

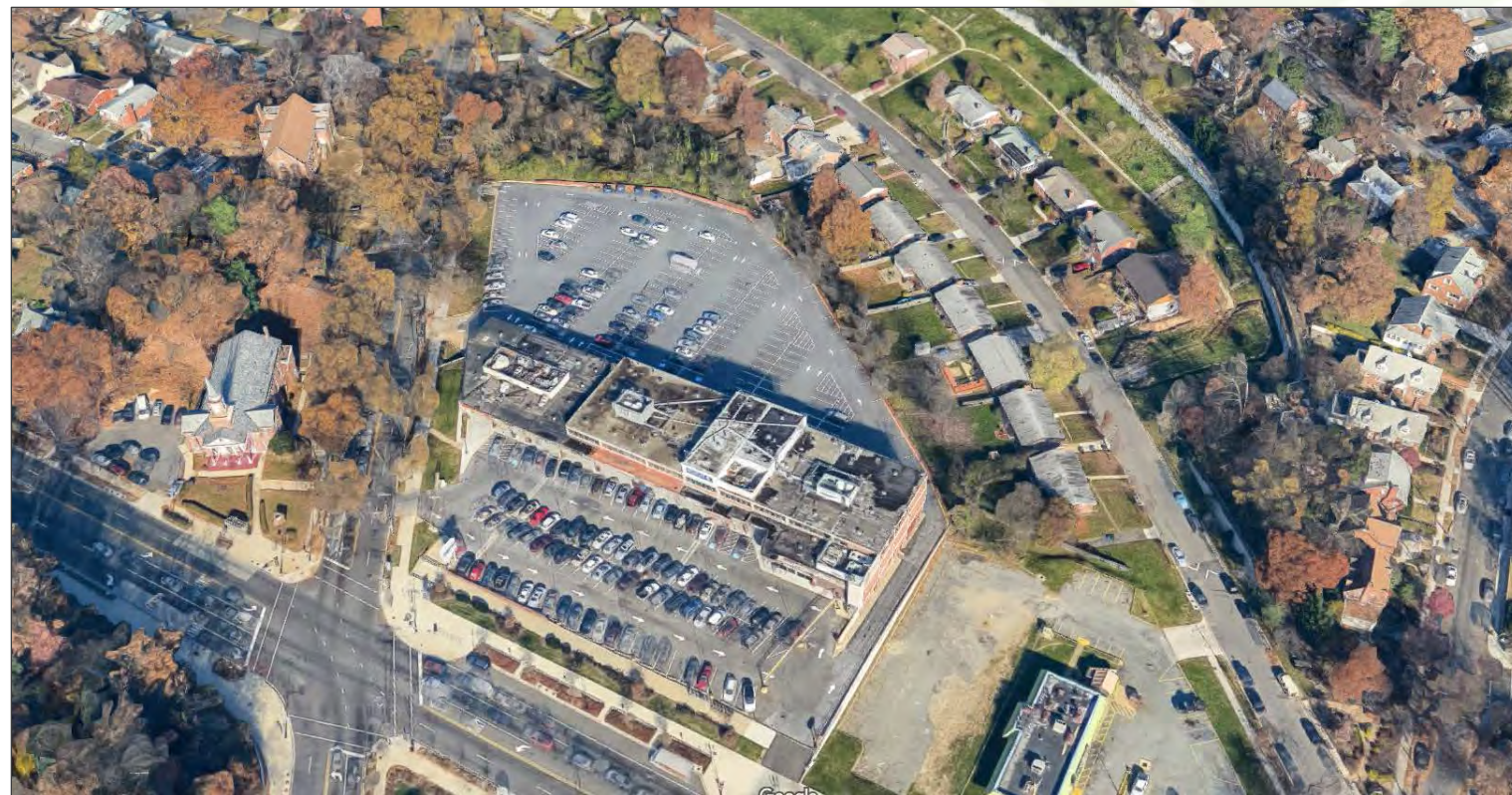
Z.C. 17-11
(3200 Penn Ave PJV, LLC)

Zoning Map Amendment
(R-1-B/MU-3 to MU-4)
Square 5539 Lots 835, 838, 839, and 840

October 2, 2017



The Shops at Penn Hill
3200 Pennsylvania Ave SE
Zoning Map Amendment





We Create Extraordinary Places:

1250 Half Street SE



Francis Gregory Library



625 H Street NE



Paul Laurence Dunbar Apartments



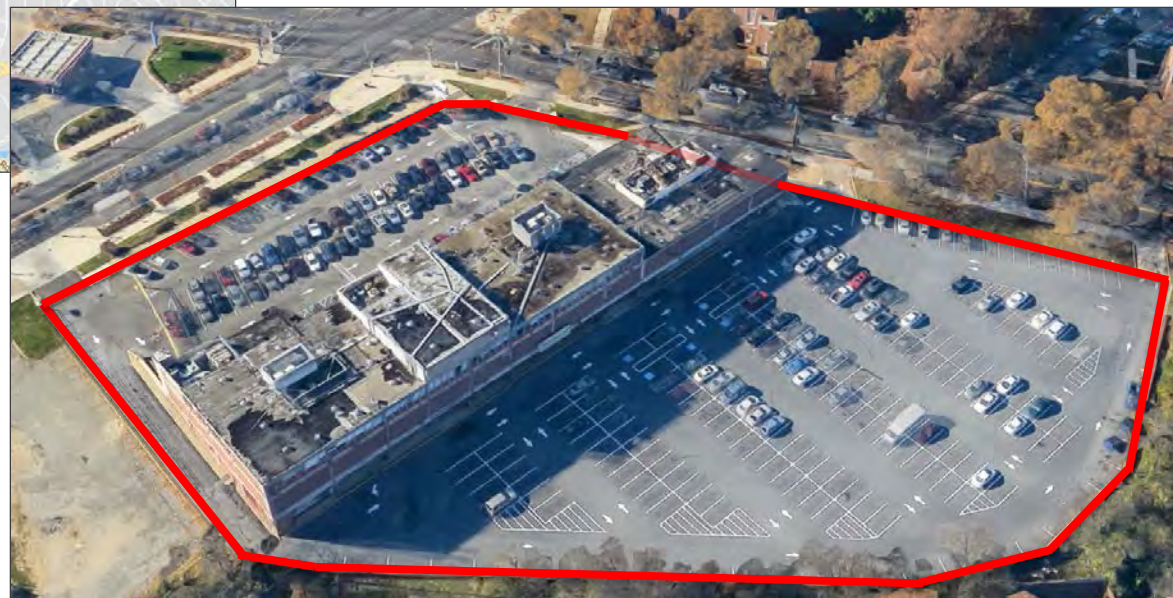
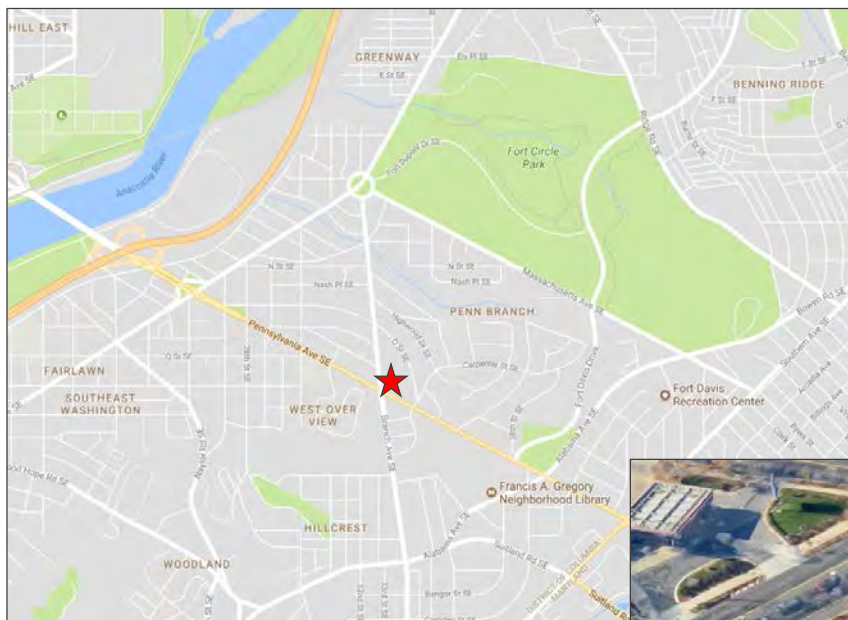
William O. Lockridge/Bellevue Library



3Tree Flats



The Shops at Penn Hill - 3200 Pennsylvania Ave SE



Neighborhood Character:



Inconsistency – Penn Hill today:



Opportunity – Small Area Plan:



Figure 4.57: Plan - Penn Branch Shopping Center

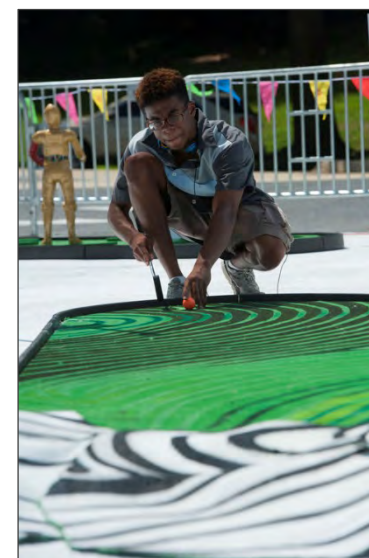
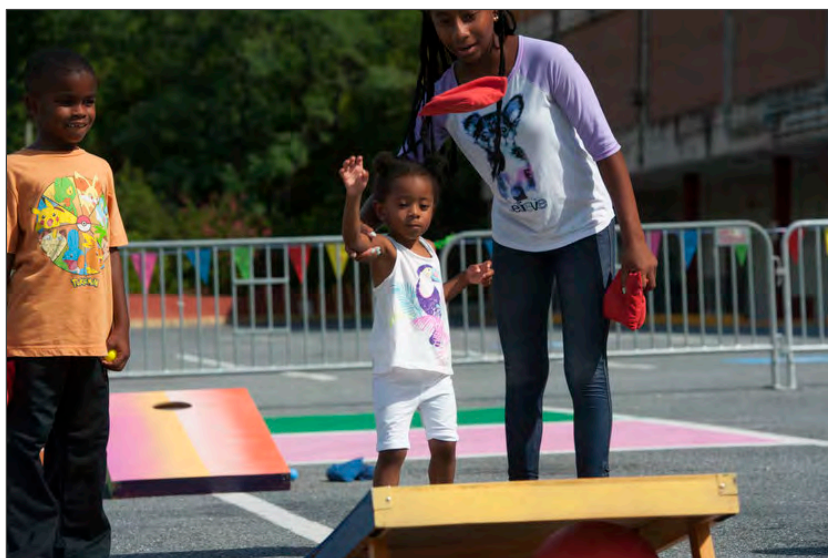
“...Penn Branch actually has the greatest potential of any site along the corridor to help meet pent up retail demand, but its current zoning makes it a serious challenge for viable redevelopment to occur...”

**- Pennsylvania Ave SE Corridor
Land Development Plan, Executive
Summary, Page 7**



Figure 4.58: View, Penn Branch Shopping Center

Neighborhood Outreach:





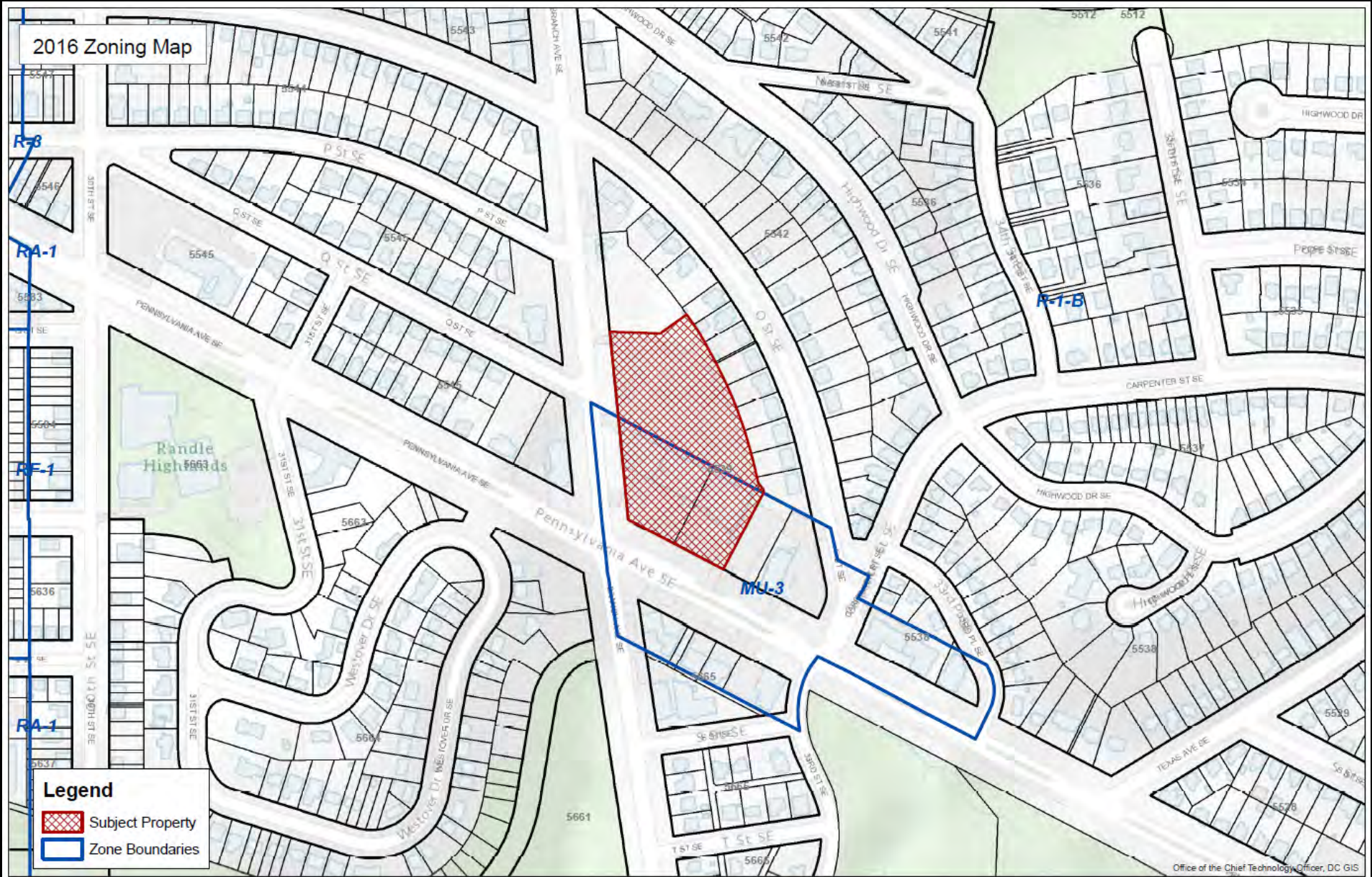
JAIR LYNCH
REAL ESTATE PARTNERS



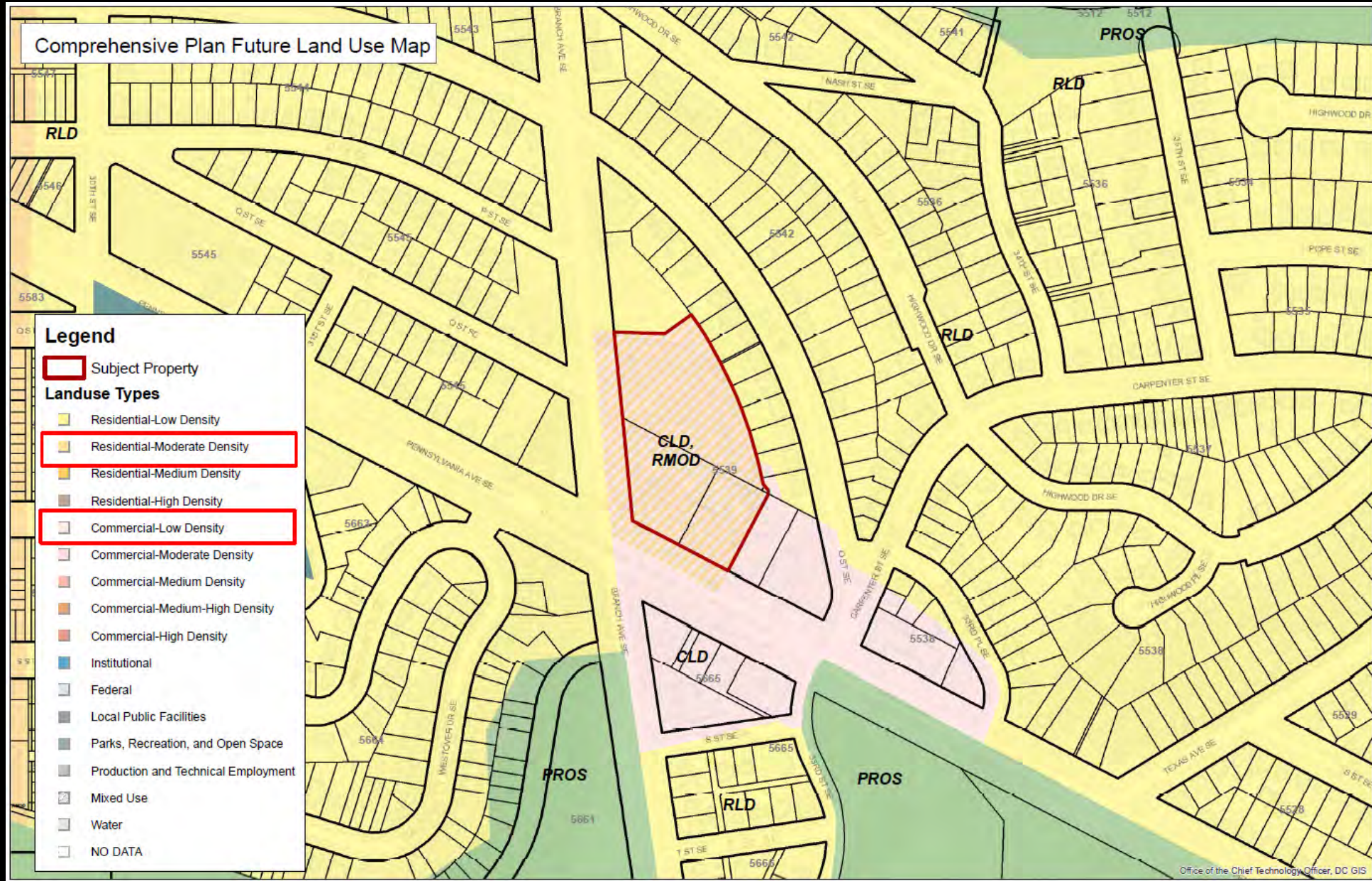
Conclusion:



Zoning Map



Comprehensive Plan Future Land Use Map



Comprehensive Plan Generalized Policy Map



Pennsylvania Avenue SE Corridor Small Area Plan

Pennsylvania Avenue SE Corridor

Land Development Plan
January 2008

Approved by DC Council July 15, 2008



East of River Sites:

- This area has a greater number of redevelopment opportunities, as well as significant unmet retail demand. (pg. 6)
- This plan will serve as an amendment to the Future Land Use Map..., which currently call for continues low density commercial and residential uses at the Penn Branch Shopping Center site. Given the community's desire for retail, and the position of the Penn Branch Shopping Center as the best opportunity for providing that retail, we feel it is a necessary change that will result in a short and long term win for current and future residents. (pg. 7)

Pennsylvania Avenue SE Corridor Small Area Plan



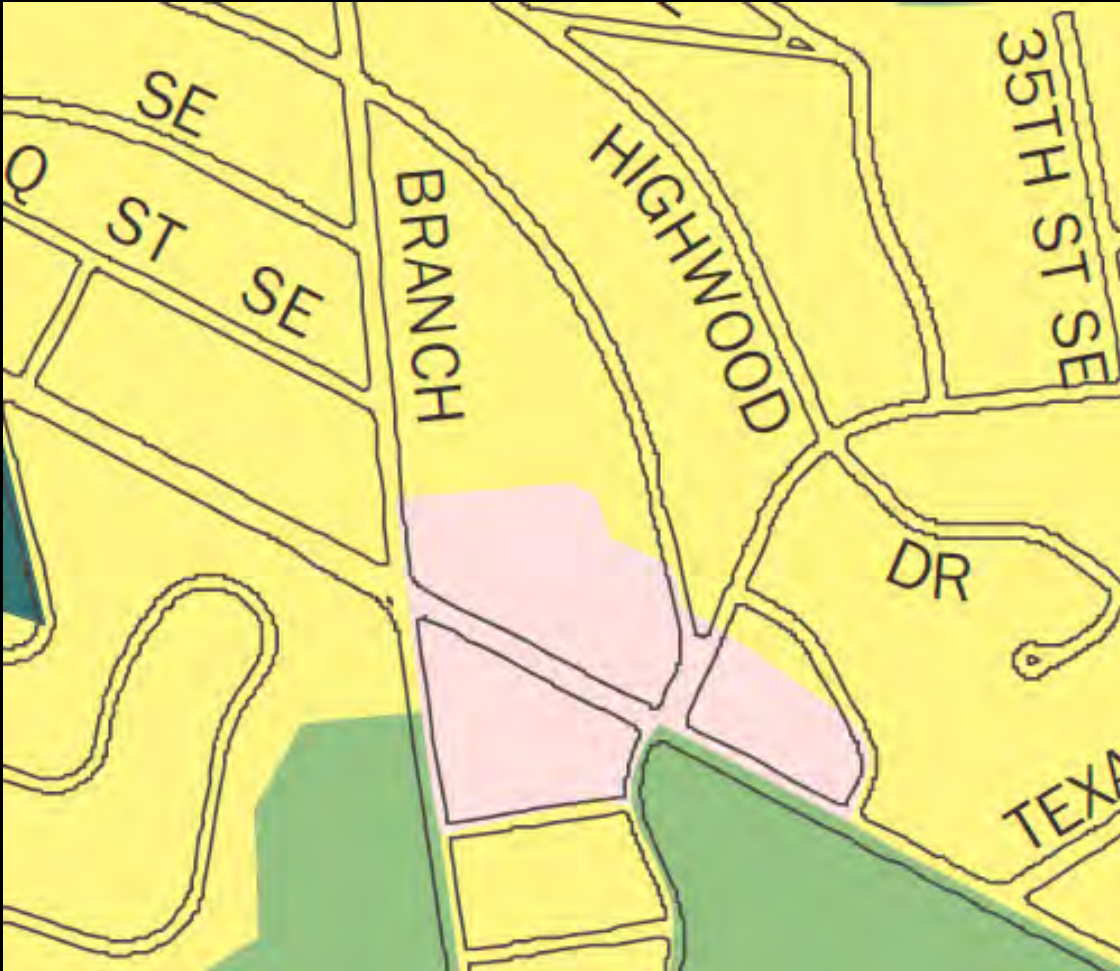
Penn Branch Sub-Area:

- This sub-area represents the best opportunity for new retail in the corridor. (pg. 66)
- Connectivity between land uses: The predominant land use throughout this sub-area is residential. A change from the existing zoning to moderate density at key nodes will allow for a mix of uses needed to support the desired retail of the community. (pg. 66)
- Analysis shows that the current split zoning of [MU-3] and R-1-B may create an impediment to redevelopment. (pg. 67)

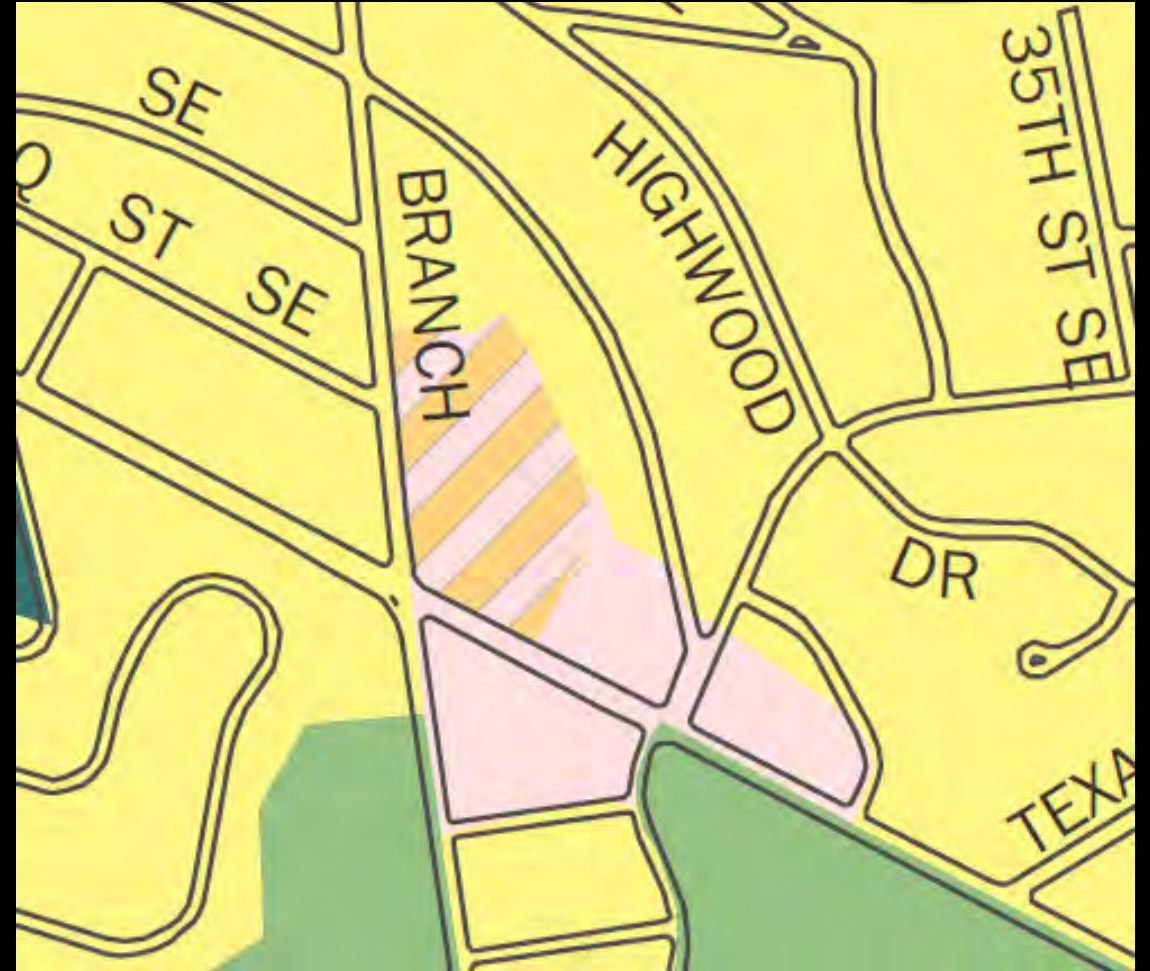


Figure 4.58: View, Penn Branch Shopping Center

Pennsylvania Avenue Se Corridor Small Area Plan



Comprehensive Plan Future Land Use Map (2007)



Comprehensive Plan Future Land Use Map (2013)

Comparison of Existing and Proposed Zoning

Existing Zoning (R-1-B/MU-3):

- The R-1-B zone is intended to provide for areas predominantly developed with detached houses on moderately sized lots.
- The MU-3 zone is intended to:
 - Permit low-density mixed-use development
 - Provide convenient retail and personal service establishments for the day-to-day needs of a local neighborhood, as well as residential and limited community facilities with a minimum impact upon surrounding residential development.

Proposed Zoning (MU-4):

- The MU-4 zone is intended to:
- Permit moderate-density mixed-use development.
- Provide facilities for shopping and business needs, housing, and mixed uses for large segments of the District of Columbia outside of the central core.
- Be located in low- and moderate-density residential areas with access to main roadways or rapid transit stops, and include office employment centers, shopping centers, and moderate bulk mixed-use centers.

Comparison of Existing and Proposed Zoning

	R-1-B	MU-3 (C-1)	MU-4 (C-2-A)
FAR	N/A	1.2 (IZ) (1.0 max nonres)	3.0 (IZ) (1.5 max nonres)
Height	40 ft / 3 stories	40 ft / 3 stories	50 ft
Penthouse	Detached, Semi-detached, Row 10 ft (Nonres, Institutional) 12 ft / 18.5 ft (mech)	12 ft / 15 ft (mech)	12 ft / 15 ft (mech)
Lot Occupancy	40%	60% res 100% nonres	60% res (75% IZ) 100% nonres
Rear Yard	25 ft	20 ft	15 ft

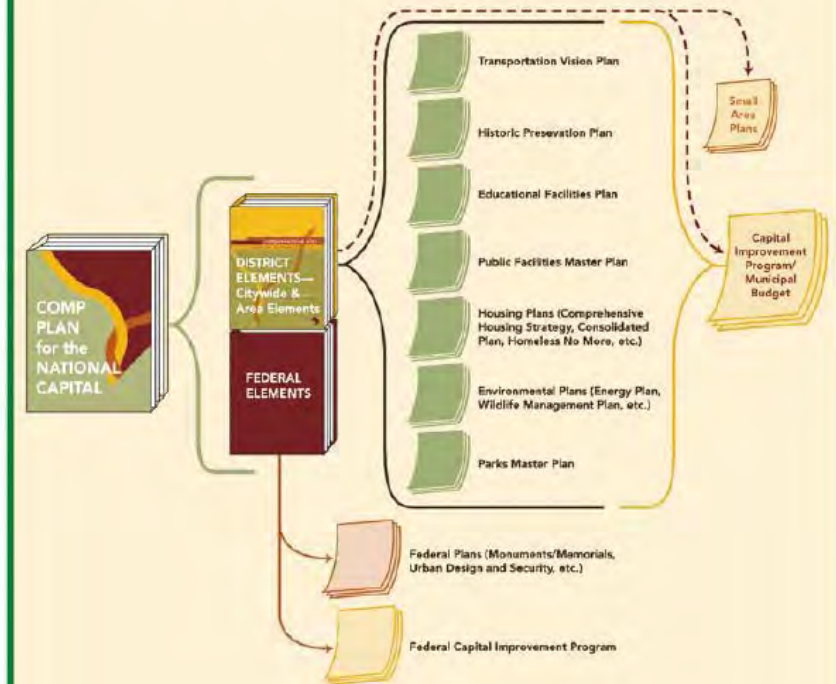
Standard of Evaluation

[z]oning maps and regulations, and amendments thereto, **shall not be inconsistent with the comprehensive plan for the national capital**, and zoning regulations shall be designed to lessen congestion in the street, to secure safety from fire, panic, and other dangers, to promote health and the general welfare, to provide adequate light and air, to prevent the undue concentration of population and the overcrowding of land, and to promote such distribution of population and of the uses of land as would tend to create conditions favorable to health, safety, transportation, prosperity, protection of property, civic activity, and recreational, educational, and cultural opportunities, and as would tend to further economy and efficiency in the supply of public services. D.C. Code § 6-641.02 (2001).

Family of Plans

- Comprehensive Plan is the centerpiece of a “Family of Plans” that guide public policy in the District.
(10-A DCMR § 103.1)
- Comprehensive Plan establishes the priorities and key actions that other plans address in greater detail. The broad direction it provides may be implemented through agency strategic plans, operational plans, long-range plans on specific topics (such as parks or housing), and focused plans for small areas of the city.
(10-A DCMR § 103.3)
- Three “Tiers” of Planning
 - The Citywide Elements
 - The Area Elements
 - The Small Area Plans

Figure 1.1:
The Family of Plans 103.4



Implementation Element

- “The Implementation Element describes how the policies and actions in the Comprehensive Plan should be carried out.” (10-A DCMR § 2500.1)
- IM-1: Administration of the Planning Process
 - “This section of the Implementation Element addresses the manner in which land use planning policies are interpreted and applied on a day-to-day basis. This includes the development review, small area planning, zoning, long-range planning, and community involvement activities that are used to carry out Comprehensive Plan policies.” (10-A DCMR § 2501.1)

IM-1.3: Zoning Regulations and Consistency

Policy IM-1.3.3: Consultation of Comprehensive Plan in Zoning Decisions - Require the Board of Zoning Adjustment, the Zoning Commission, the Zoning Administrator, and other District agencies or decision making bodies regulating land use to look to the District Elements of the Comprehensive Plan and its accompanying Maps. Decisions on requests for rezoning shall be guided by the Future Land Use Map read in conjunction with the text of the Plan (Citywide and Area Elements) as well as Small Area Plans pertaining to the area proposed for rezoning. (10-A DCMR § 2504.5)

Citywide Elements

- Land Use Element

- **Policy LU-1.3 Transit-Oriented and Corridor Development** - While transit-oriented development is most commonly thought of as a strategy for Metrorail station areas, it is also applicable along premium transit corridors and the city's "Great Streets." Six "Great Streets" were named in 2005 as part of an integrated economic development, transportation, and urban design strategy. 10-A DCMR § 306.6.
- **Policy LU-1.4.1: Infill Development** - Encourage infill development on vacant land within the city, particularly in areas where there are vacant lots that create "gaps" in the urban fabric and detract from the character of a commercial or residential street. Such development should complement the established character of the area and should not create sharp changes in the physical development pattern. 10-A DCMR § 307.5.
- **Policy LU-1.4.3: Zoning of Infill Sites** - Ensure that the zoning of vacant infill sites is compatible with the prevailing development pattern in surrounding neighborhoods. This is particularly important in single family and row house neighborhoods that are currently zoned for multi-family development. 10-A DCMR § 307.7
- **Policy LU-2.4.2: Hierarchy of Commercial Centers** - Maintain and reinforce a hierarchy of neighborhood, multi-neighborhood, regional, and main street commercial centers in the District. Activities in each type of center should reflect its intended role and market area, as defined in the Framework Element. Established centers should be expanded in areas where the existing range of goods and services is insufficient to meet community needs. 10-A DCMR § 312.6
- **Policy 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 does not unreasonably impact them. 10-A DCMR § 312.9

Citywide Elements

- Transportation Element

- **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. 10-A DCMR § 404.8.
- **Action T-1.3.A: Regional Jobs/Housing Balance** - Continue the efforts to ensure that the concepts of infill, mixed-use and transit-oriented development are promoted at the regional level; to design transportation systems that connect District residents to local jobs; and to provide opportunities for non-resident workers to also live in DC. 10-A DCMR § 405.14

- Housing Element

- **Policy H-1.1.1: Private Sector Support** - Encourage the private sector to provide new housing to meet the needs of present and future District residents at locations consistent with District land use policies and objectives. 10-A DCMR § 503.2
- **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. 10-A DCMR § 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. 10-A DCMR § 503.5

Citywide Elements

- Economic Development Element
 - **Policy ED-2.2.1: Expanding the Retail Sector**: Pursue a retail strategy that will allow the District to fully capitalize on the spending power of residents, workers and visitors, and that will meet the retail needs of underserved areas. 10-A DCMR § 708.4.
 - **Policy ED-2.1.5: Infill and Renovation**: Support the continued growth of the office sector through infill and renovation within established commercial districts to more efficiently use available space while providing additional opportunities for new space. 10-A DCMR § 707.10,
 - **Policy ED-2.2.6: Grocery Stores and Supermarkets**: Promote the development of new grocery stores and supermarkets, particularly in neighborhoods where residents currently travel long distances for food and other shopping services. Because such uses inherently require greater depth and lot area than is present in many commercial districts, adjustments to current zoning standards to accommodate these uses should be considered. 10-A DCMR § 708.10

Area Elements

- Subject Property located within the FAR NORTHEAST AND SOUTHEAST Area Element
 - **Policy FNS-1.1.1: Conservation of Low Density Neighborhoods** - Recognize the value and importance of Far Northeast and Southeast's stable single family neighborhoods to the character of the local community and to the entire District of Columbia. Ensure that the Comprehensive Plan and zoning designations for these neighborhoods reflect and protect the existing low density land use pattern while allowing for infill development that is compatible with neighborhood character. 10-A DCMR § 1708.2.
 - **Policy FNS-1.1.2: Development of New Housing** - Encourage new housing for area residents on vacant lots and around Metro stations within the community, and on underutilized commercial sites along the area's major avenues. Strongly encourage the rehabilitation and renovation of existing housing in Far Northeast and Southeast, taking steps to ensure that the housing remains affordable for current and future residents. 10-A DCMR § 1708.3.
 - **Policy FNS-1.1.3: Directing Growth** - Concentrate employment growth in Far Northeast and Southeast, including office and retail development, around the Deanwood, Minnesota Avenue and Benning Road Metrorail station areas, at the Skyland Shopping Center, and along the Nannie Helen Burroughs Avenue, Minnesota Avenue, Benning Road, and Pennsylvania Avenue SE "Great Streets" corridors. Provide improved pedestrian, bus, and automobile access to these areas, and improve their visual and urban design qualities. These areas should be safe, inviting, pedestrian-oriented places. 10-A DCMR § 1708.4.
 - **Policy FNS-1.1.4: Retail Development** - Support the revitalization of the neighborhood commercial areas listed in Policy FNS-1.1.3 with new businesses and activities that provide needed retail services to the adjacent neighborhoods and that are compatible with surrounding land uses. 10-A DCMR § 1708.5.

Area Elements

- Subject Property located within the FAR NORTHEAST AND SOUTHEAST Area Element
- Policies related to the PENNSYLVANIA AVENUE SOUTHEAST CORRIDOR Policy Focus Area:
 - Policy FNS-2.6.1: Pennsylvania Avenue “Great Street” - Plan the Pennsylvania Avenue SE corridor in a manner that reduces traffic impacts on adjacent neighborhoods, improves its role as a Far Northeast and Southeast commercial center, and restores its ceremonial importance as a principal gateway to the nation’s capital. 10-A DCMR § 1716.3.
 - Policy FNS-2.6.2: Neighborhood Shopping Improvements - Promote a wider variety and better mix of neighborhood-serving retail shops at the shopping centers at Pennsylvania and Alabama Avenues, and Pennsylvania and Branch Avenues. 10A DCMR § 1716.4.

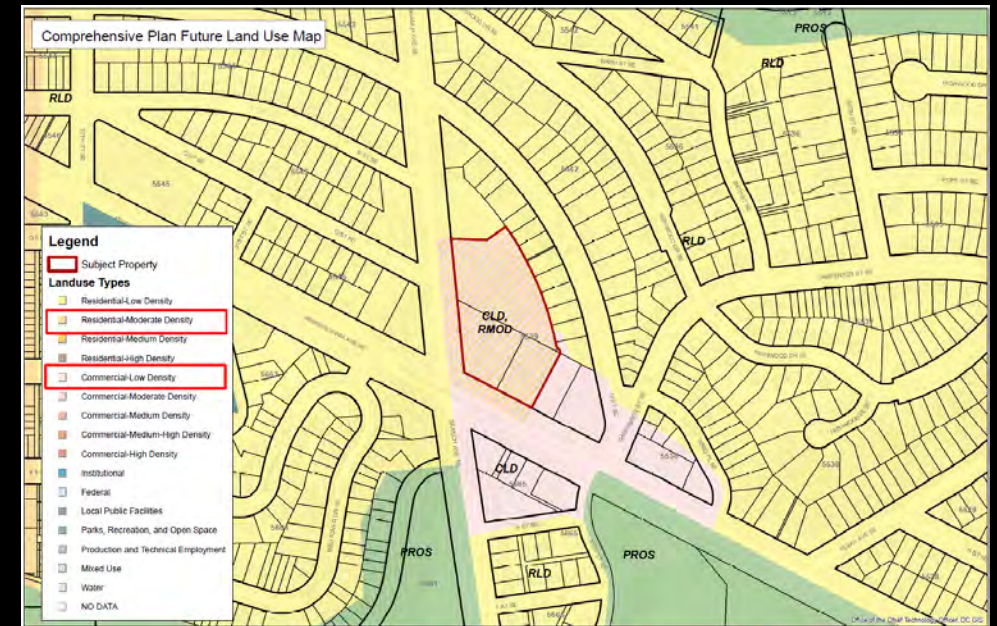
Comprehensive Plan Generalized Policy Map

- Map amendment will permit development that will help meet the day-to-day needs of residents and workers in the adjacent neighborhoods while conserving and enhancing the surrounding established neighborhood.
- The height and density permitted under the MU-4 zone is consistent with the Subject Property's FLUM designation.

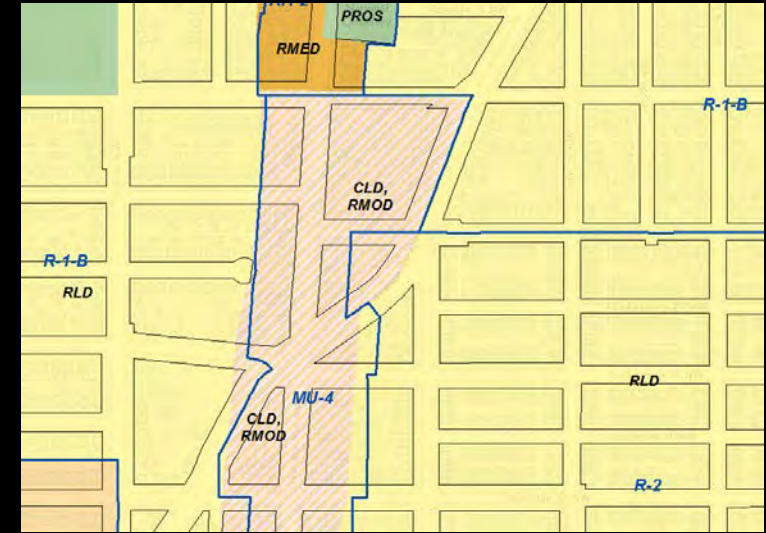
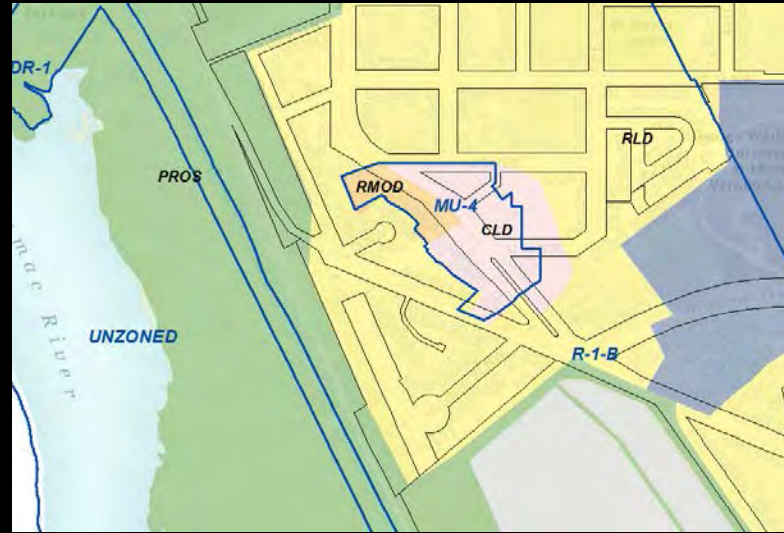
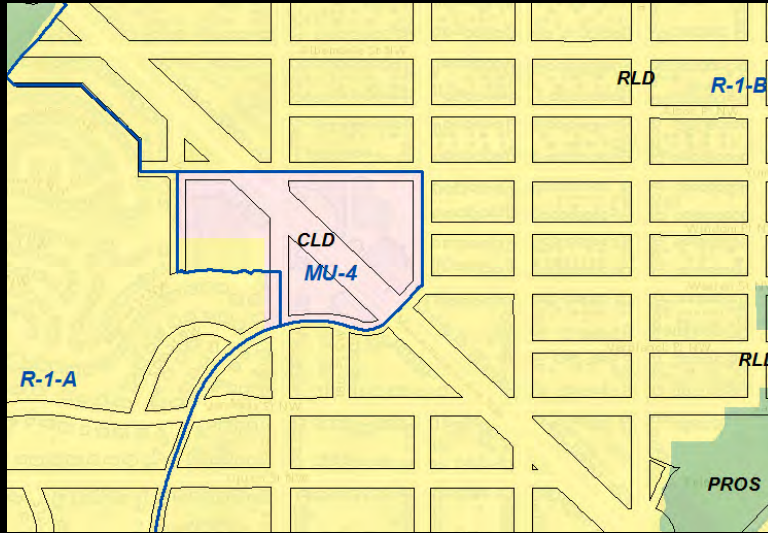


Comprehensive Plan Future Land Use Map

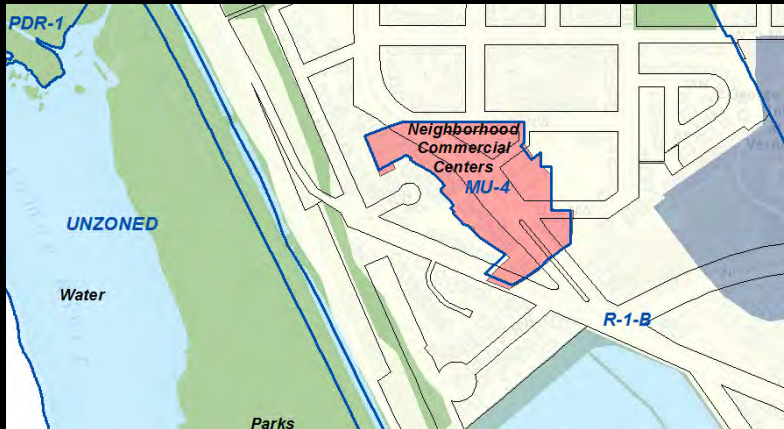
- Not inconsistent with the Mixed-Use: Low Density Commercial / Moderate Density Residential FLUM designation.
- MU-4 (former C-2-A) specified as corresponding to Low Density Commercial land use designation.
- MU-4 zone is intended to:
 - Permit moderate-density mixed-use development.
 - Provide facilities for shopping and business needs, housing, and mixed uses for large segments of the District of Columbia outside of the central core.
 - Be located in low- and moderate-density residential areas with access to main roadways or rapid transit stops...



Comprehensive Plan FLUM and GPM Comparison



Spring Valley



Palisades



Petworth

Conclusion

- Map amendment is not inconsistent with the Comprehensive Plan
 - Will bring zoning of the Subject Property more into conformance
- Implement/address the recommendations of the Pennsylvania Avenue SE Corridor Small Area Plan:
 - Takes advantage of the best opportunity for new retail.
 - Eliminates the current split-zoning that creates impediments for redevelopment.
 - Provides design flexibility that will increase the likelihood of redevelopment that attracts the types of tenants desired by the community.
- Facilitate development that will help achieve the goals of the Pennsylvania Avenue SE Corridor Small Area Plan:
 - Unify and transform Pennsylvania Avenue, SE into a world-class boulevard.
 - Create opportunities for mixed-use development, including enhanced retail amenities and affordable, workforce and market rate housing.
 - Support important streetscape and infrastructure investments that will aid in revitalizing one of the District's major corridors.



Conclusion

- Will further the public health, safety, and general welfare of the District:
 - More productive use of Subject Property that contributes to the revitalization of Pennsylvania Avenue, SE and the neighborhoods located east of the river.
 - Facilitate new mix of uses at a scale that is compatible with surrounding development.
 - Short- and long-term jobs.
 - New tax revenue for District government.



Conclusion

- Positive benefits:
 - Facilitate redevelopment of a significantly underutilized site along a designated “Great Street,”.
 - Substantially improve existing site conditions, thereby enhancing the quality of the entire community.
 - Promote efficient use of high-value land in a manner that will enhance the city’s image.

