District of Columbia
Office of Planning

MEMORANDUM

TO: District of Columbia Zoning Commission

JLS
FROM: Jennifer Steingasser, Deputy Director Development Review & Historic Preservation

DATE: December 4, 2015

SUBJECT: Setdown Report for ZC #15-25, Zoning Text Amendment to § 2401.1(c) – Lot Size Requirements for PUDs

I.   RECOMMENDATION

The Office of Planning (OP) recommends setdown of the proposed zoning text amendment. The proposed text amendment to § 2401.1(c) would reduce lot size requirements for planned unit developments (PUD) from 15,000 SF to 10,000 SF in all zone districts except: R-1, R-2, R-3, R-4, R-5-A, R-5-B, and W-0.

II.   BACKGROUND

The Petitioner, Initio LP, previously submitted a PUD application #15-18 for 2715 Pennsylvania Avenue, N.W. This 7,420 SF property is flanked by National Park Service property and the Petitioner (PUD Applicant) cannot acquire private land to qualify for a 50% waiver from the PUD minimum area requirements. In order to proceed with the PUD, the Petitioner (PUD Applicant) is proposing the zoning text amendment to reduce the minimum area requirement to 10,000 SF. If the text amendment is approved, the Petitioner (PUD Applicant) would then request that the Zoning Commission waive the minimum area requirement by 26%, which the Commission can consider under §2401.2.

III.   PROPOSED TEXT AMENDMENT

The PUD process is designed to encourage high quality development allowing flexibility, such as height or density, provided that the project offers commensurate public benefits and is consistent with the Comprehensive Plan. The proposed reduction in the minimum area requirement for a PUD would allow more projects to go through the PUD process and more property owners and neighbors could benefit from the public review process and input from the community and Zoning Commission.

A PUD provides greater flexibility in planning and design but must be in keeping with the intent of the Zoning Regulations and the Comprehensive Plan. The proposed reduction from 15,000 SF to 10,000 SF exists in the current zoning regulations as the minimum area requirement for a PUD in both the H Street Northeast Neighborhood and the Georgia Avenue Commercial Overlay Districts.

The proposed text amendment could result in improved projects than what might be developed as a matter-of-right on smaller properties. Development through a PUD can be more flexible than what the existing zoning might allow, and, for example, could include housing where the project might previously been solely commercial.

IV.   COMPREHENSIVE PLAN

The proposed text amendment is not inconsistent with the Comprehesive Plan and the policies contained in the Housing, Land Use, and Urban Design Elements by providing for planned unit developments for smaller sites, as noted below.

Land Use Element

Policy LU-2.1.14: Planned Unit Developments in Neighborhood Commercial Corridors
Consider modifying minimum lot size and other filing and procedural (but not height and density) requirements for Planned Unit Developments (PUDs) for neighborhood commercial areas for the purpose of allowing small property owners to participate in projects that encourage high quality developments and provide public benefits.

The proposed text amendment proposes modification of the minimum lot size within a number of zone districts, which would allow small property owners to propose PUDs.

Housing Element

H-1.1 Expanding Housing Supply

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-1.1.2: Production Incentives Provide suitable regulatory, tax, and financing incentives to meet housing production goals. These incentives should continue to include zoning regulations that permit greater building area for commercial projects that include housing than for commercial projects that do not include housing. 503.3

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. 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. 503.5

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

Under the proposed text amendment, smaller property owners could propose PUDs that include housing where a matter-of-right development might not have supported residential use, thereby encouraging and increasing housing and mixed use development.

H-1.2 Ensuring Housing Affordability

Policy H-1.2.1: Affordable Housing Production as a Civic Priority Establish the production of housing for low and moderate income households as a major civic priority, to be supported through public programs that stimulate affordable housing production and rehabilitation throughout the city. 504.6

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-1.2.7: Density Bonuses for Affordable Housing Provide zoning incentives to developers proposing to build low- and moderate-income housing. Affordable housing shall be considered a public benefit for the purposes of granting density bonuses when new development is proposed. Density bonuses should be granted in historic districts only when the effect of such increased density does not significantly undermine the character of the neighborhood. 504.14

As part of a PUD proposal, a developer of a smal property would be required or encouraged to proffer public benefits and amenities, which could include affordable housing. The PUD process allows for the negotitation for affordable housing as a public benefit in projects that otherwise would not be subject to the affordablility requirements of inclusionary zoning under a matter of right scenario.

Urban Design Element

Policy UD-2.2.1: Neighborhood Character and Identity Strengthen the defining visual qualities of Washington's neighborhoods. This should be achieved in part by relating the scale of infill development, alterations, renovations, and additions to existing neighborhood context. 910.6

Policy UD-2.2.2: Areas of Strong Architectural Character Preserve the architectural continuity and design integrity of historic districts and other areas of strong architectural character. New development within such areas does not need to replicate prevailing architectural styles exactly but should be complementary in form, height, and bulk. 910.7

> ***Policy UD-2.2.4: Transitions in Building Intensity*** Establish gradual transitions between large-scale and small-scale development. The relationship between taller, more visually prominent buildings and lower, smaller buildings (such as single family or row houses) can be made more pleasing when the transition is gradual rather than abrupt. The relationship can be further improved by designing larger buildings to reduce their apparent size and recessing the upper floors of the building to relate to the lower scale of the surrounding neighborhood. 910.11

> ***Policy UD-2.2.7: Infill Development*** Regardless of neighborhood identity, avoid overpowering contrasts of scale, height and density as infill development occurs. 910.15

The PUD process is designed to encourage high quality developments with greater flexibility in planning and design. This text amendment would allow more projects and neighborhoods to benefit from the public design review inherent in the PUD process.

Finally, additional PUDs proposing development of smaller areas could result in better design as outlined in **UD-3 Improving the Public Realm**. The Zoning Commission's review of smaller PUDs and the proffered public benefits could address many of the Policies within this specific section including:

- Improving streetscape design
- Management of sidewalk space
- Streetscape design and street function
- Street lighting
- Streetscape and mobility
- Enhanced streetwalls
- Improving the street environment
- Neighborhood public space

V.   AGENCY REFERRALS

If this application is set down for a public hearing, OP will refer it to the following District agencies for review and comment:

- Department of Energy and Environment (DOEE);
- Department of Transportation (DDOT);
- Department of Housing and Community Development (DHCD);
- Department of Parks and Recreation (DPR);
- Department of Public Works (DPW);
- DC Public Schools (DCPS);
- Fire and Emergency Medical Services Department (FEMS);
- Metropolitan Police Department (MPD);
- Washington Metropolitan Area Transit Authority (WMATA); and
- DC Water.

VI.   COMMUNITY OUTREACH

All ANCs city-wide will be provided information about the proposed text amendment and an opportunity to submit comments for the Zoning Commission prior to the public hearing.

VII.   CONCLUSION

The proposed text amendment is not inconsistent with the Comprehensive Plan and OP recommends that it be set down for a public hearing. OP will continue to work with the Applicant to respond to any Zoning Commission requests for additional information prior to the public hearing.

JS/af