

Government of the District of Columbia

ZONING COMMISSION



ZONING COMMISSION ORDER NO. 455

CASE NO. 84-14P

MAY 13, 1985

(Catholic Conference - PUD and Map Amendment from R-5-A to SP-1)

Pursuant to notice, a public hearing of the District of Columbia Zoning Commission was held on January 24, 1985. At that hearing, the Z.C. considered an application from the National Conference of Catholic Bishops/United States Catholic Conference (NCCB/USCC) for first stage review and approval of a Planned Unit Development (PUD) and related amendment to the Zoning Map of the District of Columbia, pursuant to Sections 7501 and 9101 of the Zoning Regulations of the District of Columbia. The hearing was conducted in accordance with provisions of Chapter 6 of the Rules of Practice and Procedure before the Zoning Commission.

FINDINGS OF FACT

1. The application, which was filed on July 18, 1984, requests preliminary approval of a Planned Unit Development and related change of zoning from R-5-A to SP-1 for parcel 133/131. The applicant proposes to construct a single purpose office building which will house the new headquarters of the NCCB/USCC.
2. The PUD site is located on the east side of 4th Street approximately 540 feet south of the intersection of 4th Street and Michigan Avenue, N.E. The square in which the site is located is bounded by Michigan Avenue to the north, 7th Street N.E. to the east, 4th Street N.E. to the west and Girard Street N.E. to the south. The site consists of 217,948 square feet of vacant land. The site is located between the Theological College at 401 Michigan Avenue, N.E. and St. Paul's College at 3015 4th Street, N.E. The site is within the boundaries of the Catholic University master plan approved by the Board of Zoning Adjustment.
3. The subject site is located in the R-5-A Zone District.
4. The R-5-A District permits as a matter-of-right new

residential development consisting entirely of single-family detached and semi-detached dwellings. With the approval of the Board of Zoning Adjustment, the R-5-A District permits other new residential development of rowhouses, flats and apartments to a maximum lot occupancy of forty percent, a maximum floor area ratio (FAR) of 0.9, and a maximum height of three stories/forty feet. The BZA must also approve the minimum lot area and lot width for new development of any other use in the R-5-A District.

5. The proposed SP-1 District permits matter-of-right medium density development including all kinds of residential uses, with limited offices for non-profit organizations, trade associations and professionals permitted as a special exception requiring approval of the BZA, to a maximum height of sixty-five feet, a maximum FAR of 4.0 of which no more than 2.5 FAR may be devoted to other than residential uses and a maximum lot occupancy of eighty percent for residential uses.
6. Under the PUD process of the Zoning Regulations, the Zoning Commission has the authority to impose development conditions, guidelines and standards which may exceed or be lesser than the matter-of-right standards identified above.
7. The area surrounding the subject site is zoned R-5-A, and is occupied by institutional and religious uses which include The Catholic University of America, the Shrine of the Immaculate Conception, the Theological College, the Oblate College, the Holy Redeemer College, St. Paul's College, the United States Soldiers' Home and the Washington Hospital Center.
8. The subject site is shaped like a trapezoid and measures 582.02 feet on the northern boundary, 771.64 feet on the southern boundary, 323.93 feet on the eastern boundary and 357.05 feet on the western boundary. It has a frontage of approximately 350 feet on 4th Street, N.E., and extends east to a depth of approximately 650 feet. The site is grassy and somewhat hilly with a treed knoll on the 4th Street boundary of the site which forms a visual screen from the street. There are three tennis courts on the site which are in poor condition and are seldom used. The proposed building plan will preserve as much of the existing topography and natural features of the site as possible,
9. The site abuts R-5-A zoned property on all sides. Further to the northeast and southeast of the site is R-4 zoned and developed property. Farther to the east is C-M-1 zoned property which follows the frontage of

the Metrorail tracks. The nearest SP zoned property, located approximately four blocks to the southwest at Michigan Avenue and Bryant Street, is the site of Children's Hospital.

10. The applicant proposes to construct a single-purpose office building which will house the new headquarters of the NCCB/USCC. The NCCB/USCC is presently headquartered at 1312 Massachusetts Avenue, N.W. Those organizations have been at that location for over thirty years. Due to space limitations, they must relocate to a larger facility which can accommodate its present and future needs. They are both nonprofit organizations, and as such, the headquarters building is first permitted in the SP-1 Zone District,
11. The proposed building will contain 159,239 square feet of gross floor area, with a total FAR of 0.61. The height of the building will be sixty-five feet. It will occupy fifteen percent of the lot. There will be 225 surface automobile parking spaces to the rear of the building. The building will consist of five stories plus a basement. The first floor will contain a two-story main conference room and a two-story library. The second floor will contain a chapel and space for an employee cafeteria. The remaining floors will consist of general office and support space.
12. Vehicular access to the site will be from 4th Street, N.E. The entry driveway will be located along the southern boundary of the property leading to a visitor drop-off/entry point and then to the parking area located to the rear of the building. There will be a pedestrian access across the adjoining property to the north, leading to Michigan Avenue and the Erockland Metrorail Station.
13. The existing zoning would permit a development of approximately 196,000 square feet of housing for approximately 200 units. Given the location and constraints of the site, however, it is unlikely that the site would ever be used for general, market rate housing.
14. The effect of approval of the subject application would be to allow for the proposed nonprofit office use but at a density and bulk significantly less than the maximum now permitted as a matter-of-right,
15. The proposed use is consistent with the surrounding land uses which are institutional in nature. The ties between the applicant, the Shrine of the Immaculate Conception and the Catholic University indicate a compatibility of uses for the area.

16. The proposed PUD project will not have any adverse land use impact on the surrounding area. The subject site is completely surrounded by uses which are institutional in character. There are no residential uses adjacent to the subject site. The configuration of the building, the preservation of open space on the site and the sensitive landscaping of the site, including the preservation of existing slopes and vegetation, minimizes the impact of the PUD on the area. The building will be compatible in scale, mass and design to that of the surrounding buildings.
17. The applicant proposes to develop the property on a single lot of record. All services such as trash collection, snow removal and maintenance of the public areas will be managed and paid for by the applicant.
18. The proposed PUD results in the efficient and economical utilization of the site, attractive urban design, provisions of desired public space and adequately assures the protection of the public health, safety, welfare and convenience.
19. The proposed PUD is consistent with the existing physical character and land use patterns in the area. It will not adversely impact the various city services and will result in a positive fiscal impact to the District of Columbia. The project will result in the retention of approximately 275 permanent jobs in the District of Columbia and the creation of approximately 165 construction jobs over a two year period. This construction activity will result in an increase in the tax revenues to the District. In addition, general revenue to the District will increase as a result of retaining the NCCB/USCC with the District's jurisdiction.
20. The building's location on the site, its shape, configuration and general massing were dictated by the site's context and location, with emphasis on the 4th Street vista and the nature of the surrounding structures. It was indicated that the logic of the site demanded that the building be designed in a "winged" configuration in order to preserve the existing topography and vegetation.
21. The project will also be consistent with the District of Columbia Comprehensive Plan Act of 1984 in promoting improvement in land use, urban design, recreation and open space, economic development, air and water quality, noise, solid waste disposal and energy conservation. The proposed PUD will allow the site to be rationally developed with sufficient provision of open space to insure the protection of neighboring

properties. The use, bulk and scope of the project through the PUD process will be in complete conformance with the neighborhood.

22. The project will be landscaped in a manner which will preserve to the greatest extent the natural topography and existing trees on the site. The landscape details will be consistent with, and complimentary to, the surrounding land uses. The landscape plan satisfies the goals and policies of the Urban Design Element of the District of Columbia Comprehensive Plan.
23. The adopted Generalized Land Use Map of the Comprehensive Plan depicts the area south of Michigan Avenue in the "institutional" category. The proposed office use of an institutional character and related to the other institutional uses in the area is not inconsistent with the Comprehensive Plan.
24. The applicants' transportation expert stated that the transportation network in the vicinity of the site is adequate to handle any new traffic generated by the proposal. He also testified that there would be no adverse transportation impact on the District or the neighborhood due to the proposed development. He stated that the proposed project satisfies the goals and policies of and is consistent with the Transportation Element of the District of Columbia Comprehensive Plan. The Commission so finds.
25. The Office of Planning (OP), by report dated January 14, 1985, and by testimony at the public hearing, indicated that the site's large size, location, history of relationship to the abutting institutional uses and Comprehensive Plan designation of institutional use support the zone change from R-5-A to SP-1. The OP also indicated that the height of the building would not be out of scale with the other similarly sized buildings on neighboring properties and that the height and bulk of the proposed building fits in well with the campus setting of the surrounding buildings. Further, OP indicated that the number of parking spaces proposed for the project will prevent overspill parking onto neighborhood streets and that the proposed garden, which will require low maintenance, will provide a place for future employees, visitors and residents of the area to stroll, meditate and enjoy. Finally, OP indicated that the proposed project is consistent with the Comprehensive Plan as to height, bulk, lot occupancy, open space, landscape plan, other amenities, parking, loading and circulation.
26. The OP also indicated that it would reserve

recommendation on the applicants' request for first-stage approval until a suitable alternative design for the building was presented and reviewed.

27. The Department of Public Works, (DPW), by a memorandum dated January 11, 1985, raised no objections to the proposed development. The DPW reported that the increase in traffic that will be generated by the site will not adversely impact the street system. The DPW was of the opinion that the proposed 225 parking spaces will be sufficient to accomodate parking demand at the proposed office building. The proposed truck loading facilities in the rear of the building appeared to be adequate to the DPW. The DPW noted that the applicants must designate a separate location for trash removal. The DPW further requested that the proposed project will have minimal impact on the water and sewer system, The Commission concurs with the findings of the DPW.
28. The Edgewood Civic Association, by letter dated January 18, 1984, stated that the proposed use is compatible with the neighborhood and the surrounding educational and institutional uses. It expressed concern about whether the proposed design was architecturally consistent with the surrounding buildings. It stated it would work with the applicant through the second stage of the PUD process to develop a satisfactory design and recommended the approval of the first stage application.
29. Advisory Neighborhood Commission 5C, by letter dated August 31, 1984, urged the Commission to set the referenced application down for hearing, but did not appear at, or participate in, the hearing.
30. The Catholic University of America and the Northeast Community Development Corporation indicated, by letters, support for the project. The University noted that, even though the subject property is within the boundaries of the approved campus plan, the University has not acquired the property and has no plans for the property.
31. There were no parties or persons in opposition to the application.
32. At the conclusion of the public hearing, the Zoning Commission discussed its dissatisfaction with the proposed design as submitted and presented at the hearing and its incompatibility with the design of neighboring institutional type buildings. The Commission also expressed a concern regarding possible storm water management problems that would result from the development of the project.

33. The record was left open so that the applicant could submit alternative design approaches, or at least a demonstration of a willingness to reevaluate the proposed design. The Commission also requested that the applicants submit a preliminary storm water management plan.
34. On March 5, 1985, the applicant submitted a preliminary storm water management program and alternative design approaches for the Commission's consideration. The applicant indicated that these sketches would be refined during the development of the second stage PUD application, if first step approval was granted. The applicant also indicated that the alternative design approaches submitted are subject to the approval by the applicant's Administrative Board, prior to a formal submission of revised design alternatives.
35. On March 28, 1985, the applicant informed the Commission that the Administrative Board approved the alternative design concept submitted on March 5, 1985.
36. The Commission concurs with the recommendation and findings of the OP. The Commission finds that the institutional flavor that should be characterized in the design of the project, to reflect compatibility with the area, was absent from the design presented at the hearing.
37. The Commission finds that the alternative design approaches incorporate a number of key design principles which will closely adhere to the context of the surrounding building.

CONCLUSIONS OF LAW

1. The Planned Unit Development process is an appropriate means of controlling development of the subject site, because control of the use and site plan is essential to ensure compatibility with the neighborhood.
2. The development of this PUD carries out the purposes of Article 75 to encourage the development of well-planned residential, institutional, commercial and mixed use developments which will offer a variety of building types with more attractive and efficient overall planning and design not achievable under matter-of-right.
3. The development of this PUD is compatible with city-wide and neighborhood goals, plans and programs and is not inconsistent with the Comprehensive Plan.
4. The approval of this PUD application is consistent with

the purposes of the Zoning Act.

5. The PUD and change of zoning is compatible and consistent with existing land uses, building heights and zoning in the immediate neighborhood.
6. The proposed application can be approved with conditions which ensure that the development will not have an adverse affect on the surrounding community, but will enhance the neighborhood and ensure neighborhood stability.
7. The approval of this application will promote orderly development in conformity with the entirety of the District of Columbia zone plan, as embodied in the Zoning Regulations and Map of the District of Columbia.

DECISION

In consideration of the Findings of Fact and Conclusions of Law herein, the Zoning Commission hereby ORDERS approval of the first stage application for a Planned Unit Development for parcel 133/131. The approval is subject to the following guidelines, conditions and standards:

1. The applicants shall submit an application for rezoning of the subject property from R-5-A to SP-1 with the application for second stage approval.
2. The final design of the project shall be based upon the plans marked as part of Exhibit No. 26 of the record, as modified by the guidelines, conditions and standards of the order.
3. The property shall be used for the offices of the United States Catholic Conference and the National Conference of Catholic Bishops, or for the offices of another single purpose, non-profit organization which is related to the other institutional and educational uses in the area.
4. The applicants shall submit with the second stage application the uses proposed to occur in the building other than uses to be made by the applicants.
5. The floor area ratio (FAR) for the project shall not exceed 0.61.
6. The height of the building shall not exceed sixty--five feet.

7. The lot occupancy shall not exceed fifteen percent.
8. A maximum of 225 off-street parking spaces shall be provided. The applicants shall restudy the parking area and their need for parking, to attempt to reduce the number of parking spaces and increase the area devoted to landscaping. There shall be a minimum of 165 parking spaces. All parking spaces shall be accessory to the use of the building on the site, and shall not serve other uses in the area.
9. The final plans shall include an appropriate area and access for service to the building, including loading, service/delivery and trash collection functions.
10. The applicants shall submit a detailed landscaping plan with the second stage application. That plan shall also include an inventory of existing trees located east of the rear line of the proposed building, and an indication of which trees are to be removed.
11. The applicants shall submit information regarding the exterior lighting proposed for the site. The site plan, landscaping plan and lighting scheme shall be designed so as to provide adequate security on the site.
12. The applicants shall submit with the second stage application detailed information regarding the pedestrian walkway leading to Michigan Avenue and the Brookland Metrorail Station, including the means by which the access will be assured and a plan for lighting and landscaping along the walkway.
13. The applicants shall submit with the second stage application a detailed storm water management program for the project. That plan shall be based on the Preliminary Storm Water Management Program marked as part of Exhibit No. 54A of the record.
14. The applicant shall submit with the second stage application detailed plans and elevations indicating the design treatment of the proposed building, including the building materials, color and other details. The final exterior design of the building shall be refined from the alternative design sketches submitted to the Commission, marked as Exhibit No. 54B of the record, and shall be based on Alternative A of that exhibit. The

final design shall have generally uniform facades, so as to avoid creating the appearance of two separate buildings.

15. There shall be one application for second-stage approval including the entire project. That application may provide for the implementation and construction of the project in several phases. If phasing is proposed, the second stage application shall delineate the nature and timing of each phase.
16. No site grading or other change in the existing character of the property, including removal of existing trees or vegetation, shall take place prior to approval of the detailed site and landscaping plans by the Zoning Commission in the second stage proceeding.
17. This approval is valid for a period of one year from the effective date of this order, Within that period, the applicant shall file a second-stage application if this first stage approval is to remain in effect.

Vote of the Zoning Commission taken at the public meeting on April 8, 1985: 4-0 (Commissioners George M. White, Patricia N. Mathews, John G. Parsons and Lindsley Williams to approve with conditions - Commissioner Maybelle T. Bennett not present not voting having recused herself from the case.

This order was adopted by the Zoning Commission at its public meeting held on May 13, 1985, by a vote of 4-0 (John G. Parsons, George M. White, and Patricia N. Mathews, to adopt and Lindsley Williams, to adopt by absentee vote - Maybelle T. Bennett, not voting having recused herself from the case).

In accordance with Section 4.5 of the Rules of Practice and Procedure before the Zoning Commission of the District of Columbia, this Order is final and effective upon publication in the D.C. Register, specifically on 7 JUN 1985.


MAYBELLE T. BENNETT
Chairperson
Zoning Commission


STEVEN E. SHER
Executive Director
Zoning Secretariat