

MEMORANDUM

TO: District of Columbia Zoning Commission

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

DATE: April 3, 2015

SUBJECT: ZC #15-04 - Setdown Report - Consolidated PUD and Related Map Amendment from split zoned FT/C-M-1 and R-2 to R-4, (Square 3788 Lot 814)

I. SUMMARY RECOMMENDATION

The Office of Planning recommends that the Zoning Commission set down for a Public Hearing Zoning Commission Case #15-04, a Consolidated PUD and related map amendment application for the “Totten Mews” townhouse development in the Fort Totten Neighborhood.

The proposed zoning and PUD would be not inconsistent with the maps and written elements of the Comprehensive Plan and the Fort Totten Overlay.

II. BACKGROUND



ZC 06-26 - Site Layout

This site was the subject of a similar, former PUD and related map amendment, ZC 06-26, October 12, 2007, which included approval of the construction of 35 townhouse units arranged around a landscaped common space in six buildings, containing from five to eight dwelling units. This PUD has since lapsed. The former approved site layout is shown.

III. APPLICATION-IN-BRIEF

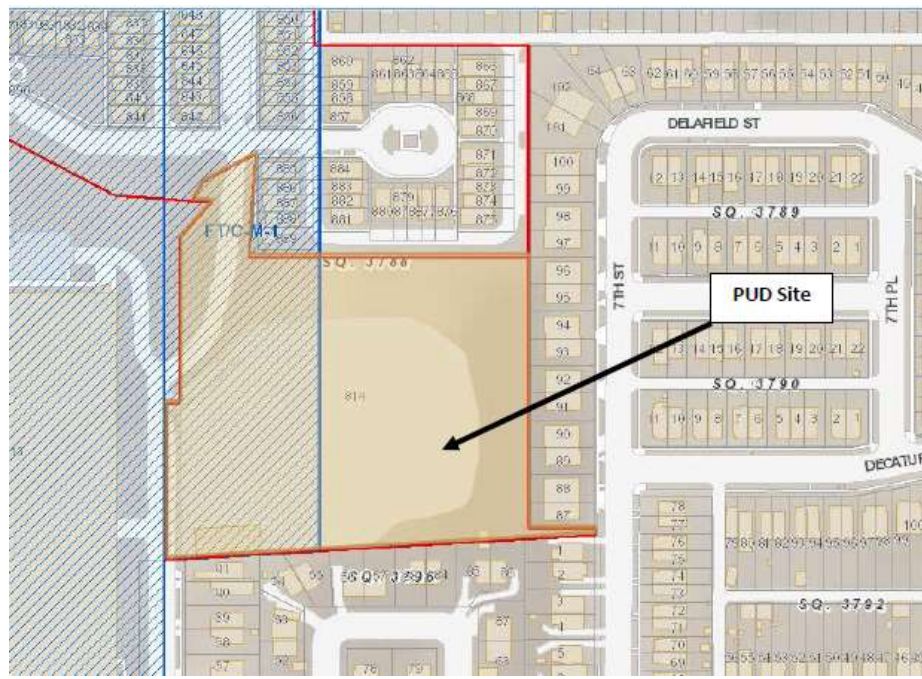
- Ward/ANC:** Ward 5, ANC 5A
- Location:** The site is located at the end of a portion of 6th Street NE, just east of the rail and metro red lines, in the North Michigan Park neighborhood of Ward 5. South Dakota Avenue is a few blocks to the east.
- Area Description:** Surrounding development consists of the Emerson Park Townhouse PUD (Z.C. 04-11) to the north; a series of existing semi-detached one-family two-story dwellings fronting 6th Place, N.E., to the south; a series of recently developed lots with semi-detached two-story dwellings fronting 7th Street to the east; and the Capital Area Food Bank property to the west.
- Applicant/Owner:** Comstock Sixth Street LLC (the applicant and contract purchaser from the Thos. Somerville Co., owner of the site.)
- Current Zoning:** Split-zoned: FT/C-M-1 and R-2: Fort Totten Overlay, Commercial-Light Manufacturing District (west portion) and Low Density Residential (east portion).
- Property Size:** 182,600 square feet (4.2 acres)
- Existing Development:** The site is currently partially paved over by a large concrete slab, and an abandoned railroad siding track. Trees, and a wooded area with and significant grade changes surround the northern and eastern boundaries..
- Proposal:** Develop 40 townhouse units on the vacant 4.2 acre parcel. (*See Project Description*)
- Relief and Zoning:** Pursuant to 11 DCMR Chapter 24, the project would require approval for:
A related map amendment to the R-4 District; and
- Multiple buildings on a single record lot, pursuant to § 2516.1, with development flexibility with respect to § 2516.6 (a) requires that the land that forms a covenanted means of ingress and egress shall not be included in the area of any theoretical lot, or in any yard that is required by this title.

IV. SITE DESCRIPTION

The irregularly-shaped Property consists of one lot of approximately 4.2 acres. The development site is currently occupied by a large concrete slab, an abandoned railroad siding track and a metal building. There are trees, other landscaping, and significant grade changes along the northern and eastern boundaries. There are two curb cuts from 6th Street NE. The Property fronts on 6th Street NE and is bounded by private property to the north, south and east. The Property does not have alley access and is land-locked, except for 6th Street NE access. The Property is approximately 1,000 feet from the entrance of the Fort Totten Metro Station to the northwest. The topography of the Property includes a rise in elevation from the east property line approximately 30 feet up from the rear of the homes which front on 7th Street NE to the leveled

area where the proposed homes would be located. The change in elevation is obstructed from view with the existing wooded area which would be retained (Site Sections, Pg. C-07).

A portion approximately 180 feet wide on the west side of this property is within a C-M-1 zone district and within the FT overlay. The remainder of the site and surrounding properties to the north, east and south are in the R-2 zone district. Buildings and land immediately west across 6th Street are in a General Industry (M-1) zone district.



LOCATION AND ZONING MAP

V. PROJECT DESCRIPTION

The applicant is proposing to construct 40 townhouse condominium residential homes. Thirty-eight units would front on private streets, while two would front on 6th Street, NE. (Side Entry Units, Pg. A10). Townhomes would primarily be clustered in four buildings of 7 units, one with 10 units and a smaller building with two units (Lot Configuration Plan, Pg. C-02). Two unit types, each with three bedrooms, are proposed. One unit type would front on the private street and mews areas and the second would have a side entry, as those would face the 6th Street frontage. Facades and sides would be primarily cementitious siding and brick veneer trims. All 40 units would have an integrated one-car garage, with carriage style garage doors accessed through the rear. Proposed eighteen-foot long driveways to the garage would provide another vehicle parking space, without intrusion onto the private drive. The remainder of the rear yard area would be landscaped.

The U-shaped, two-way private drive with a 20-foot clear travel way would provide ingress and egress to the homes. Parallel parking would be included for visitors with 17 spaces along the 6th Street frontage, (*which is a private street, along the lot's west boundary.*) The site circulation plan (Pg. C-03) presents a well-defined pedestrian connectivity for future residents, including a ten-foot wide, lit and paved pedestrian path at the northwest corner of the lot. This is proposed to connect with an easement through the Emerson Park townhomes to 6th Street to facilitate pedestrian and bike access to the Fort Totten Metro Station (Pgs. L-01, 02, 03). All streets would

be private and the homeowners association will be responsible for maintenance of all roads and utilities.



SITE LAYOUT

Other features include 5-foot wide sidewalks along the front of the homes, as well as a north-south walk/connection to the proposed playground and open space, abutting the existing wooded area to the north. The existing wooded area which surrounds approximately three-quarters of the site’s perimeter, including to the north and east would be maintained, and would provide a buffer between the Emerson Park residents and the new development. (Site Sections – Pg. C-07) Typical development lots would be 18 feet wide, with areas of 1,800 square feet or 1,867 square feet. Additional development parameters for the proposed R-4 District are highlighted below:

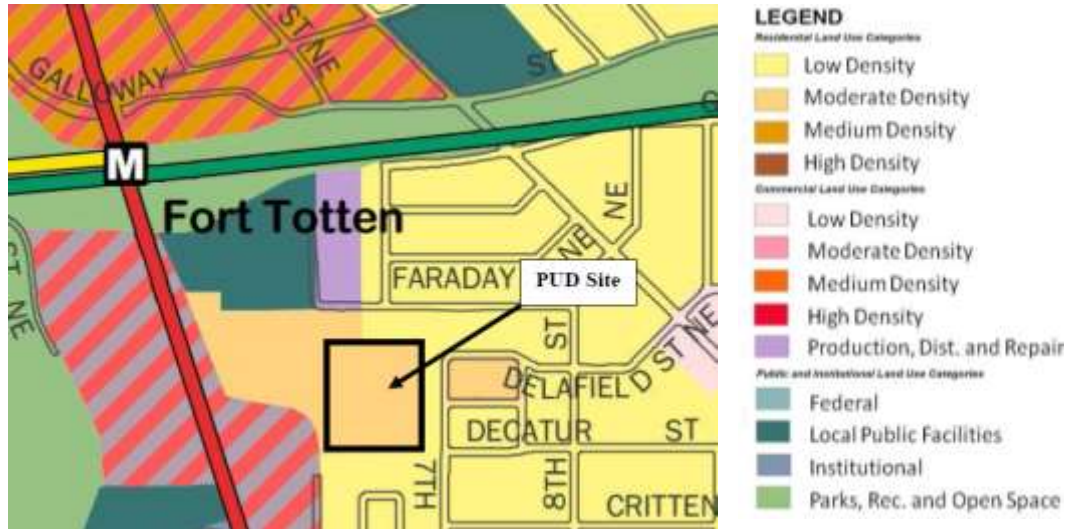
Section	Item	Restriction	Proposed
400	Building Height	40ft.	40 ft.
n/a	Site Area	n/a	4.2 acres (182,600 sf)
401	Lot Area	1,800 min.	1,800 – 1,867 sf
401	Lot Width	18	18 ft. – 18.67 ft.
402	FAR (with private streets) (w/out private streets)	n/a (1.8 effective)	0.49 0.57
403	Lot Occupancy (w/private street) Lot Occupancy (w/out private str.)	60%	17% 20%
404	Rear Yard	20 ft.	20 ft., 36 ft., and 38 ft.
405	Side Yard	8 ft. min. if provided	None provided
2101	Parking	1 per du	57 spaces
2516.5(b)	Front Yard	20 ft.	Not defined

VI. COMPREHENSIVE PLAN MAPS AND POLICIES

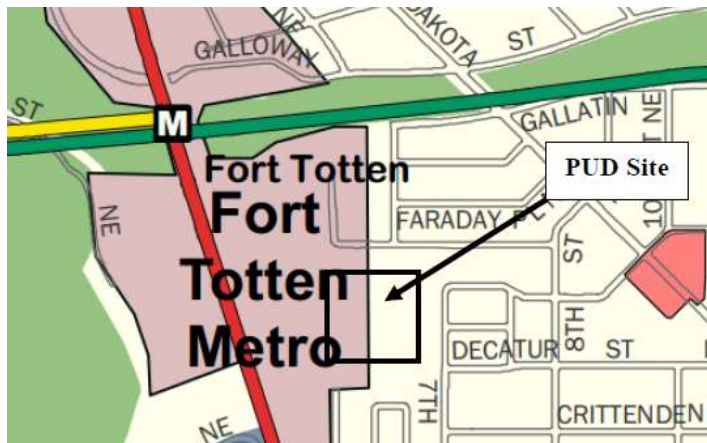
The proposed PUD must be determined by the Zoning Commission to be not inconsistent with the Comprehensive Plan and with other adopted public policies (§ 2403.4). The map amendment also should not be inconsistent with the Comprehensive Plan and other adopted policies.

A. Future Land Use Map

The Future Land Use Map designation for the property is Moderate Density Residential. The proposed map amendment to the R-4 District would be consistent with this designation.



B. General Policy Map



The Generalized Policy Map split designation assigns the eastern portion of the PUD site as a *Neighborhood Conservation Area* and the western portion as a *Land Use Change Area*.

A land use change area anticipates a different land use and the guiding philosophy *is to encourage and facilitate new development. As these areas are redeveloped, the District aspires to create high quality environments that include exemplary*

site and architectural design and that are compatible with... nearby neighborhoods. Although the current underlying zoning in a portion of the site would restrict residential development, the Comprehensive Plan clearly establishes a preference to convert the unused industrial land for residential purposes, and the FT Overlay aims to permit land use policies to implement the Plan. The proposed row house development would be characteristic of the surrounding neighborhood development in its scale and massing. Therefore, the proposed rezoning of a portion of the site from C-M-1 and R-2 to R-4 would be not inconsistent with the Comprehensive Plan, particularly when read in conjunction with the policies from the Plan, which are cited below.

C. Comprehensive Plan Policies

The Property is located in the Upper Northeast Area of the Comprehensive Plan. There are several policies within the Upper Northeast Area Element, as well as policies in the Fort Totten Land Use Change Area, which encourage residential development as proposed.

Upper Northeast Area Element (“UNE”)

*Upper Northeast is principally known as a residential community, with stable single family neighborhoods. (2400.2) More than half of the housing units in Upper Northeast are single family homes. According to the 2000 Census, about 21 percent of the units were single-family detached homes, and 32 percent were row houses and townhomes. Both of these figures exceed the citywide average. (2404.1) In fact, the Planning Area is projected to add approximately 5,000 households by 2025, and its population is projected to rise about 19 percent to 70,000. The primary areas of population growth are around the Metro stations at **Fort Totten**... (2406.1)*

Planning and Development Priorities

*There is general—though not universal—agreement that the Rhode Island Avenue, Brookland/CUA, and **Fort Totten Metrorail stations** are logical locations for future development. The stations are currently adjoined by parking lots and industrial uses that do not take advantage of their proximity to Metro. These areas may provide opportunities for apartments, condominiums, townhomes, and other types of moderate and medium density housing, provided that measures are taken to buffer adjacent lower density neighborhoods, address parking and traffic issues, and mitigate other community concerns. (2407 (i))*

UNE-1.1 Guiding Growth and Neighborhood Conservation 2408

Policy UNE-1.1.1: Neighborhood Conservation *Protect and enhance the stable neighborhoods of Upper Northeast, such as Michigan Park, North Michigan Park, University Heights, Woodridge, Brookland, Queens Chapel, South Central, Lamond Riggs, and Arboretum. The residential character of these areas shall be conserved, and places of historic significance, gateways, parks, and special places shall be enhanced. 2408.2*

Policy UNE-1.1.2: Compatible Infill *Encourage compatible residential infill development throughout Upper Northeast neighborhoods Such development should be consistent with the designations on the Future Land Use Map. New and rehabilitated housing in these areas should meet the needs of a diverse community that includes renters and owners; seniors, young adults, and families; and persons of low and very low income as well as those of moderate and higher incomes. 2408.3*

Land Use (“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 station in areas...with large amounts of vacant or poorly utilized land in the vicinity of the station entrance...(306.11)

LU-1.3.3: Design To Encourage Transit Use: “Require architectural and site planning improvements around Metrorail stations that support pedestrian and bicycle access to the stations and enhance the safety, comfort and convenience of passengers walking to the station or

transferring to and from local buses. These improvements should include lighting, signage, landscaping and security measures ...(306.13)

LU-3.1.4 Rezoning of Industrial Areas: “Allow the rezoning of industrial land for non-industrial purposes only when the land can no longer viably support industrial or PDS activities or is located such that industry cannot co-exist adequately with adjacent existing uses. Examples include land in the immediate vicinity of Metrorail stations ... (314.10)

PROS-3.4.4: Trails in Underutilized Rights-of-Way: Develop multi-use trails in underutilized rights-of-way, including surplus railroad corridors and undeveloped street rights-of-way.”
(815.8)

Ultimately, a PUD-related map amendment development facilitated by the regulations of the R-4 District would help achieve the applicable policies.

E. “Ward 5 Works: Ward 5 Industrial Land Transformation Study”

The area is also included in the “Ward 5 Works: Ward Five Industrial Land Transformation Study” area. Through mayoral executive order in 2013, a task force was established to create a strategy for the modernization and adaptive use of industrial land in Ward 5. The Property is within the 1,030 acre “Ward 5 Works” study area, and is specifically within the sub-area named the: *Food Bank Site* area¹. While the proposed PUD and related map amendment would preclude future light industrial uses on the property, the “Ward 5 Works” study acknowledges that development has occurred incrementally in response to market pressures... Market pressures for development close to metro stations have resulted in zoning map changes that allow for residential uses and a mix of uses that do not otherwise allow for industrial uses (p.20-22).

VII. ZONING

The C-M-1 Commercial-Light Manufacturing District is intended to provide sites for light manufacturing activities including warehousing, office and automotive usage at a low intensity level. It does not permit residential use or mixed use development with a residential component.

Residential developments, including semi-detached structures are permitted in **the R-2** District. However this district requires a minimum lot width of 30 feet, and minimum area of 3,000 square feet. The R-4 District allows row dwellings and reduces the required minimum lot width to 18 feet, and minimum lot area to 1,800 square feet.

The Fort Totten Overlay District states “*The Fort Totten (FT) Overlay District is established to allow existing industrial businesses to remain and expand and to propose land use control policies to further implement the Comprehensive Plan.*” The land is vacant, so no existing industrial use would be displaced with this development. The vacant parcel also abuts Emerson Park, an approved PUD residential development (ZC 04-11), which is also within the overlay. In addition, the proposed development was also the subject of a former approval by the Commission, which lapsed by the former contract purchaser.

¹ In 2012, the Capital Area Food Bank moved into a new 123,000 square-foot distribution center located in the southern portion of this site. ... *The northern portion contains a mixture of townhouses, a plumbing business and a DC Department of Transportation facility.*

The following table compares the existing matter-of-right development capacity of the C-M-1 and R-2 Districts with the requested R-4 District regulations:

Standard	C-M-1 M-O-R*	R-2 M-O-R*	R-4 PUD	Proposal
Uses	Industrial, commercial	Residential	Residential	Residential
Height in feet/stories	40 ft./3-stories	40 ft.	40 ft.	40 ft., 3 stories
FAR	3.0 (218,796 sf)	1.2 (effective) (131,602 sf)	1.8 (effective) (328,680 sf) (182,600x 1.8)	0.57 (104,082sf) (excluding private drive and 6 th Street extended)
Lot Occupancy %	Not specified	40%	60%	20% (excluding - private drive and 6 th Street extended from lot area)

***Based on the portion of the site that is C-M-1 (72,932 sf) and the portion that is R-2 (109,668 sf).**

VI. FLEXIBILITY

OP discussed with the applicant that in conjunction with the related map amendment to the R-4 District, flexibility would be necessary to permit multiple buildings on a single record lot, pursuant to § 2516. The applicant expressed agreement with OP and stated further that, out of an abundance of caution, flexibility would be requested from § 2516.6 (a), which requires that the land that forms a covenanted ingress and egress shall not be included in the area of any theoretical lot, or in any yard that is required.

Map Amendment

With respect to the requested map amendment, the Comprehensive Plan clearly establishes a preference to convert the unused industrial land for residential purposes, and the FT Overlay also anticipates land use policies to implement the Plan. The proposed row house development would be characteristic of the surrounding neighborhood development in its scale and massing. Therefore, the proposed rezoning of the site from C-M-1 and R-2 to R-4 would be not inconsistent with the Comprehensive Plan, particularly when read in conjunction with the policies from the Plan, as referenced above.

Section 2516

Section 2516.1 states that the Board of Zoning Adjustment may grant a special exception to allow two or more principal buildings or structures on a single lot. The Commission, through the PUD process, may also grant that approval. Based on a preliminary review, the requested relief can be granted without adverse effects on the surrounding neighborhood. However, the applicant would provide a more detailed analysis of the required relief pursuant to the relevant sections for further review and evaluation as part of OP’s final report prior to the public hearing.

VII. PUD EVALUATION STANDARDS , PUBLIC BENEFITS AND AMENITIES

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 typical development of the type proposed...*” (§2403.12).

Amenity package evaluation is based on an assessment of the additional development gained through the application process. In this instance, although the applicant is seeking to construct more than one building on a single record lot with a related map amendment, the scale of the development is smaller than what could be built as a matter of right. The C-M-1 zone would allow development up to a 3.0 FAR, whereas the applicant is proposing an FAR for the entire site of 0.57 FAR. So while the development could have impacts on the surrounding area, they will likely be smaller in magnitude than if a matter-of-right project were built. However, the PUD also permits a form of development not permitted by either of the current zones on the site – residential rowhouse, as the CM-1 zone does not permit residential, and the R-2 zone does not permit rowhouses.

The Applicant has offered the following amenities and benefits gained through the application process:

- (a) *Urban design, architecture, landscaping, or creation or preservation of open spaces - § 2403.9(a)*

Urban Design

The site design proposes an extensive internal pedestrian connectivity throughout the site, with a convenient bike and pedestrian connection to the Metro. Homes would front on private roads with on-street parking. There would be with landscaped frontage and vehicular access would be from the rear. The absence of dead end streets would provide clear lines of sight and easy access.

Architecture

The proposed architecture would be similar to, with some improvement in material use, to the already built residential PUD to the north, Emerson Park.

Landscaping and Creation of Open Space

The Applicant intends to provide improved on-site landscaping, while retaining the existing vegetation along the steeply sloped northern and western edges of the site. Plantings would be provided within the streetscape, green/softscape areas including trees within mews area, a bio-retention area along the northern elevation, and within the mews at the center of the development. In terms of off-site landscaping, the Applicant intends to design and build hard and soft landscaping (inclusive of a pathway) on the city property immediately to the west of the Property. The 10-foot wide pathway would include lighting from the sidewalk along 6th Street to connect with an easement through the Emerson Park neighborhood to the north.

- (b) *Site planning, and efficient and economical land utilization - § 2403.9(b)*

The proposal would completely transform a significantly underutilized site located within 1,700 sf of a Metro station and several Metrobus lines along South Dakota Avenue. The rows are shown grouped in three (almost) horizontal lines in an east/west pattern, which would minimize visual impacts on the residences on 7th Street to the east. The development will add to the activation of the surrounding area and provide additional residents in support of the new retail

offerings around the Fort Totten neighborhood. Internal loading and garage access from the proposed curb cuts is an efficient site planning element of the project. The applicant has stated that a study would be undertaken to assess the installation of two crosswalks and replacement or installation of four wheelchairs-bicycle ramps to improve accessibility from 6th Street to the Fort Totten Station, subject to DDOT’s approval.

(c) Historic preservation of private or public structures, places, or parks - § 2403.9(d)

The property has no historic designation.

(d) Housing - § 2403.9(f)

The introduction of residential use in an underutilized site is consistent with planning goals for the property detailed above. The Applicant has proposed affordable housing (four units) at 50% to 80% of the area median income. The applicant has proffered a fifth dwelling unit to be dedicated for affordable housing.

(e) Environmental benefits § 2403.9(h)

The project would support sustainable goals by reducing the site’s impervious area, including 91,300 sf of pervious area, which would exceed the required 18,260 sf. Stormwater management and green engineering practices would be applied, consistent with LID principles. All units would include environmentally friendly materials and fixtures to promote healthy building interiors for residents.

(f) Uses of special value to the neighborhood or the District of Columbia as a whole § 2403.9 (i)

The proposed pedestrian pathway, functional green space and landscaping along the 6th Street frontage would improve the hardscape area directly opposite a well-used Food Bank. The pathway would ultimately lead to 6th Street (north) via the Emerson Park residential development. The pedestrian connection should greatly contribute to the safety and connectivity between residences south of the proposed development and the Fort Totten Metro Station, which is currently used primarily for truck traffic.

BENEFIT OR AMENITY	MITIGATION	PUBLIC BENEFIT	PROJECT AMENITY	REQUIRED	APPLICANT PROFFER
Affordable housing (IZ) 8% @ 50-80% AMI		X		X	X Additional affordable unit
Market rate housing		X			
Superior Architecture		X			X
Pedestrian and bike path	X	X	X		X
Environmental benefits, stormwater management	X	X		X	X
1 st Source Agreement		X			unclear

The applicant will continue to engage ANC5A and surrounding neighbors to develop an appropriate amenities package, commensurate with any requested relief, prior to the public hearing.

VII. AGENCY REFERRALS

Should the application be set down for a public hearing, the Office of Planning will refer it to the following agencies for review and comment:

- Department of Housing and Community Development (DHCD);
- DC Water
- Department of the Environment (DDOE);
- Department of Transportation (DDOT);
- Department of Public Works (DPW);
- DC Public Schools (DCPS);
- Fire and Emergency Medical Services Department (FEMS); and
- Metropolitan Police Department (MPD)

VIII. COMMUNITY COMMENTS

The site is located in ANC 5A. OP encourages the applicant to continue its community outreach efforts throughout the public review process.

IX. RECOMMENDATION

The Office of Planning recommends that this application be set down for public hearing. The proposal is consistent with goals and objectives of the Comprehensive Plan by stabilizing the neighborhood and by increasing the range of housing options within the Fort Totten neighborhood. Although some flexibility is sought through the PUD process, the proposal is largely consistent with requirements of the requested zone and is, in fact, a less intense development than could be achieved as a matter of right. The applicant will continue to work with the community in the refinement of the amenities package prior to the public hearing, and OP will continue to work with the applicant and DDOT to ensure that remaining issues raised in this report or by the Zoning Commission at setdown are addressed prior to the public hearing.