



MEMORANDUM

TO: District of Columbia Zoning Commission

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

DATE: May 19, 2014

SUBJECT: Zoning Commission Case No. 13-18: **Final Report** for a Consolidated Planned Unit Development and Zoning Map Amendments for Square 5925 at 4129-4131 Wheeler Rd. SE

I. SUMMARY RECOMMENDATION

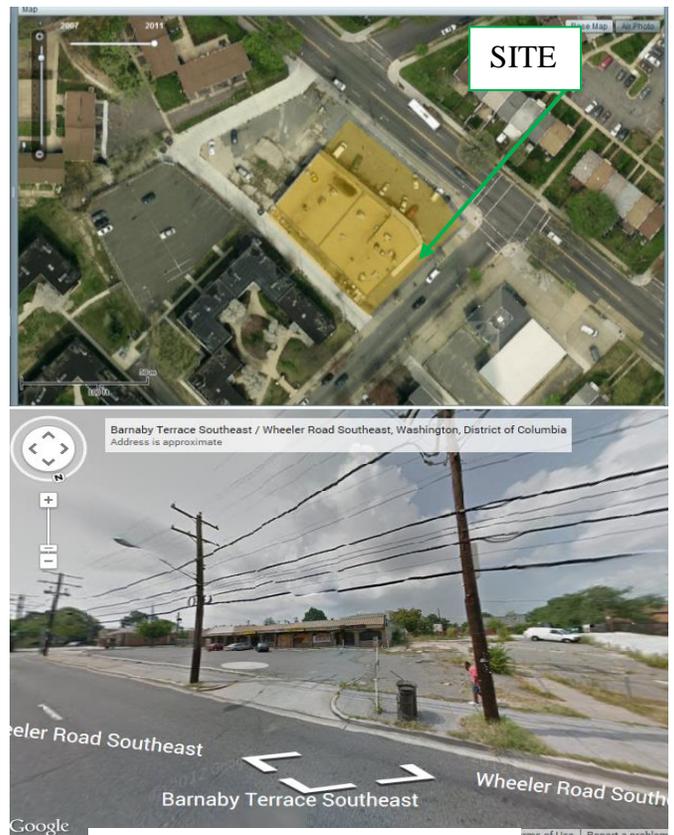
OP **recommends approval** of the proposed redevelopment of Square 5925, Lots 820 and 821, as a consolidated planned unit development (PUD) and related map amendment from the C-1 district to the C-2-B district.

The proposed PUD-related map amendment to the C-2-B district is generally not inconsistent with the Comprehensive Plan when the Future Land Use Map, Policy Map, and the policies and goals are read in combination. The PUD would allow an appropriate development for the site, including neighborhood serving ground floor retail and all affordable family-sized housing units for residents at or below 60% AMI.

II. SITE and AREA DESCRIPTION

The subject property, Square 5925, Lots 820 and 821, has a total land area of 32,092 square feet and is located at the intersection of Wheeler Road and Barnaby Street SE, in the Washington Highlands neighborhood. Current improvements on the property include a single-story commercial strip shopping center, with front-loaded surface parking. The property is zoned C-1.

South of the site is a church (True Gospel Tabernacle) and to the north and east across Wheeler Road, are residential homes in the R-3 District. From the site, Wheeler Road provides easy bike and bus access north to Oxon Run Park and Congress Heights Metro Station on Alabama Avenue and south to the Southern Avenue Metro Station, east of the intersection at Wheeler Road and Southern Avenue.



Site Location and Zoning Map



III. PROJECT DESCRIPTION

The property currently consists of a single-story commercial building on Lot 821 and a vacant lot (Lot 820). Both lots would be combined (32,104 sf) to develop a 6-story mixed-use building, with 85 affordable residential units above a ground floor retail level, which would front on Wheeler Road. The project would have 109,456 square feet of gross floor area at 3.4 FAR with an overall height of 68 feet.

The project is designed in two phases in order to retain and support current retailers of the existing one-story commercial structure. The applicant has explained that Lot 820 is currently in the process of being developed as a one-story commercial building, which is projected to be completed by the end of 2014. Phase II would involve the demolition of the existing building and construction of the remainder of the commercial ground floor space. Revised plans show that the all affordable housing units would be constructed as Phase 3 of the PUD.

The 6-story building would have 80,010 square feet of residential space and 14,141 square feet of ground floor retail. Twenty-five surface parking spaces would be provided with access from the alley. No loading would be provided for the retail component. The required platform, service delivery space and 55-foot loading berth for the residential component would be provided on the southeastern side of the building with curbside loading from Barnaby Street to eliminate the need for a curb cut, as recommended by DDOT.

The 85-units for families earning at or below 60% AMI would be setback at the rear from the lower level retail floor. A landscaped roof garden on this portion of the lower level roof is one of two green roofs included in the design. This would provide a visual amenity for apartments with rear views and the setback would reduce the massing of the building as would be viewed from the existing apartments across the alley. The unit mix is proposed as follows:

- 30, 1-bedroom units;
- 35, 2-bedroom units; and
- 20, 3-bedroom units.

Recreation space would be located on the roof and a 5,385 sf enclosed penthouse programmed to provide some passive recreation uses for residents, including a covered outdoor seating area; a children's play area; a pet area and storage space for building maintenance equipment.

The ground floor would have retail uses with extended ceiling heights fronting directly on Wheeler Road. The residential entrance, which would be located closer to the corner of Barnaby Street and Wheeler Road, would be separated from the retail entrances. A business center and conference center located off the main lobby would be available for residents' use.

The development would be located at a key intersection in the neighborhood, and the proposed mix of residential and commercial use within a new structure would add value to the streetscape and represent a revival of retail and residential opportunities for the neighborhood. The proposal includes streetscape improvements, including tree planting along the public right-of-way and new stormwater management treatment on the site, where it may have minimally existed. More than two-thirds of the roof area would be devoted to green roof with pervious pavement in the rear to reduce runoff from the site. The Applicant will apply the Green Communities criteria to determine how the project would satisfy current environmental standards.

The current viable businesses would be retained within the new commercial space. The affordable housing, which includes family-sized three-bedroom units (up to 1,500 sf), would be targeted for persons earning no more than 60% of AMI. The proposed map amendment would support a commercial project with new housing on an underutilized commercial property within a mile of the Southern Avenue Metro Station and along Wheeler Road, which is a well-utilized bus corridor.

IV. COMPREHENSIVE PLAN

The proposed development's use mix and massing would not be inconsistent with the Comprehensive Plan maps and text, as described below.

Generalized Policy Map

The Generalized Policy Map designates the site as a Neighborhood Commercial Center. The service area is usually less than a mile and uses typically include convenience stores, small supermarkets, and spaces for other small businesses. Mixed-use infill development at these centers should be encouraged to provide new retail and service uses, and additional housing and job opportunities.

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Future Land Use Map

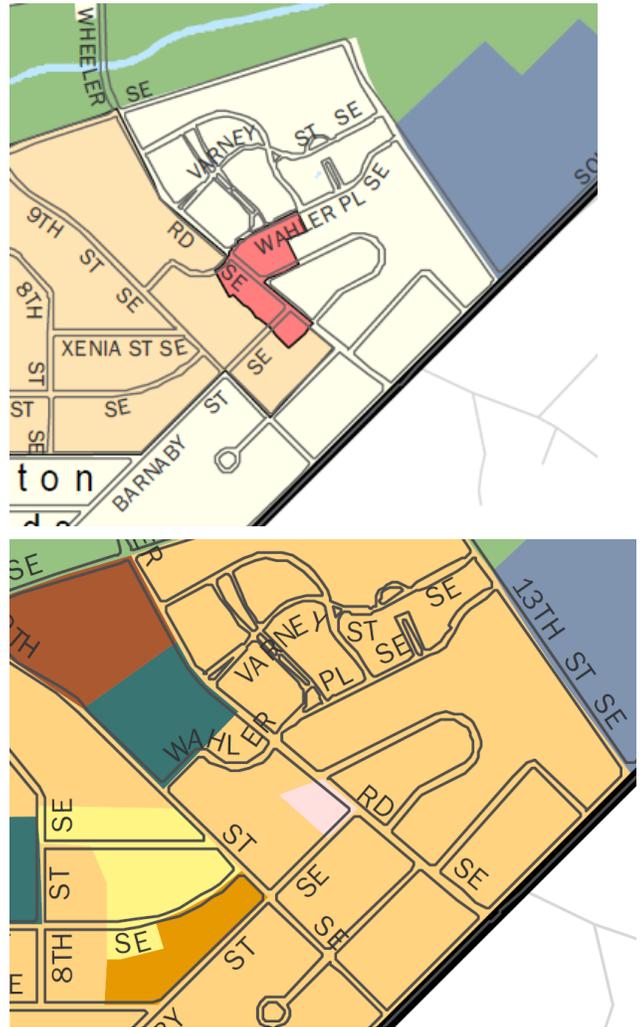
The Future Land Use Map designates the subject site for low density commercial uses. Although zones corresponding to this designation include C-1 and C-2-A, other zones may apply. This map provides generalized guidance, and is to be read in combination with the Policy Map and Comprehensive Plan policies.

Typically, the Office of Planning would have difficulty supporting C-2-B zoning for a property designated for low density development. The C-2-B zone is not typically considered a low density zone anticipated under the Future Land Use Map, and the proposed height and density are slightly beyond what is normally expected in an area designated for low density development. However, read in tandem with the Generalized Policy Map, which designates the site as a Neighborhood Commercial Center, and other Comprehensive Plan statements, the proposed development is considered appropriate in this case.

A more typical zone for this Land Use Map designation, C-2-A, would allow 3.0 FAR and 65 feet height maximum. This would have limited the ability to provide the high level of housing affordability, the quality ground floor retail space, and contemporary design that the project seeks to attain. The Generalized Policy Map encourages housing and retail opportunities in mixed-use infill developments. In this particular case, these factors in combination encourage "the application of other zone districts", as stated in the Comprehensive Plan language (225.8.) and should not be interpreted as a precedent for future cases.

The Washington Highlands Investment Plan produced by the Office of Planning and adopted under Council Resolution R 17-0941 references Wheeler Road and Barnaby Street as a commercial node and designates the property as a retail improvement area.

The Comprehensive Plan also provide policy guidance in support of this development, including in the Land Use, Economic Development, Housing, and Environment Citywide Elements and the Far South East/South West Area Element. The development would include residential units on a currently underutilized and a vacant parcel, which would fill in a gap along Wheeler Road and Barnaby Street, with the potential to activate an important corner in this neighborhood. The small apartment building would be typical for this



neighborhood, which includes a mix of low to moderate density housing types. Specific policies relevant to this proposal are included as an attachment at the end of this report.

V. ZONING AND PUD-RELATED MAP AMENDMENT

The site is currently zoned C-1. Generally, the C-1 commercial residential district permits, in a single district, all types of urban residential development and a range of commercial uses at a low height and low density.

The following is a comparison of the C-1, and the requested C-2-B/PUD standards and the proposed development.

Requirement	C-1 (M-O-R)	C-2-B (M-O-R)	C-2-B/PUD	Proposal	Deviation
Lot Area	As prescribed by the Board pursuant to § 3104	15,000 sf.	15,000 sf	32,104 sf.	Conforms
Height (max.)	40 ft.	65 ft. ¹	90 ft	68 ft	Conforms
FAR (max.)	1.0	3.5 (total) 2.0 (residential) 1.5 (commercial)	6.0 (total) 6.0 (residential) 2.0 (commercial)	3.4 3.0 (residential) 0.4 (commercial)	Conforms
Lot Occupancy (max)	60%	100% 80% residential	100% 80% residential	67.5% commercial 59 % residential	Conforms
Rear Yard (min)	20 ft.	15 ft.	15 ft.	20 ft.	Conforms
Side Yard	2 in./ft. of height; not less than 6 ft.	2 in./ft. of height; not less than 6 ft.	2 in./ft. of height; not less than 6 ft.	15 ft.	Conforms
Roof Structure	One structure 1:1 setbacks 18.5 ft. high	One structure 1:1 setbacks 18.5 ft. high	One structure	1 structure 1:1 not met in all locations	Conforms Flexibility Requested
Parking (min.)	1 per du Retail: 1/300 sf. in excess of 3,000 sf.	Residential. 1/3 dwelling units = 28 Retail: 1/750 sf. in excess of 3,000 sf. = 15	Residential 1/3 dwelling units = 28 Retail: 1/750 sf. in excess of 3,000 sf. = 15	Residential 25 Retail: 0	Flexibility Requested
Loading	Residential (+ 50 units): 1 berth @ 55 ft., deep 1 platform @ 200 sf. 1 s/ delivery @ 20 ft. Retail: > 20,000 sf. 1 berth @ 30 ft, 1 platform @ 100 sf. 1 s/ delivery @ 20'	Residential 1 berth @ 55 ft, deep 1 platform @ 200 sf. 1 service delivery @ 20 ft. Retail: > 20,000 sf. 1 berth @ 30 ft, 1 platform @ 100 sf. 1 s/ delivery @ 20'	Residential 1 berth @ 55 ft, deep 1 platform @ 200 sf. 1 service delivery @ 20 ft. Retail: > 20,000 sf. 1 berth @ 30 ft, 1 platform @ 100 sf. 1 s/ delivery @ 20'	Residential 1 berth @ 55 ft, deep 1 platform @ 200 sf. 1 service delivery @ 20 ft. deep None provided	Flexibility Requested from the access provisions of § 2204
Bicycle Spaces	5% of the number of required automobile spaces = 2	2	2	30	Conforms
GAR	0.30	0.30	0.30	0.42	Conforms

VII. FLEXIBILITY

The following flexibility has been requested from the Zoning Regulations:

Off-Street Parking

Forth-three spaces are required to satisfy the on-site parking regulations (§ 2101). The applicant would provide 25 surface spaces at the rear for residential use due to space constraints of providing all the required spaces above grade, and to cost constraints of providing affordable housing if underground parking spaces, were to be provided. The property is located within a mile of the Congress Heights Metro Station. A Capital

¹ The Zoning Commission may grant an additional 5% increase in height provided the increase in height is essential to the successful functioning of the project and consistent with the evaluation standards of Chapter 24 (§ 2405.3).

Bikeshare Station is proposed next to the existing bus shelter on Barnaby Road in collaboration with DDOT. 30 bike spaces would also be provided within the building to encourage residents to use this mode of transportation. The site is located on well-travelled bus routes and a transit screen would be included in the residential lobby for residents' convenience, as shown in L-400 of the plans. OP has no objection to this requested flexibility. DDOT expressed no concerns to OP regarding the reduced parking and its access. Their report would be issued under separate cover.

Loading

Flexibility is requested from the loading access provisions (§ 2204) and requirements to provide a second loading berth, platform and delivery space for the retail portion of the project. The on-site loading facilities will be shared between the residential and retail uses. The residences would be served by a 55-foot berth, platform and service delivery area adjacent to the trash room and residential service elevator.

At DDOT's request, curbside loading would be provided to eliminate the need for a curb cut off Barnaby Street, as the applicant explained that larger trucks would have difficulty accessing the loading berth from the alley. The proposed loading area is anticipated to occupy the curb space currently used as a Metrobus stop, which would be relocated 50 feet toward Wheeler Road, closer to the existing curb cut which would be closed off.

The applicant indicates that the smaller retail spaces would be occupied by existing tenants who would be retained in the new development. These uses include a sub shop, salon, liquor store, convenience store and a cell phone retailer, which do not currently require large trucks for delivery. OP has no objection to the requested flexibility from the loading access provisions and the requirement for separate loading facilities for the retail portion of the development.

Non-conforming Setback

The Applicant requests relief for a portion of the penthouse structure which does not meet the required 1:1 setback from the roof's edge at the eastern exterior wall. The applicant has revised the plan and an 11-foot setback is provided, and the penthouse would be no higher than 12 feet 10 inches (A107, A 302). OP has no objection to the flexibility requested.

VIII. 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." 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 28 feet of additional building height and 2.5 FAR above the existing C-1 zone limits. The increase in FAR and height would be consistent with increased density to allow the provision of affordable housing and in support of neighborhood commercial centers and the viability of neighborhood serving retail.

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

2305.3 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.”

The project’s main amenity as an affordable housing development, with a substantial number of family-sized units is beneficial to the city as a whole. In addition, depending on the availability of financing, as described in the applicant’s report (May 9, 2014), the applicant also hopes to secure financing to make *16 units available for rental to families at or below 30% AMI.*

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 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:

Urban Design and Site Planning

The building’s front facade would be mainly a tan colored brick with sienna colored brick accents, precast trim and painted aluminum windows. The ground floor retail areas show up to 18-foot ceiling heights and a residential entrance lobby at a height of 15 feet. A significant portion of the residential upper floors are setback from the alley to reduce the massing confronting the residential buildings across the alley. Streetscape improvements around the building’s frontage on Wheeler Road and Barnaby Street would take advantage of the 15-foot wide building restriction line. Additional information on the materials, particularly for the side and rear elevations, and how they are exemplary is needed.

The currently underutilized property would be developed with a mix of retail uses that are considered neighborhood-serving for the community. The retained retail uses would benefit from the relocation to new contemporary spaces and the additional retail area would accommodate new businesses where none previously existed to create a more vibrant and updated streetscape along Wheeler Road.

Parking and Transportation Demand Management

The parking area that currently exists along the building’s frontage at Wheeler Road would be eliminated. Instead, 25 residential parking spaces would be accessed through the alley system from either Wheeler Road or Barnaby Street. No parking would be provided for retail patrons, who are not expected to drive to this location. Adequate on-street parking exists for patrons who may drive to the local businesses. A bike storage area for up to 30 bikes would be located on the ground floor and the applicant would discuss with DDOT the possibility of a bike share station in public space outside the building. The applicant intends to install a transit screen in the residential lobby for residents’ convenience.

Housing and Affordable Housing

The application indicates that the project would provide all of its 85 units as affordable to households making up to 60% of AMI. The applicant has provided additional information in its submission dated May 9, 2014 (pg. 10) regarding the project’s financing. The project would be financed using tax-exempt bond financing, with low-income tax credits from the DC Housing Finance Agency. In addition, the applicant is working to secure additional financing which would help in allowing 16 units to be offered to families at or below 30% AMI.

This number of affordable residential units is well beyond the Inclusionary Zoning requirement for workforce housing. The site plan indicates the location and unit mix of the units. It is commendable that the

units would be designed to meet the needs of disabled persons, including Type “A” units, which are fully accessible and Type B units which would be capable of being easily converted to Type “A” units to support persons with disabilities.

Green Elements, Landscaping and Streetscape Design

The building would include 2 levels of green roof which would function both as an amenity and a storm water feature, which currently does not exist on the property. The plan shows 4,511 square feet of pervious pavement in the rear parking area to minimize the runoff from the property into the alley. In addition, landscaping and streetscape improvements would be provided around the Wheeler and Barnaby Road perimeter. The plans provide additional details of these improvements and landscape features as shown in the hearing submission on L-200 and L-300.

Uses of Special Value

The Applicant is proposing to provide updated space for neighborhood retailers. The inclusion of a substantial number of family units in the project is also supported. The applicant has indicated a willingness to partner with a social service provider to provide training and employment opportunities to residents. OP has advised the applicant to provide all agreements and commitments regarding employment opportunities or training prior to final action by the Commission.

Public Amenities and Project Amenities

Amenity package evaluation is partially based on an assessment of the additional development gained through the application process.

Requirement	C-1 Matter of Right	C-2-B PUD Guidelines	PUD Project Provided
FAR	1.0	6.0 (2.0 Commercial)	3.4 (0.4 commercial)
GFA	32,104 sf x 1.0 = 32,104 sf Total	32,104 sf x 6.0 FAR = 192,624 sf Total (64,208 sf commercial)	109,153 sf Total (14,241 commercial)
Building Height	40 feet (3 stories)	90 feet	68 feet (6 stories)
Lot occupancy	60%	100% (80% residential)	67.5% commercial (floor 1) 59% residential (Fls. 2-6)

In this case, the PUD-related map amendment from the C-1 to C-2-B zone would realize a gain of twenty-eight feet in height and a 2.4 increase in FAR.

85 all affordable residential units at 60% and 30% AMI are well below the typical 80% AMI offered in residential development. Further, the favorable mix of family-sized units, where none previously existed, inclusion of sustainable features, retention of existing businesses and new retail opportunities to serve residents are benefits and amenities that are commensurate with the additional density and height earned through the PUD.

The following table is OP’s categorization of the proposed items:

Applicant's Amenities/Benefits	Required	Mitigation	Public Benefit	Project Amenity
New Housing with accommodations for disabilities			X	X
Affordable Housing at 60% AMI	X		X	X
16 rental units at 30% AMI			X	X
Business Retention			X	X
Affordable Housing at 30% AMI (potential)			X	X
Bike Parking		X	X	X
Transit Screen				X
Green roof, stormwater retention and landscaping	X	X	X	X
Employment Opportunities	X		X	X

IX. AGENCY REFERRALS

The application was referred to District agencies for review and comment, including the:

- Department of Transportation (DDOT);
- Department of the Environment (DDOE); and
- Department of Housing and Community Development (DHCD).

Comments were not received to date.

The applicant has been working with DDOT and their concerns were reflected in the relevant sections of this report. DDOT is expected to file detailed comments under separate cover.

X. COMMISSION REQUESTS

At the public meeting of March 10, 2014, the Commission requested the applicant provide an improved and detailed architectural plan set prior to the hearing date. The applicant submitted a revised plan set including some details in its May 9, 2014 submission.

Zoning Commission	Applicant Response	OP Response
Provide detailed sectionals, floor plans and roof plans; Revised floor plans showing more light and air access	Plan set dated 4/16/2014 – Exhibit A. Sheet 8 through 12, A-001 - 105	The submission showed improvement over its original design. However, the exact location where relief is required from the setback remains unclear.
Legible GAR score sheet;	Provided in the updated set 4/16/2014. Sheet 6, 7	
Details about the proposed community recreation area on the roof	Provided in the updated set 4/16/2014.– Sheet 14, A-106	The proposed programming is better understood at this time but no indication has been provided whether the Zoning Administrator

Zoning Commission	Applicant Response	OP Response
		considers this a floor
Construction Phasing diagram	Exhibit A – Sheet 4C	

XI. SUMMARY

OP recommends approval of the application to redevelop this underutilized parcel to accommodate a project design with both a mix of commercial space and all affordable residential units in a contemporary building. The proposal is consistent with the identified Comprehensive Plan’s written elements and their related policies and the proposed map amendment would not be inconsistent with the Future Land Use and Policy Maps. All commitments to training and employment opportunities must be submitted to the Commission prior to final action.

JLS/kt

ATTACHMENT

COMPREHENSIVE PLAN ELEMENTS

Land Use Element

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-2.2.4: Neighborhood Beautification Encourage projects which improve the visual quality of the District’s neighborhoods, including landscaping and tree planting, facade improvement, anti-litter campaigns, graffiti removal, improvement or removal of abandoned buildings, street and sidewalk repair, and park improvements.

LU-2.4 Neighborhood Commercial Districts and Centers

Many District neighborhoods, particularly those on the east side of the city, lack well-defined centers or have centers that struggle with high vacancies and a limited range of neighborhood-serving businesses...The location of new public facilities in such locations, and the development of mixed use projects that include upper story housing, can encourage their revival.

Policy LU-2.4.5: Encouraging Nodal Development Discourage auto-oriented commercial “strip” development and instead encourage pedestrian-oriented “nodes” of commercial development at key locations along major corridors. Zoning and design standards should ensure that the height, mass, and scale of development within nodes respects the integrity and character of surrounding residential areas and does not unreasonably impact them.

Economic Development

ED-3.1 Strengthening Neighborhood Commercial Centers

....Ultimately, the success of each neighborhood commercial district will depend on private investment and cooperation among merchants and property owners...

Policy ED-3.2.6: Commercial Displacement Avoid the displacement of small and local businesses due to rising real estate costs...

Housing Element

Housing Goal

The overarching goal for housing is: *Develop and maintain a safe, decent, and affordable supply of housing for all current and future residents of the District of Columbia.*501.1

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.

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.

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-1.1.4: 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.

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 household.

Environment

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 E-3.1.2: Using Landscaping and Green Roofs to Reduce Runoff

Promote an increase in tree planting and landscaping to reduce stormwater runoff, including the expanded use of green roofs in new construction and adaptive reuse, and the application of tree and landscaping standards for parking lots and other paved surfaces.

Urban Design

Policy UD-3.1.7: Improving the Street Environment

Create attractive and interesting commercial streetscapes by promoting ground level retail and desirable street activities, making walking more comfortable and convenient, ensuring that sidewalks are wide enough to accommodate pedestrian traffic, minimizing curb cuts and driveways, and avoiding windowless facades and gaps in the street wall.

Policy UD-3.1.8: Neighborhood Public Space

Provide urban squares, public plazas, and similar areas that stimulate vibrant pedestrian street life and provide a focus for community activities. Encourage the “activation” of such spaces through the design of adjacent structures; for example, through the location of shop entrances, window displays, awnings, and outdoor dining areas.

Far Southeast/Southwest Area Element

Policy FSS-1.1.4 Infill Housing Development

Support infill housing development on vacant sites, especially in...Congress Heights and Washington Highlands neighborhoods.