

Government of the District of Columbia
ZONING COMMISSION



ZONING COMMISSION ORDER NO. 823
Case No. 96-9C
(Consolidated PUD & Map Amendment @ 3900 Harewood Rd., N.E.)
July 14, 1997

Pursuant to notice, a public hearing was held by the Zoning Commission for the District of Columbia on February 3, 1997. At that hearing session, the Zoning Commission considered an application from the Pope John Paul II Cultural Foundation for consolidated review and approval of a planned unit development and to amend the Zoning Map of the District of Columbia, pursuant to Chapter 24 and Section 102, respectively, of the D.C. Zoning Regulations, Title 11 of the District of Columbia Municipal Regulations. The public hearing was conducted in accordance with the provisions of 11 DCMR 3022.

FINDINGS OF FACT

1. On August 29, 1996, the Pope John Paul II Cultural Foundation ("applicant") filed a request for the consolidated review and approval of a planned unit development and a change in zoning from R-5-A to SP-1 for the property located at 3900 Harewood Road, N.E., Parcels 122/74 and 122/55.
2. The applicant proposed to construct a three-story Intercultural Center devoted to the study of papal teachings of the Roman Catholic faith. The building would be constructed to a height of 75 feet and would contain approximately 94,000 square feet of gross floor area, of which 5,900 gross square feet would be devoted to scholars' office space. The building would occupy six percent of its 11-acre site and would be developed to a floor area ratio (FAR) of 0.19.
3. The subject property is currently owned by The Catholic University of America. The applicant is the contract purchaser.
4. The subject property is located in Ward 4, approximately 1800 feet north of the intersection of Harewood Road,

Irving Street, and Michigan Avenue, N.E. It consists of 507,164 square feet of unimproved land (approximately 11 acres). It is located in the institutional land use category on the District of Columbia Comprehensive Plan Generalized Land Use Map and is currently zoned R-5-A.

5. The surrounding area is characterized by a variety of religious and institutional uses, including the Catholic University of America, the Washington Hospital Center, Trinity College, the U.S. Soldier's Home, and various other educational facilities and residences for religious orders.
6. The SP-1 zone district permits medium density development and is designed to act as a buffer between more intense uses and residential areas. The uses permitted as a matter-of-right include all those permitted in the R-5 zone plus certain other institutional establishments such as private schools, community centers and chanceries. The maximum height permitted in the SP-1 zone district is 65 feet with a maximum floor area ratio (FAR) of 4.0, 2.5 of which may be for permitted institutional uses. The PUD guidelines in the SP-1 zone district permit a height of 75 feet and an FAR of 4.5. The maximum land area that a building may occupy in the zone district is 80 percent of the total lot size for residential uses.
7. Under the PUD process of the Zoning Regulations, the Zoning Commission has the authority to consider this application as a first-stage PUD. The Commission may also impose development conditions, guidelines, and standards which may exceed or be less than the matter-of-right standards identified above for height, FAR, lot occupancy, parking and loading, or for yards and courts. The Zoning Commission may also approve uses that are permitted as a special exception and would otherwise require approval by the Board of Zoning Adjustment (BZA).
8. The applicant, in testimony and in written submission to the record, stated that the Intercultural Center is modeled after the U.S. presidential libraries and will be comprise two major components: a museum and a research center. The museum will house a highly interactive museum experience as well as various collections of art, objects, and historical materials

relating to the papacy. The research center will serve as a "think tank" for development strategies on humanitarian initiatives.

9. The applicant, in testimony and in written submission to the record, stated that the Intercultural Center will be constructed in two phases. Phase I would include the entire building, site construction and a portion of the interior program. The first phase of the interior program would consist of the main entry hall, coat check, gift shop, chapel, toilet rooms, mechanical and electrical rooms, the Papal and Polish Heritage Room, the auditorium, a portion of the exhibit spaces, administrative areas and the garden. It would also include seminar spaces, the formal conference room, and a library. Phase II would include additional exhibit spaces, a café, the expansion of the Intercultural Center Library, and the balance of the office area. Upon completion, approximately 29,000 square feet of gross floor area would be located below grade. The applicant proposes to proceed with Phase I immediately, and complete Phase II within a five-year period.
10. The applicant also stated the following:
 - a. The Intercultural Center would be located near the middle of the property. Access would be gained from Harewood Road, N.E., at the eastern end of the site, with the driveway running along the northern boundary. A surface parking lot with 120 spaces would be located on the east side of the building. The visitor drop-off/entry point would be on the north side of the building.
 - b. The building would be articulated in the modern style, with influences from the architectural forms and gardens found in the Catholic Church tradition. The mass of the building is rectangular in shape. The materials of the building would be glass and coursed limestone, with sandblasted concrete columns.
 - c. Landscaping would be a major design feature of the proposed PUD site. Significant amounts of open space, the natural slopes of the existing topography, a tree preservation area, terraced

landscaping, and a reflecting pool have all been incorporated into the plan.

11. The applicant stated that the project includes several amenities and benefits, among them the following:
 - a. The establishment of a significant museum and children's museum that will offer cultural and educational activities for District of Columbia residents.
 - b. An innovative building design by an internationally known architectural firm with site planning that respects the site's topography and allows for significant open space and landscaping.
 - c. The creation of 50 permanent jobs in the District of Columbia.
 - d. A resource center providing information on volunteer organizations throughout the world to assist visitors and workshop participants in pursuing charitable and volunteer opportunities in a variety of areas.
 - e. Conference rooms and meeting facilities that would be available to organized civic groups in the community.
 - f. Programs for local D.C. elementary school students.
12. The applicant, through its traffic consultant, presented testimony, and submitted a written traffic analysis which stated that the project would include 120 vehicular parking spaces. The traffic consultant, through his analysis, concluded that the proposed PUD would not have any adverse impact on traffic on the streets and intersections in the vicinity of the site, and would result in fewer vehicle trips than the current zone classification. The traffic consultant further concluded that the proposed SP use could easily be accommodated within the existing road network.
13. The District of Columbia Office of Planning (OP) by memorandum dated January 29, 1997, and by testimony presented at the public hearing, recommended that the application be approved. OP concluded that the project

would not have a negative effect on the immediate neighborhood in terms of noise, traffic or other objectionable conditions because the proposed institutional use is consistent with the institutions that surround the area and because of the extremely low density use of the site.

14. OP requested comments from the Department of Public Works, the Metropolitan Police Department and the Department of Finance and Revenue; none elected to submit comments on the proposed PUD.
15. Advisory Neighborhood Commission 4D did not participate in the public hearing or submit a report into the file of the case.
16. The Commission concurs with the position of the applicant and the Office of Planning and believes that the proposed planned unit development and rezoning of the subject property to SP-1 is appropriate.
17. The Commission finds that the PUD project is not inconsistent with the Comprehensive Plan which designates the site for institutional land uses, including museums and other related educational facilities.
18. The Commission finds that the applicant has satisfied the intent and purpose of Chapter 24 of the Zoning Regulations.
19. The proposed action of the Zoning Commission to approve the application with conditions was referred to the National Capital Planning Commission (NCPC) under the terms of the District of Columbia Self-Government and Governmental Reorganization Act. The NCPC, by report dated May 1, 1997 indicated that the PUD would not adversely affect the Federal Establishment or other Federal interests in the National Capital, nor be inconsistent with the Comprehensive Plan for the National Capital.

CONCLUSIONS OF LAW

1. The planned unit development process is an appropriate means of controlling the development of the subject site because control of the use of the site is essential to assure compatibility with the neighborhood and achieve the goals and policies of the City.

2. The development of this PUD carries out the purposes of Chapter 24 of 11 DCMR to encourage the development of well-planned residential, institutional, commercial and mixed-use projects that offer a variety of building types and more attractive and efficient overall planning and design not achievable under matter of right development.
3. The development of this PUD is compatible with city-wide goals, plans and programs and is sensitive to environmental protection and energy conservation.
4. The approval of this application is not inconsistent with the Comprehensive Plan of the National Capital and the purposes of the Zoning Act.
5. The proposed application can be approved with conditions which ensure that the development will not have an adverse effect on the surrounding community, but will enhance the neighborhood and assure neighborhood stability.
6. 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 text and map of the Zoning Regulations.
7. This application is subject to compliance with D.C. Law 2-38, the Human Rights Act of 1977.

DECISION

In consideration of the Findings of Fact and Conclusions of Law herein, the Zoning Commission for the District of Columbia hereby orders **APPROVAL** of this application for a consolidated planned unit development (PUD) and map amendment from R-5-A to SP-1 for parcels 122/55 and 122/74 located at 3900 Harewood Road, N.E. The approval of this PUD is subject to the following guidelines, conditions and standards:

1. The planned unit development (PUD) shall be developed in accordance with the plans prepared by the architectural firm of Leo A. Daly, marked as Exhibit Nos. 6, 18, and 29 of the record, as modified by the guidelines, conditions and standards of this order.
2. The PUD project shall be developed as the Pope John Paul II Cultural Center, a three-story building plus

below grade level to accommodate a nonprofit Intercultural Center devoted to the study of papal teachings of the Roman Catholic Church.

3. The PUD project shall contain approximately 94,000 square feet of gross floor area.
4. The PUD project shall not exceed 75 feet in height.
5. The total floor area ratio (FAR) shall not exceed 0.19.
6. The lot occupancy of the PUD shall not exceed six percent.
7. Landscaping shall be provided as shown on sheets L-4 and L-5 of Exhibit No. 29 of the record.
8. The PUD shall have a minimum of 120 at-grade automobile parking spaces.
9. The applicant shall have flexibility with respect to the following:
 - a. Varying the location and design of all interior components, including partitions, structural, slabs, doors, hallways, columns, stairways, and mechanical rooms, provided that the variations do not change the exterior configuration of the building.
 - b. Varying the location and type of exterior lighting fixtures;
 - c. Varying the species of plant materials;
 - d. Varying the location of walkways and driveways to address existing trees and topographical conditions;
 - e. Minor refinements to exterior details; and dimensions which include materials, belt courses, sills, bases, cornices, railings and trim.
10. The change of zoning from R-5-A to SP-1 for parcels 122/55 and 122/74 at 3900 Harewood Road, N.E., shall be effective upon recordation of a covenant as required by 11 DCMR 2409.3.

11. The PUD may be built in two phases. Phase I shall include the entire building, site construction and a portion of the interior program. Phase II shall include additional exhibit spaces, the café, the expansion of the Intercultural Center Library, and the balance of the office areas.
12. No building permit shall be issued for the site until the applicant has recorded a covenant in the land records of the District of Columbia and satisfactory to the Office of the Corporation Counsel and the Zoning Regulations Division of the Department of Consumer and Regulatory Affairs (DCRA). The covenant shall bind the owner and all successors in title to construct on and use of the property in accordance with this order, and amendment thereto of the Zoning Commission.
13. The Office of Zoning shall not release the record of this case to the Zoning Regulations Division of DCRA until the applicant has filed a certified copy of the covenant with the records of the Zoning Commission.
14. The PUD approval by the Zoning Commission shall be valid for a period of two years from the effective date of the Commission's order. Within such time, application must be filed for a building permit as specified in 11 DCMR 2408.8. Construction shall start within three years of the effective date of the Commission's order.
15. Pursuant to D.C. Code Section 1-2531, Section 267 of D.C. Law 2-38, the Human Rights Act of 1977, the applicant is required to comply fully with the provisions of D.C. Law 2-38, as amended and codified as D.C. Code, Title 1, Chapter 25. The Commission's approval is conditioned upon full compliance with those provisions. Nothing in this order shall be understood to require the Zoning Regulations Division of DCRA to approve permits if the applicant fails to comply with any provision of D.C. Law 2-38, as amended.

Vote of the Zoning Commission taken at the hearing on February 3, 1997: 4-0 (Herbert M. Franklin, Maybelle Taylor Bennett, John G. Parsons and Jerrily R. Kress to approve with conditions; Howard Croft not present not voting).

This order was adopted by the Zoning Commission at its regular public meeting on July 14, 1997 by a vote of 3-0:

Jerrily R. Kress, Maybelle Taylor Bennett and John G. Parsons to adopt; Herbert M. Franklin, not present not voting).

In accordance with the provisions of 11 DCMR 3028, this order shall become final and effective upon publication in the D.C. Register; that is, on JUL 25 1997.


MAYBELLE TAYLOR BENNETT
Chairperson
Zoning Commission


MADELIENE H. DOBBINS
Director
Office of Zoning

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