



MEMORANDUM

TO: District of Columbia Zoning Commission

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

DATE: May 14, 2010

SUBJECT: Zoning Commission Case Number 10-11, a Proposed Consolidated Planned Unit Development and related Zoning Map Amendment

I. PETITION

The applicant, Northern Real Estate Urban Venutres, LLC, on behalf of owners AWA Holdings, LLC., and the District of Columbia, requests approval of a new mixed-use project via a consolidated planned unit development and related map amendment. The project would include demolition of the existing buildings and construction of a new multi-family residential building with ground floor office and retail space, located at 4800 Nannie Helen Burroughs, NE. The proposed PUD-related map amendment would amend the split-zoned site, which is currently a combination of zones R-2 and C-1, to be wholly within the C-2-A zone.

II. RECOMMENDATION

The Office of Planning (OP) **recommends** that the planned unit development and related map amendment be **set down for public hearing**. The proposed project would allow for the development of 70 units of affordable housing, including 23 public housing replacement units, as well as ground floor retail and office space. The Office of Planning finds that the proposed PUD and related map amendment are **not inconsistent** with the 2006 Comprehensive Plan and Future Land Use Map.

III. SITE AND SURROUNDING AREA

The subject property is located in Northeast Washington, on Lots 8-14, 804, 814, 818, and 819, within Square 5148. Lots 8-14 and 818 are owned by the District of Columbia and Lots 804 and 819 are owned by AWA Holdings, LLC. Both entities, along with Northern Real Estate Ventures, LLC are co-applicants on this consolidated planned unit development and related map amendment request. The subject square is generally bounded by Hayes Street, NE (north), Nannie Helen Burroughs Avenue, NE (south), 49th Street, NE (east), and 48th Street, NE (west). The subject property is approximately 45,513 square feet in size and is located within two different zoning districts. The majority of the site, including the Nannie Helen Burroughs frontage, is located within the C-1 zone. The remainder of the property, located in the center of the square, is zoned R-2. The property is bisected by a 15' wide public alley which runs east-west through the center of the Square. The portion of the alley adjacent to the subject property is unpaved and not currently used for vehicular access and/or circulation. The applicants are seeking closure of the alley and consolidation of all the lots into a single lot of record under a separate process.

The subject property is currently improved with two buildings that are one and two stories in height, which are located at the corner of Nannie Helen Burroughs and 48th Streets, NE. The remainder of the property is unimproved. Square 5148 is comprised of a variety of uses including a church, single-family



residences, and retail uses. The adjacent property to the north is improved with single family detached structures, including a few on former railroad right-of-way lots. The surrounding neighborhood is comprised of a mix of residential and commercial uses and zones. An R-2 zone is located directly north of the property while higher density residential uses and zones (R-4 and R-5-A) are found to the east of the site across 49th Street. Commercial and multi-family residential uses are located across Nannie Helen Burroughs to the south and are currently zoned C-1 and C-2-A.

IV. PROPOSAL

The applicant requests a planned unit development and related map amendment to permit the construction of a new mixed-use residential and retail building on the subject property. The proposed 92,000 square foot building would include the following uses:

- 70 units of affordable housing, including 23 public housing replacement units;
- 8,100 sq. ft. of commercial space; and
- 40 surface parking spaces.

The proposed five-story building would be 62'8" in height and would contain ground floor retail and office uses with upper level residential uses. The retail use would be located at the corner of Nannie Helen Burroughs Avenue and 48th Street, NE. Other ground floor uses would include an office space and an adult enrichment center, both which would be accessed from Nannie Helen Burroughs Avenue. The residential lobby would also be located along the south edge of the site, along Nannie Helen Burroughs. Vehicular access to the site would be provided from 48th Street NE, at the rear of the building. The open, off-street parking area in the rear of the site would be shielded from view of the neighboring properties by a green retaining wall as well as landscaping features proposed for the northeast edges of the site. An existing 15-wide public alley, which currently does not function as such, is proposed for closure as part of this project. An outdoor play area is also proposed at the rear of the building, adjacent to the proposed fitness center and conference room. The applicants plan to incorporate several sustainable building features in the design and are seeking Green Communities certification of the project.

V. ZONING ANALYSIS

The subject property is located within two different zoning districts. Lots 8-14, 814, and a portion of Lots 804, 818, and 819 are within the C-1 Neighborhood Shopping District. This district is designed to provide convenient retail and personal service establishments serving the day-to-day needs of surrounding residential areas. Lots 804, 818, and 819 are also partially located within the R-2 zone, a low-density residential zone which permits single-family detached and semi-detached residences along with a limited number of institutional uses. The applicant proposes a PUD-related map amendment which would rezone all of the lots to the C-2-A zone. This community business center district is designed to provide facilities for shopping and business needs, housing, and mixed uses for areas outside the central core. Multi-family residential, retail, and office uses are permitted as-of-right in both C-1 and C-2-A zones but not allowed in the R-2 zone.

Zoning Change Requested

The following table describes the properties proposed for rezoning:

Proposed Zoning Change	Lots	Square Feet
C-1/R-2 to C-2-A	804, 818, 819	22,646
C-1 to C-2-A	8-14, 814	17,500

The table below summarizes the development standards for both the C-1 and C-2-A zones as compared to the proposal.

	<i>C-1</i>	<i>C-1 PUD Standards</i>	<i>C-2-A</i>	<i>C-2-A PUD Standards</i>	<i>Proposal</i>
<i>Maximum Lot Occupancy - residential</i>	60%	60%	60%	60%	41%
<i>Maximum Building Height</i>	3 stories/40'	3 stories/40'	50'	65'	62'8"
<i>Maximum FAR- non-residential</i>	1.0	1.0	1.5	2.0	0.2
<i>Maximum FAR Total</i>	1.0	1.0	2.5	3.0	1.9
<i>Rear Yard</i>	20'	20'	15'	15'	25'
<i>Side Yard</i>	Not required but if provided, 2"/ft.		Not required but if provided, 3"/ft.		0'
<i>Roof Structures</i>	One continuous structure		One continuous structure		2 roof structures
<i>Parking / Loading</i>	Requirement		Proposal		
<i>Parking</i>	40 spaces: 35 - residential uses; 5 - office use		40 spaces: 35 - residential uses; 5 - office uses		
<i>Loading</i>	Residential Use: 1 loading berth @ 55' 1 loading platform space @ 200 sq.ft. 1 service/delivery space @ 20' Office/Retail Use: 1 service/delivery space @ 20'		Residential Use: 1 loading berth @ 30' 1 loading platform space @ 200 sq. ft. 1 service/delivery space @ 20' (shared)		

VI. PUD EVALUATION STANDARDS

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 to utilize opportunities for additional FAR the applicant is requesting that the proposal be reviewed as a consolidated PUD. This would allow the utilization of the flexibility stated in Section 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 of quality public benefits and that it protects and advances the public health, safety, welfare, and convenience.”

Section 2403 further outlines the standards under which the application is evaluated.

“2403.3 The impact of the project on the surrounding area and the operation of city services and facilities shall not be found to 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.”

VII. FLEXIBILITY

Roof Structures

The applicant proposes to have two roof structures on the building whereas one continuous structure is permitted. The two structures would enclose the stair tower and elevators separately and are being requested to allow for two separate means of egress. Each structure meets the setback requirements and the total area complies with the maximum permitted for roof structures.

Loading

The applicant requests flexibility from the loading requirements to allow a 30' long loading berth whereas a 55' foot berth is required for the residential use. In addition, the applicant would like to utilize a shared service and delivery space for the both the residential and office uses. The applicant does not anticipate the need for a 55' long loading berth for the proposed use given the size and nature of the residential units.

In addition to those areas listed above, the applicant is requesting flexibility for the following:

- **Variation in the number of residential units**
The applicant requests approval of a range of residential units equal to plus or minus 5% from the 70 units currently proposed.
- **Location and design of interior components and parking spaces**
The applicant would like to be able to vary the location and design of interior components (e.g., including doors, hallways, and mechanical rooms) of the project that do not affect the exterior appearance or design of the building. The applicant also requests flexibility to vary the location, number, and arrangement of parking spaces, provided they continue to meet the amount required by the Zoning Regulations.
- **Exterior appearance and building materials**
The applicant requests flexibility to vary the final building materials and colors within a proposed range, in order to account for the availability of materials at the time of construction. This would also include the ability to make minor adjustment to exterior details and any changes necessary to comply with local building codes.

VIII. PUBLIC BENEFITS AND AMENITIES

The objectives of a PUD are to permit flexibility of development in return for the provision of superior public benefits, provided the PUD process is not used to circumvent the intent and purposes of the Zoning Regulations, or results in an action inconsistent with the Comprehensive Plan.

Public amenities are defined in Section 2403.7 as including *“one type of public benefit, specifically a functional or aesthetic feature of the proposed development that adds to the attractiveness, convenience or comfort of the project for occupants and immediate neighbors”*.

The proposed project would allow the development of a new mixed use affordable housing project on a largely vacant site. The applicant is not requesting zoning relief for additional development density or building height for this project. The applicant requests a PUD-related map amendment to allow for the proposed mixed-use project, on a designated “Great Street” commercial corridor.

The applicant has listed a number of areas which they feel contribute towards their benefit/amenity package:

Urban Design, Architecture, Landscaping, and Open Space

The project incorporates new landscaping features, thoughtful urban and site design elements, and quality building materials. The building is proposed to anchor the corner with a ground floor retail use with nearly all pedestrian entrances to the building located along Nannie Helen Burroughs Avenue. The proposed design breaks down the building massing into two bays and pushes the bulk of the structure towards Nannie Helen Burroughs Avenue while providing a 25' buffer from the low density residential buildings to the north. Vehicular access is limited to one location, at the rear of the building, and is buffered from residential uses to the north by a green retaining wall and a significant amount of new landscaping features.

Employment and Training Opportunities

The proposal includes a 2,000 square foot facility for an onsite adult enrichment center. In addition, the applicants have entered into an agreement to participate in the Department of Employment Services (DOES) First Source Employment Program and will complete a Certified Business Enterprise Utilization and Participation Agreement as part of this proposal.

Housing and Affordable Housing

The proposal would create 70 affordable housing units, 47 of which would be affordable to households earning 60% of the area median income (AMI). The remainder would be replacement public housing units for the Lincoln Heights/Richardson Dwellings development. This all-affordable housing development would significantly exceed the amount required by the Inclusionary Zoning requirements in the Zoning Regulations. In addition, the majority of the units will have 2- or 3-bedrooms to respond to housing needs of the community.

Environmental Benefits

The applicant has submitted a Green Communities checklist for the proposed project and proposes several sustainability features for the project. These include the use of water conserving fixtures and appliances, energy efficient lighting, and the implementation of a construction waste management plan.

IX. COMPREHENSIVE PLAN

The proposal is considered **not inconsistent** with the Comprehensive Plan, and would further policy statements in the Land Use, Housing, Transportation, Urban Design, and Far Northeast and Southeast elements. The project would allow for the provision of new affordable housing on a largely vacant infill site and help strengthen the Nannie Helen Burroughs Avenue corridor by bringing in new retail uses.

FUTURE LAND USE AND POLICY MAP

The 2006 Comprehensive Plan Future Land Use Map designates the majority of the subject property for low density commercial uses, with a smaller portion for low density residential (see Exhibit 3). The Comprehensive Plan identifies C-2-A as a low density zone, making the applicant's related map amendment request **not inconsistent** with the future land use(s) of the site. The subject property is also designated as a Neighborhood Enhancement Area in the Generalized Policy Map of the 2006 Comprehensive Plan (see Exhibit 4).

The following policies are particularly relevant to the proposed development:

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. 307.5

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-1.2.4: Housing Affordability on Publicly Owned Sites

Require that a substantial percentage of the housing units built on publicly owned sites, including sites being transferred from federal to District jurisdiction, are reserved for low and moderate income households. 504.11

Policy T-1.2.2: Targeted Investment

Target planning and public investment toward the specific corridors with the greatest potential to foster neighborhood improvements and enhance connectivity across the city. 404.7

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

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-1.1.3: Directing Growth

Concentrate employment growth in Far Northeast and Southeast, including office and retail development, around the Deanwood, Minnesota Avenue and Benning Road Metrorail station areas, at the Skyland Shopping Center, and along the Nannie Helen Burroughs Avenue, Minnesota Avenue, Benning Road, and Pennsylvania Avenue SE “Great Streets” corridors. Provide improved pedestrian, bus, and automobile access to these areas, and improve their visual and urban design qualities. These areas should be safe, inviting, pedestrian-oriented places. 1708.4

Policy FNS-1.1.4: Retail Development

Support the revitalization of the neighborhood commercial areas listed in Policy FNS-1.1.3 with new businesses and activities that provide needed retail services to the adjacent neighborhoods and that are compatible with surrounding land uses. 1708.5

X. AGENCY COMMENTS

The application will be referred to the following agencies for comments:

1. District Department of Transportation;
2. Department of Parks and Recreation;
3. District Department of the Environment;
4. Metropolitan Police Department; and
5. Fire and Emergency Medical Services Department.

XI. CONCLUSION

The Office of Planning **recommends that the Zoning Commission set down** the proposed consolidated planned unit development and related map amendment for public hearing.

JS/ayj

Arlova Jackson, Case Manager

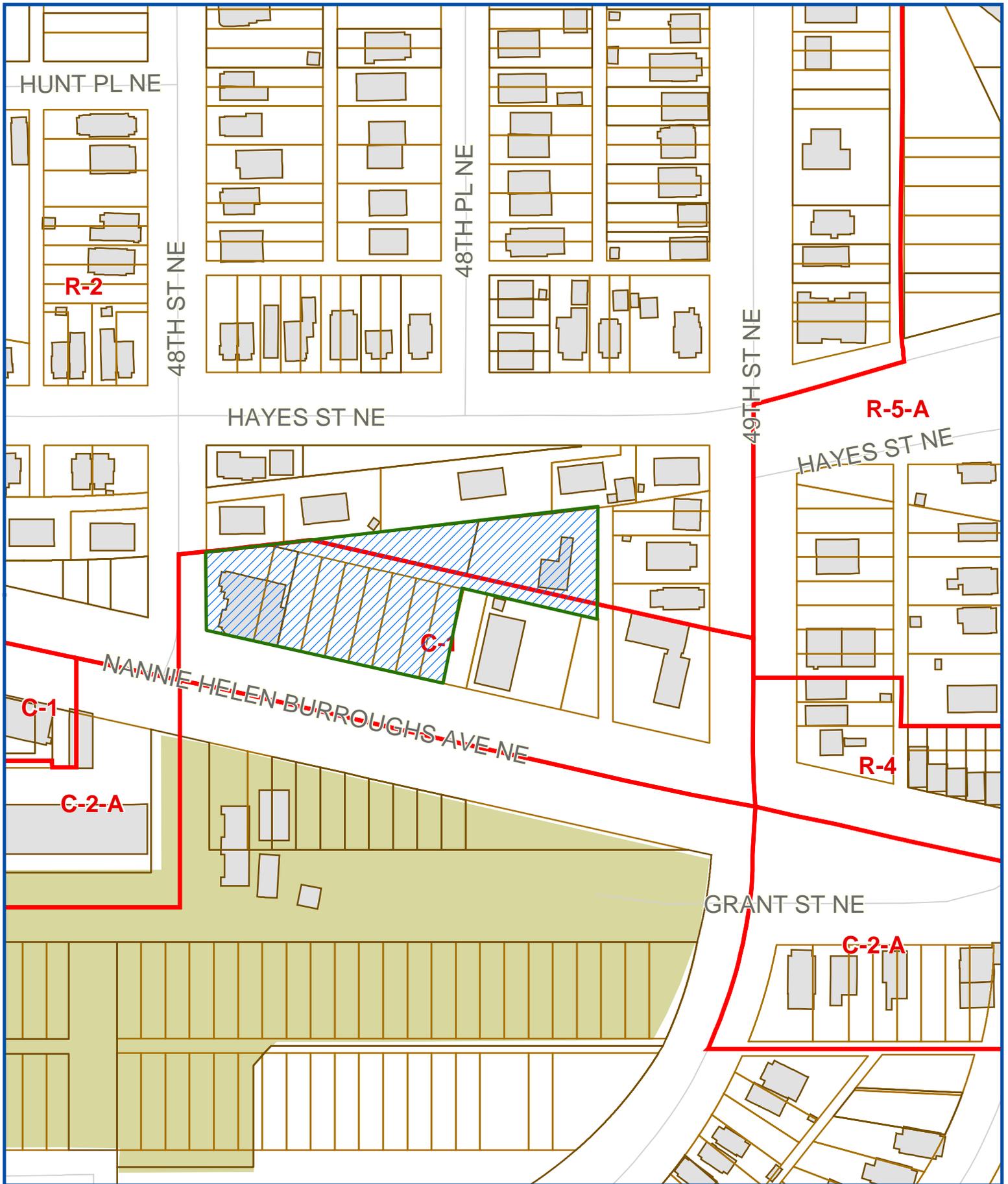
Attachments:

Exhibit 1 – Site Map

Exhibit 2 – Aerial Photograph (2008)

Exhibit 3 – 2006 Comprehensive Plan Future Land Use Map

Exhibit 4 – 2006 Comprehensive Plan Generalized Policy Map



ZC 10-11 - 4800 Nannie Helen Burroughs Avenue, NE- Exhibit 1 - Site Map

Legend

 Zoning Districts

This map was created for planning purposes from a variety of sources. It is neither a survey nor a legal document. Information provided by other agencies should be verified with them where appropriate.

DC Office of Planning

September, 2009

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ZC 10-11 - 4800 Nannie Helen Burroughs Avenue, NE
Exhibit 2 - Aerial Photograph (2008)

Legend

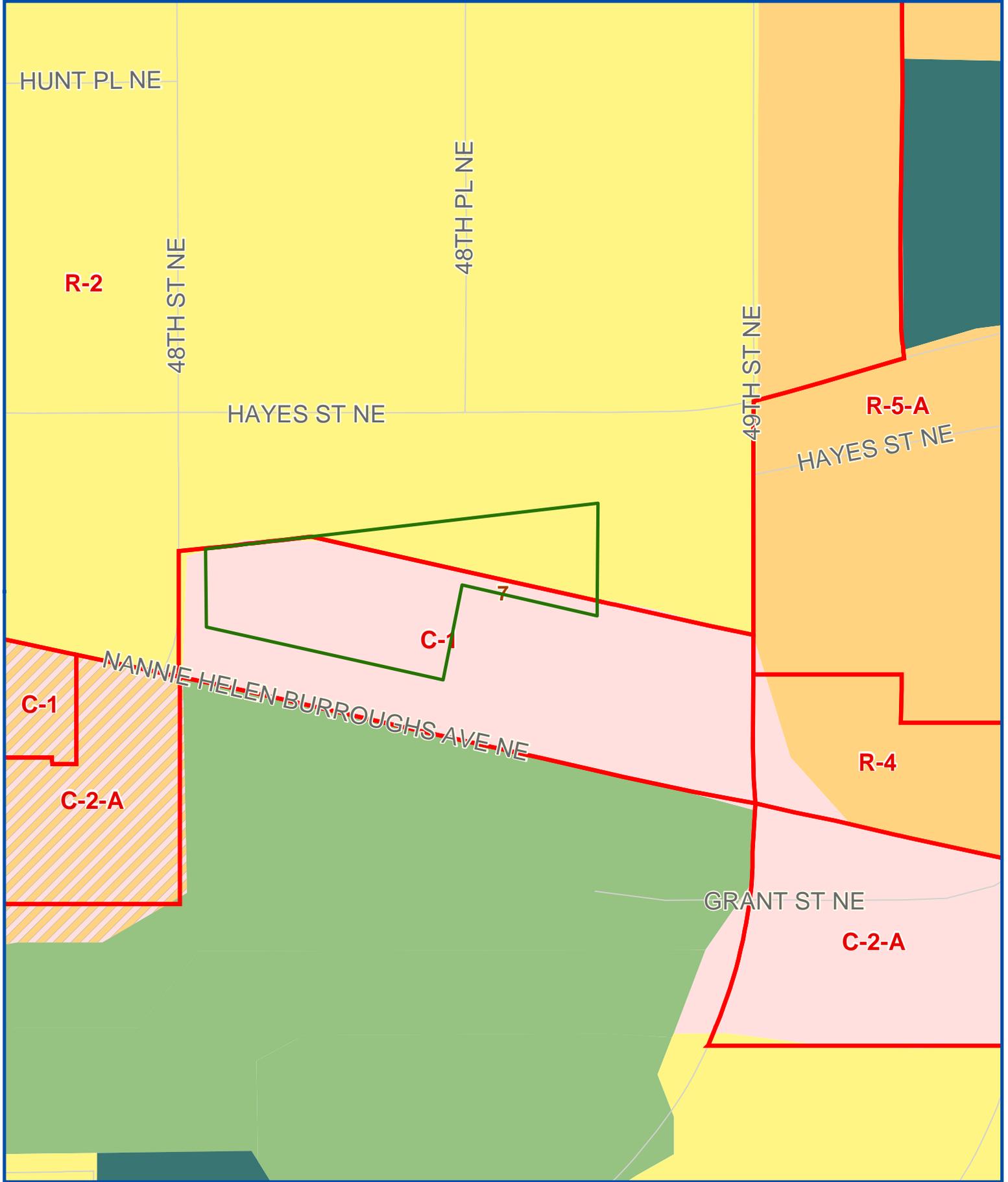
 Zoning Districts

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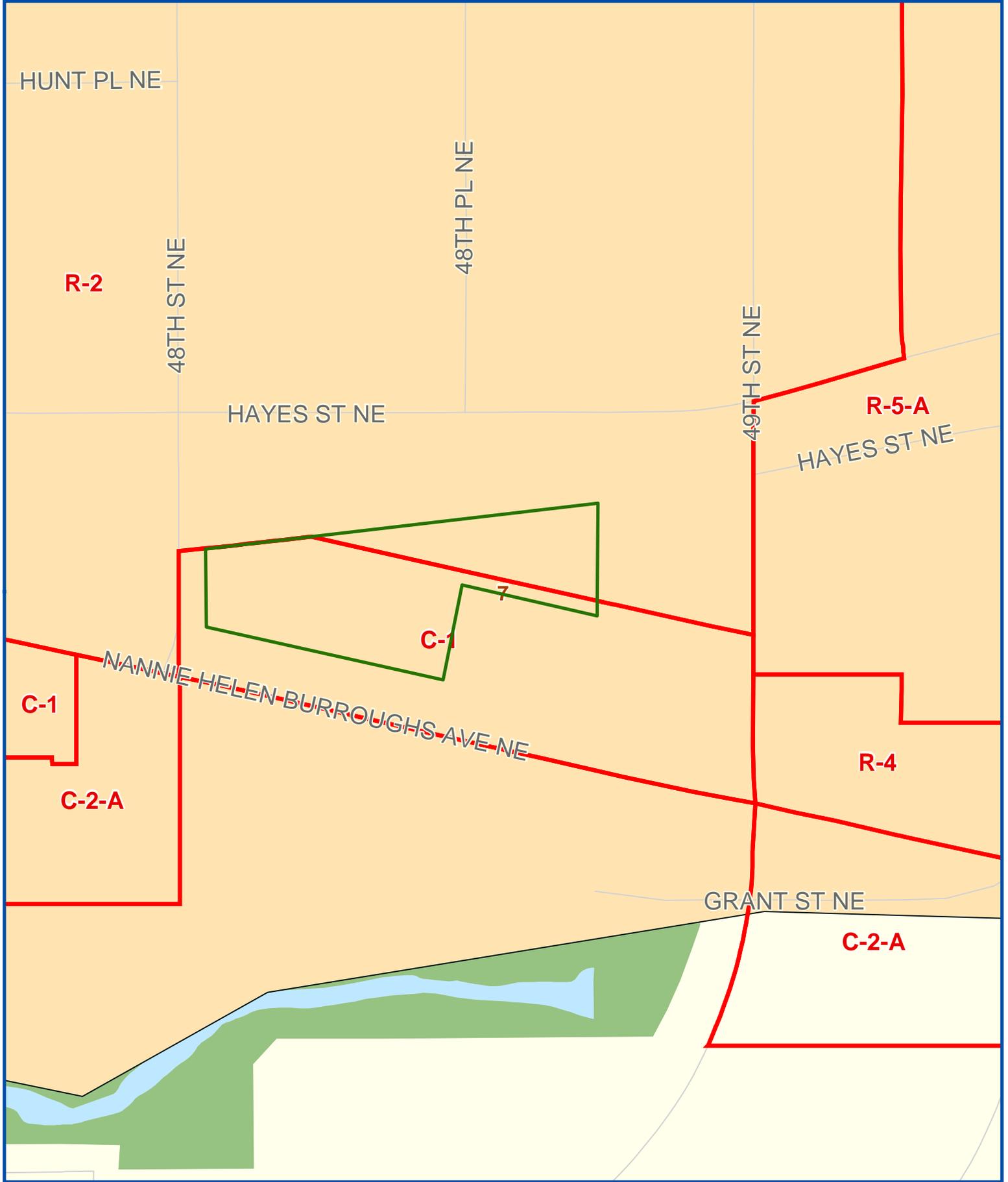




ZC 10-11 - 4800 Nannie Helen Burroughs Avenue, NE
Exhibit 3 - 2006 Comprehensive Plan -
Future Land Use Map

- Legend**
-  Zoning Districts
 -  Residential-Low Density
 -  Residential-Moderate Density
 -  Commercial-LowDensity





ZC 10-11 - 4800 Nannie Helen Burroughs Avenue, NE
Exhibit 4 - 2006 Comprehensive Plan -
Generalized Policy Map

Legend

- Neighborhood Enhancement Areas
- Water
- Parks

