

## **MEMORANDUM**

**TO:** District of Columbia Zoning Commission

**FROM:**  Jennifer Steingasser, Deputy Director

**DATE:** October 31, 2014

**SUBJECT:** Setdown Report for ZC #14-17, 2911 Rhode Island Avenue, NE Zoning Map Amendment

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### **I. SUMMARY RECOMMENDATION**

AE Tower LLC submitted a request for a zoning map amendment for the split-zoned, vacant property at 2911 Rhode Island Ave NE (the “Property”), in the Woodridge neighborhood. The Property is currently zoned to the R-1-B and C-2-A Districts. The Applicant requests a change in the zoning of the R-1-B portion of the Property to the C-2-A District.

The proposed zoning would not be inconsistent with the Comprehensive Plan, so the Office of Planning recommends that the application be set down for a public hearing.

### **II. APPLICATION-IN-BRIEF**

**Location:** Square 4310, Lot 808. Generally, a triangular-shaped property bounded by Rhode Island Avenue, Monroe Street NE, and a public alley. Ward 5, ANC 5C.

**Applicant:** AE Tower LLC

**Current Zoning:** C-2-A (approx.25% of the lot) and R-1-B (approx.75% of the lot)

**Comprehensive Plan Future Land Use Map Designation:** Low-Density Commercial

**Property Size:** 27,618 square feet (0.6340 acres)

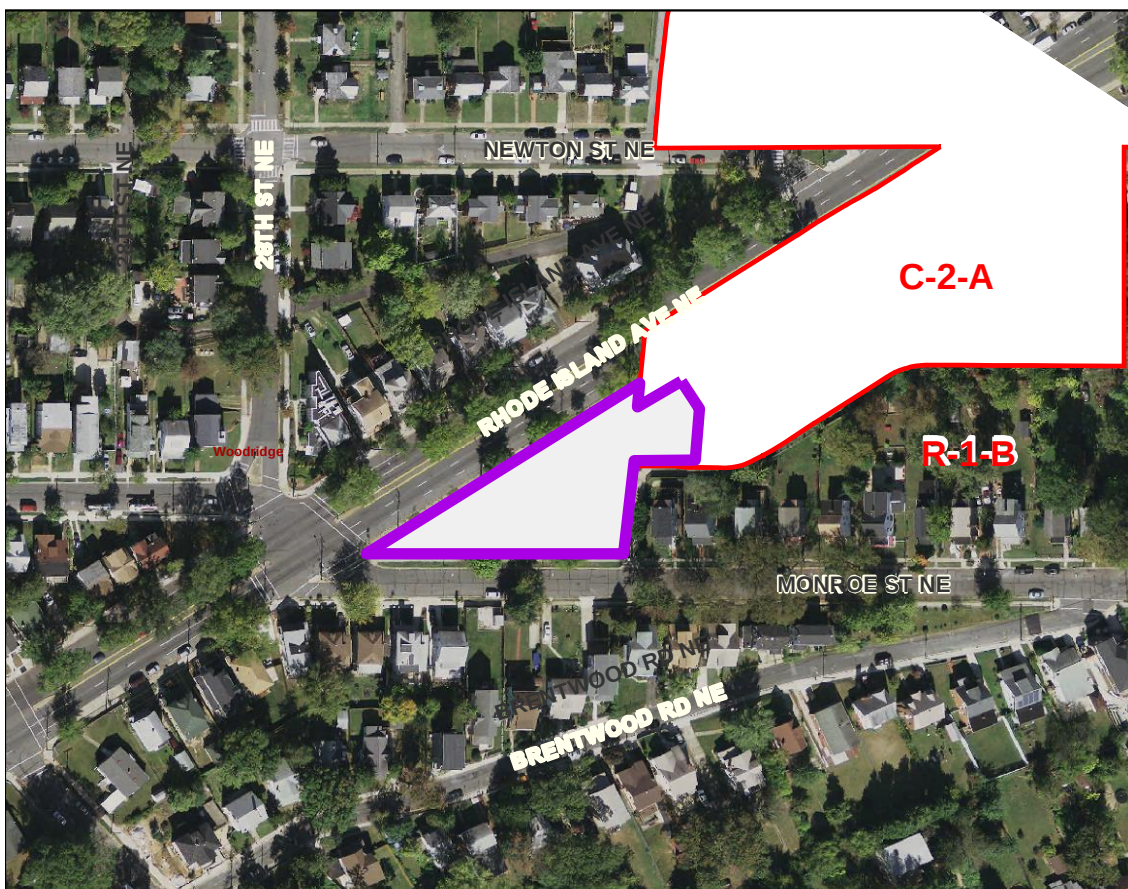
**Proposal:** A zoning map amendment from the R-1-B District to the C-2-A District for a portion of the Property.

### **III. SITE AND AREA DESCRIPTION**

The triangular-shaped Property is located on Rhode Island Avenue NE, north of Monroe Street NE and is bounded by a public alley to the southeast. Please refer to the aerial vicinity map

below. It consists of one, split-zoned lot totaling slightly over a half acre in area. The topography of the Property is generally flat along Rhode Island Avenue, but slopes down, towards the southeast near Monroe Avenue NE and the public alley, which is the eastern boundary of the Property. There currently is a surface parking lot (appears currently unused) on the R-1-B-zoned portion of the Property, and a vacant, 1- story structure located in the C-2-A portion of the Property, between Rhode Island Avenue NE and the public alley. The adjacent property immediately to the east of the Property is a car lot/dealership. The Property is subject to BZA #14256 approved April 3, 1985 which allows special exception accessory parking spaces for the adjacent car dealership to the east.

The immediately surrounding neighborhoods to the north, south and west are zoned to the R-1-B District and primarily consist of single-family detached residences. To the northeast along Rhode Island Avenue towards Eastern Avenue/the District boundary, there exists low-scale commercial development including a gas station, convenience store, liquor store, etc., zoned to the C-2-A District. No other lots on the Square are split-zoned R-1-B and C-2-A.

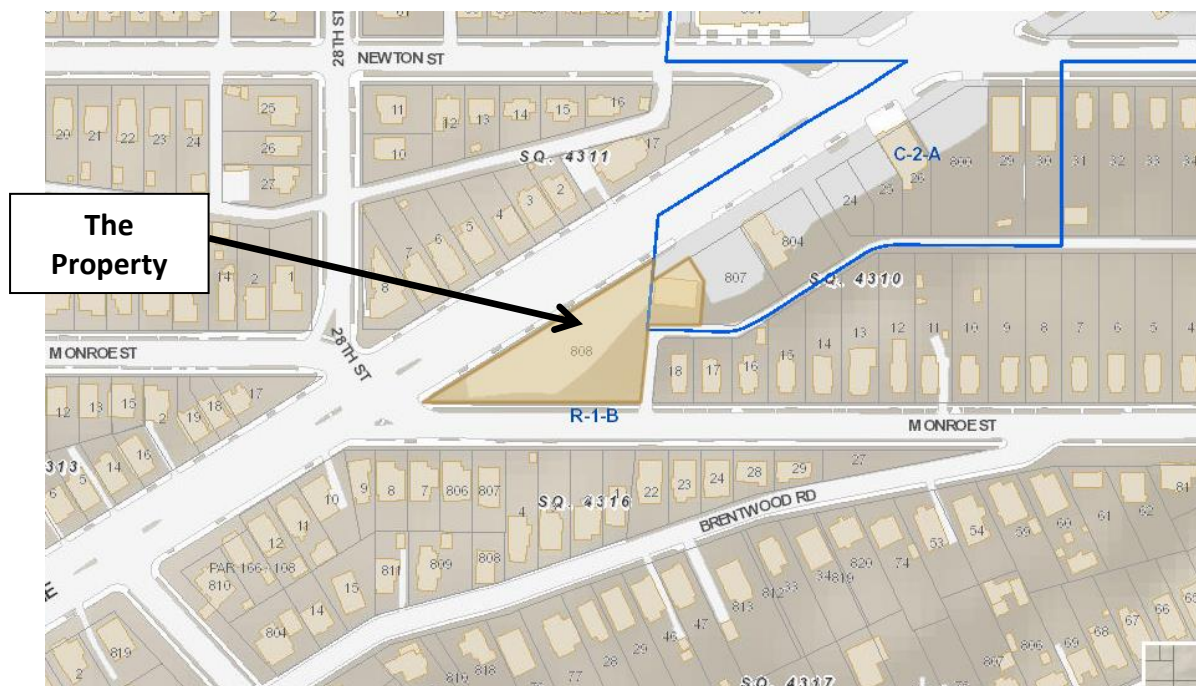


Vicinity Map/ Aerial Photo. Approximate bounds of the Property in purple. 2014 Google.

#### IV. EXISTING AND POTENTIAL DEVELOPMENT CAPACITY

The existing C-2-A zoning for a portion of the Property permits low-to-medium density commercial and residential uses. The purpose of the C-2-A District is to provide facilities for shopping and business needs, allows mix of uses including residential, and is to accommodate commercial developments, serving local residential areas. The existing R-1-B zoning for the remainder of the Property allows for low-density single-family detached residential development on lots of 5,000 sf. It does not permit commercial or mixed use development. A comparison of the matter-of-right height and bulk regulations of the two zones is contained in the table below.

|               | C-2-A                            | R-1-B                       |
|---------------|----------------------------------|-----------------------------|
| Height        | 50', no story limit              | 40', 3 stories              |
| FAR           | 2.5 FAR                          | none                        |
| Lot Occupancy | 60%                              | 40%                         |
| Rear Yard     | 15'                              | 25'                         |
| Use           | Commercial/Residential mixed use | Low-density Residential use |

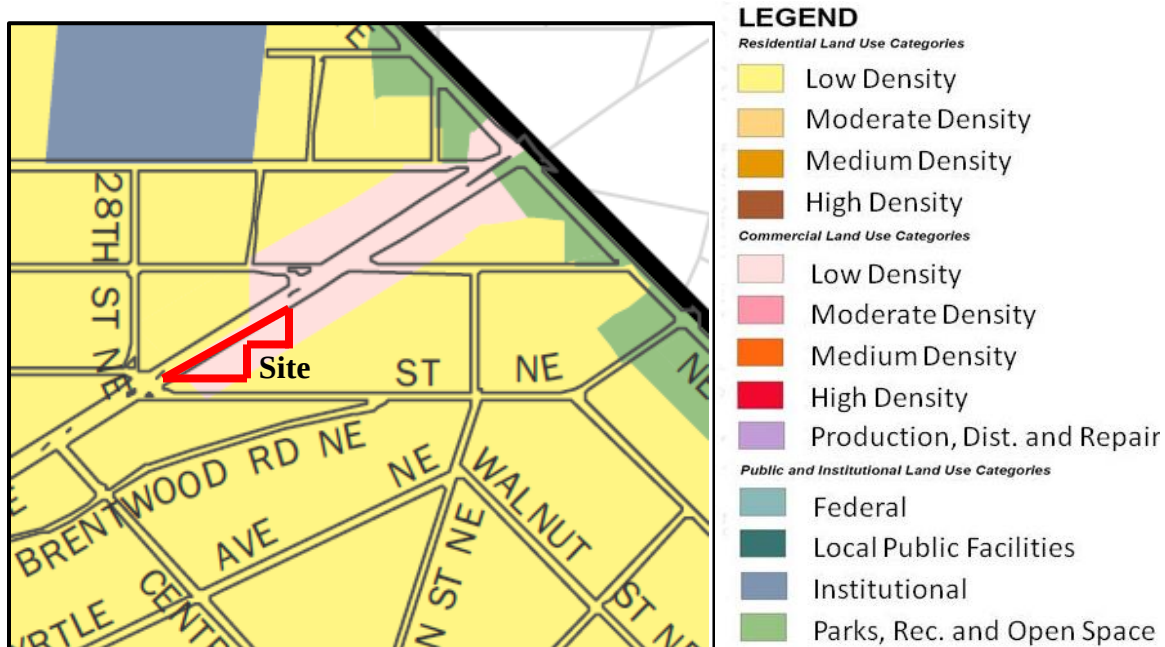


Current Zoning Map of the Property and surrounding area.

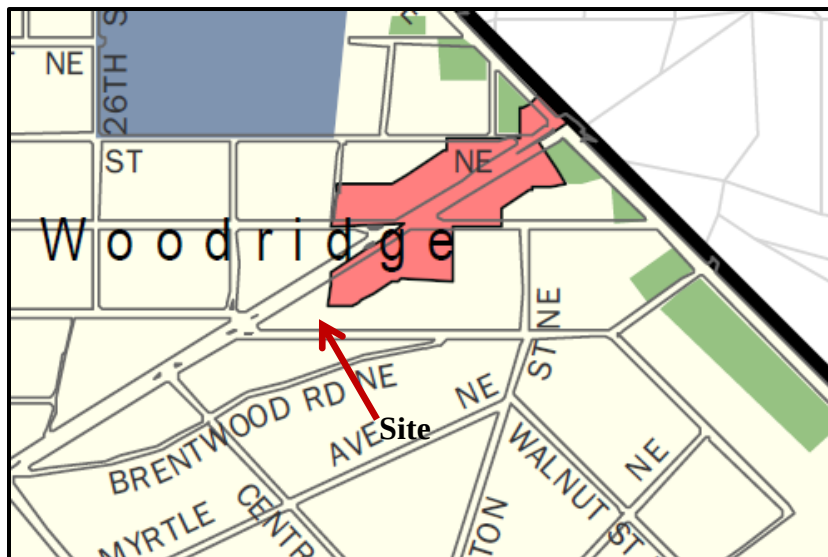


## V. COMPREHENSIVE PLAN LAND USE AND POLICY MAPS

The Future Land Use Map indicates that the site is appropriate for low density commercial development, shown as pink on the map excerpt below.



The Comprehensive Plan Generalized Policy Map describes the Property as within a Neighborhood Conservation Area, shown in the map below. Neighborhood Conservation Areas are primarily residential in character and have little vacant land. Where infill does occur, it should be modest in scale, primarily housing, public facilities or institutional uses. New development should be compatible with the scale and the architectural character of the existing neighborhood. (Comprehensive Plan, §§ 223.4 and 223.5)



The proposed zoning map amendment is not inconsistent with these map designations.

## VI. COMPREHENSIVE PLAN POLICIES

The Property is located in the Upper Northeast Area of the Comprehensive Plan. There are several policies within the Upper Northeast Area Element, as well as policies in the Citywide Framework (primarily the Land Use Element), which encourage commercial infill development along Rhode Island Avenue, NE. These policies are detailed below. Development permitted in the C-2-A zone would help achieve the applicable policies; allow for the development of an underutilized site in a more coherent manner under the regulations of a single zoning district; and further the Comprehensive Plan Map Designations of low-density commercial use and neighborhood conservation on the Property. Please note bold text was added for emphasis.

### Citywide Guiding Principles:

- Framework Guiding Principle (6): “**Redevelopment and infill opportunities along corridors** and near transit stations will be an important component of reinvigorating and enhancing our neighborhoods. Development on such sites must not compromise the integrity of stable neighborhoods and must be designed to respect the broader community context. Adequate infrastructure capacity should be ensured as growth occurs.” (§ 217.6)
- LU-1.3 Transit-Oriented and Corridor Development: While not named as one of the six of the City’s “Great Streets,” **Rhode Island Avenue** is shown on the “Great Streets and Transit Stations” as one of the “Potential Great Streets,” which recognizes their **potential for enhancement**. (§306.6 and 306.7)
- LU-1.4.1 Infill Development: “**Encourage infill development** on vacant land within the city, particularly in areas where there are **vacant lots that create ‘gaps’ in the urban fabric and detract from the character of a commercial or residential street**. Such development should complement the established character of the area and should not create sharp changes in the physical development pattern.” (§307.5)
- LU-1.4.3 Zoning of Infill Sites: “Ensure that the **zoning of vacant infill sites is compatible** with the prevailing development pattern in surrounding neighborhoods. This is particularly important in single-family and rowhouse neighborhoods that are currently zoned for multi-family development.”

### Upper Northeast Area Element (“UNE”):

- Planning and Development Priority e.: “Retail choices in Upper Northeast need to be expanded...Options have improved with the opening of Home Depot/Giant, and will get better still with planned new shopping center at Fort Lincoln, but these centers are auto-oriented and are not convenient to everyone in the community. Many of the commercial areas in Upper Northeast are dominated by used car lots, carry-outs, liquor stores, automotive uses and other activities that are not conducive to neighborhood shopping.

More retail districts like Brookland's 12<sup>th</sup> Street are desired to meet the day-to-day needs of residents. **Rhode Island Avenue**, Benning Road...**have the potential to become pedestrian-oriented shopping districts...**" (§2407.2)

- UNE-1.1.1: Neighborhood Conservation: **"Protect and enhance the stable neighborhoods of Upper Northeast, such as...Woodridge...**The residential character of these areas shall be conserved, and places of historic significance, gateways, parks, and special places shall be enhanced."**"** (§2408.2)
- UNE-1.1.5: Vacant and Abandoned Structures: **"Reduce** the number of **vacant**, abandoned, and boarded up **structures in Upper Northeast...**" (§2408.6)
- UNE-1.1.6: Neighborhood Shopping: "Improve neighborhood shopping areas throughout Upper Northeast. Continue to enhance 12<sup>th</sup> Street NE in Brookland as walkable neighborhood shopping street and **encourage similar pedestrian-oriented retail development along Rhode Island Avenue...**" (§2408.8)
- UNE-2.5: Rhode Island Avenue-Brentwood Metro Station and Corridor: "The general character of the Avenue is not expected to change significantly over the next 20 years, but there are opportunities for **moderate density infill development** in several locations. **Filling in 'gaps' in the street wall** would be desirable in the commercial areas, creating a more pedestrian-friendly environment. While most of the street is zoned for commercial uses, **development that includes ground floor retail uses and upper store housing would be desirable**. The surrounding area is under-served by retail uses and would benefit from new restaurants, **local-serving stores and other services.**" (§ 2415.4)

## VII. RHODE ISLAND AVENUE PLAN

There are recommendations regarding the redevelopment of the Property in the study entitled "Rhode Island Avenue: Diamond of the District Plan" completed in 2010 by the Office of the Deputy Mayor for Planning and Economic Development. The Property is located in Sub-Area 4 and subject to recommendations which include townhouse development on the portion of Square 4310 that fronts on Rhode Island Avenue, including the Property. Due to the triangular-shape of the Property, townhouse development may be difficult to achieve and would require a rezoning. The policies of the Comprehensive Plan listed above, as well as the adjacent C-2-A zoning, suggest commercial infill or residential uses with ground floor commercial uses are encouraged.

## VIII. AGENCY REFERRALS

If this application is set down for a public hearing, the Office of Planning will refer it to the following government agencies for review and comment:

- Department of the Environment (DDOE);
- Department of Transportation (DDOT);

- Department of Housing and Community Development (DHCD);
- Department of Parks and Recreation (DPR);
- Department of Public Works (DPW);
- DC Public Schools (DCPS);
- Fire and Emergency Medical Services Department (FEMS);
- Metropolitan Police Department (MPD);
- Washington Metropolitan Area Transit Authority (WMATA); and
- DC Water.

## **IX. COMMUNITY COMMENTS**

The site is located in ANC 5C. The applicant has held an informational meeting with the community. OP encourages the applicant to continue its community outreach efforts.

JS/mcr