

Government of the District of Columbia

ZONING COMMISSION



ZONING COMMISSION ORDER NO. 829

Case No. 97-3C

(Consolidated PUD @ 828 Bellevue Street, S.E.)

August 4, 1997

Pursuant to notice, a public hearing of the District of Columbia was held on June 5, 1997. At this hearing session, the Zoning Commission considered an application from CEMI-Ridgecrest, Inc. for approval of a Consolidated Planned Unit Development (PUD), as well as special exception, pursuant to Sections 2402.4, 2405.7, 2408.8, and 334.1 of Zoning Regulations of the District of Columbia. The public hearing was conducted in accordance with the provisions of Chapter 24, Title 11 of the District of Columbia Zoning Regulations.

FINDINGS OF FACT

1. The applicant, CEMI-Ridgecrest, Inc. is a non-profit corporation which was founded by a group of Ridgecrest Heights tenants and Crawford/Edgewood Managers, Inc., a property management and development firm. The proposed PUD site is a 9.6 acre improved parcel of land fronting along the cul-de-sac where Bellevue terminates one block to the south of 9th Street near the southeastern boundary line of the city (Southern Avenue) at 828 Bellevue Street, S.E., in Square 6159, Lot 125. The site is situated at the top of a hill, the topography slopes steeply from the north to the south.
2. The entire site is zoned R-5-A. The R-5-A district permits matter-of-right single-family detached dwellings, and with approval of the Board of Zoning Adjustment, low-density development of general residential uses including rowhouses, flats, and apartments to a maximum floor area ratio (FAR) of 0.9, and a maximum height of 3-stories/40 feet. The PUD standards for an R-5-A zone district establish a maximum FAR of 1.0 and a maximum height of 60 feet. The maximum land area that a building may occupy is 40 percent of the total lot size.
3. The applicant proposes to develop 141 townhouses as well as a community center in the Washington Highlands area of Southeast Washington. The Washington Highlands area, within which the site is located, is a depressed area with a large concentration of low-income individuals, high crime statistics and serious drug problems. The subject site, which is currently improved, was developed in the early 1960s with 331 garden apartment units. It is improved with a partially vacant low income garden apartment project known as Ridgecrest Heights. The U.S. Department of Housing and Urban Development recently conveyed the property to the applicant for a nominal consideration and provided a \$24 million dollar grant to redevelop it.

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4. The PUD site plan reflects both a desire to create streets that are traditional in character with the need to minimize disturbance of a steeply sloping terrain. The site plan can be divided into four sections including three distinct townhome neighborhoods and the community center site which is set off from the townhouse clusters on the western portion of the site.
5. The three townhouse clusters include: (1) an upper neighborhood consisting of 42 townhouses located off Bellevue Circle; (2) a lower cluster of 72 townhouses fronting along a private street to be called H.R. Drive; and (3) a third cluster of 27 townhouses which front on Barnaby Street, S.E. Linking the three neighborhoods to each other and to the common areas and facilities (i.e., the swimming pool and clubhouse) are two series of pedestrian stair/garden sequences that navigate the steepest parts of the terrain. The two stair sequences are designed to minimize the climb up and down the slope. With low risers and wide treads, the climb between landings will be comfortable for the residents. Plantings bordering the steps will enhance the experience of ascending to the pool or descending toward home.
6. The site perimeter will be secured by an attractive security wall with six gated access points. The wall will be constructed of a brick face/masonry wall with a wrought iron or similar metal crown on top of the brick wall. These fences and their locations are illustrated on Figures 15A and 15B of Exhibit 31. The wall will be constructed in segments. These segments will vary but will always be at least 6 feet in height and will combine brick face/masonry walls with wrought iron or similar metal pickets either on top of or between the walls. Brick piers will connect the fence segments to each other and the entrance gates.
7. The site will also include a number of retaining walls. Despite careful site planning which successfully locates the townhouse clusters on the site so that many of the townhouse rows also serve, in effect, as retaining walls on the steeply sloped portions of the site (some of which slope in excess of 60%), additional retaining walls will be necessary on the steepest slopes. The location of the retaining walls, which vary in height from 2 to 10 feet, are shown on Figures 4A and 11A of Exhibit 31.
8. Each of the neighborhoods feature a distinctive clustering concept dictated by site topography constraints and security objectives. The upper section offers two clusters of townhouses laid out in a mews configuration, one of which completes the pedestrian sequence running from the pool to the Metrobus stop along Barnaby Street. Site conditions allow for rear loaded garage units for most of the mews houses with the exception of the southernmost row of townhouses where the sloping conditions do not permit adequate access. These units have assigned spaces on an adjacent private street. The remaining townhouses in the upper cluster are oriented toward Bellevue Circle. Both front and rear loaded garage units are provided in these areas.

9. The upper section of the site also includes the community pool and clubhouse which are existing facilities that will be renovated upon PUD approval. The clubhouse will contain the accessory bathhouse facilities for the pool, sales and office support space for the project developer and then the homeowners association as well as a large community meeting room.
10. The lower neighborhood is arranged along a new 34 foot wide street running from Barnaby Street to Southern Avenue. Seven groups of townhouses (containing from 5-13 townhouses each) front on H. R. Drive providing a total of 72 townhouses in this cluster. Gated at each end, this street will resemble its traditional counterparts found in highly desirable neighborhoods throughout Washington. Minimal use of front loaded garages along this street assures pedestrian friendly facades and requires on-street, assigned parallel parking for each unit.
11. The third, Barnaby Road cluster is composed of one group of three townhouses which front directly on Barnaby Road and three groups of eight houses which are arranged in a horseshoe configuration around a central courtyard facing Barnaby Street. Each courtyard allows automobile and pedestrian access directly from Barnaby Street, but is gated to provide security. The courtyard townhouses are front loaded garage units. The courtyard configuration allows “eyes” along Barnaby Street, while minimizing curb cuts, shielding garage doors from view, and maintaining the desired security for each unit.
12. The proposed townhouses were designed to reinforce the site plan concept. Thirteen individual unit types were created in order to respond architecturally to the severe sloping condition of the site, and to fulfill the program requirements of three and four bedrooms. The thirteen individual townhouses can be divided into three major types:
 - a) Front loaded garage units located primarily in the courtyard clusters fronting on Barnaby Street and near Bellevue Circle at the top portion of the site;
 - b) Rear loaded garage units located in the mews cluster; and
 - c) Units without garages located along H. R. Drive and in the portion of the mews where vehicular access is problematic.

The three major types are the result of site constraints and the attempt to minimize the number of garage doors along the streets, thus emphasizing the traditional character of the design.

13. The exterior materials used in the townhouses are brick and siding. Different brick and siding colors and varied architectural details (i.e., brick arches, window trim, entry door trim, cornices, porticoes, shutters, dormers and gables) help break down the scale of the longer clusters and provide a special street character found in traditional neighborhoods.

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14. The PUD site and areas of adjacent public space will be relandscaped to maximize the attractiveness of the new development. The intent of the landscaping plan is also to minimize landscaping maintenance requirements so as not to overburden the new homeowners association with high costs.
15. The project will provide 179 residential parking spaces which are provided in garages and on the project's interior, private roadways (1.96 spaces per unit). The 179 spaces include 73 garaged spaces, 17 rear yard spaces, 59 unassigned, marked spaces located along the interior project roadways and 30 guest parking spaces (unassigned spaces located along the interior project roadways). In addition, 34 spaces are provided on the Community Center site. Another 78 spaces are available on the surrounding streets including Bellevue Circle, Southern Avenue, and Barnaby Street. These spaces can be utilized, along with the parking at the Community Center, for overflow and guest parking. (See Figures 7 and 7A, Vehicular Circulation and Parking Plan, Exhibits 28, 32, 31, 30, 20, 19, 18, 8 and 7).
16. The applicants propose the following public benefits and amenities:
 - (a) homeownership opportunities for low-to-moderate income persons;
 - (b) homeownership pre-purchase and post purchase counseling programs;
 - (c) a job training program; and
 - (d) on-site day care facility.
17. The District of Columbia Office of Planning (OP), by memorandum filed May 27, 1997, recommended approval of the application as generally consistent with matter-of-right standards. OP concluded that the proposed PUD is not seeking to increase density but rather to permit a more flexible site plan than would be permitted under the theoretical lot development provisions of the Zoning Regulations (even though the street width and front yard requirements in the Regulations are not adhered to in the PUD). It further concluded that the project furthers many key planning objectives for this area of the city including the provision of new affordable single-family housing along with the provision of daycare and other social services for area residents.
18. A party came forward at the June 5, 1997 hearing asking for clarification on certain parking and access issues.
19. Advisory Neighborhood Commission 8E, through letter (Exhibit 25) and testimony at the June 5, 1997 hearing, stated that at a public meeting on May 14, 1997, the ANC 8E voted unanimously to approve the application and asked for an expeditious approval from the Commission for the following reasons: (1) the proposed development will have a very positive impact on the Washington Highlands area by providing high quality and secure

low income housing opportunities for families that might otherwise leave the area; (2) the proposed project was formulated with active involvement of the Ridgecrest Tenants Association and the broader community; Ridgecrest tenants have been provided with relocation assistance and opportunities to purchase homes in the new development at very favorable terms; and (3) it provides services that the area residents desperately need.

20. ANC 8E also entered into the record of the PUD case a Memorandum of Understanding between the ANC and Crawford/Edgewood Management, Inc. which establishes minority contracting and employment goals for the PUD project.
21. 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 August 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 development of the subject site, since control of the use of the site is essential to ensure compatibility with the neighborhood.
2. The development of this PUD carries out the purpose of Chapter 24 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 planning, and design not achievable under matter-of-right.
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. Approval of this application is not inconsistent with the Comprehensive Plan for the National Capital.
5. Approval of this PUD application is consistent with the purposes of the Zoning Act.
6. 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 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.

8. The Zoning Commission has accorded to the Advisory Neighborhood Commission the “great weight” to which it is entitled.

DECISION

In consideration of the Findings of Fact and Conclusions of Law herein, the Zoning Commission hereby orders approval of the application for consolidated review of a planned unit development (PUD) and special exception relief in Square 6179, Lot 125. The approval is subject to the following guidelines, conditions and standards:

1. The planned unit development shall be developed under the existing R-5-A zone district, in accordance with plans dated June, 1997, prepared by Navy Marshall Associates, and CHK Architects, marked as Exhibit 31 of the record, except as such plans may be modified to conform to the conditions listed below.
2. The maximum number of townhouse units shall be 141, not including the Community Center and Clubhouse.
3. The minimum number of parking spaces provided on-site shall be 213.
4. The location of the clusters and individual units shall be as shown on Figures 4A - 49H of Exhibit 31.
5. The locations of the Community Center, clubhouse, and pool shall be as shown on plans marked as Figures 4A and 50 - 58 of Exhibit 31 of the record.
6. The Community Center shall include uses generally consistent with the following:
 - a. A day care center which shall operate from approximately 7 a.m. through 7 p.m. Monday through Friday, for a total of approximately 35 children from the ages of six months to five years. Although PUD residents will be given first priority, other area residents will be eligible for space. The Center shall meet all regulations and standards required for the operation of such a facility.
 - b. After school care for approximately 8 children, ages six through fourteen. The hours of operation of this program shall be from approximately 3 p.m. to 7 p.m., Monday through Friday.
 - c. Employment training and job counseling for PUD residents as well as residents from the outside community. The training programs shall operate Monday through Friday from approximately 9 a.m. through 4 p.m.

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- d. Community/Family Oriented Training consisting of one day workshops and seminars events extending over a six week period of time. Activities shall take place both during the day and evening hours, Monday through Saturday.
 - e. Senior citizen activities for individuals over the age of fifty-five. Hours of operation will be from approximately 9 a.m. through 3 p.m., Monday through Friday. An average of 20 individuals may be served on a weekly basis.
7. The Clubhouse and community pool are existing facilities which shall be renovated in accordance with Figures 55, 57, and 58 of Exhibit 31 of the record. The Clubhouse will contain the accessory bathhouse facilities for the pool, sales and office support space for the project developer and the homeowners association as well as a large multi-purpose room which may be used for homeowners association meetings and social activities.
 8. The lot occupancy of the project shall not exceed 40 percent of the site. The project shall not exceed 286,520 square feet with a floor area ratio of 0.68.
 9. The height of the townhouses shall not exceed 30 feet with two to three stories.
 10. The size of the townhouses shall range from approximately 1,836 gross square feet to 2,116 gross square feet each.
 11. Landscaping and paving shall be in accordance with the landscaping and streetscape as shown with the plans marked as Figures 9A, of Exhibit 31 of the record. The landscaping plan will include the following:
 - a. Primary Street Trees
 - (1) The "Bloodgood" London Plane tree of 2 1/2" - 3" caliper.
 - (2) The Red Maple of 2 1/2" - 3" caliper.
 - (3) Single willow oaks (2 1/2" - 3" caliper) shall be planted in the three courtyards adjacent to Barnaby Street.
 - b. Secondary Street Trees
 - (1) Both the Little Leaf Linden (2 1/2 - 3" caliper), the Yoshino Cherry (2" - 2 1/2" caliper) and the Saucer magnolia (8' - 10' high) shall be planted within the small courtyards.

c. Slope Planting

- (1) Trees planted upon the slope are primarily evergreens. The predominant tree is white pine within a mix of spruce and deodora cedars. The pine trees shall be 7' - 8' high and all other slope planted material shall be 5' - 6' tall.
- (2) The groundcover planted upon the slope shall be a hard fescue with a mix of chewing fescue and perennial rye grass.

d. Ornamental and Small Flowering Trees

- (1) A miscellaneous mixture of trees ranging in size from 2 1/2" - 3" caliper shall be throughout the project in the back yards and open spaces. Typical varieties vary from tulip poplars to Chinese dogwood, crabapples and serviceberry.
12. Retaining walls shall be constructed in accordance with the specifications and location on Figures 4A and 11A of Exhibit No. 31 of the record. The retaining walls shall be no higher than 10 feet. The materials used for the retaining walls shall be either brick-faced concrete or exposed aggregate precast concrete panels.
 13. Lighting shall be in accordance with Figure 9A of Exhibit No. 31. Street lights will be coordinated with street trees and pathlights shall be clustered at the stairs.
 14. The applicant shall establish and maintain a community liaison program consisting of representatives of the facility, the ANC, and the neighborhood. The applicant shall conduct meetings of the community liaison members at least four times a year. Notice of the meetings shall be given to the ANC and to the owners of all property within 200 feet of the site.
 15. The applicant shall have flexibility to make minor modifications to the plans with respect to the following matters:
 - a. The applicant may construct patios within the rear yards of townhomes.
 - b. The applicant may vary the townhouse floor plans from those shown on Figures 16 - 26 of Exhibit 31. The applicant may also vary all floor plans and interior components in the Community Center and the Clubhouse.
 - c. The exterior of the Clubhouse shall be brick or siding, but the applicant may vary the amount of brick shown on the Clubhouse elevations, Figures 56 and 57 of Exhibit 31.
 - d. Varying the location of exterior lighting fixtures; and
 - e. Varying the species of plant materials within the ranges proposed in the landscaping plan.

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16. A comprehensive security system shall be implemented which may include security cameras, key entries, electronic beams around the perimeter of the fence, one-day visitors passes and software to track vehicles.
17. Drainage for the PUD shall be developed in accordance with Figure 12 of Exhibit 31.
18. The applicant shall enter into a First Source Employment Agreement with the District of Columbia Department of Employment Services.
19. The applicant shall enter into a Local, Small and Disadvantaged Business Opportunity Agreement with the Department of Human Rights and Minority Business Development.
20. 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 between the owner and the District of Columbia satisfactory to the Office of Corporation Counsel and the Zoning Division of the Department of Consumer and Regulatory Affairs (DCRA). The covenant shall bind the owner and all successors in title to construction and use of the property in accordance with this Order and amendments thereto of the Zoning Commission.
21. The Office of Zoning shall not release the record of this case to the Zoning Division of DCRA until the applicant has filed a certified copy of the covenant with the records of the Zoning Commission
22. Pursuant to D.C. Code Section 1-2531 (1987), 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, codified as D.C. Code, Title 1, Chapter 25 (1987), and this Order is conditioned upon full compliance with those provisions. Nothing in this Order shall be understood to require the Zoning Division of DCRA to approve permits if the applicant fails to comply with any provisions of D.C. Law 2-38, as amended.
23. The planned unit development approved by the Zoning Commission shall be valid for a period of two years from the effective date of this order, and the special exception for the temporary community center will be for a 20 year period as permitted under Section 2405.7. Within such time, application must be filed for a building permit, as specified in Subsection 2408.8 of the Zoning Regulations. Construction shall start within three years of the effective date of this order.

Vote of the Zoning Commission taken at a special public meeting held on June 23, 1997: 4-0 (John G. Parsons, Jerrily R. Kress, Herbert M. Franklin and Maybelle Taylor Bennett to approve with conditions).

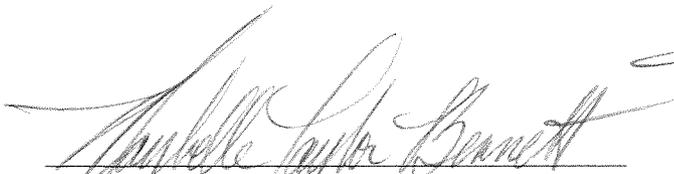
This Order was adopted with modifications by the Zoning Commission at its public meeting on August 4, 1997 by a vote of 4-0: (Jerrily R. Kress, Herbert M. Franklin, Maybelle Taylor Bennett and John G. Parsons, to adopt).

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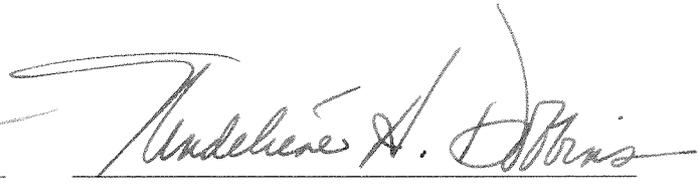
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In accordance with 11 DCMR Section 3028, this Order is final and effective upon publication in the DC Register, that is on SEP 26 1997.



MAYBELLE TAYLOR BENNETT
Chairperson
Zoning Commission



MADALIENE H. DOBBINS
Director
Office of Zoning

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