

## **MEMORANDUM**

**TO:** District of Columbia Zoning Commission

**FROM:** *JL for* Jennifer Steingasser, Deputy Director Historic Preservation Development Review

**DATE:** November 30, 2015

**SUBJECT:** **Final Report for ZC #15-03**, Consolidated Planned Unit Development (PUD) and related Zoning Map Amendment from R-5-B to R-5-C, 1309 – 1315 Clifton Street NW (Square 2866, Lots 831 and 838)

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### **I. RECOMMENDATION**

The Office of Planning (OP) recommends approval of the following:

- A consolidated PUD and PUD-related map amendment from R-5-B to R-5-C to permit redevelopment of the site located in Square 2866, Lots 831 and 838 with the requested flexibility to:
  - Provide a reduced rear yard of one to six feet (§ 404.1);
  - Provide a reduced side yard of ten feet (§ 405.6);
  - Provide less than the minimum required number of parking spaces (§ 2101.1); and
  - Provide less than the minimum required loading/delivery spaces (§ 2200.1).
- Subject to the applicant providing detailed information regarding the unit mix of affordable units and providing better distribution of the affordable units throughout the project.

The requested PUD-related map amendment to R-5-C would support the written elements of the Comprehensive Plan and would not be inconsistent with the Future Land Use and General Policy Maps.

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

**Location:** 1309 – 1315 Clifton Street NW. Square 2866, Lots 831 and 838.

**Applicant/Owner:** Aria Development Group

**Current Zoning:** R-5-B Moderate Density Residential

**Property Size:** 29,700 square feet (0.68 acres)

**Proposal:** Together with a related map amendment to R-5-C, develop a 60-foot residential apartment building of masonry, metal panel, fiber panel and stone construction with 155-159 units.<sup>1</sup>

The total Gross Floor Area (GFA) is 118,800 square feet or an FAR of

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<sup>1</sup> See the Applicant's Supplemental Prehearing Statement and Plans Update, November 19, 2015, Exhibits 23 and 23B.

4.0. The proposed FAR is greater than what would be permitted in the base R-5-B zone (1.8 max.; 2.16 with IZ) but is consistent with the 4.0 FAR permitted for an R-5-C/PUD.

No less than 10% (11,880 square feet) of the GFA would be affordable with 2% reserved for households making 80% of Area Median Income (AMI) or below and 8% reserved for households making 50% of AMI or below.

45 parking spaces would be provided in a below-grade parking structure. 80 long term and 10 short term bicycle parking spaces would also be provided. Parking, loading and trash collection would be accessed via the 20-foot improved alley at the rear of the property.

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

The property, located on Clifton Street NW, between 13<sup>th</sup> and 14<sup>th</sup> Street NW, is currently developed with two market rate apartment buildings. The apartment building at 1309 Clifton Street NW is a three-story building constructed circa 1954 that contains 18 units and provides four parking spaces. The apartment building at 1315 Clifton Street NW is a four-story building constructed circa 1909 that contains 30 units. Both apartment buildings have not been renovated in a number of years and lack modern conveniences. The Applicant is proposing to maintain a portion of the building at 1315 Clifton Street (a footprint of approximately 2,240 square feet) and is proposing to demolish the remainder of the building, as well as the apartment building at 1309 Clifton Street NW.

The Property is bounded by a public alley that ranges from 20 to 35 feet in width to the north, Clifton Street NW to the south, a multifamily condominium building to the east, and another condominium building to the west. The Property is on the southern edge of the Columbia Heights neighborhood, and is close to the U Street/14<sup>th</sup> Street Corridor. The Property is located in the vicinity of the Columbia Heights and U Street-Cardozo Metrorail Stations (approximately one-half mile). The immediate neighborhood is primarily zoned R-5-B, with the properties along 14<sup>th</sup> Street to the west in the C-2-B District. Properties to the north and east are in the R-4 District. The surrounding area is predominantly residential (medium density apartment buildings, small apartment buildings of three to ten units, and flats) with nearby commercial and institutional uses.



**Figure 1: Location and Zoning Map**

#### **IV. PROJECT DESCRIPTION**

The consolidated PUD and PUD-related map amendment from R-5-B to R-5-C is requested to allow for the development of 155-159 new residential units. The project would include 11,880 square feet for a total FAR of 4.0 and a maximum building height of 60 feet.

##### **A. Neighborhood Context**

The applicant is proposing a five-story building with habitable penthouse with a maximum height of 60 feet. The western portion of the project, where the applicant is proposing to retain the façade of the existing building, would be four stories. The applicant has revised the project to provide a setback at the fifth floor at the southwest corner of the building. The applicant has provided a height study<sup>2</sup> as well as block sections<sup>3</sup> that show the proposed building in context with the surrounding neighborhood. While there are residential rowhouses in the R-4 District to the north and east of the proposed project, the surrounding neighborhood features a number of four to six-story multi-family residential apartment buildings in the R-5-B district to the immediate north and south and in the C-2-B District to the west.

##### **B. Roof Structure**

The applicant has proposed to simplify and reduce the height of the penthouse. The redesigned penthouse would comply with the new penthouse regulations, including new setback provisions, and would include habitable space at the penthouse level with

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<sup>2</sup> See Applicant's submitted plans dated October 6, 2015, Exhibit 11A2 Sheets A-12 and A-13.

<sup>3</sup> See Applicant's submitted plans dated October 6, 2015, Exhibit 11A6 Sheet A-31.

mechanical above.<sup>4</sup> The habitable space would be constructed of metal panel and would feature a metal and glass window and door system. Above the metal cornice at the roofline, the penthouse units would have access to outdoor terrace space, surrounded by a glass and metal railing. The mechanical equipment and roof access (elevator and stair) would be enclosed in two separate volumes by a metal screen. The applicant has provided a section demonstrating the revisions to the penthouse and sightlines from Clifton Street NW.<sup>5</sup>

### **C. Affordable Housing**

The applicant has shown the locations for the affordable units on the floor plans and is proposing to provide one studio, 12 one-bedroom, and three two-bedroom affordable units. The applicant should provide a better mix of one, two and three bedroom units and better distribute the units throughout the building. There is one affordable unit on the fourth floor and there are no affordable units on the fifth floor or in the penthouse.

The applicant has modified the interior layout to allow for larger units. This also has resulted in an overall reduction in the number of units – 155 to 170 were originally proposed and the applicant is now proposing 155 to 159. The unit distribution includes studio, one-bedroom, two-bedroom, and three-bedroom units.

### **D. Open Space**

The applicant has eliminated the proposed retaining wall along the western portion of the project in front of 1315 Clifton Street and reduced the height of the retaining wall at the eastern edge of the site. The remaining segment of wall ranges in height from 14 to 34 inches. The applicant is proposing streetscape improvements along Clifton Street NW.

### **E. Parking**

The applicant is proposing to provide 45 parking spaces, which is an increase from the 36 spaces originally proposed. 50 to 53 parking spaces would be required. The applicant has redesigned the parking level to eliminate any unnecessary elements and configured the parking spaces in the most efficient manner.

The applicant states the proposed parking would be adequate to serve the development. The proposed parking would include electric vehicle charging stations. Five bus lines serve stops within a quarter-mile of the proposed development. The U Street and Columbia Heights Metro stations are within a half-mile of the project. There are five Capital Bikeshare stations within one third of a mile of the site. Thirteen carshare vehicles are within a short walk from the site.<sup>6</sup> The applicant would provide 80 secure bicycle parking spaces in a designated area on the ground floor of the building.

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<sup>4</sup> As part of Zoning Commission Case 14-13, the Zoning Commission has taken final action to approve modifications to the penthouse regulations on November 9, 2015, which would permit habitable space in a penthouse. As of the date of submitting this report, however, the new text has not been finalized and published in the DC Register, so is not effective. This is expected to happen shortly.

<sup>5</sup> See Applicant's submitted plans dated October 6, 2015, Exhibit 11A6 Sheet A-30.

<sup>6</sup> See Applicant's submitted Comprehensive Transportation Review dated November 10, 2015, Exhibit 23C.

## F. Environmental Benefits

The applicant is proposing a range of environmental features including a green roof, permeable pavers, and electric vehicle charging stations. The project would be designed to meet LEED Silver requirements, where LEED Certified was originally proposed. The project would achieve a Green Area Ratio (GAR) score of .395, where a score of .3 would be required.

## V. COMPREHENSIVE PLAN

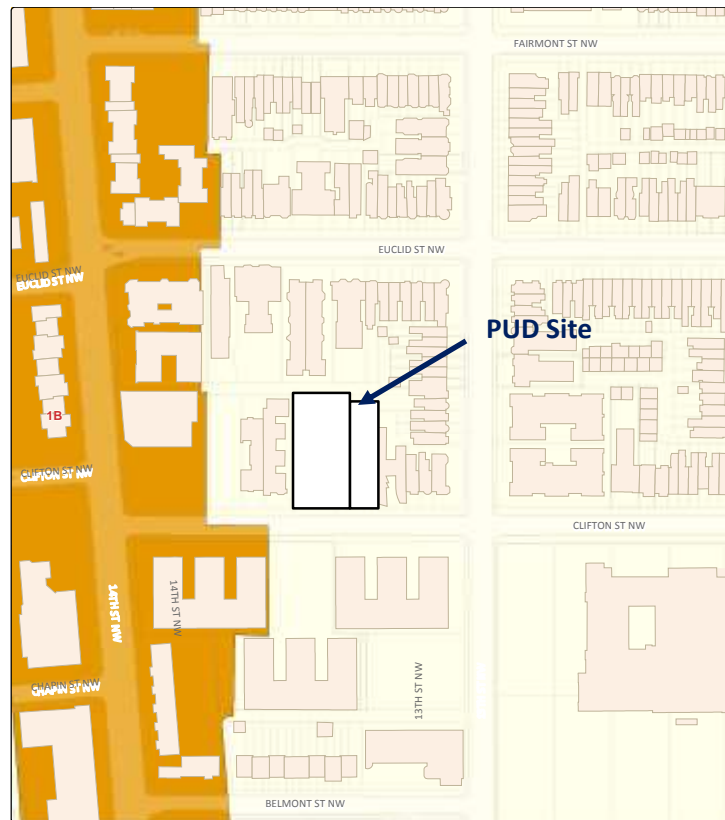
The Property is located in the Mid-City Area of the Comprehensive Plan. There are several policies within the Mid-City Area Element, as well as policies in the Citywide Framework (primarily the Land Use Element), which encourage retention of Mid-City as a mixed-income community by protecting the area's existing stock of affordable housing units and promoting the construction of new affordable units. A map amendment-related PUD development facilitated by the regulations of the R-5-C District would help achieve the applicable policies.

The Future Land Use Map indicates that the property is in the Medium Density Residential land use category. The proposed map amendment to the R-5-C District and the proposed density are not inconsistent with this designation. A mid-rise apartment building would be an appropriate use.



**Figure 2: Comprehensive Plan Future Land Use Map**

The Generalized Policy Map locates the Property within a “Neighborhood Conservation Area.” These areas have very little vacant or underutilized land and are primarily residential in character. The diversity of land uses and building types in these areas should be maintained and new development and alterations should be compatible with the existing scale and architectural character of each area.



**Figure 3: Comprehensive Generalized Plan Policy Map**

This development and the associated zone map change would not be inconsistent with the Land Use and Policy Map designations for the surrounding residential neighborhoods.

## VI. ZONING

The site is currently zoned R-5-B. The R-5-B Zone District is a General Residence District intended to permit a moderate height and density. The R-5-B Zone District permits a maximum height of 50 feet and 1.8 FAR. The applicant is requesting a map amendment to the R-5-C Zone District, which is intended to permit a medium height and density. The requested map amendment is not inconsistent with the Comprehensive Plan. Project parameters, as provided in the application, are listed below.

Standard	R-5-B	R-5-C	R-5-C/PUD	Proposed	Flexibility
Area (sq. ft.)	-	-	-	29,700 sq. ft.	None required
Height (ft.)	50 ft.	60 ft.	75 ft.	60 ft.	None required
Lot Occupancy (%)	50%	75%	75%	71%	None required
FAR (max.)	1.8	3.0	4.0	4.0	None required
GFA (sq. ft.)	-	-	-	118,800 sq. ft.	None required
Number of Units	-	-	-	155 – 159	None required
IZ	10% of GFA of res. use	8% of GFA of res. use	8% of GFA of res. use	10% of GFA of res. use	None required

Standard	R-5-B	R-5-C	R-5-C/PUD	Proposed	Flexibility
Rear Yard (ft.)	4 in. per foot of height, but not less than 15 ft.	4 in. per foot of height, but not less than 15 ft.	4 in. per foot of height, but not less than 15 ft.; 17 ft. 10 in. req.	1 ft. – 6 ft.	Requested
Side Yard (ft.)	None req.; if prov. 3 in. per foot of height but not less than 8 ft.	None req.; if prov. 3 in. per foot of height but not less than 8 ft.	None req.; if prov. 3 in. per foot of height but not less than 8 ft.; 15 ft. req.	10 ft.	Requested
Parking	1 sp./3 du	1 sp./3 du	1 sp./3 du 50 – 53 sp. req.	45	Requested
Loading	1 55 ft. berth; 1 200 sq. ft. platform; 1 20 ft. delivery space	1 55 ft. berth; 1 200 sq. ft. platform; 1 20 ft. delivery space	1 55 ft. berth; 1 200 sq. ft. platform; 1 20 ft. delivery space	1 30 ft. berth 1 200 sq. ft. platform	Requested
Roof Structure	1 enclosure with enclosing walls of equal height	1 enclosure with enclosing walls of equal height	1 enclosure with enclosing walls of equal height	Conforming	None required

## VII. FLEXIBILITY

The proposal requires flexibility from the Zoning Regulations as detailed below.

- *Rear Yard (§ 404.1)* – The required rear yard for the Project is 17 feet and 10 inches. The Project would provide a rear yard ranging in depth from one foot to six feet. The reduced rear yard should not adversely impact the adjoining properties and would allow for the preservation of the existing façade at 1315 Clifton Street NW, which is set back 27 feet from the front property line.
- *Side Yard (§ 405.6)* – A side yard is not required; however, since one is provided it must be a minimum of 15 feet in width. The Project would provide a side yard of 10 feet at the western property line. The applicant has stepped back the building at the fifth level to provide additional relief along the western property line. The applicant has eliminated the proposed balconies from the southwest elevation, providing additional privacy and separation from the adjoining building at 1323 Clifton Street NW.
- *Parking (§ 2101.1)* – The required parking is 50-53 spaces and the Applicant is now proposing to provide 45 spaces. This is an increase from the 36 spaces originally proposed. The applicant has extended the parking level below the existing building and reconfigured the parking level to provide additional spaces. The provision of an additional below-grade level to provide the remaining 5 to 8 required parking spaces would be cost-prohibitive.

- *Loading (§ 2200.1)* – One 55-foot loading berth, one 200-square foot loading platform, and one 20-foot delivery space would be required. The Applicant is proposing to provide one 30-foot loading berth and one 200-square foot loading platform. The Applicant is not proposing to provide the required 20-foot delivery space. Given the residential nature of the building, a 30-foot loading berth and 200-square foot loading platform should be sufficient to accommodate tenant move-in and move-out.

## VIII. PUBLIC BENEFITS AND AMENITIES

In its review of a PUD application, § 2403.8 states that “*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.*” Section 2403.9 states that “Public benefits and project amenities of the proposed PUD may be exhibited and documented in any of the following categories.” The relevant categories for the subject PUD are analyzed below.

### PUD Gains

Standard	R-5-B M-O-R	Proposal	Gains
<b>Total Site Area</b>	29,700	29,700	No change
<b>Uses</b>	Residential	Residential	No change
<b>GFA</b>	53,460 sq. ft. max.	118,800 sq. ft.	65,340 sq. ft.
<b>FAR</b>	1.8	4.0	2.2 FAR
<b>Height ft./stories</b>	50 ft.	60 ft.	10 ft.

(a) *Urban design, architecture, landscaping, or creation or preservation of open spaces;*

The applicant is proposing to retain and incorporate the existing façade at 1315 Clifton Street NW, which should help maintain a sense of place and neighborhood character. The preservation of the existing façade results in a varied front building plane, with a deep landscaped setback at the existing building and a more modern façade closer to the street edge at the new portion of the building. The new portion of the building would align with development at the eastern property line. The Applicant is proposing high quality materials, including masonry and stone that are reflective of development in the surrounding neighborhood.<sup>7</sup>

The building features large landscaped courtyards at the western and eastern edges. In addition to the proposed green roof, there would be a landscaped roof terrace at the fourth floor (the roof of the existing building).

The applicant has proposed revisions to the building penthouse, which result in a more unified design. Habitable space has been proposed for the penthouse level with a height of 10 feet. Two mechanical enclosures that provide roof access would rise an additional eight feet and six inches.

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<sup>7</sup> See Applicant’s submitted plans dated October 6, 2015, Exhibit 11A2 Sheets A-12 and A-13.



The applicant proposes to work with the District Department of Transportation (DDOT) to plant and/or install tree boxes in the sidewalk on the 1300 block of Clifton Street NW to address erosion issues.

(b) *Site planning, and efficient and economical land utilization;*

The proposed development demonstrates efficient use of the site, while preserving a portion of the existing building at 1315 Clifton Street NW. The front setback and landscaped courts provide open space and continuity with existing residential development on the block. The Project features two residential entrances from Clifton Street. Vehicular access is limited to the alley and there would be no curb cuts on Clifton Street.

(c) *Effective and safe vehicular and pedestrian access, transportation management measures, connections to public transit service, and other measures to mitigate adverse traffic impacts;*

The applicant has indicated that residents of the project would be precluded from participating in the Residential Parking Permit (RPP) Program. The applicant has proposed a Transportation Demand Management (TDM) Plan that would include the following:

- Transportation Management Coordinator (TMC);
- On-site Services, including a TransitScreen;
- Marketing Program; and
- Transportation Incentives - to include an offer to the first occupant of each residential unit an annual carshare membership and an annual bikeshare membership for a period not to exceed one year.

(d) *Historic preservation of private or public structures, places, or parks;*

The applicant is proposing to retain and incorporate into the project a portion of the façade of the 1909 Italianate Revival style apartment building at 1315 Clifton Street NW.

(e) *Employment and training opportunities;*

The applicant estimates that the project would generate approximately 400 to 500 construction jobs and two building management jobs.

(f) *Housing and affordable housing;*

The applicant is providing 2% more affordable housing than would be required by Inclusionary Zoning (IZ); the applicant is providing 10% of the gross floor area where 8% is required (2,376 square feet additional). The applicant is also proposing a deeper level of affordability compared to the IZ requirement, with twice as much housing as required for households making 50% of the AMI; 4% of the GFA would be required and the applicant is providing 8% (9,504 square feet of units). Two percent of the GFA reserved for households making 80% of the Area Median Income (AMI) (2,736 square feet of units). Tenants of 1309-1315 Clifton who choose to return to the new development would receive new units at their existing rents, many of which are significantly below 50% AMI rents.

The proposed unit mix for the project is as follows<sup>8</sup>:

Unit Type	Number	Square Footage	Percent
Studio	15	340 – 420	9.87%
Junior 1 BR	69	460 – 695	45.39%
Junior 1 BR + Den	5	895 – 1,005	3.29%
1 BR	21	530 – 735	13.82%
1 BR + Den	14	550 – 750	9.21%
2	23	700 – 1,180	15.13%
3	5	1,080 – 1,350	3.29%
TOTAL	152		100%

(g) *Social services/facilities;*

The applicant is proposing a number of renovation projects targeted at community facilities that would benefit a wide cross section of the community. Proposed projects include renovation of the Mazique Child Development Center at Wardman Court; redesign and renovation of the community room and commercial kitchen to ADA standards at Christopher Price House; renovation of the computer lab and provision of computer equipment at The Rita Bright Family & Youth Center; provision and installation of exterior fitness equipment at the Columbia Heights Community Center; and creation of the Miriam House Wellness and Rehabilitation Center at N Street Village.

(h) *Environmental benefits;*

The applicant is obtaining the required Green Area Ratio score of 0.395 through landscaping, permeable paving, and green roof areas. The project as proposed would meet LEED silver standards.

### Benefits and Amenities

Benefit or Amenity	Mitigation	Public Benefit	Project Amenity	Required	Applicant Proffer
Affordable Housing		X		X	X
Housing for Existing Tenants			X		X
Green Building/ Environmental Benefits			X	X	X
Mazique Child Development Center		X			X
Christopher Price House		X			X
The Rita Bright Family & Youth Center		X			X
Columbia Heights Community Center		X			X
N Street Village		X			X
Clifton Streetscape Beautification		X			X

<sup>8</sup> See Applicant's pre-hearing statement dated October 6, 2015.

## **IX. AGENCY REFERRALS**

Comments were requested from:

- District Department of Housing and Community Development (DHCD);
- District Department of Energy and Environment (DOEE);
- District Department of Transportation (DDOT);
- DC Water; and
- District Department of Public Works.

Since this case was set down on March 30, 2015, OP has continued to work with the applicant and other District agencies, including the District Department of Transportation (DDOT) and the District Department of Energy and Environment (DOEE), to obtain additional information and to address concerns noted by the Zoning Commission. OP held an interagency meeting on May 19, 2015. At the interagency meeting, the Metropolitan Police Department recommended that the project provide a door lock and entry system for all entry and exit doors, as well as a high security camera system.

## **X. PUBLIC COMMENTS**

The applicant met with ANC 1B as part of its community outreach. Residents of the Clifton Heights Condominium submitted a letter expressing concerns (see Exhibit 10). A number of residents of 1315 Clifton Street NW submitted letters in support of the proposed project (see Exhibits 24-36).

## **XI. COMMISSION CONCERNS**

The Commission discussed concerns about the proposed project's relationship to the surrounding neighborhood at its regularly scheduled meeting on March 30, 2015. The applicant subsequently submitted its prehearing statement and supplemental information, Exhibits 11A-C and 23A-D, which responds to Zoning Commission comments and concerns. These items are described in more detail in the relevant sections of this report.

<b>Zoning Commission Comments</b>	<b>Applicant's Response</b>	<b>OP Analysis</b>
1. A refined amenities package commensurate with the requested flexibility.	The applicant has provided a revised amenity package.	OP supports the proposed benefits and amenities package and believes it is commensurate with the flexibility requested.
2. Revised plans showing the treatment of public space. Eliminate proposed retaining walls along Clifton Street NW and remove striping for parking in alley.	The applicant has proposed revisions to the treatment of public space along Clifton Street NW. The applicant is no longer showing parking in the alley.	DDOT and OP have reviewed the proposed revisions and believe the design as proposed would meet the intent of the public space regulations.
3. Discussion of the requested parking flexibility, including the inability to provide a full below grade parking level. Impact on the surrounding neighborhood, the buildings inclusion /	The applicant has decreased the number of units and increased the number of parking spaces; thereby reducing the gap in required and provided parking spaces.	OP supports the applicant's request for parking flexibility.

Zoning Commission Comments	Applicant's Response	OP Analysis
exclusion in DDOT's RPP program, the traffic study, and proposed TDM measures.	Tenants would not be able to participate in the RPP program and the applicant is proposing a robust TDM plan.	
4. Detailed information regarding the unit mix and location of affordable units.	The applicant has shown the location of the affordable units on the plan.	While the applicant is going above and beyond the IZ requirements, OP believes additional details regarding the affordable housing program are required. Furthermore, OP would like to see a better distribution of the units with respect to unit size and location within the project.
5. Provide a more robust array of environmental benefits, including certification beyond LEED silver.	The applicant has designed the project to meet LEED silver standards.	OP supports the revised design to meet LEED silver standards and believes the provision of green roof, permeable pavers, extensive bike parking, and electrical vehicle charging stations result in a project with beneficial environmental features. The project also will exceed the required GAR score.
6. Additional information regarding the extent of employment and training opportunities.	The applicant estimates that the project would result in 400 to 500 construction jobs and two building management jobs.	
7. Detailed information regarding the roof, including sections and views. Relief requested for roof structure and potential impact on adjoining buildings.	The applicant has provided additional information regarding the roof.	The design has been modified to include a conforming penthouse and OP believes the project, as designed, minimizes the bulk of the penthouse and potential impacts on adjoining buildings.
8. Information regarding the relationship of the building, in terms of height and bulk, with the rest of the neighborhood.	The applicant has provided additional information regarding the relationship of the building to the surrounding neighborhood.	The proposed five story with penthouse multi-family residential building is in keeping with the neighborhood, particularly the character of buildings to the north, south, and west. The proposed project would result in the replacement of 48 residential units with 155 to 159 units and the option for tenants to return at current rental rates.