

MEMORANDUM

TO: District of Columbia Zoning Commission

FROM: Anne Fothergill, Development Review Specialist
JLS
 Jennifer Steingasser, Deputy Director, Development Review & Historic Preservation

DATE: January 4, 2020

SUBJECT: ZC Case 20-23: Setdown Report for a Petition to Rezone Square 3623, Lots 1 and 2, and Parcels 131/94, 131/146, 131/147, 131/155, 131/161, 131/162, and 131/217 from the PDR-2 zone to the MU-10 zone

I. RECOMMENDATION

The Office of Planning recommends that the Zoning Commission **set down** the petition for a map amendment to rezone the properties at Square 3623, Lots 1 and 2, and Parcels 131/94, 131/146, 131/147, 131/155, 131/161, 131/162, and 131/217 from the PDR-2 zone to the MU-10 zone. The proposal is not inconsistent with the Comprehensive Plan.

The Comprehensive Plan provides that the zoning of any given area should be guided by the Future Land Use Map (FLUM) and Generalized Policy Map interpreted in conjunction with the text of the Comprehensive Plan, including the citywide and area elements, as well as any approved Small Area Plans. A detailed discussion of how the proposal is not inconsistent with the Comprehensive Plan and the approved Small Area Plan, “Rhode Island Avenue - Diamond of the District,” is provided below.

II. APPLICATION-IN-BRIEF

Applicant:	LDP Acquisitions, LLC and 525 Rhode Island Ave LP
Proposed Map Amendment:	PDR-2 to MU-10
Legal Description:	Square 3623, Lots 1 and 2, and Parcels 131/94, 131/146, 131/147, 131/155, 131/161, 131/162, and 131/217
Ward and ANC:	Ward 5/ANC-5E
Property Size:	122,631 square feet combined
Future Land Use Map Designation:	Mixed Use - High-Density Residential and Medium-Density Commercial

Generalized Policy Map Designation:	Neighborhood Conservation Area
Historic District:	None

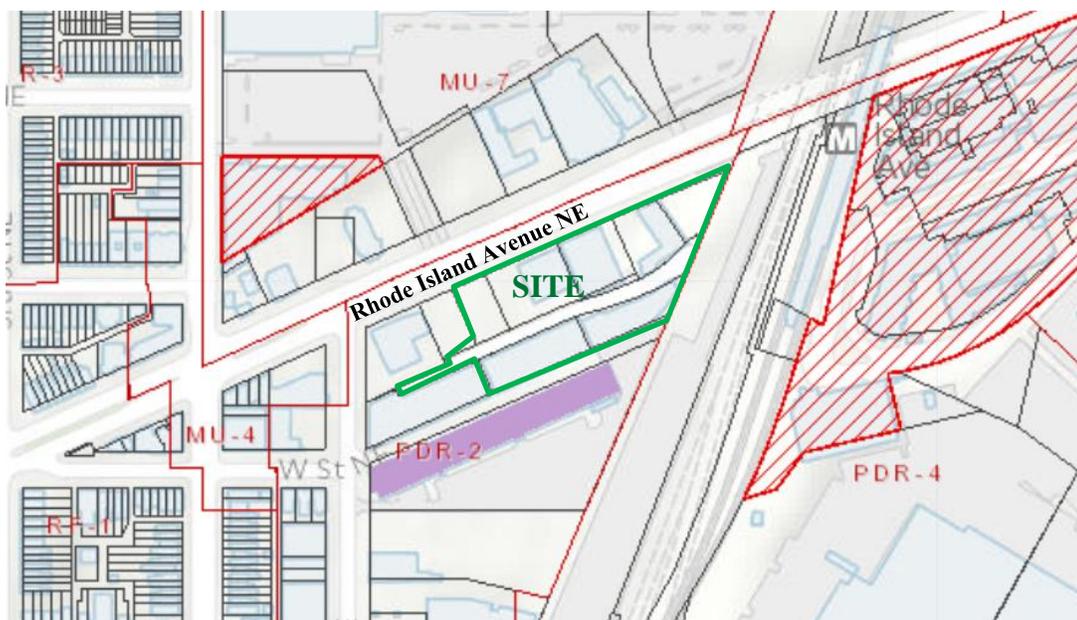
III. SITE AND AREA DESCRIPTION

The multiple lots and parcels in this application, the subject property, are bounded by Rhode Island Avenue, NE on the north, W Street, NE on the south, the Metrorail tracks and Rhode Island Avenue Metrorail Station to the east, and 5th Street, NE to the west. The Property has approximately 628 linear feet of frontage along Rhode Island Avenue, NE, and is immediately adjacent to the Rhode Island Avenue Metrorail Station and the Metropolitan Branch Trail to the east.

The subject property currently has a variety of industrial, warehouse, retail, surface parking, and other uses associated with the Greater Mount Calvary Holy Church community programs. The church is the majority land owner of the lots that are proposed for rezoning and the sanctuary is located at 610 Rhode Island Avenue, NE, across the street on the north side of Rhode Island Avenue, NE.

Directly to the west, at the corner of Rhode Island Avenue and Fifth Street, N.E., is Engine 12, a District-owned fire station located on two adjoining parcels that are also being proposed for rezoning to the MU-10 zone as a separate case.

To the north across Rhode Island Avenue is the Greater Mount Calvary Holy Church and some commercial properties fronting on Rhode Island Avenue. Also across the street to the north is the former Rhode Island Avenue Shopping Center that is currently being redeveloped into a mixed-use development with approximately 1,500 new residential units.



IV. DEVELOPMENT CAPACITY OF EXISTING AND PROPOSED ZONES

The petitioner is requesting to rezone the site (approximately 122,631 square feet of land) from the PDR-2 zone to the MU-10 zone. The current PDR-2 zoning does not permit multi-family residential development, which is inconsistent with the Future Land Use Map's mixed use designation.

Existing PDR-2 Zoning: Subtitle J, Chapter 2 of the zoning regulations states "*The PDR-2 zone is intended to permit medium-density commercial and PDR activities employing a large workforce and requiring some heavy machinery under controls that minimize any adverse impacts on adjacent, more restrictive zones.*" The PDR-2 zone permits a maximum density of 4.5 floor-area ratio (FAR) for uses falling within the below use categories listed in Subtitle J § 202.2:

- (a) Agriculture, large
- (b) Animal care and boarding and animal shelter
- (c) Arts, design, and creation
- (d) Basic utilities;
- (e) Large-scale government;
- (f) Production, distribution, and repair; and
- (g) Waste-related services.

All other permitted, conditional, or special exception uses are limited to a maximum density of 3.0 FAR. The maximum permitted building height, not including a penthouse, in the PDR-2 zone is 60 feet.

Proposed MU-10 zone: Subtitle G, Chapter 4 Section 400.8 of the zoning regulations states "*The MU-10 zone is intended to:*

- (a) *Permit medium- to high-density mixed-use development with a balance of uses conducive to a higher quality of life and environment for residents, businesses, employees, and institutions;*
- (b) *Be applied to areas where a mixture of uses and building densities is intended to carry out elements of the Comprehensive Plan, small area plans, or framework plans, including goals in employment, population, transportation, housing, public facilities, and environmental quality;*
- (c) *Require a level of public space at the ground level; and*
- (d) *Allow residential and non-residential bulk to be apportioned between two (2) or more lots in the same square.*

The MU-10 zone permits a maximum density of 6.0 FAR (7.2 with Inclusionary Zoning) of which no more than 3.0 FAR may be for non-residential uses. The MU-10 zone permits a maximum height of 90 feet (100 feet with IZ), not including a penthouse.

The following table compares the development standards of the current PDR-2 zone and the proposed MU-10 zone.

	Existing PDR-2	Proposed Zone: MU-10
Permitted Uses:	PDR Uses Subtitle U, Chapter 8	Uses permitted as a matter of right in any R, RF, and RA zones, and MU-Use Groups F and G
Height:	60 feet max.	90 feet max. 100 feet max. (IZ)
FAR:	3.0 4.5* *certain uses only: Large agriculture; Animal care and boarding and animal shelter; Arts, design, and creation; Basic utilities; Large-scale government; Production, distribution, and repair; Waste-related services	6.0 7.2 (IZ) 3.0 Non-Residential
Penthouse Height:	12 feet max.; 1 story 18.5 feet mechanical max.; Second story permitted for penthouse mechanical space	20 feet max.; 1 story plus mezzanine Second story permitted for penthouse mechanical space
Lot Occupancy:	60 % max. (residential) 80 % (IZ) 100% (non-residential)	75% max. (residential) 80% (IZ) 100% (non-residential)
Rear Yard:	2.5 inches/ft. of vertical distance from mean finished grade at the middle of the rear of the structure to the highest point of the main roof or parapet wall, but not less than 12 feet	2.5 inches/ft. of vertical distance from mean finished grade at the middle of the rear of the structure to the highest point of the main roof or parapet wall, but not less than 12 feet
Side Yard:	None required unless abutting a residential zone	
GAR:	0.3 min.	0.2 min.

The current PDR-2 zoning does not allow for residential use or a development capacity equal to the mixed-use high-density residential/medium-density commercial of the MU-10 zone. As outlined in Sections V and VI of this report, the Comprehensive Plan and Small Area Plan both support the rezoning of the subject property to the MU-10 zone.

V. COMPREHENSIVE PLAN

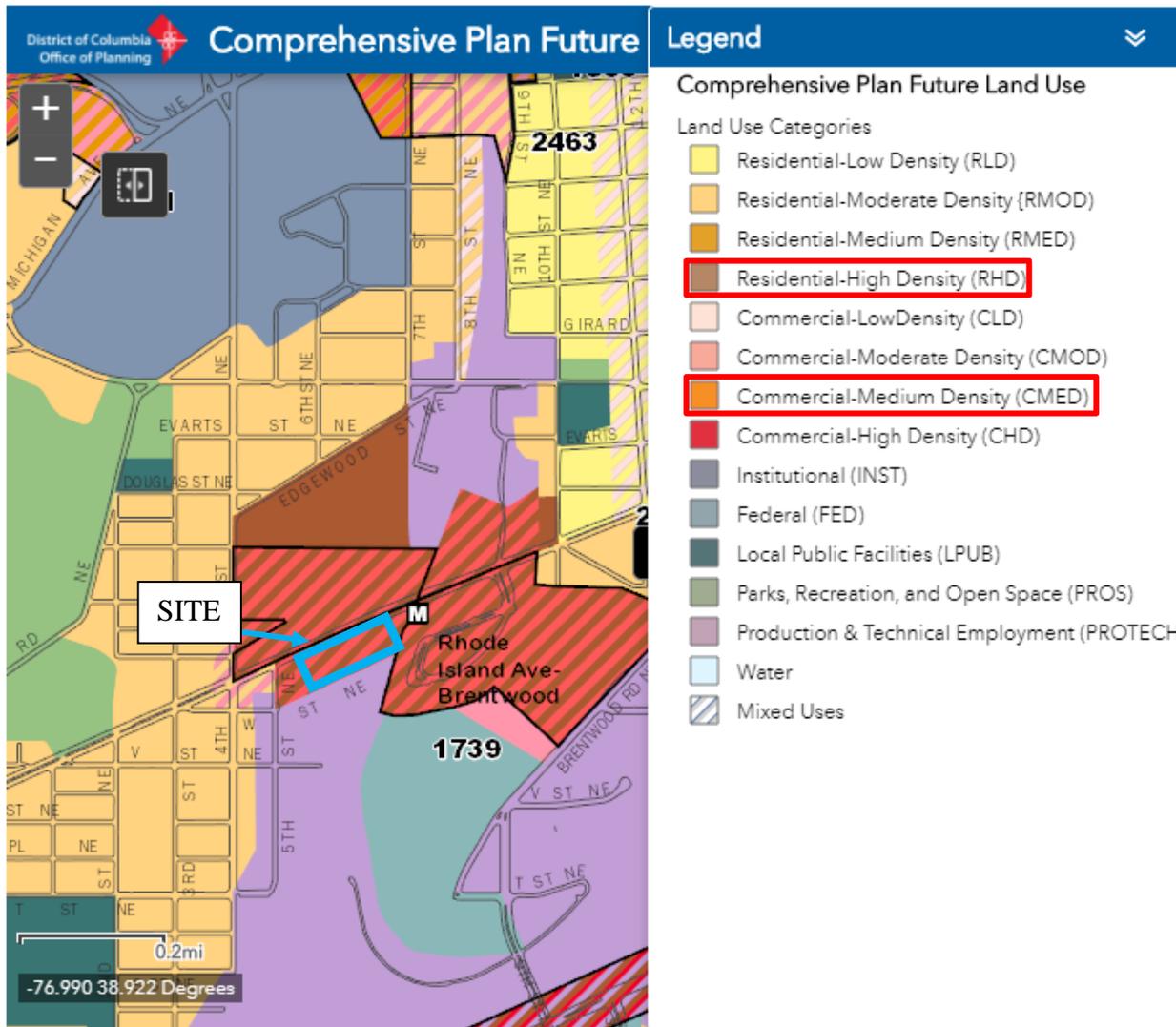
A. COMPREHENSIVE PLAN MAPS

The Guidelines for Using the Generalized Policy Map and the Future Land Use Map in the Framework Element state that the “Generalized Policy Map and Future Land Use Map are intended to provide generalized guidance for development and conservation decisions, and are considered in concert with other Comprehensive Plan policies.” Additionally, “the zoning of any given area should be guided by the Future Land Use Map, interpreted in conjunction with the text of the Comprehensive Plan, including the Citywide Elements and the Area Elements.”

As described below, the proposed zoning map amendment would not be inconsistent with the map designations or the Citywide and Area Elements.

Generalized Future Land Use Map (FLUM)

The Future Land Use Map (FLUM) indicates that the site is appropriate for Mixed Uses - high-density residential and medium-density commercial uses. The FLUM does not show a purple stripe indicating a designation of future PDR use for the subject property.



Mixed Use Categories: The Future Land Use Map indicates areas where the mixing of two or more land uses is especially encouraged. The particular combination of uses desired in a given area is depicted in striped patterns, with stripe colors corresponding to the categories defined on the previous pages. A Mixed Use Future Land Use Map designation should not be confused with the Mixed Use (MU) zoning districts, although they frequently apply to the same area or parcel of land. The Mixed Use Category generally applies in the following circumstances:

- a. *Established, pedestrian-oriented commercial areas that also include substantial amounts of housing, typically on the upper stories of buildings with ground-floor retail or office uses;*
- b. *Commercial corridors or districts which may not contain substantial amounts of housing today, but where more housing is desired in the future. The pattern envisioned for such areas is typically one of pedestrian-oriented streets, with ground-floor retail or office uses and upper story housing;*
- c. *Large sites (generally greater than 10 acres in size), where opportunities for multiple uses exist, but a plan depicting the precise location of these uses has yet to be prepared; and*
- d. *Development that includes residential uses, particularly affordable housing, and residentially compatible industrial uses, typically achieved through a Planned Unit Development or in a zone district that allows such a mix of uses.*

The general density and intensity of development within a given Mixed Use area is determined by the specific mix of uses shown. If the desired outcome is to emphasize one use over the other (for example, ground-floor retail with three stories of housing above), the Future Land Use Map may note the dominant use by showing it at a slightly higher density than the other use in the mix (in this case, Moderate Density Residential/Low Density Commercial). The Comprehensive Plan Area Elements may also provide detail on the specific mix of uses envisioned.

It should also be acknowledged that because of the scale of the Future Land Use Map and the fine-grained pattern of land use in older parts of the city, many of the areas shown purely as “Commercial” may also contain other uses, including housing. Likewise, some of the areas shown as purely “Residential” contain existing incidental commercial uses such as corner stores or gas stations, or established institutional uses, such as places of worship. The “Mixed Use” designation is intended primarily for larger areas where no single use predominates today, or areas where multiple uses are specifically encouraged in the future.

A variety of zoning designations are used in Mixed Use areas, depending on the combination of uses, densities, and intensities. All zone districts formerly identified as commercial, SP, CR and Waterfront were renamed as MU zone districts in 2016, and are considered to be mixed use. Residential uses are permitted in all of the MU zones, however, so many Mixed Use areas may have MU zoning.

High Density Residential

High Density Residential: This designation is used to define neighborhoods and corridors generally, but not exclusively, suited for high-rise apartment buildings. Pockets of less dense housing may exist within these areas. Density is typically greater than a FAR of 4.0, and greater density may be possible when complying with Inclusionary Zoning or when approved through a Planned Unit Development. The RA-4 and RA-5 Zone Districts are consistent with the High Density Residential category, and other zones may also apply.

Medium Density Commercial

Medium Density Commercial: This designation is used to define shopping and service areas that are somewhat greater in scale and intensity than the Moderate Density Commercial areas. Retail, office, and service businesses are the predominant uses, although residential uses are common. Areas with this designation generally draw from a citywide market area. Buildings are larger and/or taller than those in Moderate Density Commercial areas.

Density typically ranges between a FAR of 4.0 and 6.0, with greater density possible when complying with Inclusionary Zoning or when approved through a Planned Unit Development. The MU-8 and MU-10 Zone Districts are consistent with the Medium Density category, and other zones may also apply.

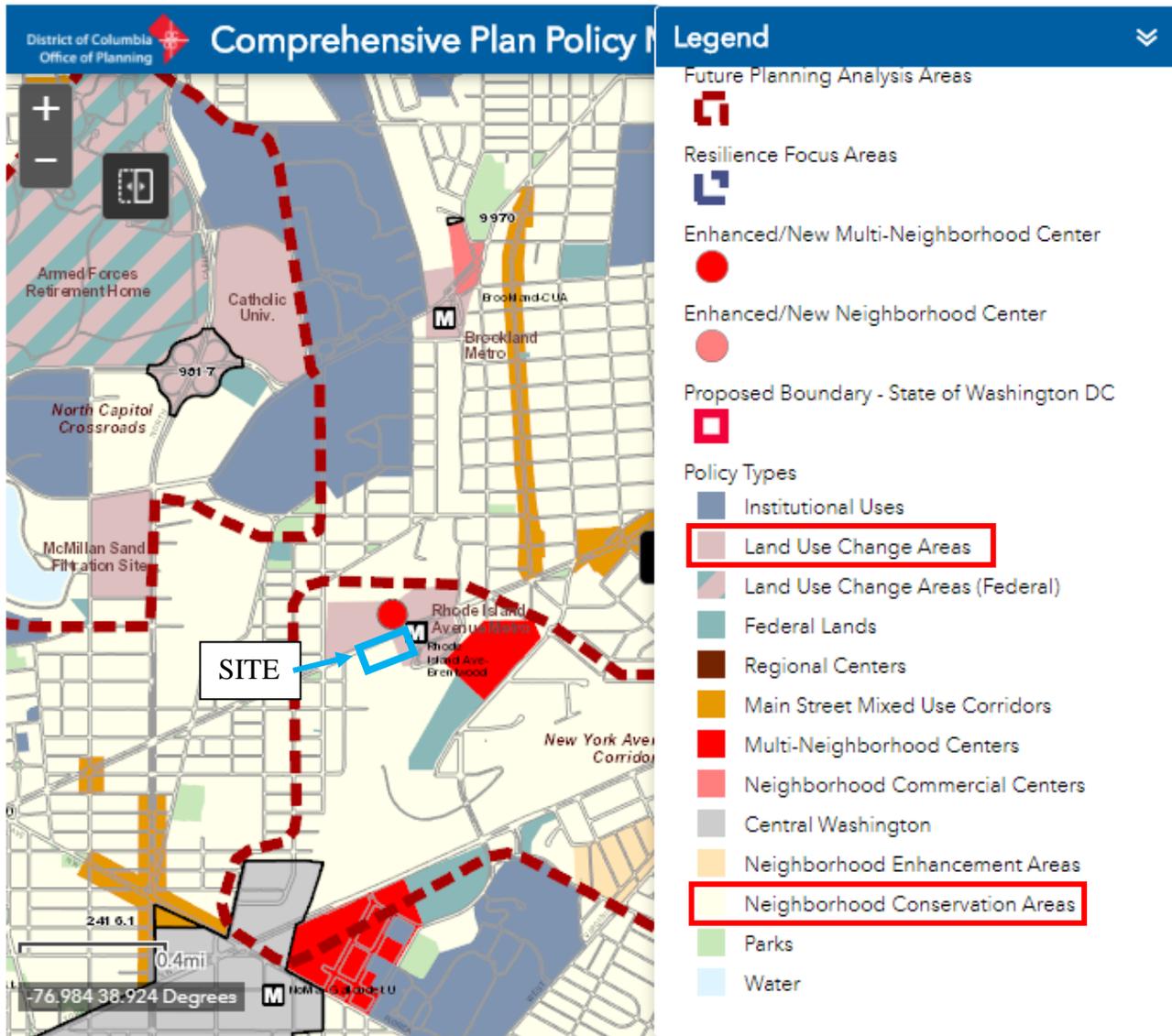
The Framework Element describes the Medium Density Commercial category as permitting densities of 4.0 - 6.0 FAR, and specifically identifies the MU-10 zone as being compatible with this particular designation. The MU-10 zone permits a maximum density of 6.0 FAR (7.2 FAR with IZ), with 3.0 FAR maximum for non-residential uses, and a maximum height of 90 feet (100 feet with IZ).

The general density and intensity of development within Mixed Use areas are determined by the specific mix of uses shown on the FLUM. If the desired outcome is to emphasize one use over another, the FLUM may note the dominant use by assigning it a higher density and the Area Elements may also provide detail on the mix of uses envisioned for a site. In this case, the FLUM indicates a preference for residential uses, which the current PDR zoning does not generally allow.

The request to rezone the subject property to MU-10 is consistent with the FLUM designation as Mixed Use medium density commercial and high density residential. The MU-10 zone is an appropriate zone for the subject property given its close proximity to a Metrorail station and the goal of providing more housing across the city. The height and overall density of the MU-10 zone are consistent with what is described in the Framework Element and the supplemental guidance provided in the Small Area Plan discussed in Section VI.

Generalized Policy Map

The Generalized Policy Map indicates that the area of the proposed map amendment is within the policy area designated primarily as a Neighborhood Conservation Area with a small area at the eastern end designated as a Land Use Change Area. All of the subject property is within a Future Planning Analysis Area.



Neighborhood Conservation Area

Neighborhood Conservation areas have little vacant or underutilized land. They are generally residential in character. Maintenance of existing land uses and community character is anticipated over the next 20 years, Where change occurs, it will typically be modest in scale and will consist primarily of infill housing, public facilities, and institutional uses. Major changes in density over current (2017) conditions are not expected but some new development and reuse opportunities are anticipated, and these can support conservation of neighborhood character where guided by Comprehensive Plan policies and the Future Land Use Map. Neighborhood Conservation Areas that are designated “PDR” on the Future Land Use Map are expected to be retained with the mix of industrial, office, and retail uses they have historically provided.

*The guiding philosophy in Neighborhood Conservation Areas is to conserve and enhance established neighborhoods, but not preclude development, particularly to address city-wide housing needs. Limited development and redevelopment opportunities do exist within these areas. The diversity of land uses and building types in these areas should be maintained and new development, redevelopment, and alterations should be compatible with the existing scale, natural features, and character of each area. **Densities in Neighborhood Conservation Areas are guided by the Future Land Use Map and Comprehensive Plan policies.** Approaches to managing context-sensitive growth in Neighborhood Conservation Areas may vary based on neighborhood socio-economic and development characteristics. In areas with access to opportunities, services, and amenities, more levels of housing affordability should be accommodated. Areas facing housing insecurity (see Section 206.4) and displacement should emphasize preserving affordable housing and enhancing neighborhood services, amenities, and access to opportunities.*

Land Use Change Areas

Land Use Change Areas are areas where change to a different land use from what exists today is anticipated. In some cases, the Future Land Use Map depicts the specific mix of uses expected for these areas. In other cases, the Future Land Use Map shows these sites as “Federal,” indicating the District does not currently have the authority to develop appropriate plans for these areas but expects to have this authority by 2025.

There are more than two dozen Land Use Change Areas identified on the Generalized Policy Map. They include many of the city’s large development opportunity sites, and other smaller sites that are undergoing redevelopment or that are anticipated to undergo redevelopment. Together, they represent much of the city’s supply of vacant and underutilized land.

The guiding philosophy in the Land Use Change Areas is to encourage and facilitate new development and promote the adaptive reuse of existing structures. Many of these areas have the capacity to become mixed-use communities containing housing, retail shops, services, workplaces, parks, and civic facilities. The Comprehensive Plan’s Area Elements provide additional policies to guide development and redevelopment within the Land Use Change Areas, including the desired mix of uses in each area.

As Land Use Change Areas are redeveloped, the District aspires to create high-quality neighborhoods that demonstrate exemplary site and architectural design and innovative environmental features, compatible with nearby neighborhoods, protect cultural and historic assets, and provide significant affordable-housing and employment opportunities. Measures to ensure that public benefits are commensurate with increased density and to avoid and mitigate undesirable impacts of development of the Land Use Change Areas upon adjacent neighborhoods should be required as necessary. Such measures should prioritize equity by accounting for the needs of underserved communities.

Rhode Island Small Area Plan

In 2011 the D.C. Council adopted the Rhode Island Small Area Plan, which recommended that the area where the subject property is located be rezoned to encourage medium- to high-density mixed-use, transit-oriented development. Subsequent to the adoption of the Rhode Island SAP, the D.C. Council amended the Comprehensive Plan, which incorporated the recommendations of the Rhode Island Avenue Small Area Plan with a change to the Property's FLUM designation from PDR to Mixed Use (High Density Residential/Medium Density Commercial) but no change was made to the designation in the Generalized Policy Map at that time.

The proposed map amendment is not inconsistent with the Framework Element's description of a Neighborhood Conservation Area. As stated above, being in a Neighborhood Conservation Area does not preclude development, particularly if the development would address citywide housing needs.

The text also states that "*densities in Neighborhood Conservation Areas are guided by the FLUM and Comprehensive Plan policies,*" and as such new development should be compatible with the scale and character of each area. The density permitted in the proposed MU-10 zone is consistent with the guidance of the SAP, the FLUM, and Comprehensive Plan policies. The proposed rezoning would allow future opportunities including multi-family residential use, which is currently not permitted under the existing PDR zoning.

The proposed map amendment is not inconsistent with the Framework Element's description of a Land Use Change Area. As stated above, Land Use Change areas depict where a change in land use is expected and future redevelopment of underutilized land is anticipated. Land Use Change Areas are often foreseen to be mixed use developments with a new infusion of housing and commercial uses to add vitality to an area.

According to the Purpose of the Generalized Policy Map, "*The map should be used to guide land-use decision-making in conjunction with the Comprehensive Plan text, the Future Land Use Map, and other Comprehensive Plan maps. Boundaries on the map are to be interpreted in concert with these other sources, as well as the context of each location.*" In this case, the recommendations of the Rhode Island SAP, the mixed-use designation on the FLUM, and the Upper Northeast Element policies all support a determination that the proposed Zoning Map amendment is not inconsistent with the GPM. This determination is further supported by the surrounding context as the rezoning will allow for the type of mixed-use development that is compatible with development currently underway to the north and northeast of the Property, and is appropriate given the Property's location adjacent to Metrorail and the Rhode Island Avenue corridor, a designated Great Street.

B. COMPREHENSIVE PLAN POLICIES

Citywide Elements

Land Use

The location of the subject property along the Rhode Island Avenue corridor and one block from a metro station lends itself to mixed use development. The rezoning to MU-10, which would allow for housing and other uses and contribute to the revitalization of this prominent corner, is consistent

with the Land Use policies. The rezoning of the subject property would permit mixed-use development at a height and density that are consistent with the Rhode Island SAP and FLUM and encourage pedestrian-oriented nodal development along the Rhode Island Avenue corridor, immediately adjacent to the Metrorail station. The existing scale and mix of auto-oriented retail, service, and PDR uses on the subject property do not take advantage of the site's proximity to transit and are not in keeping with the major transformation this stretch of Rhode Island Avenue is currently undergoing. It would further the following Land Use Element goal and policies:

The Land Use Goal is: Ensure the efficient use of land resources to meet long-term neighborhood, citywide, and regional needs; to help foster other District goals; to protect the health, safety, and welfare of District residents, institutions, and businesses; to sustain, restore, or improve the character and stability of neighborhoods in all parts of the city; and to effectively balance the competing demands for land to support the many activities that take place within District boundaries. (§ 302.1)

Policy LU-1.3.2: Development Around Metrorail Stations

Concentrate redevelopment efforts on those Metrorail station areas which offer the greatest opportunities for infill development and growth, particularly stations in areas with weak market demand, or with large amounts of vacant or poorly utilized land in the vicinity of the station entrance. Ensure that development above and around such stations emphasizes land uses and building forms which minimize the necessity of automobile use and maximize transit ridership while reflecting the design capacity of each station and respecting the character and needs of the surrounding areas.

Policy LU-1.3.3: Housing Around Metrorail Stations

Recognize the opportunity to build senior housing and more affordable "starter" housing for first-time homebuyers adjacent to Metrorail stations, given the reduced necessity of auto ownership (and related reduction in household expenses) in such locations.

Policy LU-2.1.1: Variety of Neighborhood Types

Maintain a variety of residential neighborhood types in the District, ranging from low-density, single family neighborhoods to high-density, multi-family mixed use neighborhoods. The positive elements that create the identity and character of each neighborhood should be preserved and enhanced in the future.

Policy LU-2.1.3: Conserving, Enhancing, and Revitalizing Neighborhoods

Recognize the importance of balancing goals to increase the housing supply and expand neighborhood commerce with parallel goals to protect neighborhood character, preserve historic resources, and restore the environment. The overarching goal to "create successful neighborhoods" in all parts of the city requires an emphasis on conservation in some neighborhoods and revitalization in others.

Policy LU-2.4.1: Promotion of Commercial Centers

Promote the vitality of the District's commercial centers and provide for the continued growth of commercial land uses to meet the needs of District residents, expand employment opportunities for District residents, and sustain the city's role as the center of the metropolitan area. Commercial

centers should be inviting and attractive places and should support social interaction and ease of access for nearby residents.

LU-2.4.5: Encouraging Nodal Development

Discourage auto-oriented commercial “strip” development and instead encourage pedestrian-oriented “nodes” of commercial development at key locations along major corridors. Zoning and design standards should ensure that the height, mass, and scale of development within nodes respects the integrity and character of surrounding residential areas and do not unreasonably impact them.

Policy LU-3.1.4: Rezoning of Industrial Areas

Allow the rezoning of industrial land for non-industrial purposes only when the land can no longer viably support industrial or PDR activities or is located such that industry cannot co-exist adequately with adjacent existing uses. Examples include land in the immediate vicinity of Metrorail stations, sites within historic districts, and small sites in the midst of stable residential neighborhoods. In the event such rezoning results in the displacement of active uses, assist these uses in relocating to designated PDR areas.

There are policies in the Land Use Element regarding the appropriate retention of the city’s limited industrial land, which is crucial for some PDR sites in the District. There are also policies that discuss optimal location of industrial uses and when it may be appropriate to consider the rezoning of industrial land, including factors like proximity to a metro station. Specifically, the Upper Northeast element states:

UNE-2.5.2: Redevelopment of Older Commercial and Industrial Sites

Encourage the long-term reuse of older commercial and industrial sites in the Rhode Island Avenue Metro station vicinity with higher-value mixed uses, including housing. Future mixed-use development should be pedestrian-oriented, with design features that encourage walking to the Metro station and nearby shopping.

Additionally, in this case, the 2011 Small Area Plan for Rhode Island Avenue called out this sub-area of Rhode Island Avenue specifically for future residential and mixed uses. The Future Land Use Map does not show a purple (PDR) stripe over this property. While the proposed rezoning may conflict with some of the Citywide Elements’ guidance to retain industrial land, the FLUM and the SAP both support mixed use zoning in this location.

Transportation

The proposed map amendment supports the Transportation goal by allowing future mixed-use development on a major District corridor which would enhance a Great Street. A new development in this location could bring an increase in residents, workers, and pedestrians who could access the subject property and Rhode Island Avenue using nearby buses, Metro and the Metropolitan Branch Trail. There are at least four existing curb cuts on the subject property totaling approximately 135 linear feet along Rhode Island Avenue. Redevelopment of the Property would reduce the number of cut curbs and improve the streetscape and pedestrian safety along Rhode Island Avenue. It would further the following Transportation Element goal and policies:

The overarching goal for transportation in the District is: Create a safe, sustainable, efficient multi-modal transportation system that meets the access and mobility needs of District residents, the regional workforce, and visitors; supports local and regional economic prosperity; and enhances the quality of life for District residents. (§ 401.1)

Policy T-1.2.1: Boulevard Improvements

Continue to work across District agencies to beautify and stabilize selected boulevards by implementing coordinated transportation, economic development, and urban design improvements.

Policy T-1.2.3: Discouraging Auto-Oriented Uses

Discourage certain uses, like “drive-through” businesses or stores with large surface parking lots, along key boulevards and pedestrian streets, and minimize the number of curb cuts in new developments. Curb cuts and multiple vehicle access points break-up the sidewalk, reduce pedestrian safety, and detract from pedestrian-oriented retail and residential areas.

Housing

The proposed zoning map amendment would allow for the development of new housing, including affordable housing, on an underutilized site. This would expand the range of housing types in this area and assist the city in reaching its long-term housing goals. It would further the following Housing Element goal and policies:

The overarching goal for housing is: Develop and maintain a safe, decent, and affordable supply of housing for all current and future residents of the District of Columbia. (§ 501.1)

Policy H-1.1 Expanding Housing Supply

Expanding the housing supply is a key part of the District’s vision to create successful neighborhoods. Along with improved transportation and shopping, better neighborhood schools and parks, preservation of historic resources, and improved design and identity, the production of housing is essential to the future of our neighborhoods. It is also a key to improving the city’s fiscal health. The District will work to facilitate housing construction and rehabilitation through its planning, building, and housing programs, recognizing and responding to the needs of all segments of the community. The first step toward meeting this goal is to ensure that an adequate supply of appropriately zoned land is available to meet expected housing needs.

Policy H-1.1.3: Balanced Growth

Strongly encourage the development of new housing on surplus, vacant and underutilized land in all parts of the city. Ensure that a sufficient supply of land is planned and zoned to enable the city to meet its long-term housing needs, including the need for low- and moderate-density single family homes as well as the need for higher-density housing.

Policy H-1.1.4: Mixed Use Development

Promote mixed use development, including housing, on commercially zoned land, particularly in neighborhood commercial centers, along Main Street mixed use corridors, and around appropriate Metrorail stations.

Policy H-1.2.3: Mixed Income Housing

Focus investment strategies and affordable housing programs to distribute mixed income housing more equitably across the entire city, taking steps to avoid further concentration of poverty within areas of the city that already have substantial affordable housing.

Environmental Protection

The overarching goal for environmental protection is: Protect, restore, and enhance the natural and man-made environment in the District of Columbia, taking steps to improve environmental quality, prevent and reduce pollution, and conserve the values and functions of the District's natural resources and ecosystems. (§ 601.1)

New development in the District must comply with the D.C. Green Buildings Act and D.C. Green Construction Code and meet Green Area Ratio and storm water management regulations. As such, redevelopment of the subject property with the proposed MU-10 zoning would improve the overall environmental quality of the site compared to the existing conditions.

Economic Development Element

The overarching goal for economic development in the District is: Strengthen the District's economy by sustaining its core industries, attracting new and diverse industries, accommodating future job growth, fostering the success of small businesses, revitalizing neighborhood commercial centers, improving resident job skills, and helping a greater number of District residents find and keep jobs in the Washington regional economy. (§ 701.1)

The map amendment would allow for retail growth at the subject property consistent with the goals of promoting neighborhood shopping and neighborhood commercial vitality identified in the Citywide Elements and specifically in this area as discussed in the Rhode Island Avenue SAP. The rezoning would help advance the continued revitalization of this important corridor. The new zoning would also allow office uses with the same FAR as the current zoning, and the potential for office use would not be reduced.

Urban Design

A rezoning of the subject property would provide a valuable opportunity for a future redevelopment to offer a much improved urban design and streetscape in this visible location along Rhode Island Avenue, which is a Great Street. There could be attractive and unified architecture, active ground floor retail, fewer curb cuts, and improvements to the public space along a priority avenue.

Additionally, there is a public space requirement in MU-10 zone and that could be a beneficial feature that would significantly enhance the urban design and pedestrian experience along this block. With the MU-10 zone, 8% of this lot area would need to be a public plaza and in this case that would be almost 10,000 square feet. A large public plaza along with attractive new mixed use buildings and streetscape improvements would be a significant improvement to this prominent and busy block.

The overarching goal for urban design in the District is: Enhance the beauty and livability of the city by protecting its historic design legacy, reinforcing the identity of its neighborhoods, harmoniously integrating new construction with existing buildings and the natural environment, and improving the vitality, appearance, and security of streets and public spaces. (§ 901.1)

Policy UD-1.4.1: Avenues/Boulevards and Urban Form

Use Washington’s major avenues/boulevards as a way to reinforce the form and identity of the city, connect its neighborhoods, and improve its aesthetic and visual character. Focus improvement efforts on avenues/ boulevards in emerging neighborhoods, particularly those that provide important gateways or view corridors within the city.

Policy UD-1.4.5: Priority Avenues/Boulevards

Focus the city’s avenue/boulevard design improvements on historically important or symbolic streets that suffer from poor aesthetic conditions. Examples include North and South Capitol Streets, Pennsylvania Avenue SE, and Georgia Avenue and the avenues designated by the “Great Streets” program.

Policy UD-3.1.7: Improving the Street Environment

Create attractive and interesting commercial streetscapes by promoting ground level retail and desirable street activities, making walking more comfortable and convenient, ensuring that sidewalks are wide enough to accommodate pedestrian traffic, minimizing curb cuts and driveways, and avoiding windowless facades and gaps in the street wall.

Policy UD-3.1.8: Neighborhood Public Space

Provide urban squares, public plazas, and similar areas that stimulate vibrant pedestrian street life and provide a focus for community activities. Encourage the “activation” of such spaces through the design of adjacent structures; for example, through the location of shop entrances, window displays, awnings, and outdoor dining areas.

Upper Northeast Area Element

There is general—though not universal—agreement that the Rhode Island Avenue, Brookland/CUA, and Fort Totten Metrorail stations are logical locations for future development. The stations are currently adjoined by parking lots and industrial uses that do not take advantage of their proximity to Metro. These areas may provide opportunities for apartments, condominiums, townhomes, and other types of moderate and medium density housing, provided that measures are taken to buffer adjacent lower density neighborhoods, address parking and traffic issues, and mitigate other community concerns. There are differences of opinion as to the appropriate density of development and the precise mix of uses at each station. Small Area Plans are needed for each area to continue the community dialogue on their future. (§ 2407.2)

Land around the Rhode Island Avenue Metro station is underutilized and does not provide the community focal point it could. The WMATA parking lot presents the most immediate and obvious opportunity for redevelopment, but over time additional properties may transition to new uses. Medium to high density housing is strongly encouraged in this area, and traffic improvements are

recommended to make the station more accessible for pedestrians, bicyclists, and transit users. (§2415.2)

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 story 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. (§ 2425.4)

UNE-1.1.3: Metro Station Development

Capitalize on the presence of the Metro stations at Rhode Island Avenue, Brookland/CUA, and Fort Totten, to provide new transit-oriented housing, community services, and jobs. New development around each of these three stations is strongly supported. The District will coordinate with WMATA to ensure that the design, density, and type of housing or other proposed development at these stations is compatible with surrounding neighborhoods; respects community concerns and feedback; serves a variety of household incomes; and mitigates impacts on parking, traffic, and public services. Development shall comply with other provisions of the Comprehensive Plan regarding the compatibility of new land uses with established development, the provision of appropriate open space, and mitigation of impacts on traffic, parking, and public services.

UNE-1.1.6: Neighborhood Shopping

Improve neighborhood shopping areas throughout Upper Northeast. Continue to enhance 12th Street NE in Brookland as a walkable neighborhood shopping street and encourage similar pedestrian-oriented retail development along Rhode Island Avenue, Bladensburg Road, South Dakota Avenue, West Virginia Avenue, Florida Avenue, and Benning Road. New pedestrian-oriented retail activity also should be encouraged around the area’s Metro stations.

UNE-1.2.1: Streetscape Improvements

Improve the visual quality of streets in Upper Northeast, especially along North Capitol Street, Rhode Island Avenue, Bladensburg Road, Eastern Avenue, Michigan Avenue, Maryland Avenue, Florida Avenue, and Benning Road. Landscaping, street tree planting, street lighting, and other improvements should make these streets more attractive community gateways.

UNE-2.5.1: Rhode Island Avenue/Brentwood Metro Station

Encourage the development of additional medium-to high-density mixed use development around the Rhode Island Avenue Metro station, particularly on the surface parking lots in the station vicinity. Review the Rhode Island properties west of and proximate to the Rhode Island Avenue Metro station for transit connections and appropriate land use recommendations.

UNE-2.5.2: Redevelopment of Older Commercial and Industrial Sites

Encourage the long-term reuse of older commercial and industrial sites in the Rhode Island Avenue Metro station vicinity with higher-value mixed uses, including housing. Future mixed-use development should be pedestrian-oriented, with design features that encourage walking to the Metro station and nearby shopping.

UNE-2.5.3: Pedestrian Improvements

Enhance pedestrian connections between the neighborhoods around the Rhode Island Avenue Metro station and the station itself. This should include improvements to the “public realm” along Rhode Island Avenue, with safer pedestrian crossings, street trees, and other amenities that make the street more attractive.

The subject property is located within the Upper Northeast Area Element of the Comprehensive Plan. According to the Area Element, this area is largely a residential community, but it also contains a mix of uses including the largest concentration of industrial land uses in the District, as well as businesses along commercial streets, including Rhode Island Avenue. The subject property is located within the Rhode Island Avenue Metro Station Area Policy Focus Area of the Upper Northeast Area Element. The Area Element states that that the area around the Rhode Island Avenue station is logical for future development with medium to high density housing but advises that Small Area Plans are needed for each area. Fortunately there is a Small Area Plan that provides guidance for future development in this specific area (see Section VI below).

The proposed map amendment would allow for the redevelopment of industrially-zoned sites in the Rhode Island Avenue Metro Station vicinity with medium- to high-density mixed uses, which could include housing and affordable housing, consistent with the FLUM. With its transit-accessible location and proximity to retail uses, new development at the subject property would encourage walking. New development would bring improvements to the pedestrian experience and public space along Rhode Island Avenue including improvements to the streetscape like new street trees, sidewalks, street lighting, and public space.

The proposed map amendment is not inconsistent with the guidance found in the Citywide and Area Elements of the Comprehensive Plan and should the property be rezoned its future redevelopment would further many of the policies.

VI. SMALL AREA PLAN (SAP)

Rhode Island Avenue “Diamond of the District” Small Area Plan

The subject property is located within the boundaries of the Rhode Island Avenue Small Area Plan, which was adopted by the D.C. Council in 2011. The Rhode Island SAP “*aims to convey the wide range of investment opportunities on the Avenue and to outline objectives, preferences and concerns shared by area stakeholders and District Government for the appropriate redevelopment of under-utilized, commercial properties along the Avenue. This plan also seeks to shape attitudes about the kinds of preferred investments which will strengthen the corridor’s identity locally and regionally.*” The SAP provides design and development guidelines for future development.

The SAP found that Rhode Island Avenue is a well-served and well-used transit corridor with the Rhode Island Avenue Metrorail station along the Red Line and 19 Metrobus routes. The subject property is located within the 4th to 10th Street NE study area of the SAP and the SAP encourages transit-oriented development at medium to high density for those blocks.

The SAP assessed the assets of Sub-Area 1 (4th to 10th Street NE) - Site B, where the subject property is located, and found:

2. *Preservation of existing fire house with other opportunities for potential development sites to realize available density.*
3. *Over 270,000 SF of unused building area currently with the potential of over 510,000 SF total building area. Has potential to yield over 16,000 SF of retail and 139,000 SF of office/ light production space.*
4. *Area for possible change in zoning to allow more housing along Rhode Island in a mix of office, retail and housing and push the C-M-2 zone back to W Street NE.*

The SAP made specific rezoning recommendations for Sub-Area 1 – Site B:

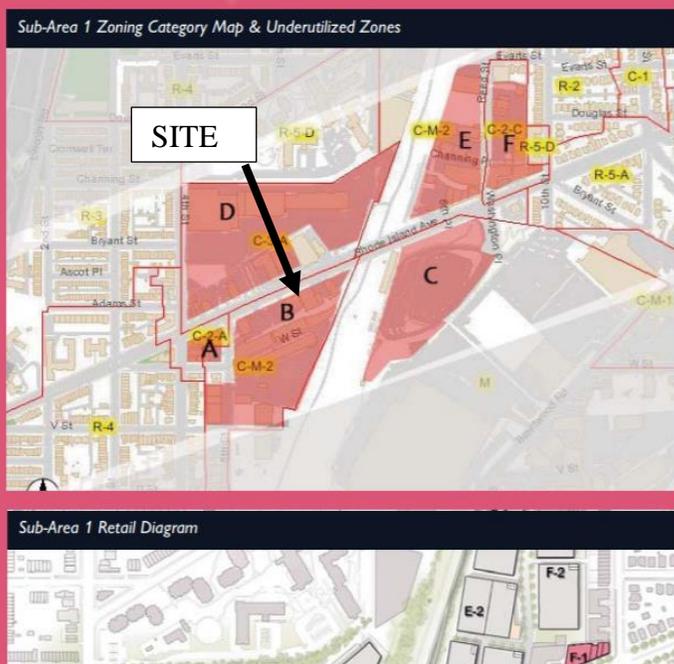
Rezoning recommendations below should be allowed through map amendment with development permitted matter of right if developers comply with design review through the DC Zoning Commission and as conditioned by site.

SITE A

1. Re-zone from C-2-A to C-3-A, allowing up to 65 feet in height and 4.0 FAR if developer preserves older facades at 2205-2207 4th Street NE and 401-407 Rhode Island Avenue NE in the project.
2. Target minimum redevelopment to include at least 65 mixed income housing units, 15,000 square feet (SF) of retail, and minimal parking to encourage use of transit.

SITE B

3. Re-zone from C-M-2 to C-2-C, allowing up to 6.0 FAR and 90 feet if developers agree to include 15% set aside for locally owned retail and to fund the installation of proposed pedestrian and transit access improvements in accordance with detailed specifications and locations approved by the District Department of Transportation.
4. Re-zone the section west of 5th Street NE and between V Street NE and W Street NE from C-M-2 to C-3-A.
5. Extend and improve the street network and connectivity. Extend V Street eastward and connect with W Street via a new roadway adjacent to the train tracks. Explore a new entrance to the Metrostation from the west to improve pedestrian and transit access.
6. Consider redesign or re-location of the firehouse at 5th Street NE.
7. Target minimum redevelopment to include at least 300 mixed income housing units (including townhouses facing 5th Street NE), 16,000 SF of retail fronting onto Rhode Island Avenue, 135,000 SF of new office and minimal parking to encourage use of transit.



As can be seen in the graphic above, the SAP made the following rezoning recommendations for Sub-Area 1- Site B:

3. *Re-zone from C-M-2 to C-2-C, allowing up to 6.0 FAR and 90 feet if developers agree to include 15% set aside for locally owned retail and to fund the installation of proposed pedestrian and transit access improvements in accordance with detailed specifications and locations approved by the District Department of Transportation.*
4. *Re-zone the section west of 5th Street NE and between V Street NE and W Street NE from C-M-2 to C-3-A.*
5. *Extend and improve the street network and connectivity. Extend V Street eastward and connect with W Street via a new roadway adjacent to the train tracks. Explore a new entrance to the Metrostation from the west to improve pedestrian and transit access.*
6. *Consider redesign or re-location of the firehouse at 5th Street NE.*
7. *Target minimum redevelopment to include at least 300 mixed income housing units (including townhouses facing 5th Street NE), 16,000 SF of retail fronting onto Rhode*

Island Avenue, 135,000 SF of new office and minimal parking to encourage use of transit.

The SAP found that there is potentially more than 500,000 SF of total building area in this area and recommends pushing the industrial uses off Rhode Island Avenue, back to W Street NE and rezoning to allow increased density up to 6.0 FAR and 90 feet and mixed uses including housing along the avenue. The proposed MU-10 zone permits a maximum density and height of 6.0 FAR and 90 feet with additional height and density permitted for Inclusionary Developments.

As such, the proposed map amendment is consistent with the recommendations found in the Rhode Island Avenue SAP. Rezoning the subject property with the density and uses recommended in the SAP would provide the opportunity for potential higher density, mixed-use development at the subject property in the future, including residential uses that are not permitted in the current zone.

VII. SUMMARY AND RECOMMENDATION

The subject property is located within a study area that is specifically recommended for future mixed use redevelopment in the Small Area Plan and is depicted on the FLUM for a mix of higher density residential and commercial uses, not industrial uses. The subject property is located along a busy commercial street, across from a current mixed use redevelopment site, and adjacent to a metro station. Future redevelopment of this currently underutilized property could assist the District to achieve its housing and other land use goals for the area as detailed in Section V and VI of this report.

OP recommends that the Commission **set down** the proposed map amendment as it is not inconsistent with the policies and goals of the Comprehensive Plan and the Small Area Plan.