

MEMORANDUM

TO: District of Columbia Zoning Commission

FROM: Jennifer Steingasser, Deputy Director

DATE: February 2, 2015

SUBJECT: Public Hearing Report for a Proposed Text and Map Amendment (ZC 14-16)
Create a New C-2-B-1 Zone
Map C-2-B-1 at New York Avenue and Bladensburg Road

I. BACKGROUND AND RECOMMENDATION

The Comprehensive Plan’s policies, Generalized Policy Map and Future Land Use Map in some cases suggest a type of moderate to medium density development that is not easily accommodated by the existing Zoning Regulations. Some existing mixed use zones allow 65 feet in height as a matter-of-right and others allow 90 feet as a matter of right. C-3-B is the only zone that allows a matter-of-right height in that range – 70 feet – but that is accompanied by an allowable medium-to-high density of 5.0 FAR. No zones allow a height in that range while limiting FAR to a moderate-to-medium level. The Office of Planning (OP), therefore, proposes to help fill this “gap” in the hierarchy of zones with the creation of the C-2-B-1 zone, which would have the same density as C-2-B, but with 10 additional feet of height as a matter-of-right. In addition to the Plan’s support for a new zone, recent changes to the Building Code would allow property owners to take advantage of the additional height in the zone by constructing taller buildings with a wood frame on top of a concrete pedestal. Previously buildings were limited to a one story concrete base with four stories of wood frame construction on top – colloquially termed “1+4”. Now the building code permits “1+5” – a one story concrete base with five stories of wood frame construction above, and reaching heights of 75 feet or more.

OP also proposes to map the C-2-B-1 zone on a parcel of land roughly bound by the triangle of New York Avenue, Montana Avenue and Bladensburg Road. The height permitted under the new zone would facilitate development of this site that has long been an underutilized gateway into the city and has been the subject of past failed development proposals. The proposed zone is not inconsistent with the mixed use Medium Density Residential and Moderate Density Commercial designation on the Comprehensive Plan’s Future Land Use Map, and Plan policies support that site’s redevelopment.

The Commission set this case down for a public hearing at its September 29, 2014 public meeting. Because the application is not inconsistent with the Comprehensive Plan, the Office of Planning recommends approval of the proposed text and map amendments.

II. APPLICATION-IN-BRIEF

Proposed Text Amendment	Create a new zone, C-2-B-1, that would have most of the same parameters as the C-2-B zone, but would allow 75' tall buildings as a matter-of-right.
Proposed Map Amendment	A zoning map amendment to C-2-B-1 for a parcel of land located in the triangle formed by New York Avenue, Bladensburg Road and Montana Avenue; See Attachment 1 for a map and list of the subject properties.
Comprehensive Plan Future Land Use Map Designation	Medium Density Residential and Moderate Density Commercial
Property Size	697,873 square feet (16 acres)
Current Zoning	C-M-1
Ward and ANC	Ward 5, ANC 5C

III. PROPOSED TEXT AMENDMENT

The Office of Planning proposes a new zone, to be called C-2-B-1¹, which would be identical in all respects to the C-2-B zone, except that instead of 65 feet, the matter-of-right height limit in the zone would be 75 feet. The additional matter-of-right height would allow property owners to take advantage of certain moderate-to-medium designations in the Comprehensive Plan as well as changes in the building code. And when compared to the matter-of-right C-2-B building envelope, the proposed zone could have more slender buildings with greater light and air available to on-site units as well as nearby properties. The following table compares the C-2-B-1 zone to other existing zones.

	C-2-A	C-2-B	C-2-B-1	C-2-C	C-3-A	C-3-B
Matter-of-Right Height	50'	65'	75'	90'	65'	70'
Matter-of Right FAR	2.5 res. 1.5 non-res. 2.5 max	3.5 res. 1.5 non-res. 3.5 max	3.5 res. 1.5 non-res. 3.5 max	6.0 res. 2.0 non-res. 6.0 max	4.0 res. 2.5 non-res. 4.0 max	5.0 res. 4.0 non-res. 5.0 max
PUD Height	65'	90'	90'	90'	90'	90'
PUD FAR	3.0 res. 2.0 non-res. 3.0 max	6.0 res. 2.0 non-res. 6.0 max	6.0 res. 2.0 non-res. 6.0 max	6.0 res. 2.5 non-res. 6.0 max	4.5 res. 3.0 non-res. 4.5 max	5.5 res. 4.5 non-res. 5.5 max
Res. Lot Occupancy	60%	80%	80%	80%	75%	100%

Inclusionary Zoning

In the C-2-B-1 zone, OP proposes the same 20% bonus in floor-area ratio (FAR), which would yield an FAR of 4.2, just as in C-2-B. The height allowed under the IZ regulations in C-2-B is 70 feet and in the C-2-B-1 zone OP proposes that the IZ height remain at the matter-of-right 75 feet. Like the C-2-B zone, C-2-B-1 would require an 8% IZ commitment.

¹ In the revised Zoning Regulations, C-2-B-1 would be a mixed use (MU) zone, located in Subtitle G.

IV. PROPOSED MAP AMENDMENT SITE AND AREA DESCRIPTION

Douglas Development, the contract purchaser of the majority of the area located in the triangle formed by New York Avenue, Montana Avenue and Bladensburg Road (the property) has been discussing potential development scenarios for the site with OP. OP acknowledges it is unusual to propose both a new zone and its mapping on private land within the same petition. However, because the new zone is directly applicable to the site, the Comprehensive Plan was changed to reflect mixed use development of the site, and the site has been through a PUD for much taller buildings with more density, and then a matter of right proposal for less density with no residential, OP felt it was not inappropriate to include the mapping as consistent with the Comprehensive Plan.

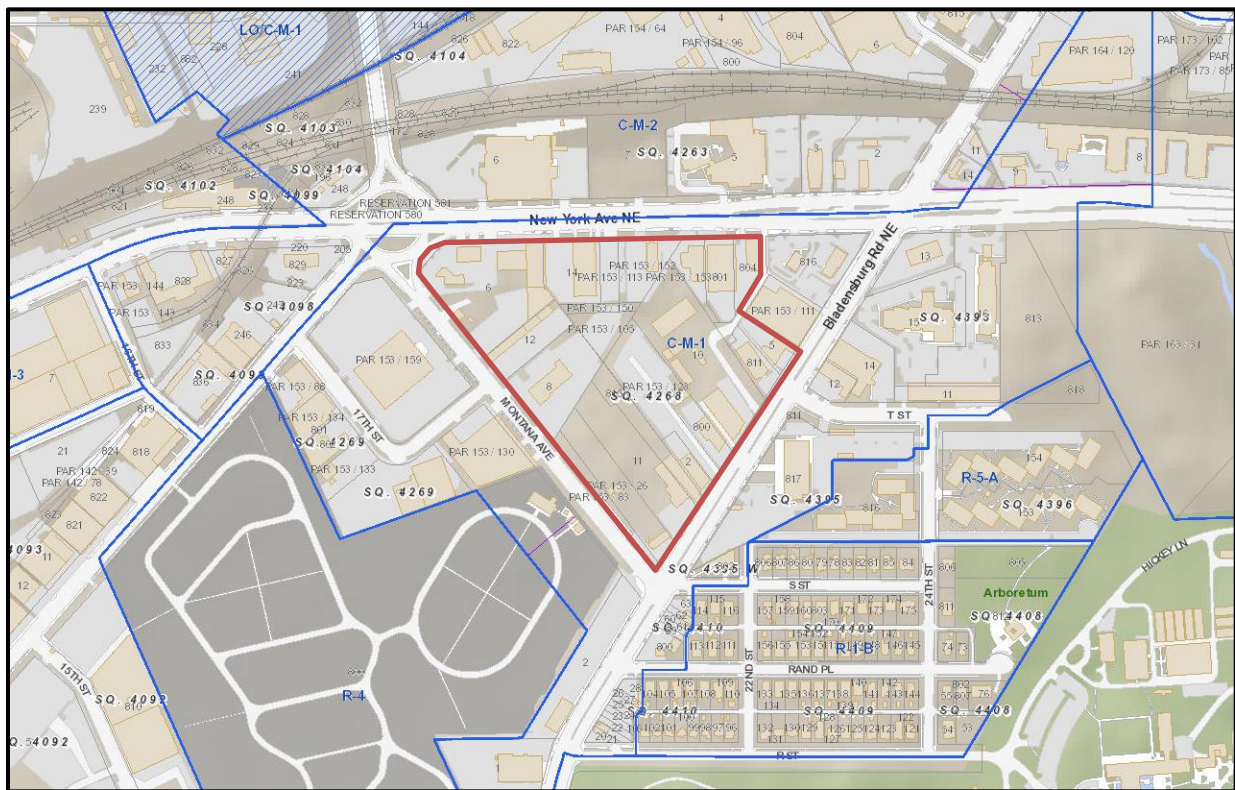
The property is currently zoned C-M-1, an Industrial district for commercial-light manufacturing. The 2006 Comprehensive Plan Future Land Use Map changed the land use designation from industrial to mixed use moderate density commercial/medium density residential to facilitate the development of this site to non-industrial uses. The Generalized Policy Map identifies the site as a Land Use Change Area.

An initial redevelopment proposal was brought forward as a planned unit development (PUD) with a related map amendment to CR in case #06-15. The PUD was approved for a development of almost 3.5 million square feet of mixed use space in eight 110 foot-tall buildings. That PUD was approved by an Order dated February 12, 2007, which has since expired.

In more recent years the tract was proposed to be redeveloped as a matter of right for large format retail (aka "big-box") development. The large format retail was subject to a Large Tract Review. The large format retail proposal did not propose to make use of the mixed use designation of the Comp Plan and proposed solely commercial uses and a large above grade parking structure within the parameters of the C-M-1 zone.

In the past the site was used primarily for auto-related uses, but all lots are currently vacant and the site has been cleared and graded. The site slopes down approximately 40 feet from south to north. Within the New York / Montana / Bladensburg triangle, the only lots not subject to the application would be the KFC/Taco Bell lot at the corner of New York and Bladensburg, and the adjacent charter school property on Bladensburg. The C-2-B-1 zone would be appropriate for this site because it would implement the Future Land Use Map's mixed use goal for the property; The zone would encourage residential while allowing a significant commercial component. C-2-B-1 would also allow for appropriately scaled buildings on New York Avenue, a broad avenue and an important gateway into the city. The developer's architect has prepared renderings showing the property from various perspectives, including potential, conceptual building massing under the proposed zoning. Please see Attachment 2 for the renderings. Although currently only proposed for this particular site, other property owners could petition the Commission to map C-2-B-1 on their properties where similar Comprehensive Plan designations exist.

Nearby properties to the west, south and east are also zoned C-M-1. To the southeast, the neighborhood next to the National Arboretum is zoned R-1-B and R-5-A. The land across New York Avenue is zoned C-M-2, and properties further to the east on New York Avenue are zoned M. Mt. Olivet Cemetery, to the southwest, is zoned R-4. Across New York Avenue from the northeast corner of the property is the Salvation Army PUD (ZC Order No. 44), which has C-3-A zoning associated with it to allow 4.5 FAR and 90 feet. OP knows of no other new development proposals immediately nearby the subject site, but further to the west is the Hecht's Warehouse site and related development that is also owned by Douglas Development.



Current Zoning (subject site outlined in red)

Existing and Potential Development Capacity

The existing C-M-1 zoning permits a range of uses including office, retail, service and light industrial, but does not permit residential uses. The C-2-B-1 zone, like other commercial zones, would allow a mix of uses and, like most C zones, incentivize residential uses by allowing a greater residential FAR. Based on the total site area of 697,873 square feet, the existing zoning would allow about 2.1 million square feet of development. The C-2-B-1 zone would allow 2.4 million square feet if its FAR was maximized. A comparison of the matter-of-right height and bulk regulations of the two zones is contained in the table below.

	C-M-1 MOR	C-2-B-1 MOR
Height	40', 3 stories	75'
FAR	3.0 max 0.0 res. allowed	3.5 max 1.5 non-res. max.
Potential Floor Area on Subject Site	2.09 million sf	2.44 million sf
Uses	Commercial and light industrial	Residential and commercial
Lot Occupancy	No limit	80%
Side Yard	Not required	Not required
Rear Yard	Not req'd below 20' of ht.	15'



2013 Aerial Photo

V. COMPREHENSIVE PLAN POLICIES

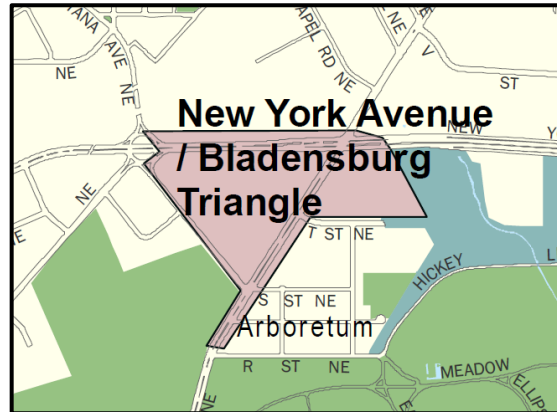
The proposal would further the following Guiding Principles of the Comprehensive Plan, as outlined and detailed in Chapter 2, the Framework Element:

- (1) Change in the District of Columbia is both inevitable and desirable. The key is to manage change in ways that protect the positive aspects of life in the city and reduce negatives such as poverty, crime, and homelessness. (§ 217.1)
- (6) Redevelopment and infill opportunities along corridors and near transit stations will be an important component of reinvigorating and enhancing our neighborhoods. Development on such sites must not compromise the integrity of stable neighborhoods and must be designed to respect the broader community context. Adequate infrastructure capacity should be ensured as growth occurs. (§ 217.6)
- (7) Growth in the District benefits not only District residents, but the region as well. By accommodating a larger number of jobs and residents, we can create the critical mass needed to support new services, sustain public transit, and improve regional environmental quality. (§ 217.7)
- (13) Enhanced public safety is one of the District's highest priorities and is vital to the health of our neighborhoods. The District must continue to improve safety and security, and sustain a high level of emergency police, fire, and medical assistance. Moreover, the District must engage in appropriate planning and capital investments to reduce the likelihood and severity of future emergencies. (§ 218.6)
- (21) Land development policies should be focused to create job opportunities for District residents. This means that sufficient land should be planned and zoned for new job centers in areas with high unemployment and under-employment. A mix of employment opportunities to meet the needs of residents with varied job skills should be provided. (§ 219.6)
- (24) Despite the recent economic resurgence in the city, the District has yet to reach its full economic potential. Expanding the economy means increasing shopping and services for many District neighborhoods, bringing tourists beyond the National Mall and into the city's business districts, and creating more opportunities for local entrepreneurs and small businesses. The District's economic development expenditures should help support local businesses and provide economic benefits to the community. (§ 219.9)
- (27) Washington's wide avenues are a lasting legacy of the 1791 L'Enfant Plan and are still one of the city's most distinctive features. The "great streets" of the city should be reinforced as an element of Washington's design through transportation, streetscape, and economic development programs. (§ 220.3)

The application is also consistent with major policies from the Land Use, Transportation, Housing, Economic Development, Urban Design and Upper Northeast elements of the Plan, as summarized in OP's setdown report.

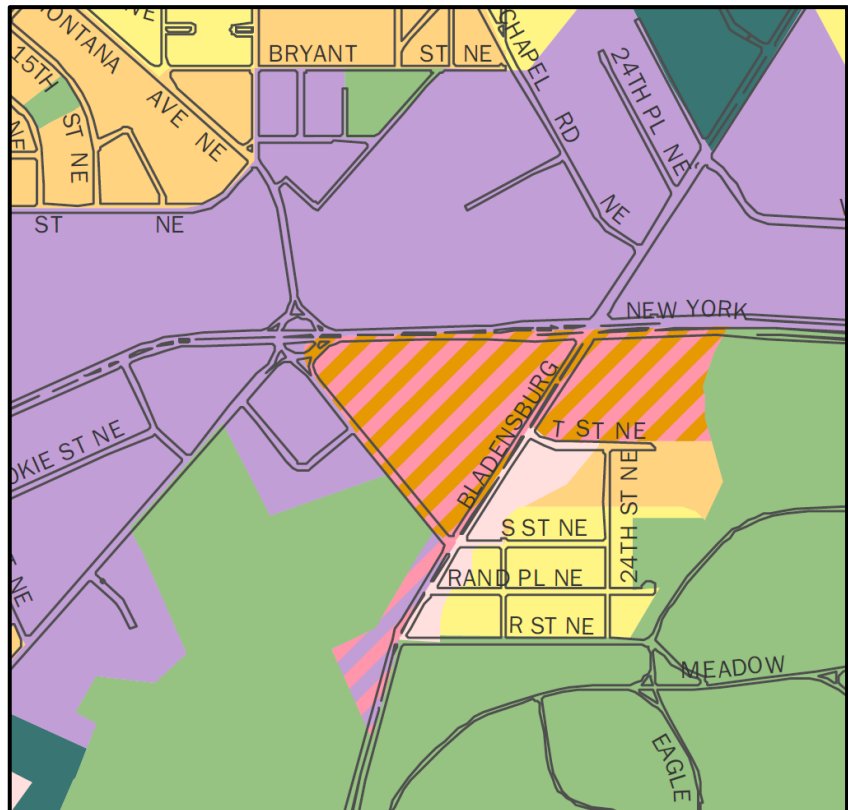
VI. COMPREHENSIVE PLAN LAND USE MAPS

The Comprehensive Plan’s Generalized Policy Map describes the subject site as a Land Use Change Area. Guidance for the future use should be obtained from the Future Land Use Map. (Comprehensive Plan, § 223.9) Land Use Change Areas “include many of the city’s large development opportunity sites, and other smaller sites that are undergoing



redevelopment or that are anticipated to undergo redevelopment. Together, they represent much of the city’s supply of vacant and underutilized land.” (§ 223.10) The Plan goes on to say that new development should be encouraged and facilitated in these areas, and that many Land Use Change Areas “have the capacity to become mixed-use communities containing housing, retail shops, services, workplaces, parks and civic facilities.” (§ 223.11)

LEGEND	
<i>Residential Land Use Categories</i>	
	Low Density
	Moderate Density
	Medium Density
	High Density
<i>Commercial Land Use Categories</i>	
	Low Density
	Moderate Density
	Medium Density
	High Density
	Production, Dist. and Repair
<i>Public and Institutional Land Use Categories</i>	
	Federal
	Local Public Facilities
	Institutional
	Parks, Rec. and Open Space



The Future Land Use Map (FLUM) indicates that the site is appropriate for medium density residential and moderate density commercial mixed use development. Medium density residential is “used to define neighborhoods or areas where mid-rise (4-7 stories) apartment buildings are the predominant use... The R-5-B and R-5-C Zone districts are generally consistent with the Medium Density designation, although other zones may apply.” (§ 225.5) Moderate density commercial areas “range from small business districts that draw primarily from

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the surrounding neighborhoods to larger business districts that draw from a broader market area. Buildings are larger and/or taller than those in low density commercial areas but generally do not exceed five stories in height. The corresponding Zone districts are generally C-2-A, C-2-B, and C-3-A, although other districts may apply.” (§ 225.9) The proposed zoning map amendment would allow heights of six or possibly seven stories, but with a moderate to medium C-2-B density. It is therefore not inconsistent with the Comprehensive Plan map designations.

VII. WARD 5 INDUSTRIAL LAND TRANSFORMATION STUDY

In August 2014 the District released the Ward 5 Industrial Land Transformation Study (ILTS), which examined industrially zoned land in order to make recommendations about how that resource should be best utilized in the future. The study concluded that most industrially zoned land should continue to serve industrial or industrial-related purposes, but acknowledged that certain sites, including the New York / Montana / Bladensburg triangle, are best suited to a change to other uses. The study notes that the subject site is planned for a mix of uses (ILTS, p. 123) and states that this area should serve as a gateway to Ward 5 and the District (p. 54).

VIII. CHANGE IN THE BUILDING CODE

In January 2009 a new provision in the Building Code came into effect that allowed taller stick-built structures on a concrete base. Previously, buildings were permitted to have a one-story base with four stories built above. The new building code language allows a one-story base with five stories above. An example of a building built pursuant to this rule is the new Giant building at 300 H Street, NE (ZC #06-01B, Steuart H Street), which has a total of six stories, including a one-story concrete base, and a total height of 75 feet. (The Building Code allows these structures to be up to 85 feet tall if equipped with sprinklers.) Another example is the Douglas Development project at 2221 14th Street, NW (BZA #18157) with six stories and a 75 foot height.

At the Setdown meeting the Commission asked for more information about how, from a sustainability perspective, wood construction compares to steel and concrete construction. The new building code was written with sustainability in mind, and the most recent updates, from 2013, include an element known as the Green Construction Code, which was based on DC Green Building Act and the 2012 International Code Council Green Code. So while the change in allowable height came into effect prior to the latest “green” updates to the Code, the Building Code in general seeks to encourage green building practices in keeping with the goals of the Sustainable DC Plan. Wood construction can be very sustainable, because wood, when the source is appropriately managed and harvested properly, can be a renewable resource, according to the US Department of Agriculture’s Forest Service². The Forest Service report also states that wood construction typically has less embodied energy than concrete or steel, and that ton for ton, the production of wood releases less carbon than those other construction materials.

² United States Department of Agriculture, Forest Service, Forest Products Laboratory, “Wood Handbook – Wood as an Engineering Material”, p. 1-3. http://www.fpl.fs.fed.us/documnts/fplgr/fplgr190/chapter_01.pdf.

IX. ATTACHMENT

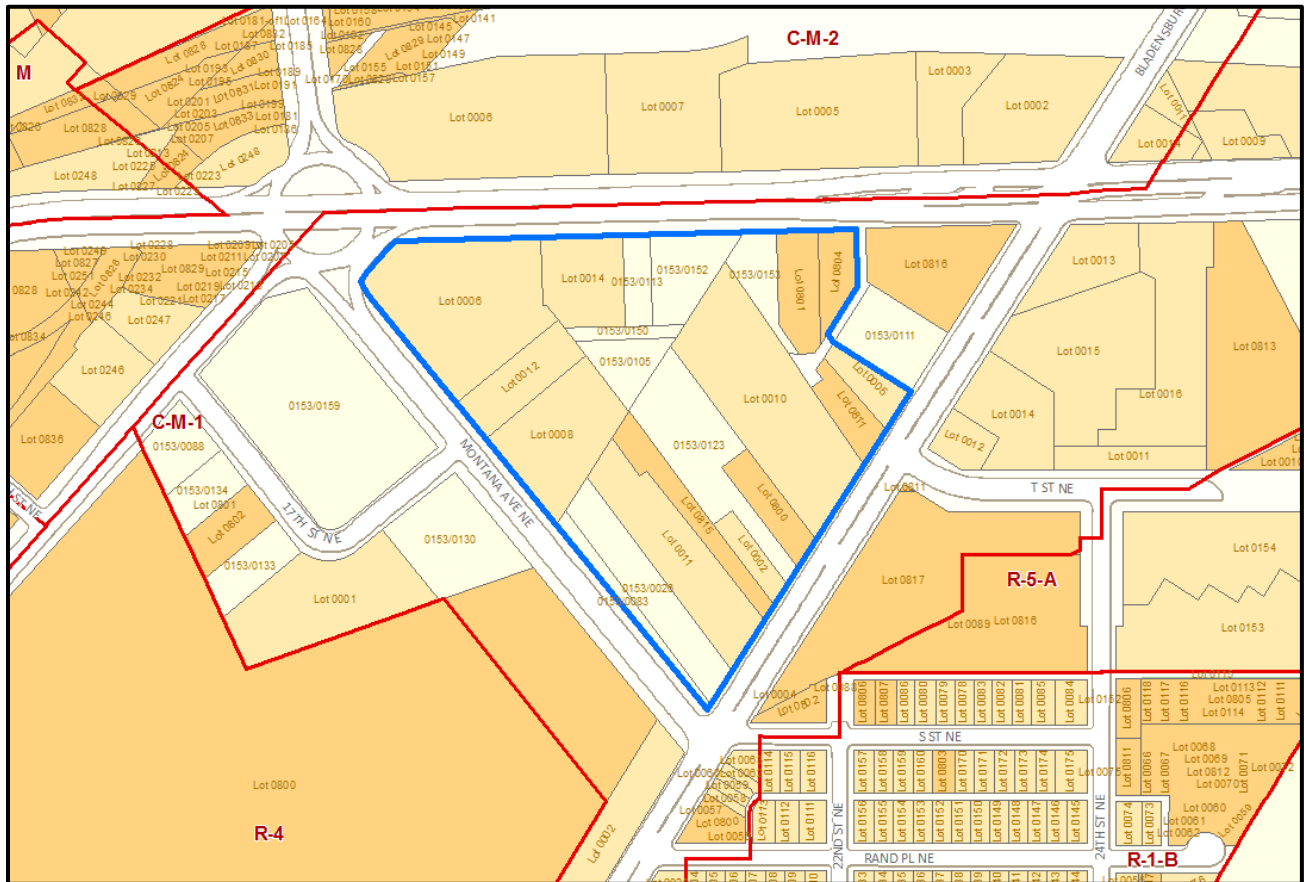
1. Subject Properties and Vicinity Map
2. Site Renderings

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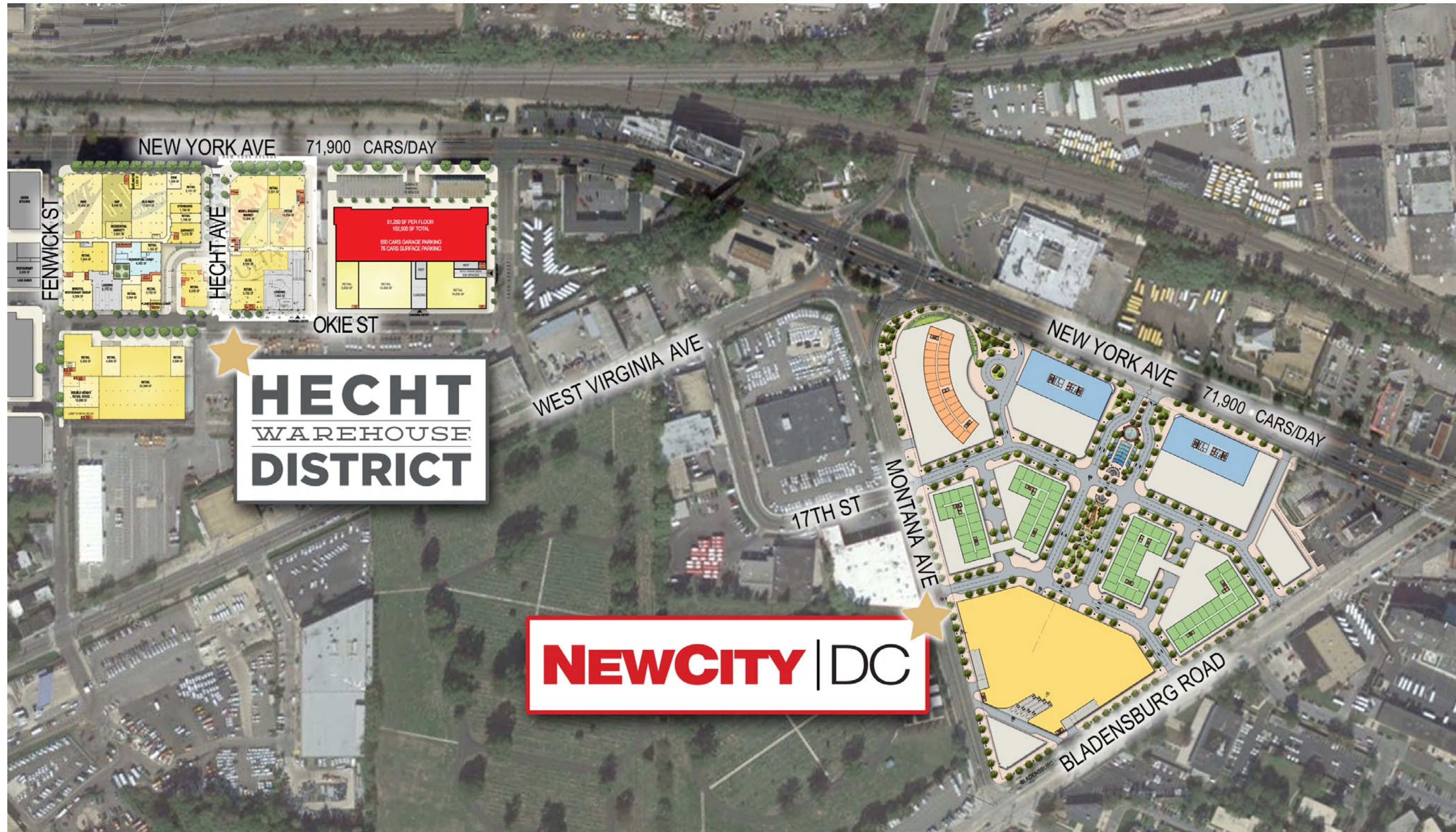
Attachment 1 Subject Properties and Vicinity Map

Square 4268, Lots 2, 5, 6, 8, 10, 11, 12, 14, 800, 801, 804, 811, and 815

Parcels 153/26, 153/83, 153/105, 153/113, 153/123, 153/150, 153/152, and 153/153



Attachment 2
Conceptual Site Renderings Showing
Potential Building Massing Under the Proposed Zoning Guidelines



HECHT
WAREHOUSE
DISTRICT

NEWCITY | DC

A



B



C



D

