



## MEMORANDUM

**TO:** District of Columbia Zoning Commission

**FROM:** Jennifer Steingasser, Deputy Director

**DATE:** December 2, 2011

**SUBJECT:** Zoning Commission Case No. 11-13: **Setdown Report** for a Consolidated Planned Unit Development and Zoning Map Amendment for 222 M Street SW

---

### **I. SUMMARY RECOMMENDATION**

TC/CSG St. Matthew's, LLC ("Applicant") has applied for a consolidated Planned Unit Development (PUD) and a related map amendment to rezone the site from R-3 to CR to accommodate a residential building with approximately 210 residential units and a new sanctuary and accessory uses for St. Matthew's Church. The proposal is not inconsistent with the Comprehensive Plan, and as such the Office of Planning (OP) recommends that the PUD and related map amendment be setdown for public hearing.

OP notes that the Applicant modified the project after the filing of the original application.<sup>1</sup> OP expects the Applicant to file a supplemental submission highlighting the project changes prior to the setdown meeting. In general, the building height, massing, and uses remain unchanged. However, an important and positive change has been made to the proposed location of loading for the site. A list of the project changes is provided in Section VI below.

### **II. APPLICATION IN BRIEF**

**Location:** 222 M Street SW at the southwest corner of M Street and Delaware Avenue SW; Square 546, Lot 301; Ward 6, ANC 6D.

**Applicant(s):** TC/CSG St. Matthew's, LLC

**Current Zoning:** R-3

**Property Size:** 50,000 square feet

**Proposal:** The Applicant proposes a PUD and related map amendment to construct an 11-story building containing approximately 210 residential units and a new church sanctuary and accessory space. The building would be 110' tall and have a density of 4.17 FAR.

**Relief and Zoning:** Pursuant to 11 DCMR Chapter 24, the Applicant requested the following relief:

1. PUD-related map amendment to CR
2. Variance to the rear yard requirement (§ 636.2)
3. Variance to the closed court requirement (§ 638.2)
4. Variance to the public open space requirement (§ 633)
5. Variance to the loading requirement (§ 2201.1)

---

<sup>1</sup> The original application was submitted on June 13, 2011.



### III. SITE DESCRIPTION

The subject property is Lot 301 in Square 546, also known as 222 M Street SW (hereinafter, the “Property”), and is zoned R-3. It is located on the south side of M Street between 4<sup>th</sup> Street SW and Delaware Avenue. The Property is an irregular shape and fronts on M Street for approximately 300' and Delaware Avenue for about 190'. It measures 50,000 square feet in size. Following the demolition of an earlier facility for St. Matthew’s Church in 2008, the site has remained unimproved. The Property has no alley access, but there are two existing curb cuts – one on both M Street and Delaware Avenue.

### IV. AREA DESCRIPTION

Square 546, where the Property is located, is split-zoned among R-3, R-5-B, and R-5-D designations. Development in the Square is characterized by relatively abrupt variation in residential building height. For example, to the immediate west and south of the Property are two and three-story row dwellings zoned R-3, which are proximate to 9-story residential buildings zoned R-5-D.<sup>2</sup>

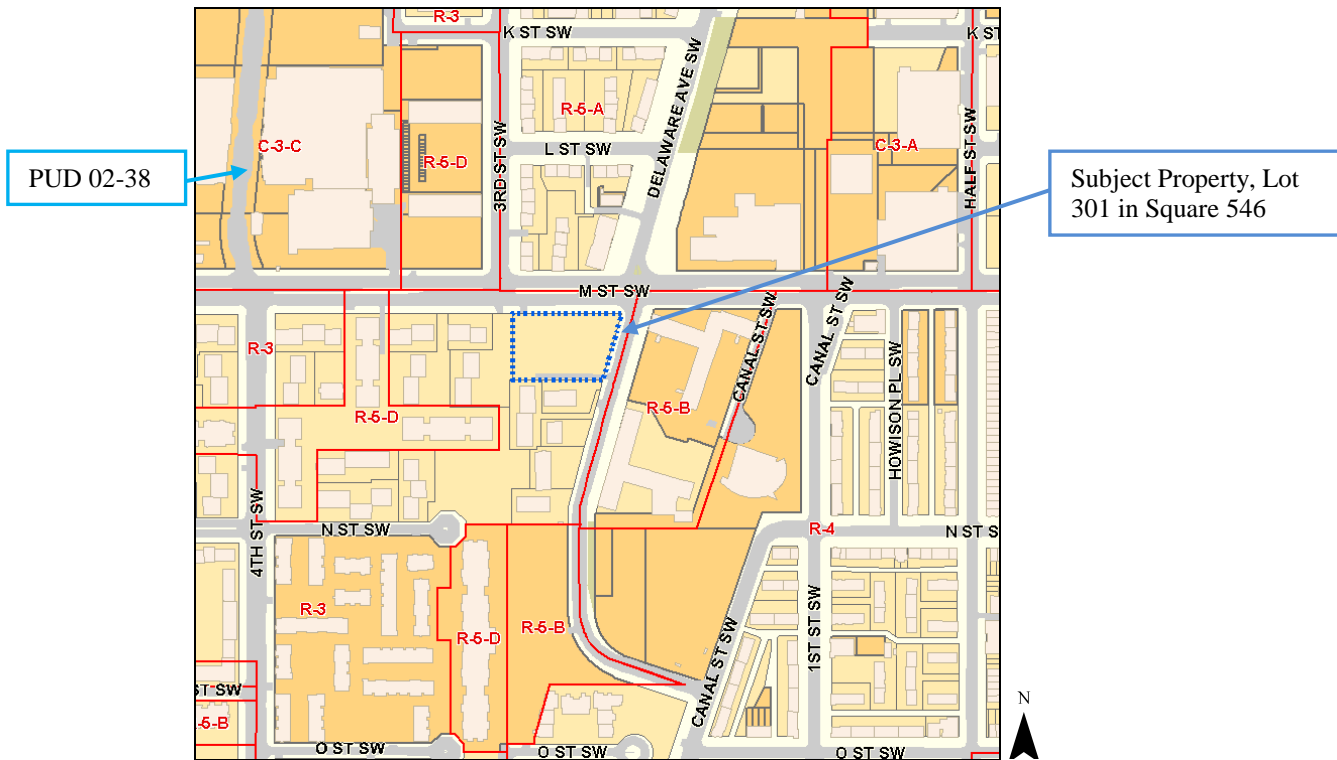


Exhibit 1: Zoning Vicinity Map

Across Delaware Avenue to the Property’s east is an 8-story apartment building zoned R-5-B.<sup>3</sup> To the Property’s north across M Street are 2-story row dwellings and 3-story garden apartments zoned R-5-A.<sup>4</sup> At the northwest corner of M Street and 3<sup>rd</sup> Street NW are two 9-story residential towers. Of note, there is an approved PUD and related map amendment (from C-3-B to C-3-C for certain parts of the site) to accommodate office, residential, and retail uses with a maximum building height of 112’ feet located about half a block to the northwest of the site.<sup>5</sup>

The M Street right-of-way is 120' wide with six lanes of vehicular traffic. There is restricted parking on both the north and south sides of M Street. The subject site is approximately one block from the Waterfront

<sup>2</sup> Carrollsburg Square Condominium complex and River Park Mutual Homes.

<sup>3</sup> Greenleaf Senior Center.

<sup>4</sup> Greenleaf Garden.

<sup>5</sup> See ZC Case No. 02-38.

Metro Station and also is served by several bus lines and Capital Bikeshare. More generally, M Street is envisioned as a future streetcar route.



**Exhibit 2: View of the Property Looking South Across M Street**

## V. PROJECT DESCRIPTION

The Applicant proposes an 11-story L-shaped building which would contain residential and institutional uses with principal entrances along M Street. The building would measure 110' in height along M Street, step down to 80' in its southern wing, and drop to 35' for the church sanctuary at the northeast corner of the site. The PUD would include a total of approximately 208,498 square feet and 4.17 FAR. More specifically, the residential uses would contain about 210 units with a gross floor area of 199,743 square feet.<sup>6</sup> While inclusionary zoning requires that 8% of the units be affordable for moderate income households (between 51% and 80% of Area Median Income), the Applicant also would provide an additional 2% of affordable units limited to below 80% AMI for the life of the project.

A new church sanctuary and accessory space of approximately 8,746 gross square feet is proposed as well. The sanctuary would command a visible location within the abandoned western half of Delaware Avenue's historic right-of-way. The site plan's concentration of the bulk of the building density and height away from the historic Delaware Avenue vista reflects discussions with the historic preservation office. Some of the accessory space (on the ground floor and basement) also would operate as a publicly accessible community center run by an arm of St. Matthew's Church called Transforming Southwest CDC. The community center would offer "community based programming as well as a coffee shop, computer lab, and community outreach center."<sup>7</sup> An outdoor courtyard, reachable through the community center or an entry gate along Delaware Avenue, would be located to the rear of the building.

Concerning design, the application describes the residential building's facade as incorporating "tiered and modulated use of one or two-story bays, projections or loggias articulated with metal frames, glazed areas and metal clad panel" in a pattern intended to reference neighboring residential tower elements.<sup>8</sup> The church

<sup>6</sup> The application requests 10% flexibility on the number of units, proposing a unit range of 189 to 231.

<sup>7</sup> See the Applicant's June 13, 2011 submission, page 23.

<sup>8</sup> See the Applicant's June 13, 2011 submission, page 11.

sanctuary would have “an eased, slightly battered, three-story high wall of stacked natural stone.”<sup>9</sup> A pool would be located on the roof of the 8-story section of the residential building. Rooftop enclosures would rise no more than 18’6”.

Parking and loading would be located underground and accessed from Delaware Avenue. The Applicant estimates that there would be about 126 residential vehicle parking spaces and 25 church parking spaces on two underground levels.<sup>10</sup> A minimum of seventy bicycle parking spaces also would be located in the basement level. Garbage pick-up would occur near the underground loading area.

**VI. MODIFICATIONS TO THE ORIGINAL PROPOSAL**

The Applicant has made several changes to the project since the original submission:

- In response to OP and DDOT feedback, loading would now occur underground and be accessed from Delaware Avenue rather than from M Street. OP considers this modification to be a significant improvement to the site design;
- The formerly designated loading space adjacent to M Street would be repurposed for residential uses such as a fitness center;
- A portion of the building would be set back from M Street by an additional 2’. As a consequence, the required rear yard would shrink by 2’;
- The proposal now seeks LEED Silver Certification (rather than LEED Certification); and
- There would be several fewer parking spaces as a result of the new loading scheme, although the number of spaces provided would still exceed the minimum parking requirement.

**VII. ZONING AND PUD RELATED MAP AMENDMENT**

The site is zoned R-3. To the immediate west and south of the Property are R-3 zones, and an R-5-D zone begins approximately 80’ to the Property’s southwest. There is an R-5-B zone across Delaware Avenue to the east of the Property, and an R-5-A zone across M Street to the north of the Property. While the R-3 zone is characterized by residential row dwellings, the proposed CR zone encourages a diversity of compatible land uses that may include a mix of residential, office, retail, recreational, light industrial, and other miscellaneous uses.

The following table is a comparison of the R-3, CR, and CR/PUD standards for certain development features and the proposed development:

Requirement	R-3 (Matter of right)	CR (Matter of right)	CR/PUD	Proposal	Deviation
Height (max.)	40’	90’	110’	110’/80’/35’	Conforms
FAR (max.)	None prescribed	6.0 residential 3.0 non-residential	8.0 (total) 4.0 (non-residential)	4.0 (residential) .17 (church)	Conforms
Rear yard (min.)	20’	3 in./ft. of height, 12’ min (20’ required at 80’ height)	Same as MOR	Varies from 8’ to 18’	<i>Relief needed for substandard rear yard (about 2’ to 12’ deficient)</i>
Courts (closed)	Width = 4 in./ft. height One family dwelling = 5 ft. min	Width = 4 in./ft. height; 15 ft. min.  Area = 2 x the square of	Same as MOR	<u>Closed Court:</u> Width = 20 ft. Area = 2,649 sq. ft.	<i>Relief need for substandard closed court width (about 7’ deficient)</i>

<sup>9</sup> See the Applicant’s June 13, 2011 submission, page 11.

<sup>10</sup> The application requests flexibility on the number of residential parking spaces, proposing a parking space range of 120-147.

	All other structures = 14 ft. min  Area = 2 x the square of the required court width; 350 sq. ft. min.	the required court width			
Loading (min.)	None required	<u>Residential</u> : 1 berth @ 55' deep, 1 platform @ 200 sq. ft., 1 service/delivery @ 20' deep  <u>Church</u> : None required under 30,000 sq. ft.	Same as MOR	<u>Residential</u> : 1 berth @ 30' deep, 1 platform @ 200 sq. ft., 1 service/delivery @ 20' deep  <u>Church</u> : none provided	<i>Relief needed for shorter berth (25' in depth deficient)</i>
Parking (min.)	1 per dwelling unit	<u>Residential</u> : 1 for each 3 dwelling units (70 spaces required for 210 units)  <u>Church</u> : 1 for each 10 seats of occupancy capacity in main sanctuary; where seats are not fixed, each 7 sq. ft. usable for seating or each 18 in of bench shall be considered 1 seat.	Same as MOR	<u>Church</u> : 25  <u>Residential</u> : 126	Conforms
Public space at ground level (min.)	None required	10% of lot area	Same as MOR	~ 1,013 sq. ft.	<i>Relief needed for substandard public space (~3,987 sq. ft. deficient)<sup>11</sup></i>

**VIII. FLEXIBILITY**

The following relief is required from the Zoning Regulations<sup>12</sup>:

Rear Yard Requirement

While a 20' rear yard is required under § 636.2, the proposed design features a rear yard ranging from 8' to 18' for a limited portion of the project. Section 2405.5 permits the Zoning Commission the “option to approve yards or courts greater or lesser than the normal requirements, depending upon the exact circumstances of the particular project.” The Applicant contends that the portion of the project that does not conform to the rear yard requirement is small, and that a “large open courtyard at the side and rear of the building will provide sufficient open space to mitigate any impacts from the building on neighboring properties.”<sup>13</sup>

Closed Court Requirement

On the west side of the proposed building, the proposal would provide a 20' wide closed court where a 26'8" wide closed court is required (pursuant to § 638.2). Although the court width is non-conforming, the Applicant indicates that the court area almost doubles the required size (2,649 square feet where 1,422 square

<sup>11</sup> OP encourages the Applicant to provide more information on how the public open space was measured.

<sup>12</sup> See § 2405.7.

<sup>13</sup> See the Applicant’s June 13, 2011 submission, pages 12-13.

feet is required). Additionally, there should be sufficient light and air to west of the proposed building where an existing surface parking lot is located on the neighboring property.

#### Public Open Space

Pursuant to § 633, the project must supply 5,000 square feet of public open space adjacent to the main entrance of the principal building. After the submission of the original plans, the Applicant has provided an additional 2' setback along a portion of the building's M Street frontage. The Applicant indicates that approximately 1,013 square feet of landscaped open space would be provided in the front yard, although more clarification of the location of the required open space is needed. Additionally, the Applicant states that there would be a significant amount of open space in the rear courtyard which would be publicly accessible subject to certain restrictions.

#### Loading

Section 2201.1 requires the loading facilities for the project to include one 55' berth, one 200 square foot platform, and one 20' deep space for service/delivery. The project would provide one 30' berth, one 200 square foot platform, and one 20' deep space. The Zoning Commission "may reduce or increase the amount of such facilities [loading berth facilities] depending on the uses and the location of the project" pursuant to § 2405.6. The Applicant indicates that it is unlikely that residents would use moving trucks requiring a 55' loading berth, and also that the underground loading location constrains the available turning area for larger trucks.

### **IX. PUD EVALUATION STANDARDS AND PUBLIC BENEFITS AND AMENITIES**

The purpose and standards for Planned Unit Developments are outlined in 11 DCMR, Chapter 24. Section 2400.1 states that a PUD is "designed to encourage high quality developments that provide public benefits." In order to maximize the use of the site consistent with the Zoning Regulations, and be compatible with the surrounding community, the application requests that the proposal be reviewed as a consolidated PUD. This will allow the use of the flexibility stated in § 2400.2:

The overall goal is to permit flexibility of development and other incentives, such as increased building height and density; provided, that the project offers a commendable number or quality of public benefits and that it protects and advances the public health, safety, welfare, and convenience.

The application requests a change in zoning of the Property which would allow approximately 40' to 70' of additional building height above R-3 limits as well as an increase to 4.17 FAR (about half of the permitted density pursuant to a PUD in a CR zone). Public benefits in the application are discussed below.

The PUD standards further provide 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."<sup>14</sup> Based on the information provided, OP believes that the project generally would have a positive impact on the neighborhood and the District, although some additional attention is needed to determine the adequacy of the offered public amenities and benefits.

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." 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 the typical development of the

---

<sup>14</sup> Section 2403.3.

type proposed...” (§ 2403.12). The application has offered the following amenities and benefits as an offset to the additional development gained through the application process:

1. *Urban design, architecture, landscaping or creation or preservation of open space* – The overall building form, specifically the distribution of height and massing, generally is appropriate for this location. Development to the south and west of the Property are similarly characterized by relatively abrupt variations in height. The project would minimize the development footprint in order to retain open space on the site. An open courtyard space at the back of the building would feature a water element and provide limited public access. An additional 2' setback would be provided along a portion of the north building façade to provide more landscaping opportunity facing M Street. OP encourages the Applicant to provide additional detail for the façade materials for both the church and residential building. The programming of the proposed courtyard space, as well as its public accessibility and functionality, should be further examined and explained. OP also recommends that the Applicant provide additional landscaping attention to the space located between the building's north side and M Street.
2. *Site planning, and efficient and economical land utilization* – The proposal would enhance a currently unimproved site located within close proximity to a Metro station and several Metrobus lines. The site plan sensitively concentrates most of the project's density and height away from the historic Delaware Avenue right-of-way. The project also would provide underground loading and parking accessed from Delaware Avenue and close an existing curb cut along M Street. OP considers the underground loading from Delaware Avenue to be an important project amenity.
3. *Transportation features* – As part of the proposed parking on the site, the Applicant has verbally indicated that the project would offer some electric vehicle charging stations at 240 volts. Several spaces would be provided for a car sharing service. The application also states that at least approximately 70 bike spaces would be provided in the building. OP encourages the Applicant to confirm the number of charging stations and the minimum voltage, as well as the minimum number of car sharing spaces to be provided. OP also encourages the Applicant to submit a transportation demand management plan for the project prior to any public hearing.
4. *Environmental benefits* – The application proposes a LEED Silver Certification for the project. A LEED checklist and description of commitment is anticipated prior to a public hearing.
5. *Employment and training opportunities* – The Applicant proposes to execute a First Source Employment Agreement with the Department of Employment Services (DOES) to promote and encourage the hiring of District of Columbia residents and enter into a CBE Agreement to promote the use of small, local, and disadvantaged businesses.
6. *Housing and affordable housing* – The proposal would provide approximately 210 apartments. The Applicant has offered that “2% of the units” would be restricted to 80% of the AMI over and above any affordable housing required under Inclusionary Zoning.<sup>15</sup> The Applicant estimates that the additional 2% would yield approximately 4,000 additional square feet of affordable residential use. The Applicant has verbally indicated that the additional affordable units would remain affordable for the life of the project, but OP encourages the Applicant to confirm this commitment. As the project proceeds, the Applicant should also provide the mix and location of the unit types: (1) the IZ units, (2) the 2% of additional affordable units, and (3) the market rate units. The Applicant also should narrow the range of flexibility requested for the total number of housing units. OP will work with the Applicant to provide more information and detail on the housing component prior to a public hearing.

---

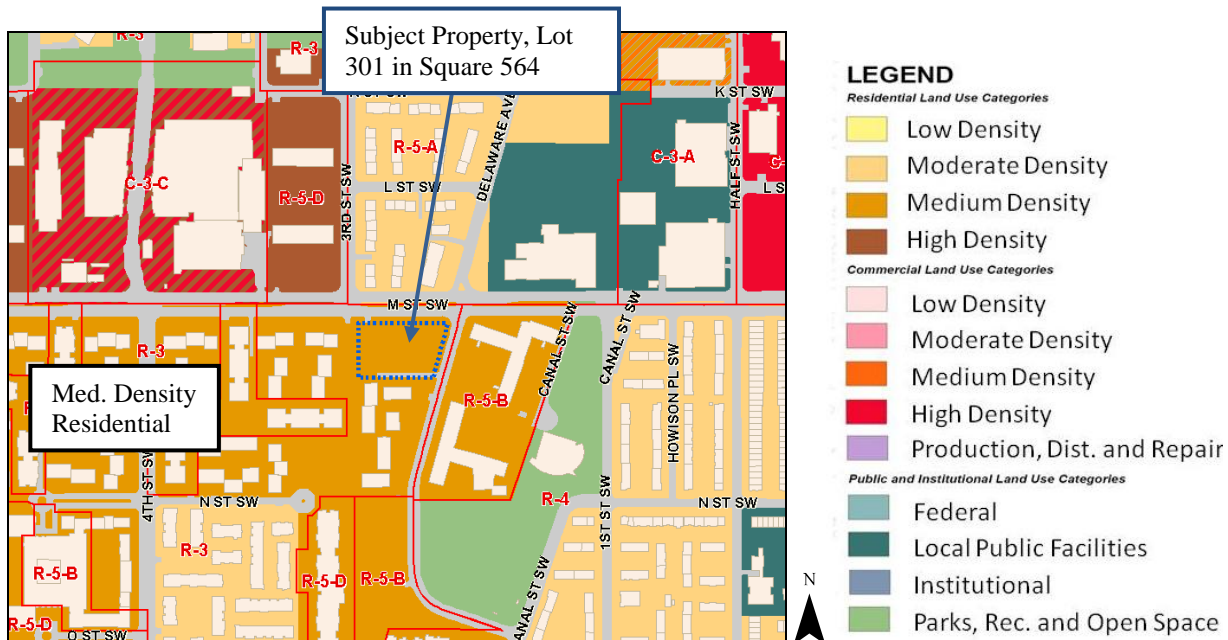
<sup>15</sup> Consistent with IZ metrics, OP interprets that the Applicant commitment to mean “percentage of gross square footage” that would be dedicated to residential use, although the Applicant should confirm this commitment.

7. *Uses of special value to the neighborhood or the District of Columbia as a whole* – The development would provide a new home for St. Matthew’s Church, which had operated as a community institution for decades prior to the 2008 demolition. The Applicant also has proposed to establish the Thurgood and Cecilia Marshall Southwest Community Center which would be accessible to the public. OP encourages the Applicant to further explain the community center offering, including the center’s timing within the site’s development, square footage, projected staffing and audience size for the community center, and range of offerings.

Should the project be setdown, OP would continue to work with the Applicant to advance an appropriate level of amenities and benefits for the project.

**X. COMPREHENSIVE PLAN LAND USE MAPS**

The Future Land Use Map recommends the subject site for medium density residential use. The proposed CR zoning, which is intended to accommodate a medium density residential project and church use, is generally consistent with the medium density residential use designation.



**Exhibit 3: Comprehensive Plan Future Land Use Map**

The Generalized Policy Map recommends the site as a neighborhood conservation area, where the guiding philosophy is to “conserve and enhance established neighborhoods.” Further, the “diversity of land uses and building types in these areas should be maintained and new development and alterations should be compatible with the existing scale and architectural character of each area.”

The Comprehensive Plan also provides the following land use policy guidance:

**Policy LU-1.3.2: Development Around Metrorail Stations**

*Concentrate redevelopment efforts on those Metrorail station areas which offer the greatest opportunities for infill development and growth, particularly stations in areas with weak market demand or with large amounts of vacant or poorly utilized land in the vicinity of the station entrance. Ensure that development above and around such stations emphasizes land uses and building forms which minimize the necessity of automobile use and maximize transit ridership while reflecting the design capacity of each station and respecting the character and needs of the surrounding areas.*



**Policy LU-1.4.1: Infill Development**

*Encourage infill development on vacant land within the city, particularly in areas where there are vacant lots that create “gaps” in the urban fabric and detract from the character of a commercial or residential street. Such development should complement the established character of the area and should not create sharp changes in the physical development pattern.*

**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. This is particularly important in single family and row house neighborhoods that are currently zoned for multi-family development.*

**Policy LU-2.3.6: Houses of Worship**

*Recognize churches and other religious institutions as an important part of the fabric of the city’s neighborhoods. Work proactively with the faith-based community, residents, ANCs, and neighborhood groups to address issues associated with church transportation needs, operations, and expansion, so that churches may be sustained as neighborhood anchors and a source of spiritual guidance for District residents.*

**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.*

**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.*

**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.*

**Policy H-1.2.2: Production Targets**

*Consistent with the Comprehensive Housing Strategy, work toward a goal that one-third of the new housing built in the city over the next 20 years should be affordable to persons earning 80 percent or less of the area-wide median income (AMI). Newly produced affordable units should be targeted towards low-income households...*

**Policy H-1.2.5: Workforce Housing**

*In addition to programs targeting persons of very low and extremely low incomes, develop and implement programs that meet the housing needs of teachers, fire fighters, police officers, nurses, city workers, and others in the public service professions with wages insufficient to afford market-rate housing in the city.*

**Policy E-3.2.1: Support for Green Building**

*Encourage the use of green building methods in new construction and rehabilitation projects, and develop green building methods for operation and maintenance activities.*

**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.*

**Policy AW-1.1.1: Conservation of Established Waterfront Neighborhoods**

*Revitalize and preserve established neighborhoods in the Waterfront Planning Area. Continued investment in the existing housing stock and in established local commercial areas should be strongly encouraged.*

**Policy AW-2.1.1: Mixed Use Development**

*Support the redevelopment of the Southwest Waterfront with medium to high-density housing, commercial and cultural uses, and improved open space and parking. The development should be designed to make the most of the waterfront location, preserving views and enhancing access to and along the shoreline.*

**XI. AGENCY REFERRALS**

Subsequent to setdown for a public hearing, the application would be referred to District government agencies for review and comment, including:

- Department of Transportation (DDOT);
- Department of the Environment (DDOE);
- Fire and Emergency Medical Services Department (FEMS);
- DC Water;
- DC Public Schools (DCPS);
- Department of Housing and Community Development (DHCD);
- Department of Public Works (DPW);
- Department of Employment Services (DOES); and
- Department of Health (DOH).

JS/pg  
Case Manager, Paul Goldstein