

**MEMORANDUM**

**TO:** District of Columbia Zoning Commission

**FROM:** Karen Thomas, Project Manager  
*JLS*  
 Jennifer Steingasser, Deputy Director, Development Review & Historic Preservation

**DATE:** November 25, 2019

**SUBJECT:** ZC Case 19-25 – Setdown Report for an Application to Rezone 1101-1125 H Street NE from NC-16 and MU-4 zones to NC-17

**I. RECOMMENDATION**

The Office of Planning recommends that the Zoning Commission **setdown** this application to rezone *Square 982, Lots 57, 65,68, 70 and 823* located between 1101 H Street to 1125 H Street NE. The proposal **would not be inconsistent** with the Future Land Use Map (FLUM), General Policy Map and text of Comprehensive Plan.

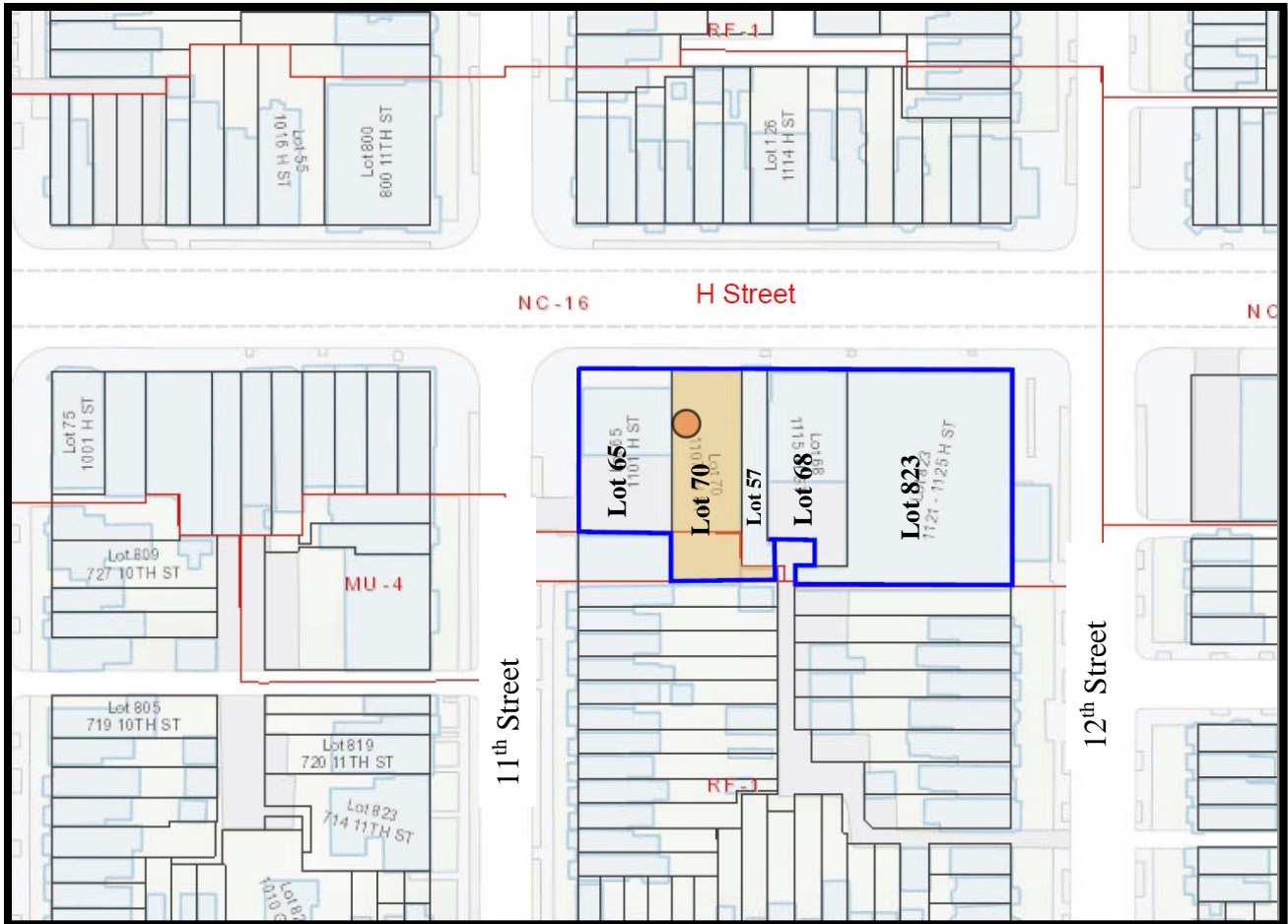
The Comprehensive Plan provides that the zoning of any given area should be guided by the FLUM, interpreted in conjunction with the text of the Comprehensive Plan, including the city-wide and area elements as well as approved Small Area plans (10-A DCMR § 266.1 (d)). The applicant has provided a detailed discussion of the Comprehensive Plan on pages 8 through 20 of their October 30, 2019 application.

**II. APPLICATION-IN-BRIEF**

<b>Applicant:</b>	Airdome LLC
<b>Proposed Map Amendment:</b>	From NC-16 and MU-4 to NC-17
<b>Address:</b>	1101-1125 H Street NE
<b>Ward and ANC:</b>	6/ANC 6A
<b>Legal Description:</b>	Square 982, Lots 57,65,68,70 and 823
<b>Property size:</b>	32,667 square feet
<b>Future Land Use Map Designation:</b>	Medium-Density Residential and Medium-Density Commercial
<b>Generalized Policy Map Designation:</b>	Main Street Mixed-Use Corridor
<b>Historic District:</b>	None

### III. SITE AND AREA DESCRIPTION

Five properties are proposed for rezoning, two of which are owned by the applicant and the remainder by private entities, who gave permission to the applicant for the proposed map amendment from the NC 16, MU-4 zones to the MU-17 zone.



#### LOCATION and ZONING MAP

The subject properties front the east/west H Street corridor, which is primarily developed with a variety of commercial uses include a mix of restaurants, retail and service uses at grade. The corridor is transit accessible, including a number of bus routes, as well as the Street Car and Circulator bus lines. Moderate-density dwellings including rowhomes in the RF-1 District are north and south of the commercial zone boundaries of the corridor.

Lot 65 to the west is developed with a single-story brick commercial building occupied by a convenience store use and a rear parking area accessed off 11<sup>th</sup> Street NE. Lot 70 is developed with a two-story building which occupies 100% of the lot with access to the rear alley. These lots are owned by the applicants.

Lots 57 and 68 are owned by separate entities and are each developed with a five-story mixed-use apartment building with ground floor retail uses. Lot 823 to the east is developed with a two-story commercial building. All subject lots abut the dead-end of a narrow alley which exits mid-block on 12<sup>th</sup> Street.

#### IV. DEVELOPMENT CAPACITY OF EXISTING AND PROPOSED ZONES

The application is to rezone the entire southside of the 100 block of H Street NE (1101 H Street to 1125 H Street NE) from NC-16 and, MU-4 (both moderate density mixed use zones) to NC-17 moderate-medium density mixed use zone. The existing [NC-16](#) zone is identified as a zone appropriate for the retail sub-district along the H Street Corridor. It encourages neighborhood retail shopping and a mixture of building uses that are generally compatible in scale with existing buildings from 7<sup>th</sup> Street to 12<sup>th</sup> Street, N.E. It is intended to permit mixed-use development at a moderate-density.

The proposed NC-17 zone is also identified as a zone appropriate for the retail sub-district of the H Street corridor and is intended to permit mixed-use development at a moderate- to medium-density.

The rear portion of Lot 70 is mapped in the MU-4 zone and permits moderate-density mixed-use development, 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.

The following table summarizes and compares the proposed NC-17 zone and the existing NC-16 and MU-4 zones:

	<b>Existing Zone: MU-4 Moderate Density Mixed Use (11DCMR G-400.4)</b>	<b>Existing Zone: NC-16 Moderate Density Mixed Use (11DCMR H-900.13)</b>	<b>Proposed Zone: NC-17 Moderate – Medium Density Mixed Use (11DCMR H-900.14)</b>
<b>Permitted Uses:</b>	Use Group E	NC Use Group B	NC Use Group B
<b>Height:</b>	50 feet max.	50 feet max.	65 feet max. 70 feet (IZ)
<b>FAR:</b>	2.5 max. (1.5 max. res.) 3.0 IZ	2.5 max. 3.0 IZ	3.5 4.2 (IZ)
<b>Penthouse Height:</b>	12 feet max.; 1 story 15 feet mechanical max..	12 feet max.; 1 story 15 feet mechanical max.	12 feet max. 1 story 18ft 6in. for mechanical
<b>Lot Occupancy:</b>	60% max. 75% (IZ)	70 % max. (residential) 75 % (IZ) 100% (non-residential)	70% max. (residential) 80% (IZ) 100% (non-residential)
<b>Rear Yard:</b>	15 feet min.	15 feet min.	15 feet min.
<b>Side Yard:</b>	None required. If provided 5 ft. min.	None required. If provided 15 ft. min.	None required. If provided 5 ft. min.
<b>GAR:</b>	0.3 min.	0.3 min.	0.3 min.

#### V. COMPREHENSIVE PLAN

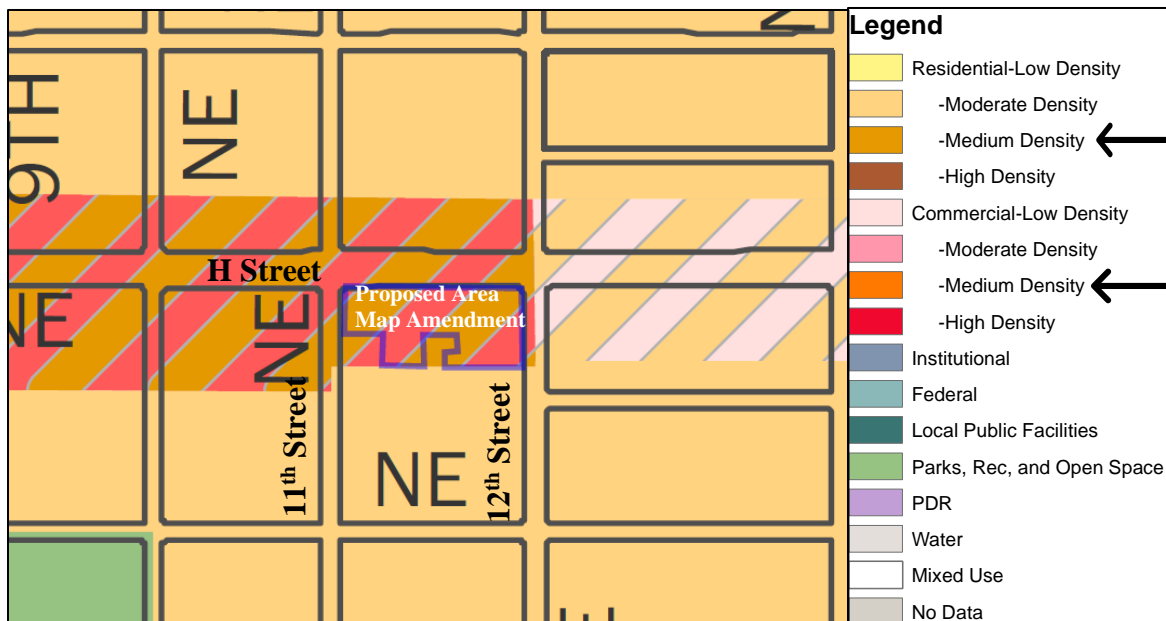
##### A. COMPREHENSIVE PLAN MAPS

As described in the Guidelines for Using the Generalized Policy Map and the Future Land Use Map (Chapter 2 Framework Element, Section 226, Attachment III), 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 inconsistent with the map designations.

**Generalized Future Land Use Map (FLUM)**

The Future Land Use Map (FLUM) indicates that the site is appropriate for 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:

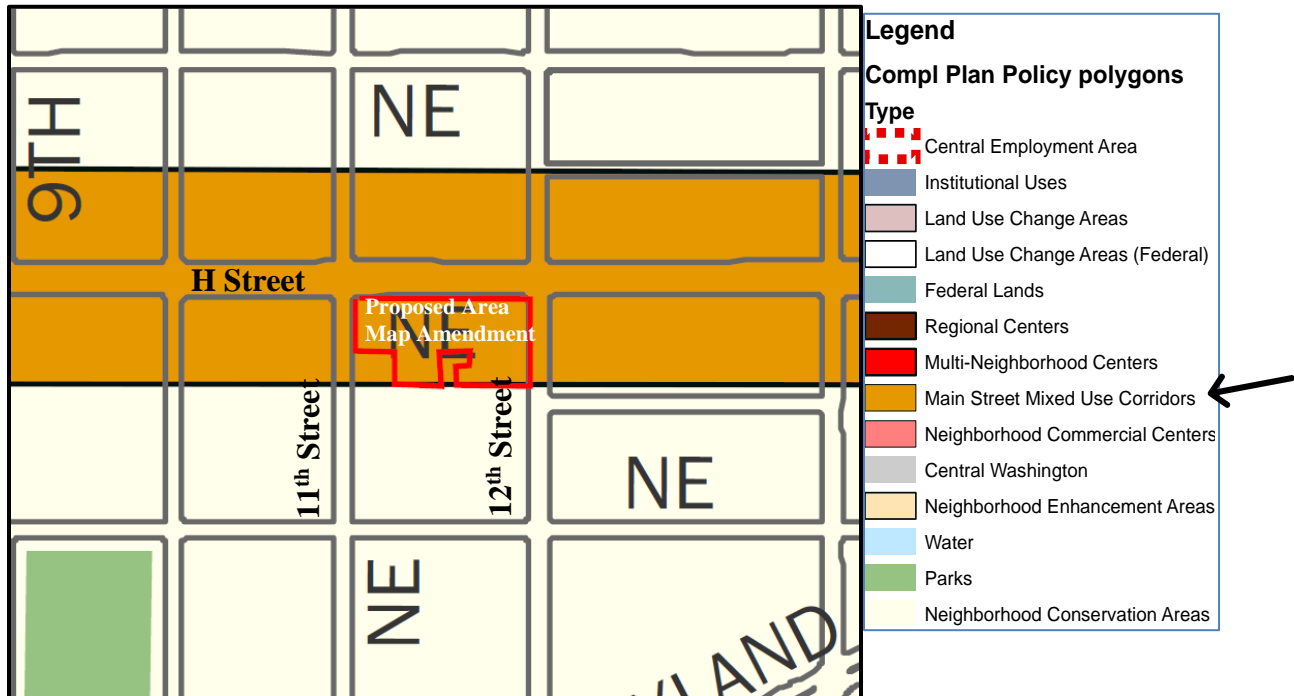
- a. Established, pedestrian-oriented commercial areas which also include substantial amounts of housing, typically on the upper stories of buildings with ground floor retail or office uses;
- b. Commercial corridors or districts which may not contain substantial amounts of housing today, but where more 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

### Generalized Policy Map

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



*These are traditional commercial business corridors with a concentration of older storefronts along the street. The service area for Main Streets 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. 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. 223.14*

The applicant intends to redevelop the site with a mixed-use development, with residential use above ground floor retail, as anticipated by the FLUM and the Policy Map described prior.

## **B. COMPREHENSIVE PLAN POLICIES**

### **Citywide Elements:**

#### ***Land Use Element***

#### ***Policy LU-2.1.10: Multi-Family Neighborhoods***

*Maintain the multi-family residential character of the District's Medium and High-Density residential areas. Limit the encroachment of large scale, incompatible commercial uses into these areas, and make these areas more attractive, pedestrian-friendly, and transit accessible. § 309.15*

*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*

*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-1.1.1: 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. 503.2*

*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-1.3.2: 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 for a variety of incomes, including additional IZ units within a mixed-use development.

**Area Element:**

***Capitol Hill Area Element***

*Policy CH-1.1.3: Upgrading Commercial Districts*

*Reinforce and upgrade the major commercial districts of Capitol Hill, including the H Street and Benning Road corridors, the Pennsylvania Avenue corridor, 7th and 8th Streets SE, and Massachusetts Avenue between Union Station and Stanton Park. Support the further development of these areas with local-serving retail services, provided that such uses are compatible with surrounding land uses and the historic architecture and scale of the shopping districts themselves.*

*Support the retention of existing neighborhood-serving businesses in these areas through programs that provide technical and financial assistance to small, locally-owned establishments. 1508.4*

*Policy CH-1.1.4: Directing Growth*

*Direct growth in the Capitol Hill Planning Area to commercially zoned land, with a particular emphasis on the H Street/Benning Road corridor. Mixed-use development combining ground floor retail and upper story residential uses should be supported in this area, along with streetscape improvements that improve visual and urban design qualities and enhance pedestrian, bus, and auto circulation. As in all parts of the city, the scale of development must be sensitive to adjacent uses and should reflect the capacity of roads, infrastructure, and services to absorb additional growth. 1508.5*

*Policy CH-1.1.9: Conversion of Non-Residential Structures*

*Allow the conversion of obsolete or vacant non-residential structures (including schools, churches, warehouses, and institutional uses) to housing, provided that important architectural resources are conserved and the resulting development is consistent in density with surrounding uses. 1508.10*

*Policy CH-2.1.1: H Street Revitalization*

*Central Retail, extending from 7th Street to 12th Street NE.*

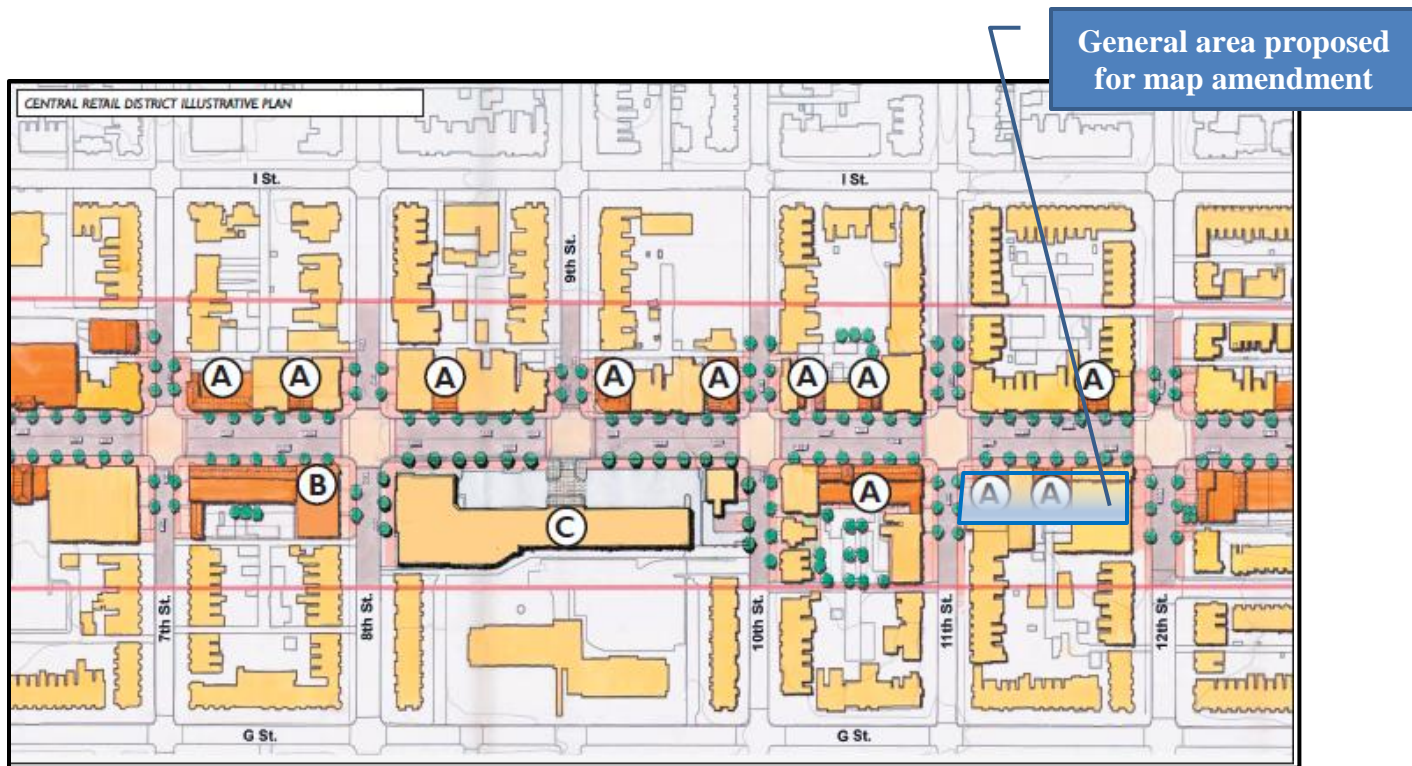
*This area is envisioned as the “downtown” of the H Street community. Existing retail space is to be revitalized, and new mixed-use projects combining ground floor retail and upper story housing are encouraged. Parking is to be enhanced by removing on-street parking restrictions and identifying opportunities for structured off-street parking.*

*Policy CH-2.1.2: Clustering of Retail*

*Recognize that the existing supply of retail space on the H Street NE corridor may exceed demand, and that retail development should therefore be clustered on the 700-1100 blocks. 1511.7*

The proposed amendment would support H Street’s revitalization and the area retail cluster identified in the policy guideline. The new zone would allow future development on underutilized parcels for housing and retail, thereby directing growth on H Street enabling the support of transit opportunities and businesses along the corridor.

### C. SMALL AREA PLAN – H STREET PLAN



Central Retail District (7th Street to 12th Street)

#### 7.2 Plan Framework

##### *Central Retail District (7th Street to 12th Street)*

*Plans for the Central Retail District recognize this area’s long history as the neighborhood’s primary shopping destination. The area around the intersection of 8th and H Streets continues to benefit from its position as the corridor’s ‘100% corner’—the place where the transportation network best supports retail activity. Several transportation-related factors—the crossing of high-volume bus lines, the passing of 24,000 vehicles per day, and foot traffic from the neighborhood—make this area attractive to a mix of local, regional, and national retailers. Recent building renovations and the low number vacant sites and storefronts are clear signs of the area’s viability as a retail destination.*

*Recommendations for the Central Retail District focus on leveraging existing assets—strong existing businesses, quality building stock, and excellent accessibility. Recommendations include initiatives to increase the competitiveness of existing businesses, attract new investment, encourage the renovation of storefronts and buildings, attract small office and apartment uses in upper story spaces, and encourage infill development on vacant and underutilized sites. Full-time on-street parking along with proposed public parking facilities at the district’s edges—at the redeveloped Murry’s and/or Auto Zone sites—will help support the district’s development.*



## **8.2 Strategic Development Plan by District**

*Preservation, Adaptive Reuse and Infill Development (A). Several sites have been identified as appropriate for small scale redevelopment and infill development. These sites offer opportunities for owners of small vacant and underutilized sites opportunities to contribute to the revitalization effort while maintaining the scale and character of the corridor.*

The H Street Small Area Plan identifies the subject properties within the central retail district as shown in the map prior. The proposal would promote the infill development of underutilized parcels while maintaining the desired scale of development along the corridor with new investment in mixed-use development.

### **D. SUMMARY OF PLANNING CONTEXT ANALYSIS**

The subject properties in combination are a targeted location in the Small Area Plan for adaptive reuse and infill development. Their location along a transit-rich, mixed-use corridor would support future development that would not be inconsistent with the medium-density, mixed-use development anticipated by the FLUM.

OP recommends setdown of the requested map amendment as it is not inconsistent with the policies and goals of the Comprehensive Plan and the H Street Small Area Plan, as summarized in this report and detailed in the application.