

MEMORANDUM

TO: District of Columbia Zoning Commission

FROM: Maxine Brown-Roberts, development Review Specialist
JLS
 Jennifer Steingasser, Deputy Director, Development Review & Historic Preservation

DATE: July 17, 2020

SUBJECT: Set down Report for a Petition to Rezone 1707 7th Street, NW (Parcel 42) from the ARTS-2 zone to the ARTS-4 zone.

I. RECOMMENDATION

The Office of Planning (“OP”) proposes a map amendment for the property at 1707 7th Street, NW (Square 442, Lots 106 also referred to as “Parcel 42”) from the ARTS-2 zone to the ARTS-4 zone.

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 city-wide and area elements, as well as approved Small Area plans (10-A DCMR § 226.1 (d)). A detailed discussion of how the proposal would not be inconsistent with the Comprehensive Plan, the Convention Center Strategic Development Plan and the Duke Plan is provided below. OP recommends that the Zoning Commission **set down** the petition for public hearing.

II. APPLICATION-IN-BRIEF

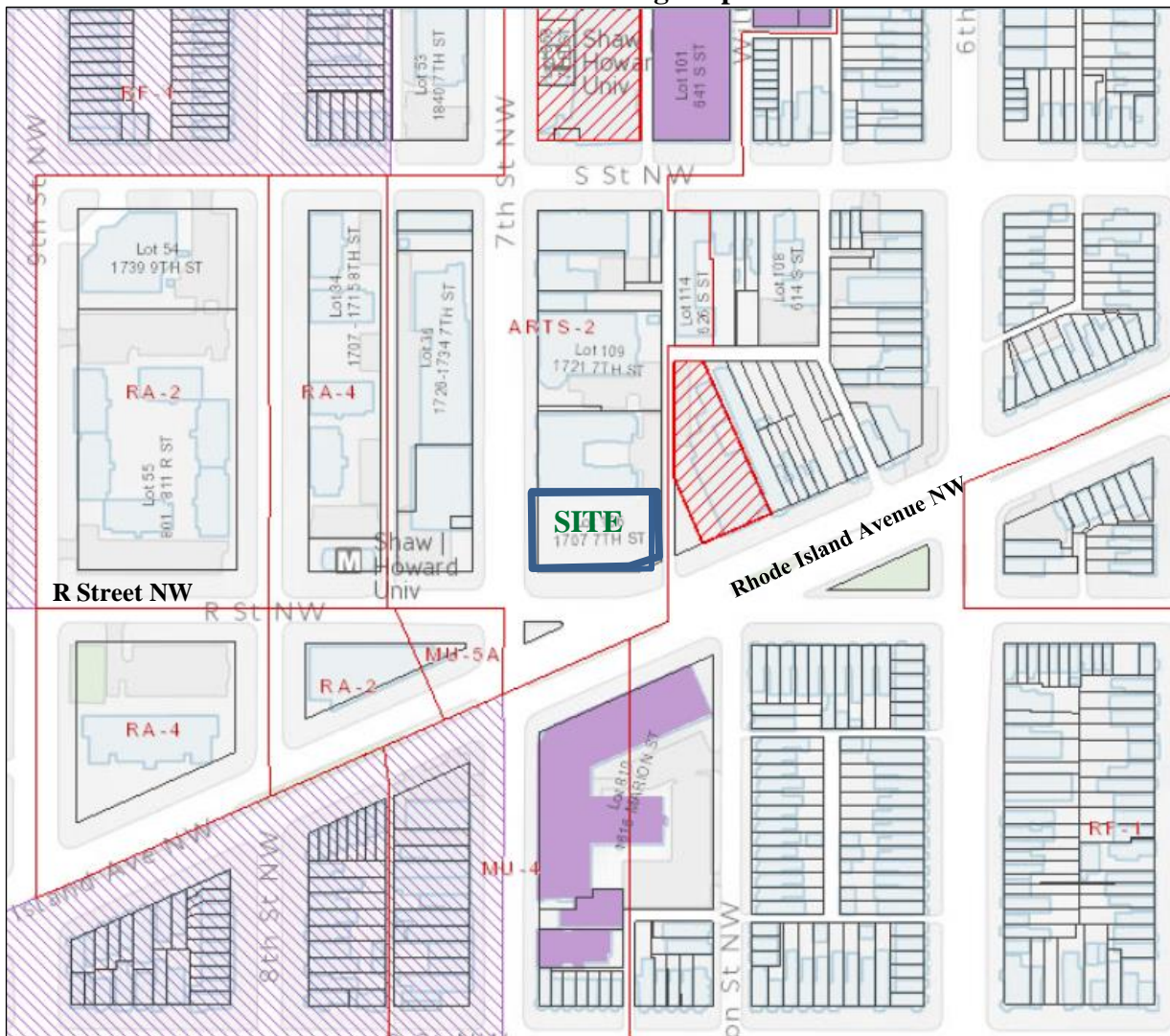
Applicant:	Office of the Deputy Mayor for Planning and Economic Development, represented by the Office of Planning
Proposed Map Amendment:	ARTS-2 to ARTS-4
Address:	1707 7 th Street, NW
Ward and ANC:	6/ANC-1E
Legal Description:	Square 442, Lots 106
Property size:	15,317 square feet
Future Land Use Map Designation:	Mixed Use - Medium-Density Residential and Medium-Density Commercial
Generalized Policy Map Designation:	Neighborhood Enhancement Area
Historic District:	None

III. SITE AND AREA DESCRIPTION

The subject property is a prominent location at the northeast corner of the intersection of 7th Street and Rhode Island Avenue, NW. The Shaw/Howard University metro station is directly across 7th Street, the Watha T. Daniel Library is diagonally across Rhode Island Avenue and the site is the southernmost property of the ARTS zoned corridor of 7th Street.

This portion of the 7th Street, NW corridor is developed with a variety of retail, service, residential and office uses. To the north is a multifamily building in the ARTS-2 zone; to the east are a vacant property and row dwellings in the RF-1 zone and a multifamily residential building developed as a PUD under the C-2-B zone. To the south, across Rhode Island Avenue are row dwellings in the RF-1 zone and an apartment building in the MU-4 zone; to the southwest is the Shaw Library in the MU-5A and RA-2 zone ; while to the east is the an apartment building and the Shaw-Howard University Metro Station entrance in the ARTS-2 zone. Generally, the area is a mixture of row dwellings, apartments, small retail and institutional uses.

Location and Zoning Map



IV. DEVELOPMENT CAPACITY OF EXISTING AND PROPOSED ZONES

The petition is to rezone 15,317 square feet of land area from the ARTS-2 to the ARTS-4 zone. The Zoning Regulations at Subtitle K § 800.1 state the purposes of the Mixed-Use-Uptown Arts (ARTS) zones (ARTS-1 through ARTS-4) are to:

- (a) *Promote the creation of arts, arts-related, and art-supporting uses;*
- (b) *Encourage a pedestrian scale of development, a mixture of building uses, adaptive reuse of older buildings, strengthened design character, public safety, and eighteen (18) hour activity;*
- (c) *Require uses that encourage pedestrian activity, especially retail, entertainment, and residential uses;*
- (d) *Provide for an increased presence and integration of the arts and related cultural and arts-related support uses;*
- (e) *Expand the area's housing supply in a variety of rent and price ranges;*
- (f) *Expand business and job opportunities, and encourage development of residential and commercial buildings;*
- (g) *Strengthen the design character and identity of the area by means of physical design standards;*
- (h) *Encourage adaptive reuse of older buildings in the area and an attractive combination of new and old buildings; and*
- (i) *Foster eighteen (18) hour activity and increased public safety.*

In addition, the ARTS-4 zone is intended to 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. As described in the Site and Area Description section above, all the adjacent properties in the ARTS zone are within the ARTS-2 category which is intended to permit medium-density, compact mixed-use development, with an emphasis on residential development.

The following table compares the development standards of the ARTS-2 zone and the proposed ARTS-4 zone.

	Existing ARTS-2	Proposed Zone: ARTS4
Permitted Uses:	Arts Uses Subtitle U, Chapter 7 and MU Use Group E	Arts Uses Subtitle U, Chapter 7 and MU Use Group G
Height:	65 feet max. 70 feet (IZ)	90 feet max. 100 feet (IZ)
FAR:	3.5 4.2 (IZ) 1.5 Non-Residential	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	12 feet max.; 1 story 18.5 feet mechanical max.; or as limited by Subtitle K § 803.3 adjacent to a RF zone.
Lot Occupancy:	60 % max. (residential) 80 % (IZ) 100% (non-residential)	75% max. (residential) 80% (IZ) 100% (non-residential)
Rear Yard:	15 feet min.	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. If provided 5 ft. min.	None required. If provided 5 ft. min.
GAR:	0.3 min.	0.25 min.

The ARTS district encourages mixed use, pedestrian-oriented development with bonus density incentives for preferred ground floor uses and height and setback requirements for areas adjacent to certain moderate density residential zones. The ARTS-4 zone was formerly the CR (Mixed Use - Commercial Residential) zone overlaid with the ARTS (Uptown Arts-Mixed Use) overlay district under ZR58. In ZR58 (Section 600), the CR zone encouraged mixed-use development with a diversity of uses at the periphery of the Central Employment Area. The ARTS-4 zone similarly encourages “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.” Subtitle K § 800.5.

As a matter-of-right, the ARTS-4 zone permits a maximum density of 6.0 FAR (7.2 FAR with Inclusionary Zoning (“IZ”)), of which 3.0 FAR can be devoted to non-residential uses. To encourage residential development, the overall density in the ARTS-4 zone may be increased to 7.7 FAR, or by an additional 0.5 FAR, for buildings that include at least 3.0 FAR of residential use. As for height, the ARTS-4 zone permits a maximum building height of 90 feet (100 feet with IZ) and a maximum penthouse height of 20 feet, as limited by specified height and setback requirements when a site abuts an R, RF, or RA zone.

The density and height permitted in the ARTS-4 zone are consistent with zones that are expressly identified as being consistent with the medium density commercial category in the existing Framework Element. Specifically, it identifies the former C-2-C zone (now MU-6 under ZR16) as being compatible with the Medium Density Commercial designation. Similar to the ARTS-4 zone, the MU-6 zone permits a maximum density of 6.0 FAR (7.2 FAR with IZ), of which 2.0 FAR can be devoted to non-residential uses, and a maximum height of 90 feet (100 feet with IZ).

The recently amended Framework Element describes the Medium Density Commercial category as permitting densities of 4.0 – 6.0 FAR, and expressly identifies the MU-10 zone as being compatible with this particular designation. As stated above the ARTS-4 zone is largely the equivalent of the former CR zone under ZR58 (now MU-10 under ZR16). Like the ARTS-4 zone, the MU-10 zone permits a maximum density of 6.0 FAR (7.2 FAR with IZ), of which 3.0 FAR can be devoted to non-residential uses, and a maximum height of 90 feet (100 feet with IZ). However, unlike the ARTS-4 Zone, the MU-10 does not require any setbacks to protect adjacent residential zones.

Given the consistency of the ARTS-4 zone with the density and height parameters of the MU-6 and MU-10 zones, it can easily be stated that the request to rezone the site to ARTS-4 is consistent with the site’s designation as Mixed Use medium density commercial/medium density residential. Furthermore, buildings in the ARTS-4 zone that abut a residential zone or, as in this case, an alley that serves as a zone boundary line of an adjacent residential zone, shall not project above a 45 degree plane starting at 65 feet above the property line that abuts the residential zone or alley.

Therefore, rezoning the property to ARTS-4 will likely result in a development that is similar in height, than a development under ARTS-2. In addition, the impact on the adjacent apartment, to the east would be further minimized by the adjacent triangular lot which is also owned by the District and is intended to remain as open space. The ARTS-4 zone is also an appropriate zone for the subject property given its close proximity to Metrorail station and the current emphasis on achieving the Mayor’s housing goals by 2025.

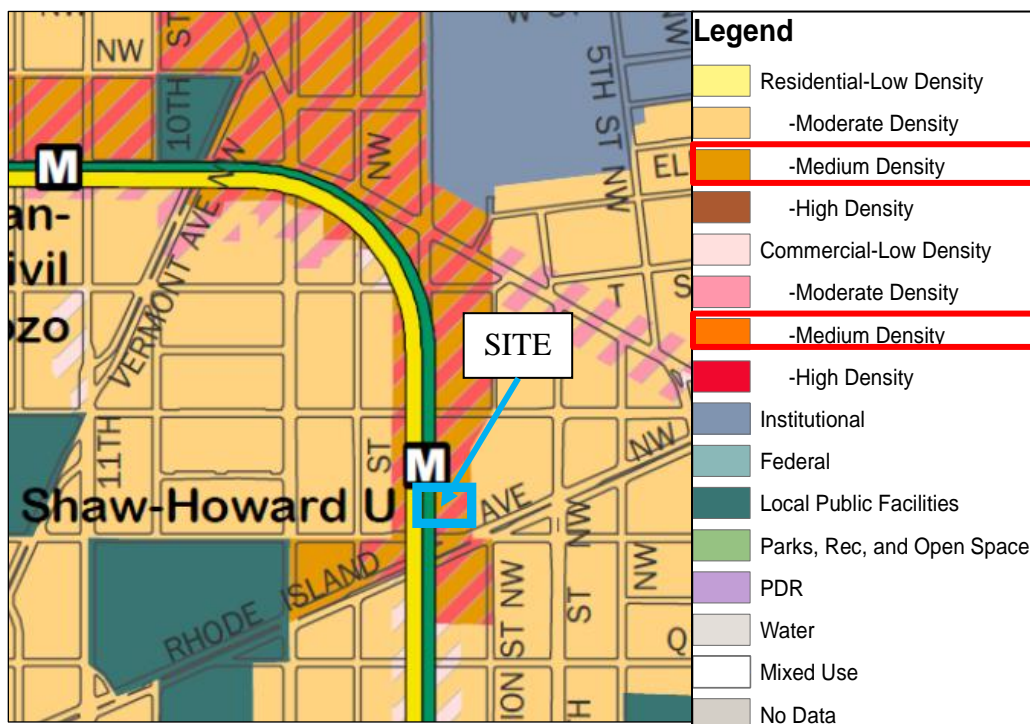
V. COMPREHENSIVE PLAN
i. COMPREHENSIVE PLAN MAPS

As described in the Guidelines for Using the Generalized Policy Map and the Future Land Use Map (Chapter 2 Framework Element, Section 226) the maps are intended to provide generalized guidelines for development decisions and are to be interpreted broadly, as they are not parcel-specific like zoning maps. They are interpreted in conjunction with relevant written goals, policies and action items in the Comprehensive Plan text, and further balanced against policies or objectives contained in relevant Small Area Plans and other citywide or area plans.

As described below, the proposed zoning map amendment would be not be inconsistent with the map designations.

Generalized Future Land Use Map (FLUM)

The Future Land Use Map (FLUM) indicates that the site is appropriate for Mixed Use - medium-density residential and medium-density commercial.



Mixed Use Categories: The Future Land Use Map indicates areas where the mixing of two or more land uses is 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. The Mixed-Use category generally applies in the following three circumstances:

- a. *Established, pedestrian-oriented commercial areas which 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; and*
- c. *Large sites (generally greater than 10 acres in size), where opportunities for multiple uses exist but a plan dictating the precise location of these uses has yet to be prepared. 225.18*

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 ... 225.19

A variety of zoning designations are used in Mixed Use areas, depending on the combination of uses, densities, and intensities. ... 225.21

Medium Density Residential

Medium Density Residential: This designation is used to define neighborhoods or areas where mid-rise (4-7 stories) apartment buildings are the predominant use. Pockets of low and moderate density housing may exist within these areas. The Medium Density Residential designation also may apply to taller residential buildings surrounded by large areas of permanent open space. The R-5-B and R-5-C (RA-2 and RA-3) Zone districts are generally consistent with the Medium Density designation, although other zones may apply. 225.5

Medium Density Commercial

Medium Density Commercial: This designation is used to define shopping and service areas that are somewhat more intense in scale and character than the moderate-density commercial areas. Retail, office, and service businesses are the predominant uses. Areas with this designation generally draw from a citywide market area. Buildings are generally larger and/or taller than those in moderate density commercial areas but generally do not exceed eight stories in height. The corresponding Zone districts are generally C-2-B, C-2-C, C-3-A, and C-3-B, (MU-5, MU-6, MU-7 and MU-8) although other districts may apply. 225.10

As stated in the definitions above, the “Mixed Use” designation is not intended to be interpreted according to its separate land use categories but primarily intended for larger areas where no single use predominates, or areas where multiple uses are specifically encouraged. This designation is assigned to areas where the mixing of two or more land uses are encouraged, but is not mandatory, and is generally applied to; established, pedestrian-oriented commercial areas that also include substantial amounts of housing; commercial corridors or districts which may not currently contain substantial amounts of housing but where more housing is desired, such as on the subject property; and large sites where opportunities for multiple uses exist but a plan dictating the precise location of these uses has yet to be prepared.

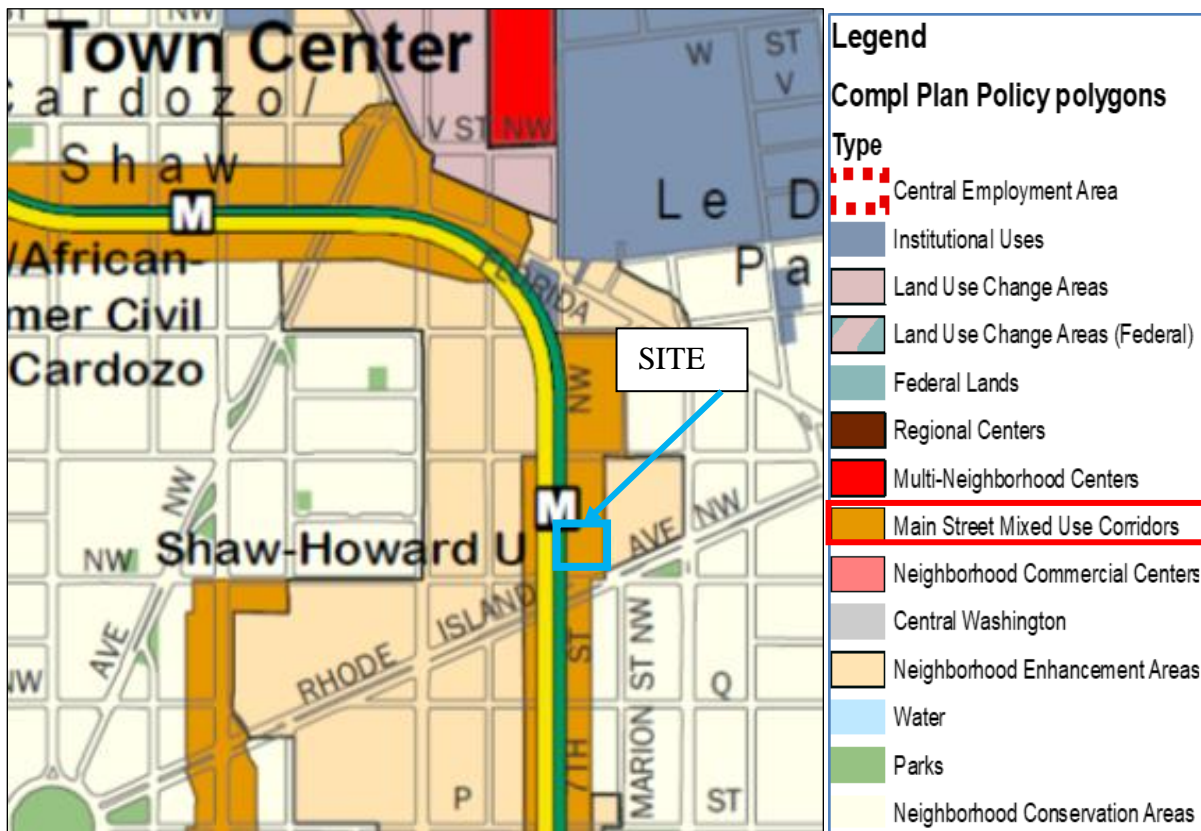
The property is also consistent with the locational characteristics of areas typically assigned a Mixed Use designation and is ideally located for new mixed use development given its location along 7th Street and Rhode Island Avenue, both of which are pedestrian-oriented corridors that already contain residential and commercial uses, but where much more should, and can, be accommodated given its proximity to multiple modes of public transportation.

The general density and intensity of development within Mixed Use areas are determined by the specific mixed 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 does not indicate a preference as both commercial and residential categories are assigned to medium density. Further, the Framework Element, state that “[a] variety of zoning designations are used in Mixed Use areas depending upon the combination of uses, densities, and intensities. The City has developed a number of designations specifically for mixed use areas (such as SP-1, SP-2, CR, and the Waterfront districts).” Under the current Zoning Regulations, the zone districts that correspond to those zones are MU-1, MU-2, and MU-10, respectively. While the ARTS zones are not expressly referred to, the ARTS-4 zone can both be considered medium- to high density zone when considering the overall densities permitted under ZR16 compared to the density ranges stated in the Framework Element.

Given the consistency of the ARTS-4 zone with the density and height parameters of the MU-6 and MU-10 zones, it can easily be stated that the request to rezone the site to ARTS-4 is consistent with the site’s designation as Mixed Use (medium density commercial/medium density residential). Not only are the height and overall density of the ARTS-4 zone consistent with what is described to be medium density in the Framework Element, but the limitation on non-residential density in the ARTS-4 zone is consistent with the stated preference for residential use under the supplemental guidance provided in the Small Area Plans discussed below.

Generalized Policy Map

The Generalized Policy Map indicates that the area of the proposed amendment is within the policy area designated as Main Street Mixed Use Corridor.



Main Street Mixed Use Corridor

These are traditional commercial business corridors with a concentration of older storefronts along the street. The area served can vary from one neighborhood (e.g., 14th Street Heights or Barracks Row) to multiple neighborhoods (e.g., Dupont Circle, H Street, or Adams Morgan). Their common feature is that they have a pedestrian-oriented environment with traditional storefronts. Many have upper-story residential or office uses. Some corridors are underutilized, with capacity for redevelopment. Conservation and enhancement of these corridors is desired to foster economic and housing opportunities and serve neighborhood needs. Any development or redevelopment that occurs should support transit use and enhance the pedestrian environment.

225.14

The City intends for the site to be redeveloped with a mixed-use development, with residential use above ground floor retail, as anticipated by the FLUM. The proposed ARTS-4 zone is not inconsistent with the Main Street Mixed Use Corridors designation. The proposed rezoning is not inconsistent with the policies indicated for Main Street Mixed Use Corridors as it will enable redevelopment of the Site and thus improve the 7th Street and Rhode Island Avenue corridor through new housing and commercial uses. Specifically, the additional height and density provided through the proposed map amendment will allow for development of a new building with pedestrian-oriented ground floor storefronts and upper story residential use.

The site is also located in a transit-oriented location (Shaw/Howard Metrorail Station), such that redevelopment will support transit use. Overall, the type of redevelopment enabled by the proposed ARTS-4 zone will foster both economic and housing opportunities and serve neighborhood needs. Moreover, development of the property will support transit use given its close proximity to the Shaw-Howard University Metrorail station, and improvements to the public space in connection with the site's development will enhance the pedestrian experience. The rezoning presents an

opportunity for development that will include new housing and affordable housing, thus enabling the type of housing diversity encouraged by the District.

B. COMPREHENSIVE PLAN POLICIES

Citywide Elements:

Land Use Element

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. 306.11

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. 306.12

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. 309.5

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. 309.8

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. 312.5

The proposed amendment would allow for a development with multifamily units and new affordable housing across from the Shaw-Howard University Metrorail station and would reduce the necessity of auto ownership and related reduction in household expenses in this location. The redevelopment of the site would allow for ground floor uses that would help to continue the revitalization of the Shaw neighborhood. With the required setbacks from the adjacent RF-1 zone the massing of a building would have to be weighed towards 7th Street and Rhode Island Avenue. The redevelopment of the site with active uses would help to promote the 7th Street and Rhode

Island Avenue Corridors with a variety of retail and commercial uses and enhance this prominent intersection.

Housing Element

H-1.1 Expanding Housing Supply 503

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. 503.1

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. 503.4

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. 503.5

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. 504.8

Policy H-1.2.5: Workforce Housing

In addition to programs targeting persons of very low and extremely low incomes, develop and implement programs that meet the housing needs of teachers, fire fighters, police officers, nurses, city workers, and others in the public service professions with wages insufficient to afford market-rate housing in the city. 504.12

Policy H-1.3.2: Tenure Diversity

Encourage the production of both renter-occupied and owner-occupied housing. 505.7

The proposed map amendment would permit future development with additional density to support expanding the housing supply, including additional IZ units within a mixed-use development. The location of the property along the 7th Street and Rhode Island Avenue Corridors and across from the Metrorail station is identified as an area for increased residential uses and retail/service uses on vacant land.

Because the property is District-owned any disposition and development will be subject to affordability requirements that exceed those of standard Inclusionary Zoning. Those conditions are reflected in District law 10-801 and in summary require the following:

If a proposed disposition of real property will result in the development of multifamily residential property consisting of 10 or more units ("multifamily units"), the following affordable-housing requirements shall apply:

If the multifamily units are located within ½ mile of a Metrorail station at least 30% of the units shall be dedicated as affordable housing:

The dedicated affordable-housing units shall remain affordable-housing units in perpetuity,

The units shall be made available at the following affordability levels:

- In the case of rental units, at least 25% of the units for which a very low-income household will pay no more than 30% of its income toward housing costs, and the remainder of such units shall be housing for which a low-income household will pay no more than 30% of its income toward housing costs; and
- In the case of ownership units, 50% of the units for which a low-income household will pay no more than 30% of its income toward housing costs, and 50% of the units shall be housing for which a moderate-income household will pay no more than 30% of its income toward housing costs.

Area Element:

The Near Northwest Area Element, within which the Site is located, provides further guidance as to whether there is a preference for one use over another. Specifically, the Site is located within the Shaw/Convention Center Area Policy Focus Area (the "Focus Area"), which includes policies that are informed by the Convention Center Plan and the DUKE Plan (collectively the "Small Area Plans").

Like the Small Area Plans, the policies of the Focus Area promote residential use on the Site by recommending, among other things, the creation of new quality housing, production of new affordable housing, and mixed-income residential development adjacent to the Shaw/Howard Metro station. The Focus Area also includes a recommended action to "[p]rovide incentives for mixed-income housing above retail space on 7th and 9th streets, and encourage development of multi-family apartments and condominiums on parcels that are vacant..." 10A DCMR § 2111.16. Thus, while the FLUM does not indicate a preference for either residential or commercial uses the policies and recommendations provided by the Near Northwest Area Element and the Small Area Plans clearly promote mixed-use development with a preference for residential use over commercial use.

Near Northwest Area Element

These policies and actions should be considered in tandem with those in the citywide elements of the Comprehensive Plan. 2108.1

Policy NNW-1.1.1: Residential Neighborhoods

Maintain and enhance the historic, architecturally distinctive mixed density character of Near Northwest residential neighborhoods, including Burleith, Georgetown, Foggy Bottom, Dupont Circle, Sheridan-Kalorama, Logan Circle, Mount Vernon Square, and Shaw. Ensure

that infill development within these areas is architecturally compatible with its surroundings and positively contributes to the identity and quality of each neighborhood. 2108.2

Policy NNW-1.1.2: Directing Growth

Generally direct growth within the Near Northwest Planning Area to the eastern side of the Planning Area (Logan Circle and Shaw), given the strong market demand and limited land available on the west side, and the need for reinvestment and renovation on the east side. 2108.3

Policy NNW-1.1.4: Neighborhood Commercial Revitalization

Improve the neighborhood shopping areas along 7th, 9th, and 11th Streets NW. The success of the established businesses on these streets should be strongly encouraged, and new businesses that provide needed goods and services to area residents should be attracted. 2108.5

Policy NNW-1.1.9: Affordable Housing

Protect the existing stock of affordable housing in the Near Northwest Planning Area, particularly in the Shaw and Logan Circle neighborhoods. Sustain measures to avoid displacement, such as tax relief and rent control, and to encourage the production of new affordable housing throughout the community. 2108.10

The proposed amendment would allow for vacant property to be developed with a residential building, including affordable units, ground floor retail and service uses for area residents. The development would be consistent with the direction to direct growth to the Shaw area and would allow for a development that contributes to the identity and quality of the neighborhood.

NNW-2 Policy Focus Areas 2110

The Comprehensive Plan identifies five areas in the Near Northwest as “*policy focus areas*” indicating that they require a level of direction and guidance above that in the Area and Citywide Elements. The subject property is identified as being within the *Shaw/Convention Center Area*. Based on the recommendation for further direction and guidance, the Plan identifies that in 2005 OP completed the *Convention Center Area Strategic Development Plan to guide development, revitalization, and conservation of this area*. The Plan states that the *Convention Center Area Strategic Development Plan* identified several issues, including the need to protect affordable housing, generate new quality housing, revitalize local businesses, improve sidewalks and public space, upgrade parks and public facilities, provide stronger design controls, and expand the Shaw Historic District.

Policy NNW-2.1.1: Affordable Housing

Protect existing affordable housing within the Shaw/Convention Center area, and produce new affordable housing and market rate housing on underutilized sites. Use a range of tools to retain and develop affordable housing in the study area, including tenant organization and public education, inclusionary zoning, renewing project-based Section 8 contracts, tax abatements, public-private partnerships, and including affordable housing when development on publicly owned land includes a residential component. 2111.5

Policy NNW-2.1.3: Shaw/Howard University and Mount Vernon Square Metro Stations

Encourage mixed-income residential development with underground parking adjacent to the Shaw/Howard and Mount Vernon Square Metro stations, particularly on existing surface parking lots. 2111.7

Policy NNW-2.1.5: 7th and 9th Street Corridors

Locate retail development within the Shaw/Convention Center Area in a manner that best serves residents, creates the best environment for businesses to succeed, and uses land already zoned for commercial uses. Continuous ground floor retail uses should be encouraged along sections of 7th and 9th Streets as designated in the 2005 Strategic Development Plan to create a traditional pedestrian-oriented Main Street pattern and establish a unified identity for the community. These corridors should attract convention-goers, residents, and visitors, and should include both new and existing businesses. 2111.9

Action NNW-2.1.D: New Housing

Provide incentives for mixed-income housing above retail space on 7th and 9th streets, and encourage development of multi-family apartments and condominiums on parcels that are vacant or that contain buildings identified as non-contributing to the Shaw Historic District on 11th Street. 2111.16

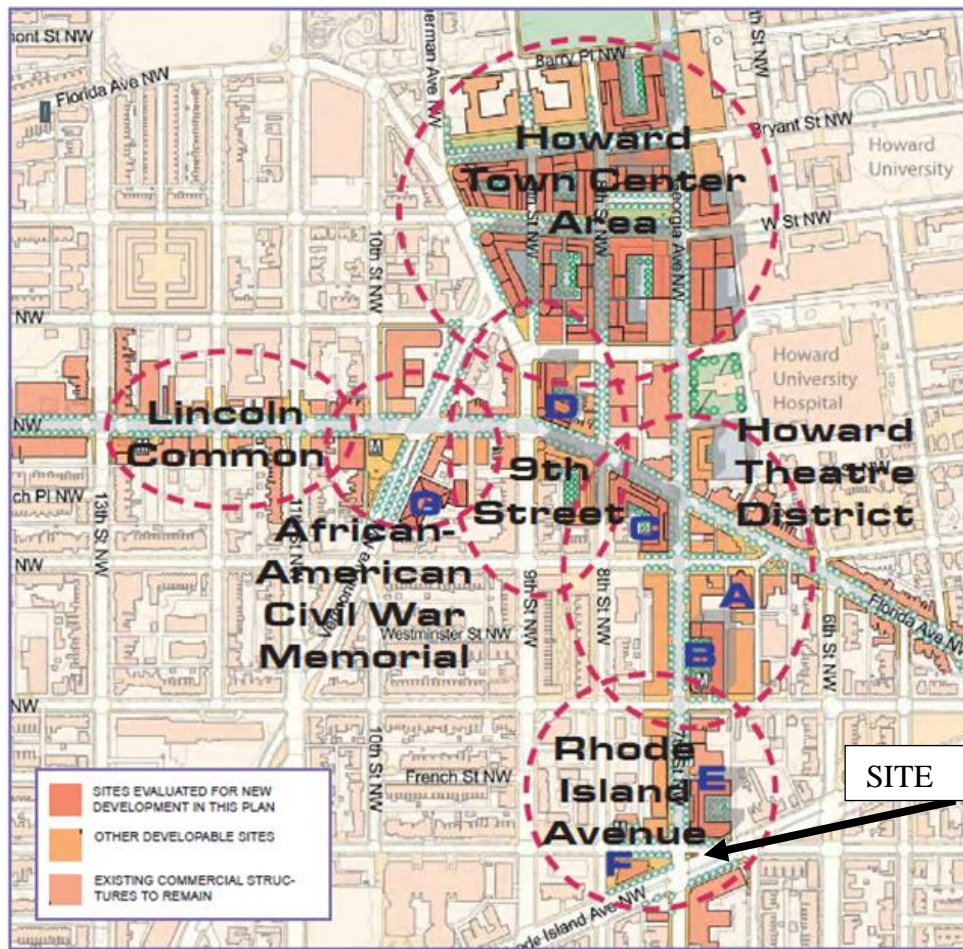
The proposed amendment would allow for new mixed-income housing on a vacant property at this critical intersection. Ground floor retail/service uses along 7th Street and Rhode Island Avenue would allow for the continuous pedestrian experience along this both corridors.

C. SMALL AREA PLANS

The property is within the boundaries of the *DUKE- Development Framework for a Cultural Destination District within Washington, DC's Greater Shae/U Street*, approved by the DC Council on June 21, 2005 (PR 16-176) (Duke Plan) and within the boundaries of the *Convention Center Strategic Development Plan*, approved by the DC Council, June 20, 2006 by Resolution 16-0687. During the 2006 Comprehensive Plan Amendment, the recommendation of both plans was incorporated.

DUKE Plan

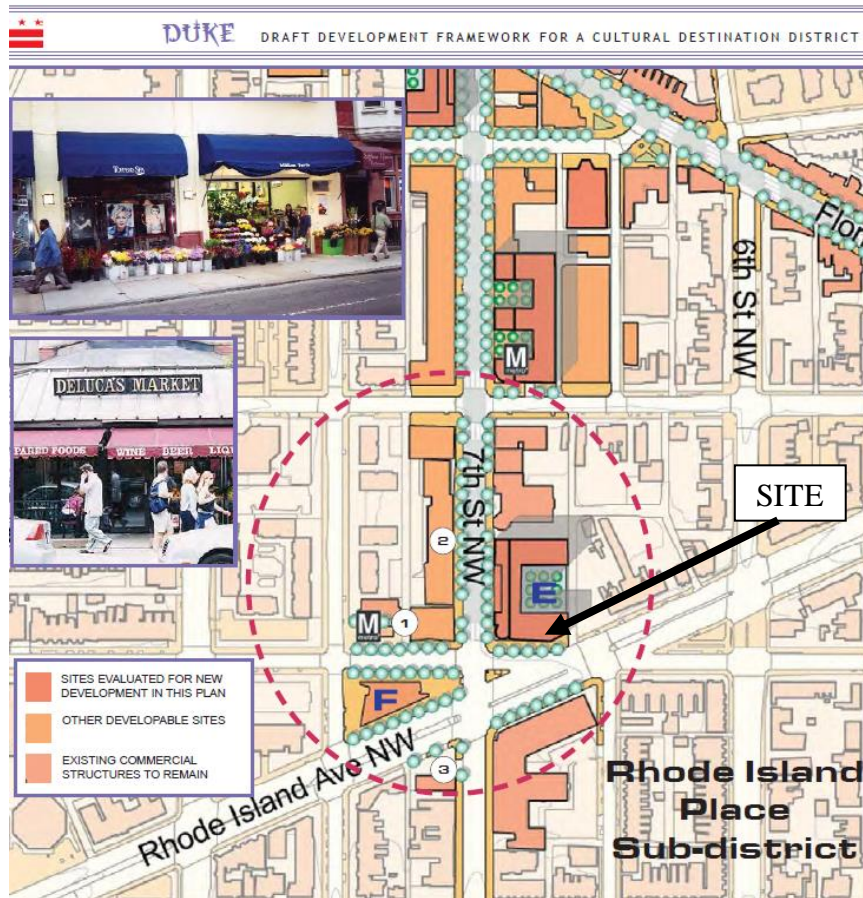
The Duke Plan provides guidance based on technical land development analysis, community input and the areas' locational advantages, to provide direction to the community, private sector and public agencies in revitalizing the transit area neighborhood and to achieve a cohesive and inclusive district which meets the community and District Government goals. The Plan at page 13 (below) shows the Plan area divided into six sub-areas. This property is mostly within the Rhode Island Avenue Area F and is identified as a site "evaluated for new development in this plan."



The Plan at page 24 (below) identifies the site (along with the adjacent property) as an “asset” to the sub district and at page 25, the Plan recommends a development program of first floor retail, housing and affordable housing and below grade parking. Guidelines for development include:

Buildings to be a height of 65 feet to cornice, rising to 90 feet with a one-to-setback from cornice and with design review and possible additional setbacks to ensure sensitivity to lower existing structures.

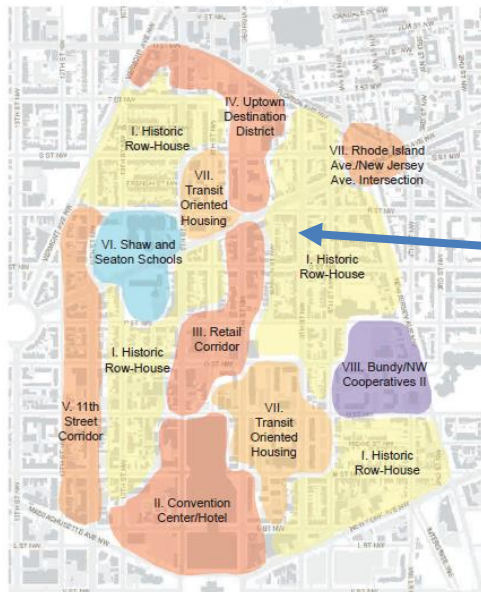
The ARTS-4 zone requires that when a property abuts a residential zone or, as in this case, an alley that serves as a zone boundary line of an adjacent residential zone, a building shall not project above a 45 degree plane starting at 65 feet above the property line that abuts the residential zone or alley.



Further, the Plan at page 38 recommends mixed land uses with ground floor retail and upper floor residential use.

Convention Center Area Strategic Development Plan

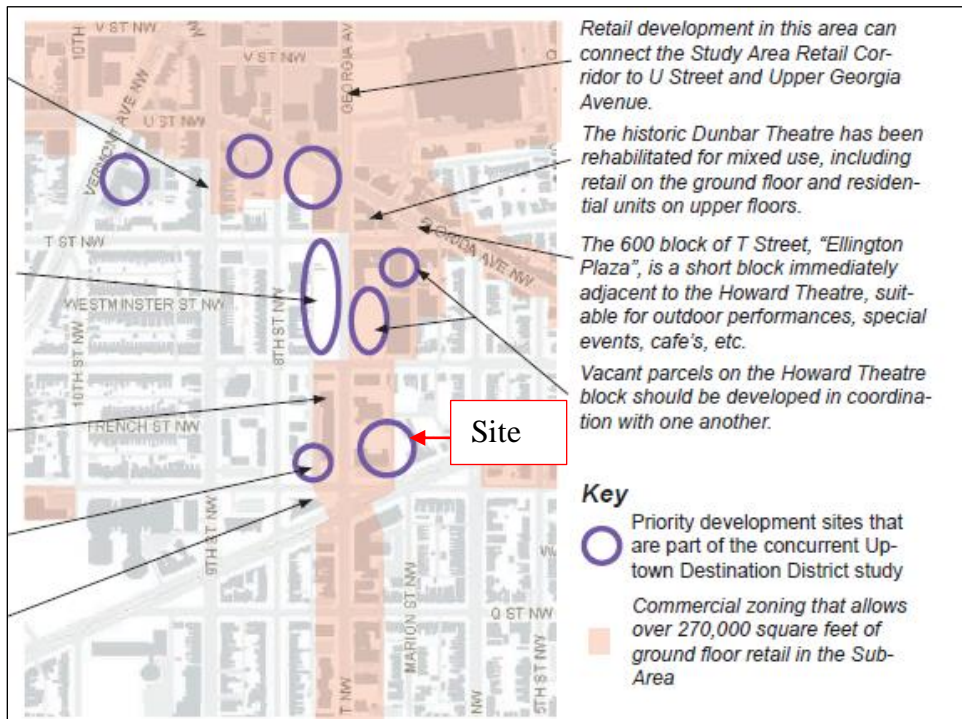
Convention Center Area Strategic Development Plan is subdivided into sub areas. This property is within Sub-Area IV, Uptown Destination District.



Map of Sub-Areas within the Study Area

IV. Uptown Destination District - This area is defined by its numerous African American cultural landmarks and proximity to Howard University. The redevelopment of the Howard Theatre, and the extension of the lively street life between the Howard and the Lincoln theatres, will make this area a destination.

At page 36, the vision for Sub Area 4: Uptown Destination District Retail is for an area with ground floor retail complemented by new trees, lights and public art with upper floor residential use and are challenged to include mixed developments with 20% to 30% affordable units. As seen on the map below this site is identified as a Priority Development Site'



Further, at page 37, the site is recommended for ground floor retail and high and medium density residential (See map below):

DRAFT DEVELOPMENT GUIDE FOR A DIVERSE MIXED-USE NEIGHBORHOOD IN WASHINGTON, DC'S SHAW NEIGHBORHOOD

Recommendations

- Encourage retail uses on U Street, Florida Avenue, 7th, and 9th streets (approximately 250,000 square feet of ground floor retail and office in this Sub-Area).
- Restore Howard Theatre and redevelop it in conjunction with adjacent NCRC and WMATA sites and as the northern anchor for the retail corridor.
- Re-zone west side of the 1800 block of 7th Street - between S and T streets - to be compatible with adjacent commercial zones and include in Arts Overlay District.
- Re-zone C-M-1 area in the 1900 block of 9th to a commercial zone.
- Re-zone 9 1/2 Street and part of the 900 block of T Street from C-M-1 to a residential zone.
- Improve storefront facades on U, 7th and 9th streets, and Florida Avenue.
- Provide incentives for affordable housing for all new development.
- Encourage renewal of Project-based Section 8 contract; alternatively, redevelop with equivalent/increased number of affordable residential units.

Design Guidelines

GOAL: Create vibrant retail area that establishes northern anchor for neighborhood retail corridor.

- Retail space should have a minimum of 14' ceiling height
- A majority of the ground floor shall be devoted to building entrances and projecting or flat storefronts that are predominantly clear glass
- Retail signs shall be designed to reinforce the architecture of the building and be pedestrian oriented
- Tripartite arrangement of building elevations encouraged
- Provide design that animates street through projections or openings
- Materials shall be of high quality, providing a sense of detail, scale and visual interest
- Through-wall HVAC units are not allowed on public elevations
- Encourage outdoor uses, such as cafes and vending
- Garage and service entrances should be from the alley, not on front entrances

Development Guide

Potential site of cultural use located adjacent to an active public plaza.

Support rezoning of residential properties on 9 1/2 Street to be consistent with adjacent residential zones.

Support rezoning of C-M-1 properties on 9th Street to an appropriate commercial zone.

Support rezoning of the east half of the 1800 block of 7th Street to be consistent with adjacent properties on 7th Street.

Develop architecturally distinct buildings to create a neighborhood gateway and unifies the intersection.

Incorporate cultural heritage in public art, plazas, and other elements to create a cohesive and dynamic streetscape, especially at "Ellington Plaza".

Restore Howard Theatre in conjunction with mixed-use development and shared parking.

Encourage new and infill construction with ground floor retail and residences above with target for 20-30% of units being affordable.

Key

- Preferred location of ground floor retail
- Potential sites for high and medium density residential

District of Columbia Office of Planning Chapter 4: Development Guide for Sub-Areas - Page 37

The proposed map amendment is not inconsistent with the recommendations of the Convention Area Strategic Plan and would enable the development envisioned by the Plan.

D. SUMMARY AND RECOMMENDATION

The subject property is a targeted location in both the DUKE Plan and the Convention Area Strategic Development Plan for redevelopment with a mix of higher density residential and retail uses. The property is located along a transit-rich, mixed-use corridor, directly across the street from a metro station and would support future development that would not be inconsistent with the medium-density, mixed-use development anticipated by the FLUM.

OP recommends the Commission **set down** the proposed map amendment as it is not inconsistent with the policies and goals of the Comprehensive Plan, the DUKE Plan and the Convention Center Strategic Plan, as summarized in this report.