be encouraged, if feasible.

Including the site in a housing priority area would be consistent with these goals as it would generate more housing, permit flexibility and encourage preferred uses.

The Comprehensive Plan Generalized Land Use Map identifies the site for a mix of high-density residential and commercial uses along with local public facilities. Inclusion within a housing priority area will allow for flexibility in the allocation of uses through combined lot developments.

The Downtown Action Agenda

The proposal also furthers the Downtown Action Agenda which lists its first objective as maximizing and concentrating downtown housing. The Action Agenda lists as a core strategy "Maximize housing on publicly owned sites. Include housing on the existing convention center site." (page 4)

Strategy Four specifically focuses on the old convention center site and identifies the site as having the potential to:

- Create a great civic space
- Maximize downtown housing
- Create a destination to enjoy and celebrate Downtown
- Complement and complete the retail /entertainment focus at Gallery Place
- Restore the city grid and view corridors
- Create a gateway for the new Convention Center (page 38)

OP believes including the site in Housing Priority Area B will provide the maximum opportunity for housing and design flexibility and will further many of the downtown goals. It will help produce the critical mass of residents needed to support healthy retail and create a safe and vibrant urban center.

OP recommends the case be set down for public hearing.

