GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

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Office of the Director

MEMORANDUM

TO: D. C. Zoning Commission

FROM: Andrew Altman
Director

DATE: October 29, 2004

ZONING COMMISSION
District of Columbia
CASE NO. 04-24
EXHIBIT NO. 13

SUBJECT: Preliminary Report on Zoning Commission Case No. 04-24, a Proposal to Establish a Mixed-Use Planned Unit Development on Property Located Immediately East of the Rhode Island Metro Rail Station (Parcel 131, Lot 233 and portions of Lots 234 and 235)

APPLICATION
In September 24, 2004, the Office of Zoning received an application submitted on behalf of Mid-City Urban LLC and A&R Development Corporation (the Applicants) requesting Zoning Commission review and approval of a First Stage Planned Unit Development (PUD). This request includes a related Zoning Map Amendment that would change the zoning of Parcel 131, lot 233 and portions of lots 234 and 235 from Industrial (M) to a Community Business Center (C-2-B) zone district.

The Applicants plan to redevelop the commuter parking area on existing Washington Metropolitan Transit Authority (WMATA) Metro rail station property with two 4-5-story buildings with 272 apartments, ground- floor commercial uses, and a total of approximately 531,000 square feet of construction.

RECOMMENDATION
The Office of Planning (OP) recommends that the Zoning Commission set the application down for a public hearing.

AREA DESCRIPTION
According to the Applicants, the subject lots and lot portions total 7.33 acres (319,446 square feet) in size. The rail station parking area would be subdivided and developed as a separate parcel also under WMATA ownership. This paved area includes pedestrian walkways, vehicular access and service lanes between Rhode Island Avenue and the rail station. The site abuts Rhode Island Avenue to the north, the Brentwood Shopping Center and Brentwood Post Office facility to the southeast and southwest, respectively, a vacant office building to the east, and Rhode Island Metro Rail Station and CSX Railroad right-of-way to the west. The rail station property

ZONING COMMISSION
District of Columbia
CASE NO.04-24
EXHIBIT NO.13

and properties to the south and southwest are in a Industrial (M) zone district; properties to the north across Rhode Island Avenue are in a Commercial-Light Manufacturing (C-M-2) zone district; and properties to the northeast are in a Residence (R-5-A) zone district (refer to Exhibit 1).

Other surrounding development consists of industrial and converted-industrial buildings to the north across Rhode Island Avenue, and small single–family bungalows further to the east. Non-residential development in the area is predominantly of masonry construction.

COMPREHENSIVE PLAN

The Generalized Land Use Map designates the subject property for a mix of land uses: Moderate Density Commercial, characterized by shopping and services that generally offer a large concentration and variety of good and services outside of the Central Employment Area; and Local Public Facilities, characterized by land and facilities occupied by District government (excluding parks, recreation centers and open space). Note there are no District of Columbia facilities currently on this property.

The Generalized Land Use Policies Map also designates this rail station area as the Rhode Island Metrorail Development Opportunity Area. Section 1134 of the Comprehensive Plan states, "The objectives for metrorail station area development are to concentrate planning and development attention on metrorail station areas which offer opportunities for redevelopment and new growth, particularly in *those station areas that have large amounts of* vacant or *poorly utilized land*, and to maximize development where possible, *thus promoting increased ridership for the transit system*, assisting the District to perform its critical role as the urban center of the region, *providing a substantially increased amount of housing and jobs*, and generally enhancing the District's economic development efforts (emphasis added)."

As explained in the publication, "Trans-Formation: Recreating Transit-Oriented Neighborhood Centers in Washington, D.C.," transit-oriented neighborhood centers include "Buildings, landscaping, and public spaces all arranged to reinforce and orient activity toward the center and transit." It notes that, "While automobiles move through the center, the emphasis is on pedestrians, bicycles, and transit as preferred modes of travel." The document also identifies six design principles of transit-oriented development (TOD) that "... can be combined to have a greater impact in reinforcing patterns of development friendly to transit and walking to increase neighborhood vitality." The principles include: connectivity; quality public realm; pedestrian-friendly environment; attractive architecture and design; mix (variety and intensity) of uses; and creative parking management.

ZONING REVIEW

The current Industrial (M) zone district allows industrial and commercial uses up to a maximum floor area ratio (FAR) of 6.0, maximum height of 90 feet with no limit on the number of stories or the allowable percentage of lot occupancy. However, Section 820.9 states, "... no new residential building (with some exceptions) shall be permitted in M Districts." According the Applicant's "Statement in Support" dated September 24, 2004 this proposal consists of a mixed-

use residential, office and retail development with a gross floor area of approximately 530,700 square feet. This proposal would achieve a 1.88 FAR (0.42 FAR residential + 0.23 FAR retail/office + 1.0 FAR enclosed garage[1]), rise 4-5 floors and a maximum height of 55 feet, and have a percentage of lot occupancy of 40%.

The proposed development would replace the existing parking area with three levels of rental apartment units above ground floor retail space located on both sides of a new "main street" extending between the Metro rail station and Rhode Island Avenue driveway entrance. Two parking garages for development residents and customers would be accessed directly from Rhode Island Avenue and the existing perimeter road that would remain. Building facades would be primarily of masonry with the Rhode Island Avenue garage frontage designed to look like a storefront although no retail uses are currently proposed at street level. Resident amenities would include an outdoor swimming pool and landscaped common space. The 440 vehicle spaces in the two garages would provide parking ratios of 1:1 for the 272 apartment units, and three spaces per 1,000 square feet for approximately 64,000 square feet of commercial space. The site would also accommodate 17 "Kiss & Ride" spaces and three taxi drop-off spaces for the rail station, and 30 curbside parking spaces along the main street.

The Zoning Regulations permit a PUD in a C-2-B zone district up to 6.0 total FAR, of which no more 2.0 FAR may be non-residential uses, a height of 90 feet with no limit on the number of stories, 15-foot side yard and rear yard setbacks, and a percentage of lot occupancy up to 80%. Section 773.3 of the regulations also requires the provision of recreational space equal to 10% of the total residential square footage.

In light of what is proposed and allowed under the current Zoning Regulations, the Applicant applied for a Planned Unit Development including a Map Amendment to change the existing M zone district to C-2-B zone district. This is a two-stage application, the Applicant explained, because project architectural and site plans were not at the 30% level of completion required for Stage 2 PUD approval when this application filed in September. The strategy is to pursue Stage 1 approval now, allow project architects and engineers to complete final refinement of the plans, and hopefully submit a Stage 2 application shortly after Stage 1 approval. Actually the first construction will be the WMATA garage located outside the PUD boundaries. The transportation authority requires this replacement parking facility to be operational prior to elimination of the existing commuter parking area.

The requested C-2-B zone district is consistent with the referenced Moderate Density commercial land use portion of the mixed-use designation, but is inconsistent with the Local Public Facilities portion. Staff notes, however, that the Comprehensive Plan provides two options for the future utilization of this particular Metro rail station site. The first option in Generalized Land Use Map anticipates continuation of Local Public Facility (District government) uses with the introduction of some shopping and service uses. The other option

[1] Note that Section 402.5 requires that first floor and basement parking areas with more than 50% of the perimeter being enclosed by columns, piers, walls and windows, etc., must be included in floor area ratio calculations. The total proposed gross floor area of both garage within the PUD is approximately 118,000 square feet.

articulated in the Plan document (and referenced above and below) encourages redevelopment of this rail station property to provide a mixture of higher-density residential uses with shopping and service uses in order to take full advantage its proximity to transportation resources. OP therefore thinks this that proposal is not inconsistent with the latter option, and that the requested map amendment would support the goals of the Comprehensive Plan since it allows the appropriate intensity of residential and commercial development.

The relief being requested is essentially to be allowed to provide residential land uses in an area currently zoned for nonresidential uses only. The proposal would only take advantage of a portion of the additional area and bulk allowed under the PUD, while the primary amenities would include the creation of a mixed-use, transit-oriented development, and provision of rental housing and affordable housing opportunities. Other amenities would be related to urban design, architecture, landscaping and open space, employment opportunities (per a proposed incubator space), efficient and economical use of the land, effective and safe vehicular and pedestrian access. There would not appear to be any adverse impacts on its surroundings or public facilities.

The proposal also furthers several Comprehensive Plan themes such as the following Major Themes:

> "103.1 *The expansion of the quality and quantity of employment opportunities* is a central theme of the District elements of the Plan: ...
>
> (b) Land development policies will be focused to create more jobs for District residents; ...
>
> 109.1 An economically strong and viable District of Columbia economy is essential to the economic health and well being of the region:
>
> (b) This effort should be focused on *making the maximum use of the District's location at the center of the region's radial Metrorail and commuter rail systems, freeway and highway networks, communications networks and headquarters functions*."

Economic development themes include the following goal:

> "200.5 The District's overall economic development goals are to generate a high-performance economy, create job opportunities for District residents, expand the revenue base through a strong, growing citizen-business-government partnership, and develop a program that moves from economic development planning through implementation and completion of projects."

Housing themes include following policies:

"303.2 The policies established in support of the low- and moderate-income housing objectives are as follows: ...

(d) *Provide zoning incentives, as appropriate, to developers prepared to build low- and moderate-income housing, such as permitting additional densities in exchange for incorporating low- and moderate-income housing in development projects; tie provision of housing into large-scale commercial developments where zoning benefits are sought; and give zoning preferences to mixed-use sites that include housing near appropriate Metrorail stations*;

Urban design themes support the following:

"712.2 The policies established in support of the areas in need of new and improved character objective are as follows:

(a) *Encourage well-designed developments in areas that are vacant, underused, or deteriorated. These developments should have strong physical identities*;
(b) *Encourage in-fill development of attractive design quality in deteriorated areas to stabilize the physical fabric and to encourage renovation and redevelopment*; ...
(g) *Utilize large-scale development* or capital improvement projects *as opportunities for establishing a positive image* or redirection in deteriorated areas."

Environmental protection policies include the following:

"403.2 The policies established in support of the improving air quality objective are as follows: ...

(c) *Promote land use patterns and transportation services which decrease reliance on automobiles for commuting and other routine trips. (Measures which reduce dependence on automobiles for a significant number of trips are essential to a reduction of regional air pollution. Clustering of residences, shopping, and work places where they can be served efficiently by Metrorail or frequent bus service promotes this essential independence.)*; ..."

Transportation policies in the Plan include:

"502.2 The policies established in support of the general transportation objectives are as follows:

(a) *Support land use arrangements that simplify and economize transportation services, including mixed-use zones that permit the co-development of residential and nonresidential uses to promote higher density residential development at strategic locations, particularly near appropriate Metrorail stations*; ..."

The Land Use Element in Chapter 11 includes the following:

"1100.2 District neighborhoods are the cornerstones of the District's social and physical environments:

(a) Land use policies must ensure that all neighborhoods have adequate access to commercial services within the District and sufficient housing opportunities to accommodate a range of needs. These policies must also ensure that the historic, cultural, and design qualities that make neighborhoods unique and desirable are maintained and enhanced. Adequate recreational opportunities and access to cultural and educational facilities are also necessary ingredients of neighborhood vitality; ...

1100.8 *Development in Metrorail station areas will be undertaken to assure orderly growth, compatible mixes of uses, appropriate densities, good pedestrian and vehicular circulation, and appropriate combinations of public and private action.*"

The Ward 5 Plan predicted under Section 1600.6 that "... *Mixed commercial/residential development will also begin to occur at Rhode Island Metrorail Station, where the Washington Metropolitan Area Transit Authority and the District of Columbia, in consultation with the Ward 5 community, will cooperate in the joint development of their combined properties.*" One of the focuses of Ward 5 planning under Section 1601.1 should be to "*(d) Capitalize on Metrorail station areas as focal points of commercial, retail and community services and activities. ...*"

Section 1604, Ward 5 Economic Development, provides the following:

"1604.1 The ward has great economic development potential in its industrial and commercial areas, particularly along the New York Avenue corridor, North Capitol Street, the Florida Avenue Market area, Bladensburg Road and Benning Road. *The ward's* three (3) *Metrorail stations, Rhode Island Avenue,* Brookland/CUA and Fort Totten, also *provide major development*

opportunities, particularly for mixed commercial/residential development oriented to surrounding communities, as well as to the city. Ward 5 citizens want more than just jobs and new businesses. They seek development that will enhance and expand existing businesses, create new ownership opportunities, increase retail services and opportunities for ward residents, and promote the vitality of ward neighborhoods."

Actions listed in support of economic development under Section 1606.1 include "*(f) Encourage revitalized and expanded commercial centers along the Rhode Island Avenue corridor: (1) The corridor needs a larger and better balance of retail goods and services. ...*"

Section 1630, Ward 5 Actions in Support of Land Use/Zoning, include:

"1630.1 The policies in support of land use/zoning are as follows: ...

(d) *Determine the appropriate mix of uses, scale, density and design of development in the Rhode Island Avenue Metrorail Station area to fully realize the site's potential for development from Metro accessibility, to serve the Ward 5 community and city, and to protect and enhance the surrounding residential areas*:

(1) The Rhode Island Avenue Metrorail Station area is bounded by Brentwood Road on the east, Rhode Island Avenue on the north, W Street on the south and Fourth Street on the west. *The market has yet to facilitate development interest to a significant degree.* The District's land use priorities and budget constraints indicate comprehensive development will likely occur only in the long term; and

(2) Recommended actions:

(A) *Ensure that the Washington Metropolitan Area Transit Authority (WMATA) property proposed for joint development contributes to and is compatible with the existing character of the surrounding neighborhoods*;

(B) *Improve the land use mix and urban design qualities of new development in the Rhode Island Avenue Metrorail Station area through the District's regulatory and development review processes*;

(C) *Coordinate development of both WMATA and District-owned land emphasizing compatible land uses, appropriate zoning densities, site design and layout, traffic control and mitigation measures, and community needs*; and

(D) *Include the Advisory Neighborhood Commission and residents of nearby communities in the review of development projects to assist the District and WMATA in responding to community concerns; ...*"

According to the Statement, this proposal furthers these themes because:

- "... a significant percentage of (anticipated) retail jobs tend to be filled by residents in nearby neighborhoods";
- "This project results from strong and cooperative public-section actions. WMATA is a partner in making this large site in an outstanding location available for development under a long-term lease";
- "The applicants are ... securing bond financing and other financing assistance from the District of Columbia for project financing in general and for low- and moderate-income housing units. ... 20 percent of the dwelling units are affordable housing ...";
- "... the (proposed) housing is near a Metrorail station, ...";
- "... (proposed) town center is designed to create a strong sense of place ... The buildings have traditional design detailing and proportions to human scale. ... This development will help create urban fabric between the Metro station and the surrounding neighborhoods ... in concert with the adjacent large format ('Big Box') shopping center ...";
- "... residents (of the future development) will be able to walk to a variety of stores, convenience services and restaurants, as well as to the Metrorail station and buses. Some retail employees and the office workers will be able to commute to the site by bus or Metrorail. Metrorail passengers will be able to do some of their shopping in conjunction with their work trips, thereby saving a separate automobile trip to shopping elsewhere";
- "The current site is underutilized – devoted only to parking for the ... Metrorail station – and will be put to a more productive mixture of uses. There will be no displacement of existing businesses or residents. The traffic consultant has documented that no adverse traffic or parking effects will occur on surrounding streets"; and
- "The predominant building height is a moderate four stories and will not create any unfavorable relationship of scale to surrounding existing development and the setting adjacent to the Metrorail station."

OP agrees this proposal represents a significant addition of employment and residential opportunities immediately adjacent to an existing Metro rail station. Staff also recognizes that the Applicant has actively participated in (numerous) public meetings with Advisory Neighborhood Commission (ANC) 5B and the single-member district seeking input into project design and composition. The overall development proposal, particularly the elimination and replacement of existing transit parking resources, is also the result of extensive negotiation and coordination between the Applicant, WMATA and the District of Columbia.

Therefore, with regard to the standards for Zoning Commission approval of a PUD, OP's preliminary review indicates that benefits and amenities provided by the overall project (primarily creation of a mixed-use, transit-oriented development, and provision of rental housing and affordable housing opportunities) are significantly greater than the relief being requested (authorization to provide residential land uses in a mixed-use project). Thus, this proposal appears to meet the minimum requirements for approval.

Based on this information, OP concludes this PUD proposal does not appear inconsistent with Comprehensive Plan and supports more specific housing, employment and urban design goals identified in the Comprehensive Plan. Therefore, the Office of Planning recommends the project be scheduled for public hearing noting that the following issues need to be addressed in greater detail:

- Zoning relief: The PUD site area in the Statement of Support (Tabulation of Development Data) reflects a private survey and not D.C. land records. Since no property survey was filed with this application, the Applicant was requested to confirm the zoning relief that would be achieved under a PUD.
- Land use pattern and final design: Over time the Applicant has worked with OP to refine the overall development proposal to address a number of concerns involving project and site design, and traffic circulation. Staff will continue to encourage the Applicant to provide an actual commercial presence along Rhode Island Avenue, and to pursue suggested landscaping and public art improvements along this frontage. OP would also like to ensure that the current design quality is not diminished during further refinement.
- Impacts on public facilities and services: The Applicant has been requested to provide traffic impact and storm water management analysis and documentation to support the claim of no adverse impact on existing pedestrian and vehicular circulation, and storm water run-off that is based on existing conditions (including current traffic counts); and
- Development amenities and benefits: OP will work with the Applicant to refine the proposed package of amenities and benefits, particularly with regard to employment opportunities for local disadvantaged businesses during construction, the proposed business incubator, and effective and safe vehicular and pedestrian access between this site and the Brentwood Shopping Center.

COMMUNITY COMMENT

The Applicant has held a number of preliminary meetings with representatives of Advisory Neighborhood Commissions (ANC) 5B, and single-member district 5B03. The Statement indicates that ANC members "were quite receptive" to the current proposal a recent meeting. ANC Chair indicated no quorum was present and no recommendation was adopted. The single-member district representative indicates that her constituents support the additional retail uses, however:

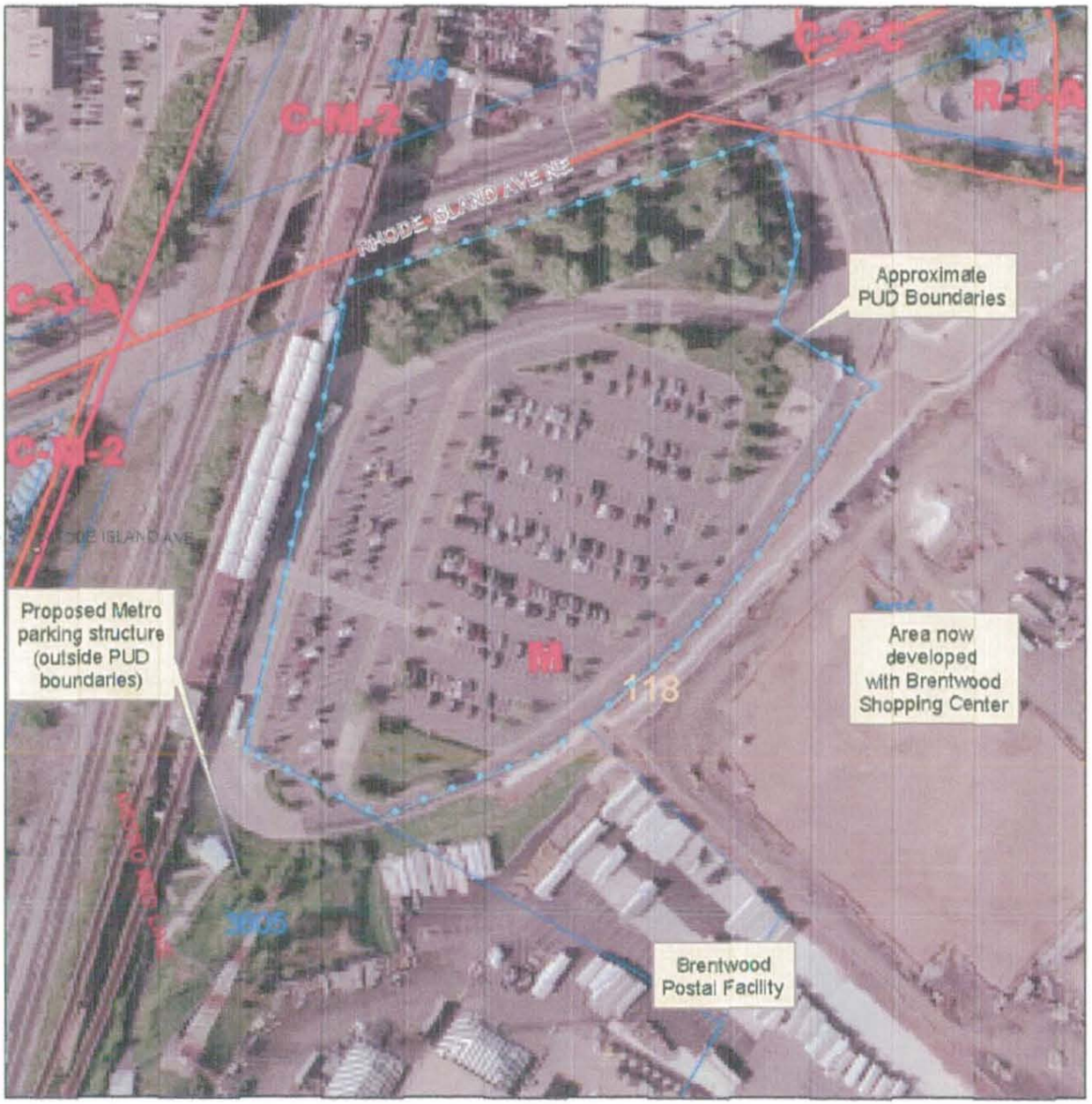
- Concerns was expressed that development of "luxury" apartments will eventually increase the tax burden to a point where residents in surrounding neighborhoods could no longer live in the area; and

- There is also a concern about the impact on on street parking in surrounding residential neighborhoods if the amount of PUD parking, and replacement parking for the Metro rail station, prove to be inadequate.

The Statement indicated that the Applicant "will continue to work with the ANC and residents and community groups in the surrounding neighborhoods to keep the community informed and attempt to secure formal support for the PUD."

Attachments: Exhibit 1 Aerial Map with Zoning
Exhibit 2 Comprehensive Plan Land Use Designations

AFJ/afj



Z.C. Application No. 04-24
Rhode Island Metro Station
Planned Unit Development

Aerial & Zoning

Legend

- Water
- Street Centerlines
- Property Squares
- Metro Development Areas (MDA)

N

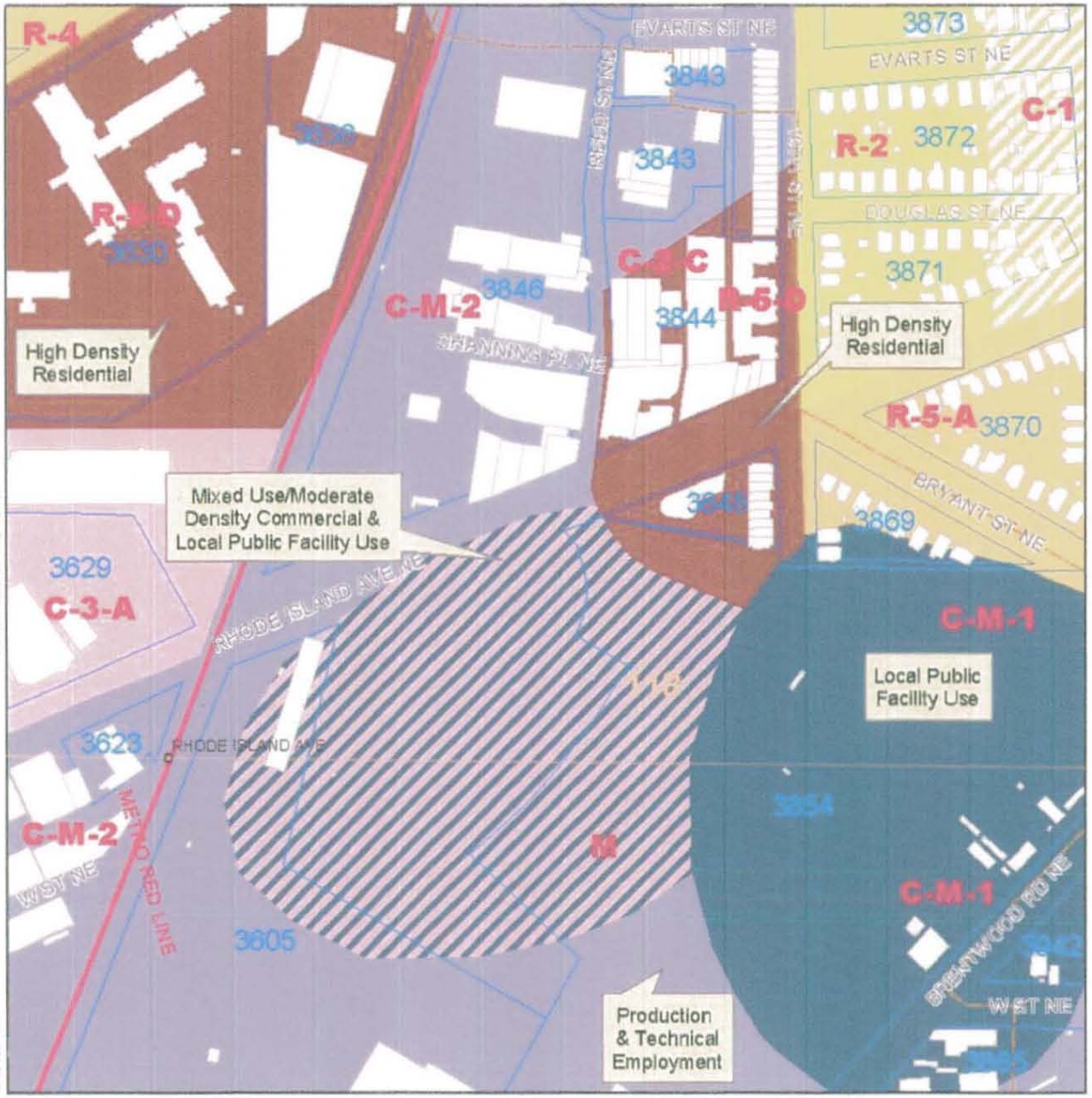
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Anthony A. Williams, Mayor

Office of Planning ~ October 6, 2004

This map was created for planning purposes from a variety of sources. It is neither a survey nor a legal document. Information provided by other agencies should be verified with them where appropriate.

Exhibit 1



Z.C. Application No. 04-24
Rhode Island Metro Station
Planned Unit Development

Buildings & Comprehensive Plan Land Use

Legend

- Water
- Street Centerlines
- Property Squares
- Buildings
- Metro Development Areas (MDA)

N

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Exhibit 2