District of Columbia
Office of Planning

MEMORANDUM

TO: District of Columbia Zoning Commission

FROM: JL for Jennifer Steingasser, Deputy Director

DATE: December 31, 2012

SUBJECT: **Public Hearing Report** for ZC #09-08B, Dance Place Second Stage Planned Unit Development

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I. SUMMARY RECOMMENDATION

Dance Place, a long-time cultural resident of the Brookland neighborhood, has submitted an application for a Second Stage Planned Unit Development (PUD) to construct an addition to its existing facility at 3225 8th Street, NE. The addition, which would be more modest in scale than the completely new building approved by the Commission in the first stage PUD, would not be inconsistent with the goals of the first stage PUD approval, the Comprehensive Plan, or the Zoning Regulations. The Office of Planning (OP), therefore, recommends approval of the application.

II. APPLICATION-IN-BRIEF

Location: Square 3832, Lot 803 Ward 5, ANC 5C

Applicant: DC Wheel Productions, Inc., dba Dance Place

PUD-Related Zone: C-2-B

Proposal: Two-story addition to the side and rear of the existing two-story Dance Place facility.

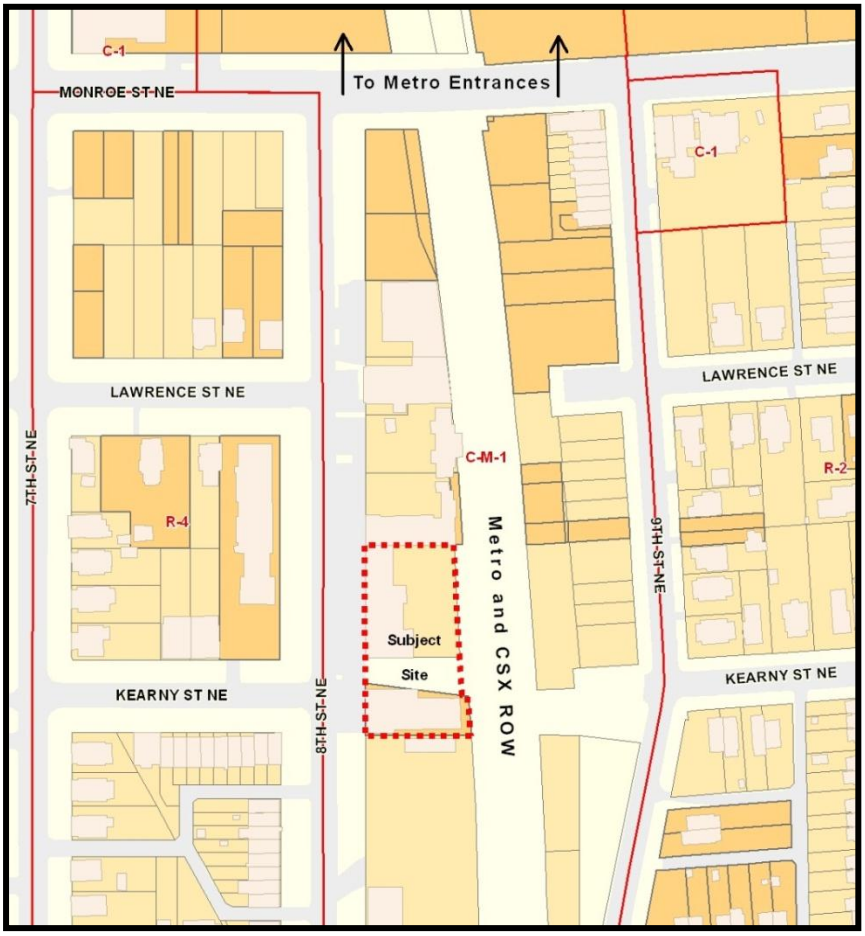
Relief and Zoning: Consistent with the First Stage PUD approval, the design would require the following zoning flexibility:

1. Rear yard (§ 774)
2. Side yard (§ 775)
3. Court width (§ 776)
4. Rooftop structure requirements (§ 777)
5. Parking (§ 2101)

Background: In 2009 the Zoning Commission approved a PUD application for an arts campus, including a First Stage approval for the Dance Place, and a Consolidated portion for the Brookland Artspace Studios, studios and

living spaces for working artists. The consolidated portion has been constructed just to the north of the site of the present application. The original application established PUD-related zoning of C-2-B for the entire site.

III. SITE AND AREA DESCRIPTION



The site of the entire PUD is between 8th Street, NE and the Metro and CSX railroad right-of-way (ROW) at the intersection of Kearny Street, approximately three blocks south of the Brookland metro. The subject of the current application, the Dance Place building, is at the southern end of the property, south of the unimproved Kearny Street ROW.

The site slopes down slightly away from 8th Street toward the railroad tracks. A sewer main exists mostly under the Kearny Street remnant, but also under a corner of the Dance Place property.

To the north and south of the site and east of 8th Street are industrial or semi-industrial uses such as auto repair and equipment storage. West of the site is a residential neighborhood that is a mix of detached houses, rowhouses and small apartment buildings. Across the tracks to the east is also a mix of housing types. A PUD was approved by the Commission for properties owned by Catholic University to the north and northwest of the subject site. That project, which is under construction, will provide rowhouses and mixed use buildings, including arts uses on 8th Street north of the subject site.

IV. PROJECT DESCRIPTION

Dance Place proposes an addition to their existing dance studio building on 8th Street, NE in Brookland. The proposed building would be much smaller than the entirely new structure conceived of and approved in the first stage PUD in 2009. That building would have been 50' and four stories tall whereas the current and proposed structure is and would be two stories. Part of the same application (#09-08) was the consolidated PUD approval of the Artspace Lofts, artist live-work units, which have since been constructed just to the north of Dance Place.

The applicant proposes to replace a previous rear addition with a larger addition, and to construct a second story addition over an existing one-story structure on the north side of the facility. The new, larger, and more efficient layout would create more back-of-house, rehearsal and office space, and would provide more a logical and safe entry to and egress from the building.

The skin of the building would be refaced. Canopies would highlight the entrance to the lobby of the building, and a mechanical enclosure at the corner of 8th and Kearney would serve as a visual marker for the building. The maximum height of the building would be 35'. At setdown the Commission asked the applicant to examine other ways of incorporating the mission of Dance Place into the exterior architecture. The applicant addressed their design intent in the September 14th written statement, and also submitted revised renderings that provide a better sense of how the project will look when completed.

V. COMPREHENSIVE PLAN

The Commission found during its review of the first stage PUD that the project is not inconsistent with the Comprehensive Plan. OP finds that the current second stage PUD application is generally consistent with the first stage as approved and with the objectives of the Comprehensive Plan.

As stated in the July 20th Office of Planning report, the proposal would further a number of the Plan's Guiding Principles and major policies from the Land Use; Transportation; and Art and Culture citywide elements, and the Upper Northeast area element. The application is also consistent with the Brookland / CUA Metro Station Small Area Plan.

VI. ZONING

In the first stage PUD, the Commission approved PUD-related zoning of C-2-B for the entire site. The Commission also approved the general massing for the Dance Place building in its first stage approval, including providing for flexibility in the rear and side yards, roof structures and parking. As part of this second stage application the applicant has also requested flexibility for court width.

OP supports the design of the project and does not object to the requested relief. The existing building extends to the property line on the south and east, and nearly to the property line on the north, so a building addition that has a similar footprint would not have a major impact on surrounding properties. In addition, the railroad provides a natural separation between the subject property and neighborhoods to the east. OP also supports the requested parking relief. The submitted traffic study states that there would not be significant traffic generated by the minor expansion of the Dance Place. Many patrons of the facility would use transit to access the site, including metro and bus.

The development parameters of the project are described in the table below.

Item	Section	C-2-B PUD	Approved PUD	Proposed (Dance Place only)	Relief
Site Area	2401.1	15,000 sf	21,102 sf (entire PUD site, not incl. Kearney Street ROW)	6,727 sf (Dance Place portion of site)	Conforming
Height	2405.1	90’	50’	35’	Conforming
FAR	2405.2	6.0 max. res. 2.0 max. non-res 6.0 max. total	2.32 res. (48,898 sf) 0.83 non-res.(17,584 sf) 3.15 total (66,482 sf)	0 res. (0 sf) 0.57 non-res. (11,953 sf) 0.57 total (11,953 sf)	Conforming
Lot Occ.	772	100% (Commercial)	91%	90%	Conforming
Rear Yard	774	15’	**0’ min.**	**0’**	**Requested / Approved as part of First Stage PUD**
Side Yard	775	None required; if provided, 2” / ft. of ht. or min. of 6’	**0’ min.**	**0’ min. (existing) to 9’6”**	**Requested / Approved as part of First Stage PUD**
Court Width	776	Min. Width = 3” / ft. of ht. (23’ ht. = 5.75’ width)	**n/a**	**5’ width**	**Requested**
Court Area	776	Min. Area = $2 * (width^2)$; 250 sf min. [250 sf required]	n/a	~315 sf	Conforming
Roof Structures	777	One rooftop structure; one enclosure height; 1-to-1 setback	**Multiple enclosures; multiple enclosure heights; not 1-to-1 setback**	**Multiple enclosures; multiple enclosure heights; not 1-to-1 setback**	**Requested / Approved as part of First Stage PUD**
Parking	2101	res: 1 per 3 d.u. = 14 [41 units / 3] education: 2 per 3 teachers + 1 per 10 students = 8 [2 teachers + 65 students = 1 space + 7 spaces = 8] assembly: 1 per 10 seats = 18 spaces	**23 total spaces in Artspace Lofts building, with 2 spaces reserved for Dance Place**	**2 spaces in Artspace Lofts building**	**Requested / Approved as part of First Stage PUD**
Loading	2201	res.: no requirement educational: no req. theater: no req.	None provided	None provided	Conforming

VII. PURPOSE AND EVALUATION STANDARDS OF A PUD

The purpose and standards for Planned Unit Developments are outlined in 11 DCMR, Chapter 24. The PUD process is “designed to encourage high quality developments that provide public benefits.” Through the flexibility of the PUD process, a development that provides amenity to the surrounding neighborhood can be achieved.

The applicant is requesting approval of a second stage PUD. The PUD standards state that the “impact of the project on the surrounding area and upon the operations of city services and facilities shall not be unacceptable, but shall instead be found to be either favorable, capable of being mitigated, or acceptable given the quality of public benefits in the project” (§2403.3).

Based on comments received to date from referral agencies, OP believes that there will be little to no impact on city services, and that in fact the facility will provide benefits for the community.

VIII. PUBLIC BENEFITS AND AMENITIES

Sections 2403.5 – 2403.13 of the Zoning Regulations discuss the definition and evaluation of public benefits and amenities. In its review of a PUD application, §2403.8 states that "the Commission shall judge, balance, and reconcile the relative value of the project amenities and public benefits offered, the degree of development incentives requested, and any potential adverse effects according to the specific circumstances of the case." Sections 2403.9 and 2403.10 state that a project must be acceptable in all the listed proffer categories, and must be superior in many. To assist in the evaluation, the applicant is required to describe amenities and benefits, and to "show how the public benefits offered are superior in quality and quantity to typical development of the type proposed…" (§2403.12).

Amenity package evaluation is partially based on an assessment of the additional development gained through the application process. In this case, although the original PUD application resulted in a zoning of C-2-B, changed from C-M-1, the use, height and density proposed with the current second stage application could have been realized in the C-M-1 zone. In effect, the applicant is not gaining uses, height or density through this portion of the PUD, but only flexibility from specific parameters such as rear yard or court width.

The entire arts campus has already had a beneficial impact on the surrounding neighborhood because of the provision of affordable housing for artists, the presentation of a more attractive face to the residential community and 8th Street, the improvement of the pedestrian and bicycling environment, and the ability of a neighborhood cultural institution, Dance Place, to expand and thrive. The additional space would increase the capacity of Dance Place to present free performances in the neighborhood, provide more children's classes, and provide affordable rehearsal space to other artists' groups (May 30 Written Statement, p. 14). The Office of Planning finds that the benefits are commensurate with the limited nature of the flexibility sought with the PUD.

IX. AGENCY COMMENTS

The Office of Planning received referral comments from DC Water, Fire and Emergency Services (FEMS) and the Department of Housing and Community Development (DHCD). In emailed comments, DC Water noted that adjacent water and sewer infrastructure is available for connections, but that a more detailed review would be conducted at the time of building permit. They also noted that the canopy proposed for the northwest corner of the building would hang over the existing sewer line so would need to provide 25' of vertical clearance or would need to be removable. OP has asked the applicant to examine this issue and address it at the public hearing. FEMS asked in an email comment that a better plan view of the property be prepared so that emergency access can be completely evaluated. In further discussions with OP, FEMS indicated that the necessary plan can be prepared at the building permit stage. DHCD submitted a memorandum expressing support for the Dance Place project.

As of this writing OP has received no other referral comments.

X. COMMUNITY COMMENTS

The site is located in ANC 5C. As of this writing the Office of Planning has not received comments from the ANC or the community.

XI. ATTACHMENTS

1. Agency Comments
   a. DC Water Email
   b. FEMS Email
   c. DHCD Memo

JS/mrj

Attachment 1
Agency Comments

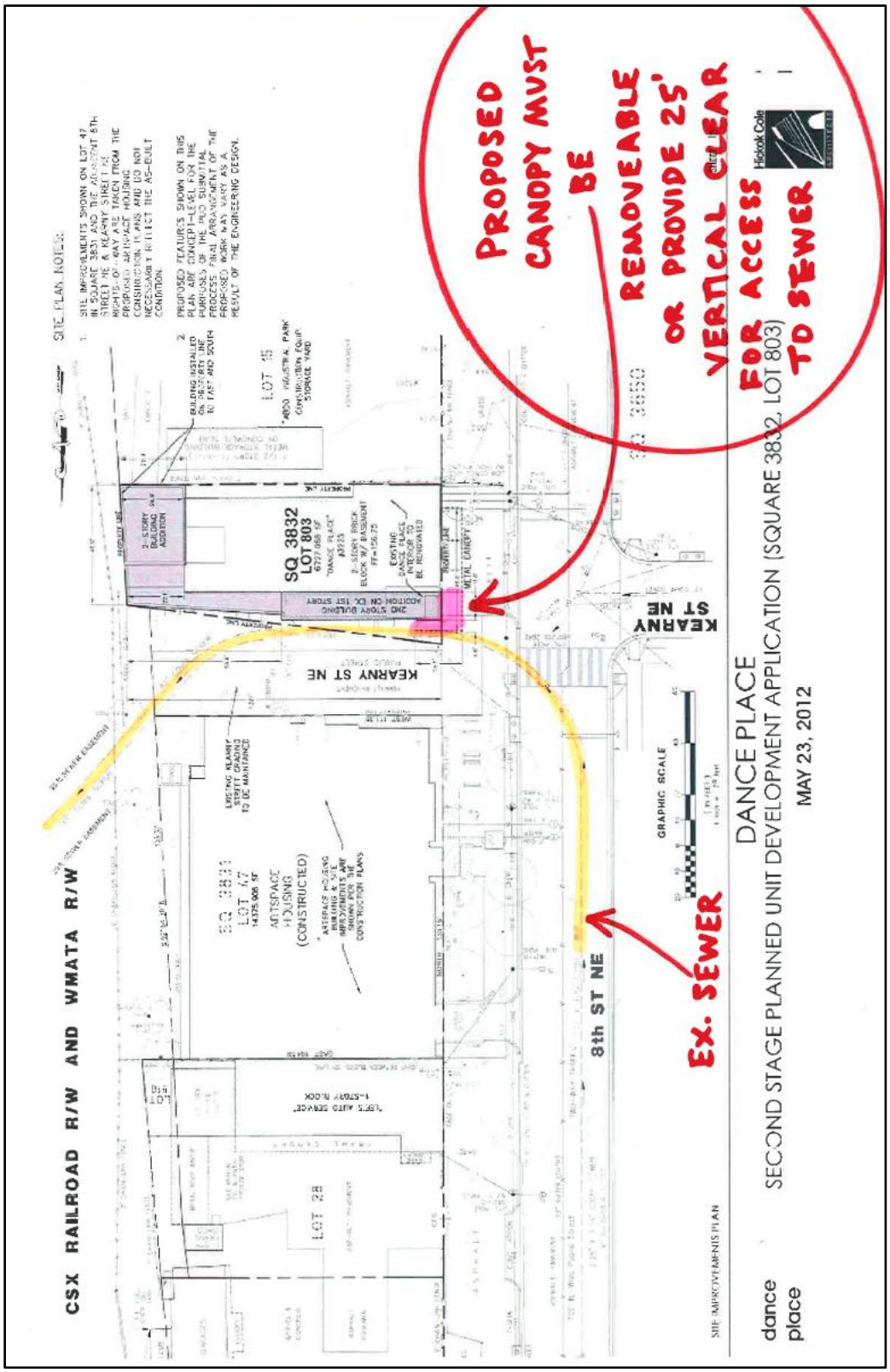
DC Water Email

DC Water submitted the following comments via email. The exhibit referred to in the DC Water comments can be found on the next page.

With regard to <u>water infrastructure</u> abutting Square 3832, Lot 803, there is an existing 8-inch cast iron water main (constructed in 1941) in 8th Street NE – on the south side of the Kearny Street NE intersection. There is an existing 12-inch ductile iron water main (constructed in 1941) in 8th Street NE – on the north side of the Kearny Street NE intersection. These water mains are available for new connections.

With regard to <u>sewer infrastructure</u> abutting Square 3832, Lot 803, the project site is located in an area with a combined sewer network along 8th Street NE and Kearny Street NE. All proposed sanitary and storm sewer services must be connected to the combined sewer main. There is an existing 2.5' x 3.75' cast in place combined sewer main (constructed in 1896) located approximately four (4) feet from the existing/proposed northern building face. This combined sewer main is available for new sanitary sewer and storm service connections. The structural integrity of this existing, large-diameter sewer should be verified and monitored before, during, and after project construction. Pile driving in the vicinity of the 2.5' x 3.75' combined sewer main may be problematic. NOTE: The proposed canopy on the north side of the proposed building creates an unacceptable conflict for DC Water. The proposed canopy must be removable/retractable or provide a minimum of 25' vertical clearance so as to allow access to the existing 2.5' x 3.75' combined sewer main. See attached exhibit.

The information above describes the existing infrastructure in the vicinity of the project. A final determination of the ability of those lines to service this project can only be made after site development plans and supporting application documentation has been submitted to and reviewed by DC Water. If as a result of that review DC Water finds the existing water and sewer systems to be unsuitable for the proposed connections, the plans will not be approved. The applicant is advised that, under DC Water's infrastructure renewal program, priority is given to replacement of infrastructure that serves the most critical needs of our customers, as determined by DC Water. Any upgrades to the water and sewer systems that may be needed to accommodate this project are unlikely to be included in DC Water's renewal program in the immediate future. The applicant may at their option elect to replace or extend water and sewer, at their expense, to meet their project needs.


PROPOSED CANOPY MUST BE REMOVEABLE OR PROVIDE 25' VERTICAL CLEAR FOR ACCESS TO SEWER
EX. SEWER
CSX RAILROAD R/W AND WMATA R/W
SITE PLAN NOTES:
SQ 3832
LOT 803
KEARNY ST NE
8th ST NE
ARTSPACE HOUSING (CONSTRUCTED)
LOT 28
LOT 45
GRAPHIC SCALE
DANCE PLACE
SECOND STAGE PLANNED UNIT DEVELOPMENT APPLICATION (SQUARE 3832, LOT 803)
MAY 23, 2012
dance place

FEMS Email

Jesick, Matthew (OP)

From: Faust, Bruce (FEMS)
Sent: Friday, November 02, 2012 8:24 PM
To: Jesick, Matthew (OP)
Subject: RE: Zoning Commission #09-08B - Dance Place PUD

Good Evening Matt,

I have looked over the PUD and have no comment at this time. It would be beneficial to have a better plot layout to assess fire department access to the property. I had a difficult time seeing parking, access roads, and the like. Obviously at this point, I am most interested in getting fire and EMS vehicles in and around the project (Access), and fire lanes etc. Maybe that will come later in the plan submittal to DCRA.

Thanks,

Bruce D. Faust
Deputy Fire Chief
Fire Marshal
Washington DC Fire & EMS Department
1100 4th St SW Suite E700
Washington DC 20024
(202) 727-3298
(202) 345-7117

DHCD Memo

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

MEMORANDUM

TO: Matthew Jesick
Development Review Specialist
Office of Planning

FROM: James Thackaberry
Supervisory Project Manager

DATE: November 21, 2012

SUBJECT: Zoning Commission Case No. 09-08B – Dance Place PUD

As requested in your e-mail of November 2, 2012, the Department of Housing and Community Development (DHCD) has reviewed the above referenced Zoning Commission Application, and supports the requested Stage Two PUD to allow construction of a two-story addition to the existing Dance Place theater and office facility located at 3225 8th Street NE. **In order to be clear for the record, DHCD is an interested party in this proposed addition PUD because the Agency has given Dance Place a $500,000 pre-development CDBG grant to facilitate the development of the proposed addition.** DHCD offers the following reasons for support of the application based upon the specific information presented in the application:

1. The proposed PUD addition will allow Dance Place to expand in a modest financially feasible manner their existing dance theater facility by adding needed back stage area, dress rooms, rehearsal studio and expanded offices to the theater as well as upgrading the theater and lobby area.
2. The second stage PUD will provide needed flexibility to Dance Place for relief from certain rear yard and court width requirements necessary to permit the construction of the addition to the theater building.
3. Because the same architect is being used for Dance Place that designed the neighboring Brookland Arts Space building to the immediate north of Dance Place, the two buildings will relate to one another across the plaza they share between them. Both building will have similar massing and selection of exterior façade materials.
4. The expanded Dance Place building, together with the Brookland Arts Space building, form an arts campus with their shared plaza. The arts campus will

have a beneficial impact on the Brookland neighborhood by providing dance offerings and training for low-moderate income residents in the neighborhood that will work in conjunction with affordable housing for artists already provided in the Brookland Art Space building.

5. Dance Place already has rehearsal spaces and offices located in the first floor of the Brookland Arts Space building. Taken together with the modest expansion of the existing Dance Place building, Dance Place will have facilities for teaching and presenting dance productions well into the future.