



**MEMORANDUM**

**TO:** District of Columbia Zoning Commission

**FROM:** Jennifer Steingasser, Deputy Director, Development Review and Historic Preservation

**DATE:** September 16, 2011

**SUBJECT:** Case No. **ZC-11-18: Setdown Report** for a Map Amendment from the R-2 to R-5-A for property located in Square 5268, Lots 9-13, on 62<sup>nd</sup> St. between Clay Street and Dix Street NE.

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**APPLICATION**

Dix Street Redevelopment Partners is requesting a map amendment from the R-2 District to the R-5-A District for a portion of its development parcel located in Square 5268, including Lots **9-13**. The subject lots are part of a larger split-zoned development parcel comprised of Lots 9 through 16, of which Lots 14-16 are zoned C-2-A.

The applicant is also requesting that the Commission retain its jurisdiction to hear the special exception relief under Section 353 for new development in the R-5-A District, as well as variance relief from the off-street parking requirements under Section 2101.1.

**BACKGROUND**

The Department of Housing and Community Development (DHCD) disposed of the District-owned parcel comprised of Lots 9-16 in Square 5268. Development rights were awarded to Dix Street Gateway for development of an affordable residential apartment building comprised of two or more bedrooms targeted to mixed-income families. All units would be rented to individual and families at or below 60% of the Area Median Income (AMI).

**RECOMMENDATION**

The Office of Planning recommends the case be set down for public hearing, as the proposed map amendment is not inconsistent with the Comprehensive Plan, including the Future Land Use and Policy Map.

**AREA DESCRIPTION**

Address	No assigned address to date.		
Legal Description	Square 5268	Lots 9-16	Lots 9-13 are the subject lots to be rezoned
Lot Characteristics	Flat rectangular lots. No remarkable topographic features.		
Existing Development	Combined vacant parcels.		
Existing Zoning	Split-zoned - <b>R-2</b> (Lots 9-13); <b>C-2-A</b> (Lots 14-16). The R-2 District permits development with one-family, semi-detached dwellings. C-2-A Districts are located in low and medium density residential areas with access to main highways or rapid transit stops.		
Adjacent Properties	The parcel is mid-block on 62 <sup>nd</sup> Street NE between Clay and Dix Street. Within the C-2-A District, it abuts two developed lots with vacant low density commercial structures. To the south, the vacant parcel abuts a church in the R-2 District, to the east a 20-foot wide public alley and Dix Street is to the west.		



Surrounding Neighborhood Character	Across 62 <sup>nd</sup> Street are three-story apartment buildings and a single-family detached dwelling. Across the public alley to the east area two, three-story apartment buildings. The immediate surroundings of the subject property are characteristic of moderate density multi-family residences.
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Lots 9-13 – Proposed R-5-A

ZONING & AERIAL VIEW

View from 62<sup>nd</sup> Street looking east

**PROPOSAL**

As shown in the diagram above, the development parcel is split-zoned C-2-A and R-2 and the applicant has proposed a map amendment to rezone the R-2 District portion to the R-5-A District in order to provide additional housing units required by the District’s disposition agreement. The proposed 39-unit rental apartment building would be comprised of 11 one-bedrooms, 17 two-bedroom, and 11 three-bedroom units, and 20 on-site, above-grade parking spaces with access from the north-south alley at the east of the parcel. If the map amendment is approved the project would require relief from Section 353 to permit new residential development in the R-5-A District, and variance relief from the one-to-one parking requirement per Section 2101.1. The applicant is requesting that the Commission retain its jurisdiction to hear the requested relief.

**ZONING**

The site is currently split zoned C-2-A and R-2 as shown in the zoning diagram above. The proposed map amendment is intended only for the R-2 portion of the site in order to accommodate additional density, since the R-2 District only permits single-family dwelling units. The project is designed to conform to the permitted height and FAR of the proposed R-5-A District and the existing C-2-A District. Inclusionary zone standards apply as an all-affordable project with more than 10 units. The following table is a comparison of the C-2-A, R-2 and the R-5-A standards with the proposed development:

Provision	C-2-A (M-o-R)	R-2 (M-o-R)	R-5-A (M-o-R)	Proposal C-2-A	Proposal R-5-A
Parcel Area (sf)	None prescribed 10,550 sf	None prescribed 17,500 sf	None prescribed	10,500	17,500
Height (§§ 770, 400) (# of stories)	50 feet (no limit)	40 feet (no limit)	40 feet (3 stories)	48 ft. 5 ins	32 ft. 5 ins.
FAR (§ 402.4)	2.5 (3.0 with IZ)	None prescribed	0.9 (1.08 with IZ)	2.64	1.08 Includes inclusionary bonus
Lot Occupancy (§ 403.2)	60% (75% with IZ)	40%	40% (40% with IZ)	66%	36%
Parking (§ 2101)	1 /2 dwelling units (du) 11	1/1du	1/1 du 18	6	14
No. of Units Use	No limit Mixed use	1 per lot Single family residence	No limit Multi-family residences	21 du’s Multi-family residence	18 Apartment

**RELIEF**

The following relief is required from the Zoning Regulations:

- § Section 353 - New Residential Development in R-5-A. In R-5-A Districts, all new residential developments, except those comprising all one-family detached and semi-detached dwellings, shall be reviewed as a special exception under § 3104. The proposal includes development of a 39-unit rental apartment building.
- § 2101 – Off-Street Parking requirement to allow 20 spaces where 39 spaces would be required.

**Special Exception Relief - Section 353 NEW RESIDENTIAL DEVELOPMENTS (R-5-A)**

*353.1 In R-5-A Districts, all new residential developments, except those comprising all one-family detached and semi-detached dwellings, shall be reviewed by the Board of Zoning Adjustment as special exceptions under § 3104 in accordance with the standards and requirements in this section.*

*353.2 The Board shall refer the application to the D.C. Board of Education for comment and recommendation as to the adequacy of existing and planned area schools to accommodate the numbers of students that can be expected to reside in the project.*

*353.3 The Board shall refer the application to the D.C. Departments of Transportation and Housing and Community Development for comment and recommendation as to the adequacy of public streets, recreation, and other services to accommodate the residents of the project and the relationship of the proposed project to public plans and projects.*

The application would be forwarded to the District’s Department of Transportation (DDOT) and Education for comments. The Department of Housing And Community Development is a party to the disposition agreement of the subject property.

*353.4 The Board shall refer the application to the D.C. Office of Planning for comment and recommendation on the site plan, arrangement of buildings and structures, and provisions of light, air, parking, recreation, landscaping, and grading as they relate to the future residents of the project and the surrounding neighborhood.*

The proposal includes development of a long vacant infill parcel as part of the neighborhood’s revitalization. The apartment’s design and site plan is in character with the surrounding development with respect to its proposed height and density, including the portion within the proposed R-5-A District. At least 60% of the lot would be devoted to open space for landscaping, passive recreation and light and air to the units. OP expects the applicant to provide additional on-site and public space landscaping details, as well as information regarding LEED elements in the design, including a LEED checklist prior to a hearing.

*353.5 In addition to other filing requirements, the developer shall submit to the Board with the application, four (4) site plans and two (2) sets of typical floor plans and elevations, grading plans (existing and final), landscaping plans, and plans for all new rights-of-way and easements.*

OP would work with the applicant to address design related issues and to ensure provision of the requirements prior to final hearing on the application.

**Variance relief: Section 2101 – Off-Street Parking Requirement**

Twenty off-site parking spaces would be provided at the rear of the apartment building with access from the alley. The applicant would provide additional information regarding the property’s exceptional circumstances in support of the requested variance relief prior to the public hearing. The site plan indicates an area for bike storage and a car share space is marked in the parking area with public access from 62<sup>nd</sup> Street via a walkway to the rear of the building. The site is also a short distance to Southern Avenue which is a multi-route corridor and a 12-minute walk to the Capitol Heights Metro station. A comprehensive analysis will be provided to the Commission prior to the public hearing.

**COMPREHENSIVE PLAN FUTURE LAND USE and GENERALIZED POLICY MAP**

The Comprehensive Plan’s Future Land Use Map (Attachment 1) shows that the site is designated for Moderate Density Residential, “*areas characterized by a mix of single-family row homes, 2-4 unit buildings and low-rise apartment buildings*”. A small portion of the property to the north is designated Low Density Commercial. The immediate surrounding development pattern is more characteristic of moderate density residential districts, and small apartment buildings are common. The requested 1.08 FAR is permitted for matter-of-right development in the R-5-A District per inclusionary zone standards, and is consistent with what would be expected in a moderate density designation.

The area proposed for the map amendment is mainly within a Neighborhood Conservation Area of the Generalized Land Use Map (Attachment 1). These areas are characterized by “... *little vacant or underutilized land. Where change occurs, it will be modest in scale and will consist primarily of scattered site infill housing, public facilities and institutional uses. Major changes in density are not expected but some new development and reuse opportunities are anticipated...*” This proposal is not requesting a major change in the density, but would facilitate housing consistent with the District’s goal of providing affordable mixed-income housing units. The smaller portion of this site is designated a neighborhood commercial center which is anticipated “*to meet the day-to-day needs of residents and workers in the adjacent neighborhoods. New development and redevelopment ...must be managed to conserve the economic viability of these areas while allowing additional development that complements existing uses.*”

The adaptive re-use of this property as proposed is not inconsistent with the Future Land Use Map or the Generalized Policy Map.

**COMPREHENSIVE PLAN POLICIES**

The proposed development is located within the Far Northeast Area of the Comprehensive Plan. A planning and development priority for this area is the need to provide a variety of new housing choices. 1707.1a The development of vacant land with potential for infill development should generally be similar to what exists today. 1707.2a

The proposed development is not inconsistent with the following policies of the Far Northeast Element of the Plan:

***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. 1708.3

***Policy FNS-2.3.1: Northeast Boundary Neighborhood***

Leverage the development of Capitol Gateway Estates to achieve additional reinvestment in the Northeast Boundary neighborhood, particularly the rehabilitation of existing housing and the development of new mixed-income family housing on vacant lots. 1713.4

The proposed map amendment and related re-use of the property fulfils many policies and actions of the Comprehensive Plan’s objectives for Land Use and Housing in the District.

**Land Use Element**

Major themes of the **Land Use Element** promote “...*efficient use of land resources to meet long-term neighborhood, citywide and regional needs... or to improve the character and stability of neighborhoods in all parts of the city...*” 300.2

***LU-1.4 Neighborhood Infill Development*** - *In residential areas, infill sites present some of the best opportunities in the city for “family” housing and low- to moderate-density development.* 307.2

***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. ....307.7

**Housing**

**The Housing Element** describes the importance of providing housing opportunities for all segments of our population, including ensuring housing affordability and fostering housing production. 500.1

***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.

***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.

***Policy H-1.1.5: Housing Quality***

Require the design of affordable housing to meet the same high-quality architectural standards required of market-rate housing. Regardless of its affordability level, new or renovated housing should be indistinguishable from market rate housing in its exterior appearance and should address the need for open space and recreational amenities, and respect the design integrity of adjacent properties and the surrounding neighborhood. 503.6

***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-1.3.1: Housing for Families***

Provide a larger number of housing units for families with children by encouraging new....three-and four-bedroom apartments.

**AGENCY REFERRALS AND COMMENTS**

The application will be referred to the following District government agencies for review and comment, if the application is setdown for a public hearing:

- District Department of Transportation (DDOT);
- Department of the Environment; and
- Department of Housing and Community Development (DHCD).

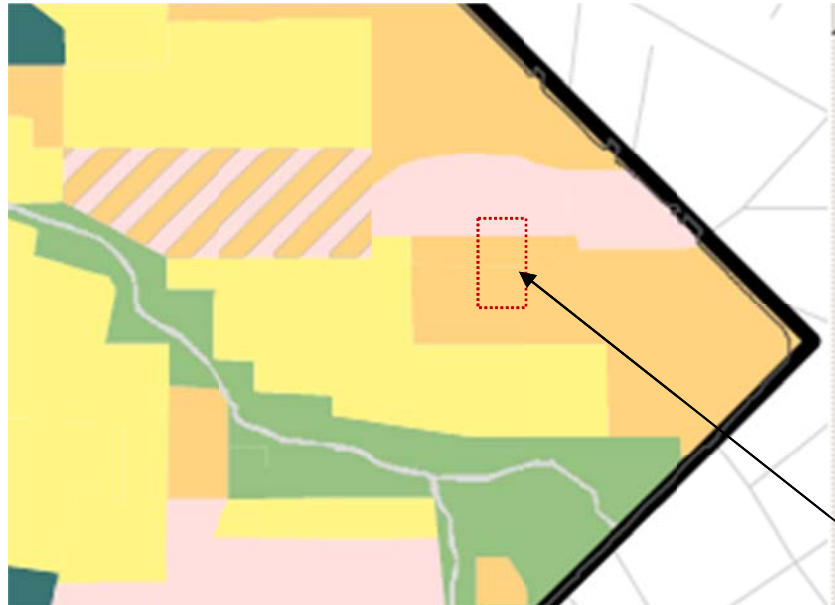
**COMMUNITY COMMENTS**

The applicant is expected to meet with the ANC at its regularly scheduled meeting prior to the public hearing.

**CONCLUSION**

The Office of Planning supports the proposal for the parcel’s revitalization of the Northeast Boundary neighborhood. The proposed map amendment and requested relief are not inconsistent with the Comprehensive Plan. Therefore, the Office of Planning recommends that the application be set down for public hearing. The Office of Planning will continue to work with the applicant towards a more detailed review prior to the public hearing, should the Commission set the application down.

### FUTURE LAND USE MAP



Lots 9-16

### GENERALIZED POLICY MAP

