



MEMORANDUM

TO: District of Columbia Zoning Commission

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

DATE: October 7, 2013

SUBJECT: Hearing Report: ZC 12-21, Consolidated PUD and related Map Amendment from the R-2 to R-5-A zone at Square 6129, Lot 825 (Covenant Baptist Church)

I. APPLICATION AND OP RECOMMENDATION

Covenant Baptist United Church of Christ and Covenant Full Potential Development Center at 3845 South Capitol Street, SW (Lot 825 in Square 6129) (applicant) submitted an application for the following:

- A Consolidated Planned Unit Development (PUD); and
- A Related map amendment from the R-2 to the R-5-A zone.
- A request that the Zoning Commission retain jurisdiction to hear and decide on Special Exception review pursuant to §§ 3104 and 353 for residential development in the R-5-A district.

The proposed project would retain and renovate the Covenant Baptist United Church of Christ building and add an educational and wellness center and a three-story apartment building for seniors. The Zoning Commission, at its April 8, 2013 public meeting, voted to set down the proposal with recommendations that the applicant provide additional details on the retaining walls on the property in addition to the information requested by the Office of Planning (OP). The applicant has addressed some of the issues and the analysis is provided further in this report.

Affordable housing for seniors is at a deficit in the District and therefore OP is very supportive of the provision of affordable senior housing in this development. The Comprehensive Plan recommends low density residential and the need to carefully manage the development of vacant land and the alteration of existing structures in and adjacent to single family neighborhoods in order to protect low density character, preserve open space, and maintain neighborhood scale. The proposal is not inconsistent with these standards.

OP recommends **approval** of the application with the recommendation that the applicant provide:

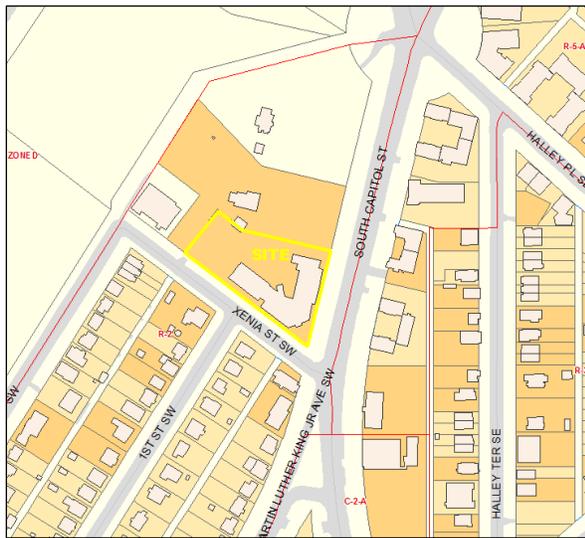
1. A detailed Landscape Plan;
2. Updated and signed First Source and CBE Agreements prior to final action; and

II. SITE and AREA DESCRIPTION

The 44, 966 square foot (1.03 acres) site is in the northwest portion of the intersection of South Capitol Street and Xenia Street, SW. and is bound by South Capitol Street to the east, Xenia Street to the south, undeveloped property to the west and a large single family house which was formerly used as youth rehabilitation home to the north. The site slopes upward in an east to west direction from South Capitol Street and on the northern portion of the site. The property is currently developed with the three-story,

Covenant Baptist United Church of Christ with an attached church annex and a 23 space surface parking lot. The property is zoned R-2.

The property is within the Bellevue neighborhood which is developed with a mixture of single-family detached, single-family semi-detached, apartment buildings, neighborhood retail and institutional uses. To the north and west of the site is a large property that has a building which houses a youth rehabilitation home in the R-2 zone. To the west of the site are undeveloped property and the Righteous Branch Commandment Church of God church in a one-story building in the R-2 zone. To the south, across Xenia Street, are single-family detached homes in the R-2 district. To the east, across South Capitol Street, are three- and four-story apartment buildings in the R-5-A zone. Further to the southeast, near the intersection of South Capitol Street and Martin Luther King, Jr. Avenue, is developed with some low density, neighborhood retail uses in the C-2-A zone.



Site Location



Aerial Photograph

III. PROPOSAL

The proposed project would retain and renovate the two-story Covenant Baptist United Church of Christ building, demolish the church annex building and construct a new three-story building to house a educational and wellness center and a 30 apartment units for seniors. Overall, the development would have 47,252 gross square feet of space (31,564 square feet of residential use and 15,688 square feet for church uses) resulting in an FAR of 1.05 and a height of three stories and 40-feet. The residential units, which would be reserved for seniors, would all be affordable at up to 60% of Area Median Income (AMI). The main entrance into the church would remain off South Capitol Street while the main entrance to the residential and the educational/wellness center would share a common entrance off Xenia Street. To the rear of the building would be a recreational courtyard.

Residential

The residential portion of the building will be on a portion of the first floor and the second and third floors and will house 30, independent, senior, rental units consisting of 27, one-bedroom units and 3, two-bedroom units.

Educational/Wellness Center

The educational/wellness center will occupy a portion of the first floor between the residential use and the church. The center will have a lounge area, a fitness area, a computer room, an artistic development studio, a common area kitchenette and multi-functional spaces which can be separated into classrooms through a glass folding system which can be opened up into larger spaces as needed.

Garden Area

The development would include a private, landscaped courtyard, mainly for the residents but accessible to users of the church and the church programs. The larger upper tier of the courtyard would be for more active uses while the lower tier would be smaller, extensively landscaped and have seating areas conducive to more passive and reflective recreation. Due to grade change in the topography at the rear of the building a 3-tiered, landscaped, retaining walls are proposed and would enclose the courtyard. The retaining walls would extend up to 17-feet at its highest point. As seen on the retaining wall elevation, Sheet A 2-3, the wall would be a three tiered structure planted with ground cover and shrubs. The tiered, landscaped wall would give the courtyard area a more relaxed feel than having a single wall that extends up to 17 feet. The area between the retaining wall and the property line is also landscaped with a combination of grass, shrubs and trees and provides for additional privacy between the adjacent property and activities in the courtyard.

Parking and Loading

Twenty-three (23) parking spaces to serve both the residents and the church would be located below grade and accessed from Xenia Street. Of the total 23 spaces, 18 spaces would be allocated to the church and five spaces for the residents. Currently, church members utilize available on-street parking, walk or use transit. This situation will continue.

Although there is not a loading requirement, the applicant has provided an off street area for loading on the western end of the property. Behind the loading area is an enclosed trash storage area. Both facilities would be behind a secure gate.

VI. ZONING AND PUD RELATED MAP AMENDMENT

The applicant has requested a consolidated PUD, a related map amendment from the R-2 district to PUD/R-5-A.

The R-2 District consists of those areas that have been developed with one-family, semi-detached dwellings. The R-5 Districts are designed to permit flexibility of design by permitting in a single district, all types of urban residential development. The R-5 Districts also permit the construction of institutional and semi-public buildings that would be compatible with adjoining residential uses. Further, the Regulations at Section 353 outline conditions of approval that all multifamily developments in the R-5-A zone should meet. The requirements of Section 353 are addressed in Section X of this report.

The following table, based on information supplied by the applicant, shows the zoning requirements for the existing matter-of-right and proposed PUD zones and the applicant's specific proposal.

Table 1

| | R-2 MOR | R-5A PUD | PROPOSAL | COMPLIANCE |
|-----------------------|--|--|---|-----------------|
| Min. Lot Area | 4,000 square feet | 2 acres or 87,120 sf. | 44,966 sf. | Relief required |
| FAR | None prescribed | 1.0 | 1.05 | Relief required |
| Lot Occupancy | 40% | 60% | 48% | Complies |
| Height | 40 ft. | 60 ft. | 40 ft. | Complies |
| Side Yard | None required but if provided, 8 ft. minimum | None required, but if provided, 3 ins/ft. of height or 8 ft. minimum | 28.75 ft. | Complies |
| Rear Yard | 20 ft. | 20 ft. | 38.83 ft. | Complies |
| Parking § 2101.1 | <u>Residential</u> 1 per 6 dwelling unit. <u>Church:</u> 1/10 seats | <u>Residential</u> 1 per 6 dwelling unit. <u>Church:</u> 1/10 seats | <u>Residential</u> 5 <u>Church:</u> 18 (existing 18 spaces grandfathered) TOTAL: 23 | Complies |
| Bicycle (residential) | Indoors: 1/3 units Outdoors: 1/20 units or 3 minimum | Indoors: 1/3 units or 10 spaces Outdoors: 1/20 units or 3 minimum or 2 spaces | Indoors: 10 Outdoors: 2 | Complies |
| IZ requirements | 8% of residential space | 8% of residential space | 100% | Complies |

Zoning Flexibility

The applicant has requested flexibility from several zoning requirements as follows:

Associated Map Amendment from R-2 to R-5-A

Typically, R-2 is considered a low density residential zone, while R-5-A is considered a low to moderated density zone. The Comprehensive Plan acknowledges that demarcations of the lines are not rigid and there are areas, such as in this case, where the uses may fall in either category. In this case, this property has been developed with a nonresidential use for over 50 years and the residences and other uses proposed are part of the mission of the church. Properties in the vicinity of the site are zoned R-2 (single family detached and single family attached) and R-5-A (moderate density commercial); the PUD process allows for the density to be distributed appropriately across the site and to respect the R-2 single family residences to the south of the site.

Minimum Lot Area Waiver

Section 2401.2 allows the Zoning Commission to waive up to 50% of the required minimum land area for a PUD. The subject land area is 44,966 square feet where 87,120 square feet is required or 51.5% of the required area. There are no viable opportunities to increase the land area to meet the requirement and therefore the applicant is requesting the waiver. Although the lot area does not meet the minimum

requirement in this zone, the applicant has been able to achieve a proposal that does not overdevelop the lot, retain open spaces around the building, and maintain a building height that is similar to other developments in the area.

5% Increase in FAR

The applicant has requested a 5% increase in the FAR from the maximum 1.0 to 1.05. Section 2405.3 authorizes the Zoning Commission to grant up to a 5% increase in FAR, if it is essential to the success of the project. The applicant has stated that the success and feasibility of financing the age restricted, affordable, residential units would be dependent on subsidies through a combination of Low Income Housing Tax Credits, tax exempt bonds, HOME/Housing Production Trust Fund loan, Federal Loan Bank financing, and Enterprise funding. The 5% increase in FAR would allow for the 30 units with its accessory spaces as well as adequate space to house the many social programs conducted by the church without being a detriment to the adjacent residences. The small increment of an additional 0.05 FAR proposed would not result in any visible increase in height or bulk of the building.

VII. PUD EVALUATION STANDARDS

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

“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.”

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 development 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 to allow the utilization of the flexibility stated in Section 2400.2. 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 and includes that “public benefits are superior features of a proposed PUD that benefit the surrounding neighborhood or the public in general to a significantly greater extent than would likely result from the development of the site under the matter-of-right provisions . . .” Benefits and amenities evaluation is based on an assessment of the additional development gained through the application process. In this instance, the map amendment from R-2 to R-5-A/PUD would allow the site to be developed at a greater density that allows the accommodation of senior housing and social and educational services to the residents and the wider community.

Urban Design and Site Planning

The application proposes a development that would be compatible to the adjacent single family and multifamily residences. The use of red brick, header courses, and vertical windows are reflective of the church. The entrance is highlighted by a covered canopy with a grand stair. The retaining walls and ramp walls would be concrete masonry with a rustic finish. The door to the parking garage would be aligned with the intersection of Xenia and 1st Streets, and would be recessed to minimize its visual impact. The loading and trash area would be hidden behind a gate to minimize its visual impact on Xenia Street. To the rear of the building would be the private recreation area for the residents and the church.

Landscaping and Streetscape Design

The space around the building would be greatly improved above the existing conditions through the introduction of landscaped strips, street trees, shrubs and grasses, sidewalk and pedestrian crossing improvements, and other landscaping elements. The open spaces on the property along with the building design would be responsive to the topography of the site and would incorporate retaining walls to help maintain the existing topography. Most of the retaining walls along Xenia Street are exposed at 5 feet or less except for the wall of the garage entry which would extend up to approximately 8 feet. The applicant states that terracing is not possible since there is not enough space between the sidewalk and the building. The development incorporates a landscaped plaza to the rear with seating areas for both the resident and church users. The rear of the property slopes steeply upward. To enhance the plaza area, the slopes would be terraced and landscaped with a combination of shrubs and ground cover. Sheet A 2-3 shows that the wall extends to a height of 17 feet. However, the proposed terracing walls would range from between 1.8 feet to 8 feet in height. The vegetation would make the walls seem even shorter. The applicant states that the maximum height of a wall along the adjacent property lines would be 4 feet.

Housing

The proposed housing component of the development would include 30, 1-bedroom and 2-bedroom apartment units. The proposed housing would be specifically for seniors, and would be 100% affordable at up to 60% of AMI. The building would incorporate other amenities for the residents including a computer room, a fitness room, a health care room, a library and a quiet room for relaxation. To bring the development to fruition, financing would be through a number of programs including Low Income Housing Tax Credits (LIHTC). Thus, the development is exempted from Inclusionary Zoning (IZ) and all the housing which would be provided constitutes a public benefit/amenity.

Local Business Opportunities and First Source Agreements

The applicant has stated that they would implement an agreement with the District of Columbia Department of Small and Local Business Development (DSLBD) and a Certified Business Enterprise Utilization and Participation Agreement to provide equity and development opportunities. OP has requested that the applicant submit signed agreements to implement these programs but to-date neither have been provided.

Green Elements

The submission states that the project would be designed to Green Communities standards and would include but not limited to the following design features and specifications:

- Storm Water Management
- EPA Best Management Practices for Erosion & Sediment Control during construction
- Native Landscaping and non-invasive species
- Compact Development – increased density exceeding 20 apartment units / acre.
- Drip irrigation or no irrigation
- Water Conserving – Low Flow Appliances and plumbing fixtures
- Efficient Energy Use – HVAC sizing and high SEER mech. units (15 SEER)
- Efficient Interior and Exterior lighting - Energy Star rated appliances and light fixtures, daylight sensor for exterior lights and high efficiency commercial grade fixtures in all common areas and outdoors
- “State of the Art” Building Envelope and garage insulation
- Reflective roofing Energy Star compliant membrane roofing system - (TPO) fully adhered membrane roof.
- Recycle Content materials (cementitious panel/siding, green label carpet, bamboo flooring etc.)

- Low VOC paints, primers, adhesives and sealants
- Mold prevention measures, ventilated areas, kitchen and bathroom exhaust to exterior
- Construction Waste Management

Transportation Demand Management

The submission states that the applicant will actively promote, implement, and encourage the use of green travel choices, transit, walking and biking, and thereby reduce parking demand. The site is served by a number of bus routes which connect to the Congress Heights Metro which is approximately 1.5 miles northeast of the site and the Anacostia Metro Station approximately 2.6 miles north of the site. It is anticipated that participants of many of the church programs would access the site by foot and bicycle spaces would be provided. On Sundays, parking demand increases and would continue to be accommodated on-street. The pedestrian movements in the vicinity of the site are enhanced by crosswalks across South Capitol Street at its intersection with Xenia Street and handicap accessible curbs would be provided on the side of the Xenia Street opposite from the entrance to the garage.

Public Benefits and Amenities

Benefits and amenities evaluation is based on an assessment of the additional development gained through the application process. In this instance, the map amendment from R-2 to a R-5-A PUD would allow the addition to the church to accommodate affordable, senior, housing and an educational/wellness center.

The main project amenity of the PUD is the provision of 30, affordable, senior housing units. In addition to the housing, other programs such as health screenings, recreational activities, nutrition workshops, various seminars and workshop as well as trips to area museums and other points of interest will be provided to serve the seniors at the site as well as other seniors in the community.

The Covenant Full Potential Development Center (CFPD) currently provides a number of health, social services, cultural and social resources that are available to the entire community and will continue under the proposed development. However, the applicant has not provided an evaluation to ensure that they are acceptable proffers.

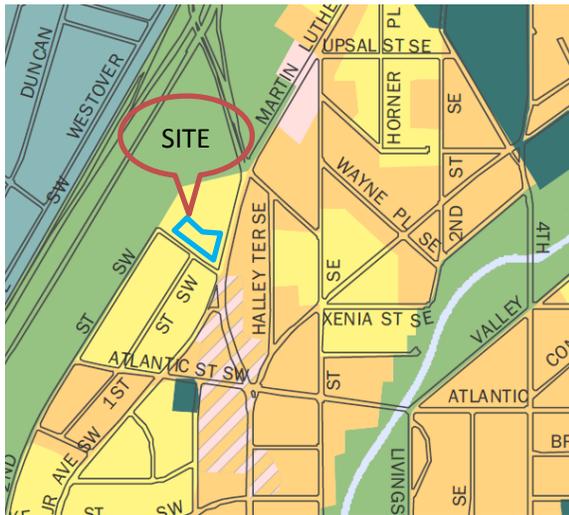
Table 2 below is OP’s summary and categorization of the proposed public benefits and project amenities.

| Applicant’s Amenities/Benefits | Required | Mitigation | Public Benefit | Project Amenity |
|---|-----------------|-------------------|-----------------------|------------------------|
| Affordable senior housing | | | X | X |
| Environmental Benefits | X | | | |
| Bicycle spaces | X | | X | |
| Sowing Seeds Theatrical Program | | | X | |
| Conversation Center | | | X | |
| CSOSA Partnership Program | | | | |
| Saturday Academy-Pearls of Wisdom | | | X | |
| Social and Educational Services for seniors | | | X | X |
| Contextual Arch/Urban Design | | | X | |
| Extensive Landscaping | | | X | X |
| Pedestrian Crosswalks and Handicapped Accessibility | | | X | X |

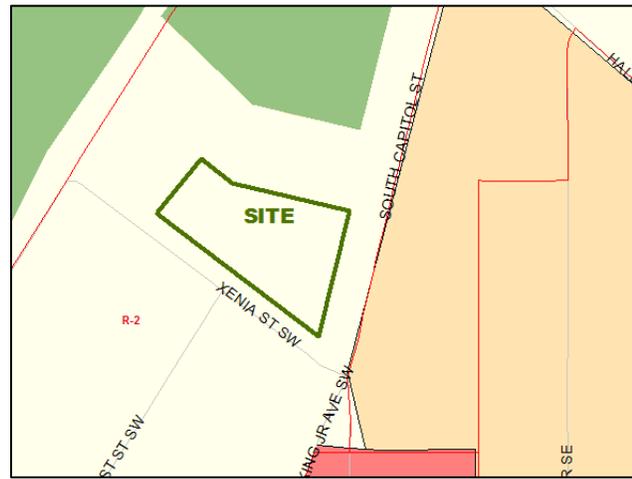
VIII. COMPREHENSIVE PLAN

Future Land Use Map

The Comprehensive Plan Future Land Use Map designates the site for low density residential use, similar to the single family residences to the south while properties to the east are recommended for and developed as moderate density residential.



Comprehensive Plan Future Land Use Map



Comprehensive Plan Policy Plan Map

Generalized Policy Map

The site is located within an area designated as a Neighborhood Conservation Area. The guidance and guiding philosophy toward development in these areas is to:

“conserve and enhance established neighborhoods. Limited development and redevelopment opportunities do exist within these areas but they are small in scale. 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. Densities in Neighborhood Conservation Areas are guided by the Future Land Use Map.”

The proposed residential addition to specifically serve seniors, which is an underserved portion of the population in the area, and the variety of support services for residents of the area helps to create a diversity of land use in the area. The proposed church along with the density, height and architecture of the proposed housing addition would not be inconsistent with the scale and character of both the single family residences and the garden apartments.

Comprehensive Plan City-Wide Elements

The Comprehensive Plan text provides policy guidance which is applicable to the proposal.

Land Use Element:

Policy LU-2.1.5: Conservation of Single Family Neighborhoods

Protect and conserve the District’s stable, low density neighborhoods and ensure that their zoning reflects their established low density character. Carefully manage the development of vacant land

and the alteration of existing structures in and adjacent to single family neighborhoods in order to protect low density character, preserve open space, and maintain neighborhood scale.

The proposed development would not impact the singles-family development to the south of the site as they along with the proposed development are set back from the property line. The setback would help to minimize the bulk of the building and not block the light and air to the residences. The scale of the proposed building would be compatible to other multifamily buildings in the area.

Policy LU-2.3.6: Places of Worship and other Religious Facilities

Recognize places of worship and other religious facilities as an ongoing, 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 these facilities' transportation needs, operations, and expansion, so that existing and new religious facilities may be sustained as neighborhood anchors and a source of spiritual guidance for District residents. Recognize also that places of worship or religious assembly, and some other religious facilities or institutions, are accorded important federal constitutional and statutory protections under the First Amendment (U.S. Const. Amend. I) and the Religious Land Use and Institutionalized Persons Act of 2000, approved September 22, 2000 (114 Stat. 803; 42 U.S.C. 2000cc).

The church has existed in the community since 1950 and has always had educational programs which serve the community. The applicant states that they have worked with the community over the years and an issue which has been brought forward is that of worshipers parking on neighborhood streets on Sundays. The applicant continues to work with the community and DDOT to address these issues.

Transportation Element:

Policy T-1.1.2: Land Use Impact Assessment

Assess the transportation impacts of development projects using multimodal standards rather than traditional vehicle standards to more accurately measure and more effectively mitigate development impacts on the transportation network.

Action T-2.3.A: Bicycle Facilities

Wherever feasible, require large new commercial and residential buildings to be designed with features such as secure bicycle parking and lockers, bike racks, shower facilities, and other amenities that accommodate bicycle users.

The site is served by a number of bus routes which connect to the Congress Heights and Anacostia Metro Stations. The applicant would provide the required number of car parking spaces as well as bicycle parking spaces inside and outside the building. There is an extensive system of sidewalks in the neighborhood which give easy and safe access to residents in the community who use the services offered by the church. The senior residences would not significantly impact traffic movements in the area and other proposed uses would largely serve neighborhood residents who would walk to the site.

Housing Element:

Policy H-1.2.7: Density Bonuses for Affordable Housing

Provide zoning incentives to developers proposing to build low- and moderate-income housing. Affordable housing shall be considered a public benefit for the purposes of granting density bonuses

when new development is proposed. Density bonuses should be granted in historic districts only when the effect of such increased density does not significantly undermine the character of the neighborhood.

The proposed age restricted residences would be for those persons with a family income of up to 60% of AMI. This housing is considered an amenity as senior housing is in great demand in the portion of the City and would be an asset to the community as well as to the District.

Policy H-4.2.2: Housing Choice for Seniors *Provide a wide variety of affordable housing choices for the District's seniors, taking into account the income range and health-care needs of this population. Recognize the coming growth in the senior population so that the production and rehabilitation of publicly-assisted senior housing that meets universal design standards becomes a major governmental priority. Acknowledge and support the establishment of Senior Villages throughout the city that allow seniors to remain in their homes and age in-place.*

The proposed senior housing would help to address the Districts shortage of senior housing. The housing would provide independence to the seniors but provide them with many age appropriate activities and services where they reside.

Policy H-4.2.3: Neighborhood-Based Senior Housing *Encourage the production of multi-family senior housing in those neighborhoods characterized by large numbers of seniors living alone in single family homes. This will enable senior residents to remain in their neighborhoods and reduce their home maintenance costs and obligations.*

The senior housing component of the development would address some of the need for affordable senior housing in the neighborhood. The proposed multiunit, rental housing would greatly reduce home maintenance costs and other obligations associated with maintaining single family residences. In addition, the senior residents would be provided with health care and other social services on-site and would be provided with transportation to off-site services and activities.

Environmental Protection Element:

Policy E-1.1.3: Landscaping *Encourage the use of landscaping to beautify the city, enhance streets and public spaces, reduce stormwater runoff, and create a stronger sense of character and identity.*

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 large paved surfaces.*

The redevelopment results in increased landscaping, especially along Xenia Street but also on the property. Due to the steep slope, areas on the site are susceptible to run-off. The applicant proposes to minimize the run-off, steep slope areas are planted and landscaped which also beautifies the development site and in turn the neighborhood. In addition, the applicant would build to the Green Communities standards and would include storm water management systems, employ EPA best management practices for erosion and sediment control, and use native landscaping and non-invasive species among other conservation and environmentally sensitive measures for the development. .

Urban Design Element:

Policy UD-2.2.1: Neighborhood Character and Identity

Strengthen the defining visual qualities of Washington's neighborhoods. This should be achieved in part by relating the scale of infill development, alterations, renovations, and additions to existing neighborhood context.

Policy UD-2.2.7: Infill Development

Regardless of neighborhood identity, avoid overpowering contrasts of scale, height and density as infill development occurs.

The addition to the church would be consistent with other multifamily buildings in the neighborhood at a height of 40 feet and 3-stories. Other multifamily buildings are at a higher density but this development with only 30 residential units and the church is compatible with the single family residences.

Policy UD-3.1.2: Management of Sidewalk Space

Preserve the characteristically wide sidewalks of Washington's commercial districts. Sidewalk space should be managed in a way that promotes pedestrian safety, efficiency, comfort, and provides adequate space for tree boxes. Sidewalks should enhance the visual character of streets, with landscaping and buffer planting used to reduce the impacts of vehicle traffic.

Policy UD-3.1.5: Streetscape and Mobility

Ensure that the design of public space facilitates connections between different modes of travel, including walking, public transit, bicycling, and driving. Bus shelters, benches, bicycle parking, safe pedestrian connections, and clear way finding signage should be provided to facilitate multi-modal travel.

Currently, 10-foot wide sidewalks are provided along both Xenia and South Capitol Streets with 4-foot wide landscaped areas and tree boxes. The applicant proposes to improve the sidewalk along Xenia and South Capitol Streets to provide better access to the property.

Far Southeast/Southwest Area Element

Policy FSS-2.6.3: Bellevue-Washington Highlands Infill

Encourage refurbishment and/or replacement of deteriorating apartment complexes within Bellevue and Washington Highlands. Where buildings are removed, encourage their replacement with mixed income housing, including owner-occupied single family homes and townhomes as well as new apartments. Every effort shall be made to avoid resident displacement when such actions are taken, and to provide existing residents with opportunities to purchase their units or find suitable housing in the community.

The additional development of the site would provide housing for seniors that would be compatible with the neighborhood and would not displace anyone but would allow seniors to age in their neighborhood.

X. SPECIAL EXCEPTION, § 353, NEW RESIDENTIAL DEVELOPMENTS (R-5-A)

The Zoning Regulations require that all new residential development within the R-5-A zone, except those comprising all one-family detached and semi-detached dwellings, be reviewed by the Board of Zoning Adjustment as special exceptions under § 3104 in accordance with the standards of § 353. The applicant

requested that the Zoning Commission retain jurisdiction to hear and decide on the requirements of the § 353.1

Special Exception Standards, § 3104.1

- i. Is the proposal in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps?*

The proposed development is in harmony with the purpose and intent of the requested map amendment to the R-5-A district. The proposal would meet a majority of the R-5-A requirements and where there are deviations in the minimum lot area and increase of 0.05 FAR it has been demonstrated the development would not impact the purpose of the R-5-A district to permit flexibility of design and all types of urban residential development if they conform to the height, density, and area requirements established for the districts. Additionally, the district permits the construction of those institutional and semi-public buildings that would be compatible with adjoining residential uses and that are excluded from the more restrictive Residence Districts.

- ii. Would the proposal appear to tend to affect adversely, the use of neighboring property?*

Granting a special exception to allow the multifamily, senior residences and the associated programs which serves both the residents of the housing on the site and other residents of the neighborhood would not adversely affect the use of neighboring properties. As shown in the transportation report, traffic to and from the property is not likely to significantly increase a level that would affect access to and from the properties. The height and intensity of the building would be restrained and would not tower above the neighboring residence and affect their light and air.

- 353.2 The Board shall refer the application to the D.C. Board of Education for comment and recommendation as to the adequacy of existing and planned area schools to accommodate the numbers of students that can be expected to reside in the project.*

OP referred the application to the D.C. Board of Education on September 3, 2013 but to-date has received no response. However, it is not envisioned that the proposed residential use would have an impact on the adequacy of schools as the development is to serve seniors.

- 353.3 The Board shall refer the application to the D.C. Departments of Transportation and Housing and Community Development for comment and recommendation as to the adequacy of public streets, recreation, and other services to accommodate the residents of the project and the relationship of the proposed project to public plans and projects.*

The application was submitted to DDOT and the Department of Housing and Community Development. No response has been provided from DHCD and the DDOT report will be submitted under separate cover.

- 353.4 The Board shall refer the application to the D.C. Office of Planning for comment and recommendation on the site plan, arrangement of buildings and structures, and provisions of light, air, parking, recreation, landscaping, and grading as they relate to the future residents of the project and the surrounding neighborhood.*

This report addresses all the above issues.

353.5 *In addition to other filing requirements, the developer shall submit to the Board with the application, four (4) site plans and two (2) sets of typical floor plans and elevations, grading plans (existing and final), landscaping plans, and plans for all new rights-of-way and easements.*

The applicant has submitted the required plans.

XI. AGENCY REFERRALS AND COMMENTS

The application was referred to various agencies for review including the Board of Education as required by the Special Exception. Comments were only provided to OP by DC Water (attached) and states that the proposed development is similar to others in the vicinity of the property and that water and sewer infrastructure are within 250 feet of the site and are therefore considered available to service the development. The DDOT report is submitted under separate cover.

XII. COMMUNITY COMMENTS

The property is within the area governed by ANC-8D. The applicant presented the proposal to the ANC on November 15, 2013 and a vote of support was provided. The applicant has also met with individual members of the community who expressed some concerns, mainly about parking on neighborhood streets.

XIII. SUMMARY OF ZONING COMMISSION AND OP REQUESTS FOR ADDITIONAL INFORMATION

The following summarizes Zoning Commission and OP requests for additional information relating to the applicant's setdown submission.

| Zoning Commission Comment | Applicant Response | OP Analysis |
|--|--|--|
| The applicant should provide clear images of the retaining walls and their height and how they can be reduced. | The applicant provided an elevation of the retaining wall adjacent to the courtyard. | The elevation on the rear of the property slopes upward to approximately 17-feet. To lessen the impact of the slope, the retaining wall would be divided into 3 tiers with a 4-foot wide terraced and landscaped area. |
| | | Retaining walls would also be along addition on the front of the and along the small recreational garden to the rear. However, the applicant has not provided details of these walls. |

| OP Comment | Applicant Response | OP Analysis |
|---|---|---|
| The applicant should provide a development table which outlines the standards of the R-2, R-5-A PUD and the proposal. | The applicant provided a development table which outlines the standards of the R-2, R-5-A PUD and the proposal. | The table shows that the proposal meets all the area requirements except for the minimum lot size for the PUD and FAR for which that have requested flexibility. OP supports the flexibility as they would not result in the overdevelopment of the site. |
| The applicant should provide a Roof Structure Plan. | The applicant provided a Roof Plan, Sheet A 1-3. | The applicant informed OP that the height of the enclosure for the stair and elevator would be 11-feet high (not shown on any of the elevations). At 11-feet high, the structure would meet the required setback from the outer walls of the roof. The applicant states that the mechanical equipment on the roof is below 4-feet and therefore an enclosure is not required. |
| The applicant should provide a detailed Landscape Plan. | The applicant provided a Preliminary Landscape Plan. | The applicant provided a Preliminary Landscape Plan which seems to suggest that there is additional information to be provided. The applicant should provide a final landscape plan. |
| The applicant should provide signed First Source and CBE Agreements | The applicant did not submit the requested First Source and CBE Agreements. | The applicant stated verbally to OP that they are working on obtaining both documents and would submit them prior to final action. |

Attachment:

1. Letter from District Water and Sewer Authority

Attachment 1

DC Water Comments



Permit Operations

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY | 1100 4th STREET, SW | SUITE 310 | WASHINGTON, DC 20024

September 25, 2013

Maxine Brown-Roberts
Development Review Specialist
District of Columbia Office of Planning
1100 4th Street SW, Suite E650
Washington, DC 20024

Re: Zoning Commission Case #12-21
Square 6129, Lot 825

Dear Ms. Brown-Roberts:

Please consider this letter as DC Water's response to the Zoning Commission's request for comments on Case #12-21. The proposed building is generally representative of the size, floor area, density, and/or use of the existing buildings adjacent to and/or in the vicinity of the project site. Therefore, the water and sewer demands for the proposed building will likely be similar to the existing water and sewer demands of the buildings adjacent to and/or in the vicinity of the project site. There is existing public water and sewer infrastructure located within 250 feet of the project site, therefore, the public water and sewer infrastructure is considered available per DCMR 12.

The response above describes the existing water and sewer infrastructure, and DC Water's evaluation of that infrastructure, as it currently exists per the date of this letter. This information is subject to change. A final determination of the existing public system's ability to support the proposed project cannot be made until detailed plans are submitted to DC Water for review.

If you have any questions or need further details, please do not hesitate to contact me at 202-646-8611 or email me at Callie.Swingle@dewater.com.

Sincerely,


Callie Swingle
Supervisor, Permit Operations