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GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

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Office of the Director

MEMORANDUM

TO: D. C. Zoning Commission

FROM: Ellen McCarthy
Interim Director

DATE: May 16, 2005

SUBJECT: Final 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 Avenue-Brentwood Metro Rail Station (Parcel 131, Lot 233 and portions of Lots 234 and 235)

APPLICATION

Mid-City Urban LLC and A&R Development Corporation, the applicants, request approval of the first stage of a Planned Unit Development (PUD) on the referenced properties including a related Zoning Map Amendment to change the zoning from Industrial (M) to a Community Business Center (C-2-B) zone district, or a C-2-A zone district in the alternative. The applicants plan to construct a mixed-use residential development including ground floor retail in the commuter parking area of the existing Washington Metropolitan Transit Authority rail station located at 919 Rhode Island Avenue, N.E.

RECOMMENDATION

The Office of Planning (OP) recommends first stage approval of this application. OP notes that that benefits of the project could be strengthened by the applicant:

- Providing a minimum ceiling height of 14 feet clear on ground floors at the main street and Rhode Island Avenue levels of the new construction;
- Replacing proposed community incubator space at the Rhode Island Avenue street level with live-work arrangements with upstairs apartments;
- Providing an arborist assessment and plan to make sure existing street trees along Rhode Island Avenue remain healthy through the planned construction;
- Working with the District Department of Transportation to complete additional off-street analysis recommended by transportation consultants O. R. George & Associates, Inc. in the study dated May 11, 2002 and entitled, "Technical Memorandum: Rhode Island

ZONING COMMISSION
District of Columbia
CASE NO. 04-24
EXHIBIT NO. 21

Metro Phase I PUD & Map Amendment, District of Columbia Zoning Commission, Washington, D.C." prior to application for the PUD Phase II;

- Pursuing short-term shared commuter parking agreements with WMATA and surrounding property owners as recommended in the referenced technical memorandum prior to application for the PUD Phase II; and
- Signing a First Source Agreement with the District of Columbia Department of Employment Services, and a Memorandum of Understanding with the Minority Business Opportunity Commission, and making these documents part of the public record before final action.

As noted in the preliminary report for setdown, OP would also like to ensure that the current design quality is not diminished the submissions for Second Stage approval

AREA DESCRIPTION

According to applicant's survey plat, the subject properties total 8.78 acres (382,400 square feet). This proposal would create two new lots in an area mostly paved with commuter parking spaces, and vehicular access and service lanes, and pedestrian walkways between the station and Rhode Island Avenue. A new 1.44-acre (62,954 square-foot) lot would be created in the southwest corner of the property next to the Brentwood Post Office facility. The proposed mixed-use PUD would be located on the remaining 7.33-acre (319,446 square-foot) lot between the station and Rhode Island Avenue. Also abutting the WMATA property are the Brentwood Shopping Center to the southeast, a BankAmerica branch bank building to the east, and WMATA and CSX Railroad right-of-ways to the west. The rail station property 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 automobile service, 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 1-4 four-story masonry construction.

BACKGROUND

Original Development Proposal

The applicants are the successful respondents to a WMATA request for proposals soliciting joint-development proposals for the station property. Three stipulations of the final development agreement are that: WMATA retains ownership of the development site; the ground lease for proposed development has a 60 years term; residential units can only be rental and not ownership opportunities; and the applicants are responsible for providing a parking facility to replace 340 commuter parking spaces lost to new construction.

Zoning Commission Comments

The Zoning Commission set down this application for public hearing during their regular meeting on November 8, 2004. During their review, Commissioners encouraged the applicants to consider:

- Locating commercial lease space or housing along a portion of Rhode Island A venue, N.W. instead of a "stage set" masking the parking garage;
- Reducing proposed parking ratio consistent with the transit-oriented focus of this development site;
- Why a C-2-B zone district is needed rather than a C-2-A zone district;
- Providing better illustration of the relationship between the proposed mixed-use development, planned Metro garage, the existing rail station and elevated platform;
- The height of the proposed development relative to the elevated Metro rail station platform;
- The timing of planned construction and how construction of the new commuter parking garage would transition to the residential/retail development;
- The impact of the parking garage on the air and light of adjacent apartments; and
- How traffic circulation would function with Metro buses, and commuter, resident and retail customer traffic.

Concern was also expressed that more contextual detail is needed to understand the complex relationships between the proposed construction, existing buildings that surround the site, the Metro rail station, and the abutting Rhode Island Avenue. The applicants were also encouraged to include the Brentwood Civic Association in any public outreach efforts.

Amended Proposal

As explained in the Pre-Hearing Submission dated March 4,2005, and conversations with OP the applicants made the following changes to the initial proposal:

- Two floors of the main street buildings are now proposed for commercial uses in several locations;
- Instead of a "stage set" in front of the parking garage, the Rhode Island Avenue frontage would now "... be mixed use buildings facing the street and backing up to the resident/retail parking garage or residential uses ... on the interior side of the site;"
- Below the apartments, community incubator space is proposed at the street level along Rhode Island Avenue garage frontage with ground floor ceiling heights of 14 feet clear to allow later conversion to retail lease space; and
- Retail space would be located at the eastern end of this Rhode Island Avenue façade.

The Statement explains, "This (Rhode Island Avenue) frontage will be approximately 440 feet in length, and the depth of the community space would be 40 feet. The types of ground floor uses are expected to include businesses such as architecture, IT or realty firms who do not require foot traffic; incubator space (offered) at reduced rents; neighborhood arts organizations; and other

businesses not requiring curb side parking in front of the store of foot traffic." More conventional retail uses would be located at the more eastern (driveway entrance) end of the frontage because "... automobiles traveling east are far enough beyond the underpass at the railroad tracts to see the stores and their signage. The curb cut providing access to the delivery/loading area would be located between the community and retail spaces along the Rhode Island Avenue frontage. Proposed construction on the PUD site would total 585,600 square feet of gross floor area, equally a floor area ratio (FAR) of 1.83.

The major change in response to Commission comments was a reconfiguration of building plans to locate apartment and space for a community incubator space at the street level along Rhode Island Avenue. This redesign increased the capacity of the northern garage and overall commercial gross floor area, however the number of apartments decreased by one unit. The project would provide 106 one-bedroom units, 148 two-bedroom units, and 17-three bedroom units totaling 271 apartments. Twenty-percent of these units would be affordable to low- and moderate-income households, *including units available for family with incomes at 50% of the Metropolitan area median* income.

Capacity of the northern garage increased to 293 spaces from the initially proposed 282 spaces increasing the capacity of both PUD garages to 451 spaces. This still provides a 1:1 ratio of parking for the 271 apartment units. The remaining 180 spaces for approximately 83,300 square feet of retail space represents increased the parking ratio to one space per 463 square feet of gross commercial floor area. The PUD would also provide 15 "Kiss & Ride" spaces (a reduction of 2 spaces) and 5 taxi drop-off spaces for the rail station (an increase to 2 spaces), and 41 parking spaces along the main street (an increase of 11 spaces) fora total of 512 on-site parking spaces.

Plans for the replacement commuter-parking garage remains unchanged. With regard to other Commission comments:

- The applicant plans to provide additional illustrations of the relationship between all the planned and existing buildings, beyond submitted pre-hearing materials.
- Based on the Section E-E on page A2.2 of the submitted plan set entitled "Rhode Island Avenue Metro" dated February 28, 2005, the proposed development would extend above, the canopy of the elevated rail station platform approximately one story, approximately 11 feet.
- The applicant is unable to discuss specifics about how the transition from construction of the commuter parking garage to PUD construction because the general contractor has just been hired. They did stress to OP that WMATA requires garage construction be completed, and the garage operational before any construction is undertaken in the existing parking area.
- Proximity of the parking garage would not affect the air and light of the adjacent apartments because facing apartment walls would not have windows.

- Discussion of traffic impacts is provided under the discussion of benefits and amenities below.

ANALYSIS

OP's review of this proposal considered whether it is generally consistent with the intent of the Zoning Regulations, the District of Columbia Comprehensive Plan and with specific PUD criteria under Section 2043 of the Zoning Regulations.

Current Zoning Status

The current Industrial (M) zone district allows industrial and commercial uses up to a maximum floor area ratio (FAR) of6.0, 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." Therefore, while the proposed height and bulk would fit within this zone district, the desired land use mix is not permitted by right or under a special exception. The C-2-B zone district allows residential uses as a matter-of-right and maximum height of 90 feet. This PUD proposal is also subject to the following zoning provisions:

Standard	C-2-B PUD Requirements	Existing	Development Proposal	Required Relief
Minimum Area for PUD	15,000 s.f.	7.33 acres (319,446 s.f.)[1]	7.33 acres (319,446 s.f.)	No
Floor Area Ratio	6.0 FAR (total) (2.0 commercial max)	N/A	1.37 FAR (total) ($1.11^{2} + 0.26^{3}$)	No
Lot Occupancy	80%	N/A	80%	No
Height	90 feet	N/A	81 feet[6]	No
Side Yard	2 inches/height foot[4]	N/A	15+ feet	No
Rear Yard	15 feet	N/A	15+ feet	No
Parking	1 space/3 dwelling units 1 space/750 s.f.>3,000 s.f.	N/A	271 res. spaces (91), 180 comm. spaces (108)[5]	No

[1] Total area of site including existing parking lot and loop road per submitted PUD plans dated February 28, 2005
[2] Based on proposed gross residential floor area of 354,860 s.f.
[3] Based on proposed 83,800 s.f. of retail space
[4] No side yard required under Section 775.5
[5] Reflects garage parking and does not include 41 undesignated spaces along the main street
[6] Height of the northeast corner of the northern building, taken from the middle of the Rhode Island Avenue frontage
[7] "Rhode Island Avenue Parking Analysis, Draft Technical Memorandum #2, Revised Parking Analysis" by Nelson/Nygaard Consulting Associates dated March 2003

C-2-A versus C-2-B Zone Districts

Based on the submitted bulk and massing plans and discussions with the applicant, the current proposal is not anticipated to require additional zoning relief beyond the requested change to a C-2-B zone district. However, a C-2-B zone district is required to accommodate the effective height of 81 feet in the northeast corner of the northern mixed-use building rather than the alternative C-2-A zone district.

Separate from this PUD, the applicant would construct a three-story 200-space parking garage on the other new WMATA lot allowed as a matter of right in the current M zone district.

PUD Benefits and Amenities to the Public

With reference to the evaluation standards under Section 2403 of the Zoning Regulations:

- The *impact of the project on the surrounding area and upon 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.* Transportation consultants O.R. George & Associates prepared a technical memorandum for the applicants that examined the traffic impacts of the proposed PUD. In the final memorandum dated May 11, 2005, the consultants concluded "the proposed Planned Unit Development and Map Amendment would have no appreciable adverse traffic impacts on the adjacent study area roadway network or adjacent land uses ..."

  The memorandum found "... proposed garage and other on-site parking in the PUD "would be more than adequate" and that reduction of the current amount of commuter parking "to appear to have considerable merit." Reference is made to the draft *"Rhode Island Avenue Parking Analysis Report"* (March-2003) prepared by Nelson-Nygaard Consulting Associates *for* the US EPA and District Office of Planning which found that full replacement of parking is not necessarily required, nor does it need to be at the same station, based on WMATA's Joint Development Policies and Guidelines[7]. However, it also found "... reduced Metro parking would have some adverse vehicular circulation and parking impacts within the immediate area of the station"and suggest mitigating these impacts "through shared parking arrangements with the Metro PUD, the Brentwood Shopping Center and the Rhode Island Avenue Shopping Center" along with appropriate parking enforcement limiting commuter use of surrounding neighborhood streets.

  Off the roadway and within the square, the memorandumalso noted that "the main internal intersection formed by the Metro Entrance, 'Main Street' and Brentwood Shopping Center Entrance, should be further evaluated ... (for) signal warrant analysis, ... (and) operational, capacity and safety issues..." Any recommended remedial measures "... should be based on the consideration that the subject intersection would serve as a 'Gateway' to a major mixed land use complex comprising the Metro station, the Brentwood Shopping Center and the proposed Rhode Island Avenue Metro Development."

With regards to loading and service areas, OP expressed concern to the applicants that the proposed service drive from Rhode Island Avenue to the northern building would likely be assessed by backing in from the roadway. This could cause addition congestion on a very busy street. After conferring with their traffic consultants, the applicants agreed to eliminate this service drive.

The District Department of Transportation (DDOT) has not commented on these findings. However, OP encourages the applicants to pursue shared commuter parking agreements with surrounding property owners, and continue working with DDOT to perform the referenced analysis to establish what other traffic mitigation measure may be needed. These short-term agreements would allow commuters time to gradually adjust to the reduction in on-site commuter parking spaces either by moving to commuter parking facilities outside the area, or taking advantage of transit service to this rail station.

- *The Zoning Commission shall find that the proposed planned unit development is not inconsistent with the Comprehensive Plan and with other adopted public policies and active programs related to the subject site.* 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."

  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. ..."

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*; ..."

The Preliminary Statement stated 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 continues to concur with these assessments.

- *Public benefits are superior features of a proposed planned unit development that benefit the surrounding neighborhood or the public in general to a significantly greater extent than would likely result from development of the site under the matter of right provisions of this title.* The Pre-Hearing Statement states that the public benefits of this PUD would include the creation of a mixed-use town center, the presence of new retail and service establishments that "tend to hire a high proportion of neighborhood residents (compared to office development, for example)", and 271 apartments for low- to moderate-income persons and families. OP requests that the applicant clarify which Department of Housing

and Community Development (HUD) income standards would be applied to prospective tenants of proposed affordable housing units.

- *A project amenity is one type of public benefit, specifically a functional or aesthetic feature of the proposed development, that adds to the attractiveness, convenience or comfort of the project for occupants and immediate neighbors.* The existing parking area would be replaced with a new "main street" bordered by masonry building facades forming a town center next to the rail station. In response to concerns expressed by the Commission, the Rhode Island Avenue frontage was redesigned to replace the false front of the parking garage with active space. The planned retail, residential and community spaces would allow greater potential for the façade to interact and attract passers-by. Note that, while the applicant does not expect the lower level (community space) to be attractive to commercial tenants in the short term, they have been encouraged to provide a ceiling height of 14 feet clear to maintain that flexibility. OP recommends that this minimum ceiling height of 14 feet clear on ground floors at the main street and Rhode Island Avenue levels, be made a condition of the PUD.

- *Public benefits and project amenities of the proposed PUD may be exhibited and documented in any of the following, or additional, categories*:

  (*a*) *Urban design, architecture, landscaping, or creation or preservation of open spaces;* The Pre-Hearing Statement indicates, "The town center is designed to create a strong sense of place generally following 'neo-traditional' or 'New Urbanist' design principals. The buildings have traditional design detailing and proportions and a human scale." The current proposal also continues to reflect discussions with OP over an extended period to create a design with a less suburban character. Key to this character is developing "a new streetwall of residential design," a portion of which would be an active community and (possible) commercial space, thus extending potential active development frontage to the street level.

  This proposal would also provide "ample sidewalks, landscaping and benches" along the main street and Rhode Island Avenue.

  (b) Site planning, and efficient and economical land utilization; The proposed transit-oriented mixed-use town center represents a more efficient and economical utilization of the seven-acre site than the current commuter parking lot. It is consistent with the principals of transit-oriented development.

  (c) Effective and safe vehicular and pedestrian access; transportation management measures, connections to public transit service, and other measures to mitigate adverse traffic impacts; The traffic management study indicates that proposed on-site parking would exceed the minimum required under the Zoning Regulations for

the PUD, with a separate parking structure for the use of Metro rail station commuters. OP has encouraged the applicant to reduce on-site parking consistent with the transit-oriented focus of this development, but was convinced the combination of PUD and metro parking capacity is needed to alleviate community concerns that insufficient parking not lead to overflow of excess demand into surrounding residential neighborhoods.

The applicants surveyed surrounding land uses within 1/2 mile of the site as requested by the Zoning Commission. In a letter to the Zoning Commission dated April5, 2005, the applicant concluded: the immediate area has limited retail, service and entertainment land uses; and site topography and the width of Rhode Island Avenue will make it difficult to the future PUD residents to "... to meet their convenience shopping needs on foot." Since the area "...does not have existing concentrations of retail-service-entertainment uses that locations such as Capitol Hill ...or Adams-Morgan enjoy", prospective PUD residents "... are likely to desire to own an automobile, although a high percentage will commute to work via Metrorail."

Also important to note is that 200 spaces in the WMATA garage and 512 spaces on the PUD site total of 712 parking spaces doubling the amount of currently available on the property.

The Pre-hearing Statement declares, "The curbside spaces plus convenient garage spaces for shopper will accommodate demand, so shopper will have little incentive to undergo the inconvenience of parking some blocks away and walking to the stores." OP has requested DDOT provide a memorandum on this project.

(d) *Employment and training opportunities;* The applicant is negotiating an agreement to participate in the Department of Employment Services' First Source Employment Program. Staff recommends the signed agreement be added to the public record before final action. Staff suggested also entering into an agreement with the Minority Business Opportunity Commission ("MBOC"), and the applicant has agreed to consider such an agreement.

(e) *Housing and affordable housing;* This proposal would provide between 271 residential units in one-, two- and three-bedroom configurations in the immediate proximity of public transportation services, retail and service outlets, and employment opportunities. The opportunities would be provided on where property where no residential uses previously existed.

In addition, 20% or 54 of the proposed 271 apartment units would be affordable to medium to low income families and individuals, including those with incomes at or below 50% of the Washington Metropolitan AMI. Currently, the U.S. Department of Housing and Urban Development (HUD) qualifies as low income family of four

in the DC area (80% AMI as capped by HUD regulations) at $71,440, and very low income (50% AMI as capped by HUD regulations) at $46,650. OP has requested clarification from the applicants about how HUD thresholds would apply to prospective tenants of these affordable units.

The provision of affordable housing is a primary amenity cited by the applicants. Although the provision of home-ownership opportunities would enhance the utility of this amenity, OP agrees that developing transit-oriented development that offers housing opportunities not currently available on-site, include opportunities for low-come families and individuals, is a significant benefit.

(f) *Environmental benefits, such as storm water runoff controls and preservation of open space or trees;* The site is currently entirely paved. Current storm-water management controls would be maintained and enhanced under this proposal. The Pre- hearing Statement notes, "The PUD development will use state-of-the-art storm water run-off controls and will release less water (due in part to landscape replacing pavement) than the present situation."

(g) Uses of special value to the neighborhood or the District of Columbia as a whole; In addition to that mentioned above, the provision of space within the building for community activities.

(h) Other public benefits and project amenities and other ways in which the proposed planned unit development substantially advances the major themes and other policies and objectives of any of the elements of the Comprehensive Plan. The applicant originally proposed allocating space along the Rhode Island Avenue frontage of the building for a community incubator or other community activities. OP is concerned about how this space would be utilized, and asked the applicants to instead consider live-work arrangements in this area as part of Phase 2. The applicant agreed to consider this proposal.

In summary, staff finds that the relative value of the project amenities and public benefits offered is greater than the degree of development incentives requested or anticipated impact of granting the requested relief to provide one of the referenced benefits (residential land uses).

COMMUNITY COMMENT

The Applicant has held a number of meetings with representatives of Advisory Neighborhood Commissions (ANC) 5B, 5C, single-member district 5B03 (wherein the subject rail station is located), and the Brentwood Civic Association. The Statement continues to indicate that ANC members "were quite receptive" to the current proposal at a recent meeting. Previously, Regina James, ANC 5B03 single district representative indicates that her constituents support the additional retail uses, however:

- Concerns were 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 proves to be inadequate.

However, in more recent correspondence dated April 17, 2005, Ms. James indicated "... her primary concern is regarding the 200-car parking garage for WMATA... (that it) is insufficient to meet the high demands of commuters. In conclusion, the representative asks WMATA to consider increasing garage capacity from 200 to 400 parking spaces.

AGENCY COMMENTS

Copies of this proposal were distributed to the District of Columbia Metropolitan Police Department, Fire Department, Department of Housing and Community Development, and DDOT.

To date no agency comments have been received.

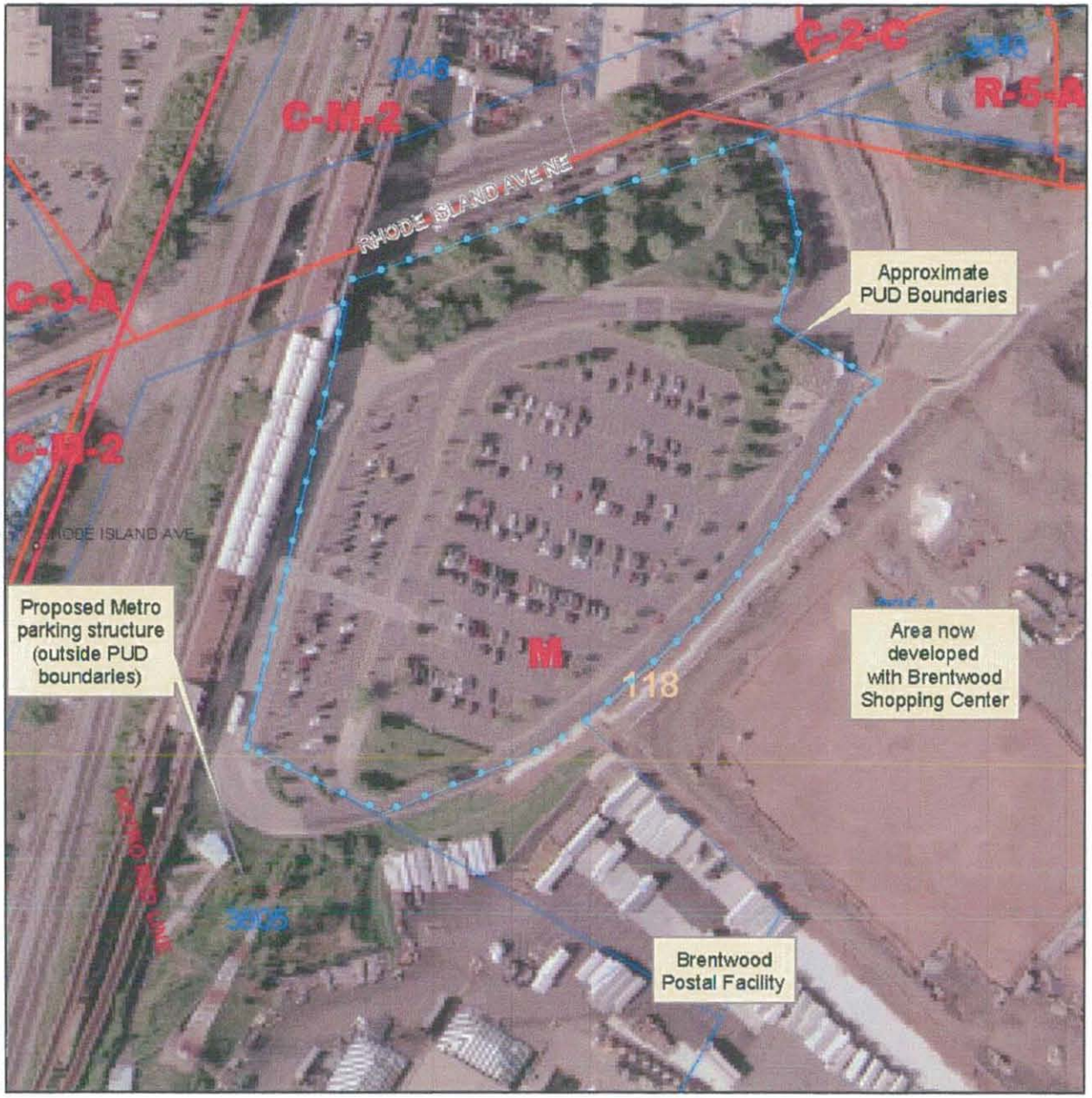
RECOMMENDATION

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- Replacing proposed community incubator space at the Rhode Island Avenue street level with live-work arrangements with upstairs apartments;
- Providing an arborist assessment and plan to make sure existing street trees along Rhode Island Avenue remain healthy through the planned construction;
- Working with the District Department of Transportation to complete additional off-street analysis recommended by transportation consultants O. R. George & Associates, Inc. in the study dated May 11, 2002 and entitled, "Technical Memorandum: Rhode Island Metro Phase I PUD & Map Amendment, District of Columbia Zoning Commission, Washington, D.C." prior to application for the PUD Phase 2;
- Pursuing short-term shared commuter parking agreements with WMATA and surrounding property owners as recommended in the referenced technical memorandum prior to application for the PUD Phase 2; and
- Signing a First Source Agreement with the District of Columbia Department of Employment Services, and a Memorandum of Understanding with the Minority Business Opportunity Commission, and making these documents part of the public record before final action.

Attachments: Exhibit 1 Aerial Map with Zoning
Exhibit 2 Comprehensive Plan Land Use Designations
Exhibit 3 Conclusions from "Technical Memorandum: Rhode Island Metro Phase I PUD & Map Amendment, District of Columbia Zoning Commission, Washington, D.C." prepared by O.R. George & Associates, Inc. dated May 11, 2005

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

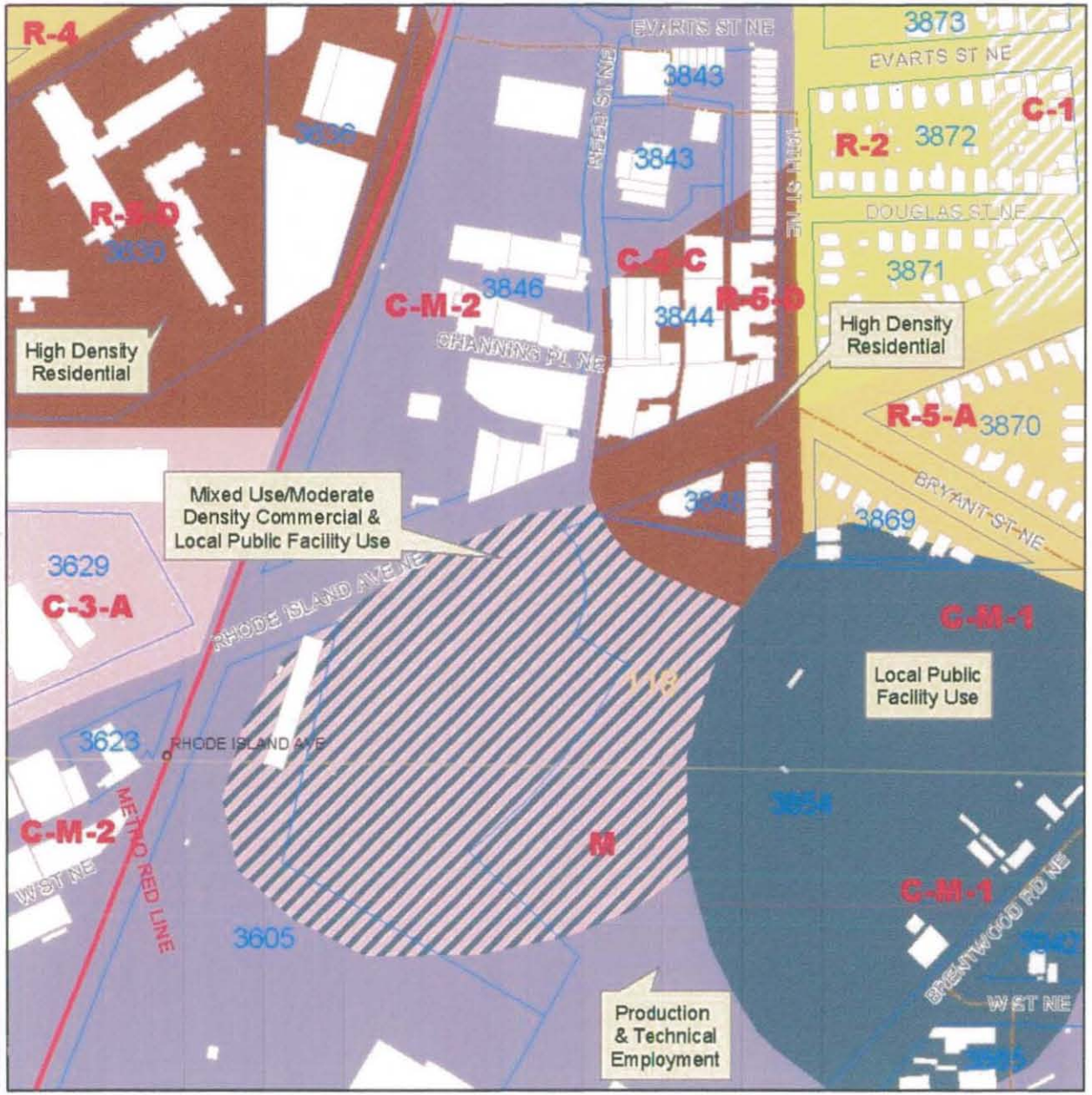
100 50 0 100 Feet

Government of the District of Columbia
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

200 100 0 200 Feet

Government of the District of Columbia
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 2

TECHNICAL MEMORANDUM:

RHODE ISLAND AVENUE METRO PHASE I PUD & MAP AMENDMENT, DISTRICT OF COLUMBIA ZONING COMMISSION, WASHINGTON D. C.

(Case No. 04-24)

Prepared for:

A & R Development Corporation
514 10th Street, NW, Suite 600
Washington DC 20004
- Cheryl Parker Hamilton, Director

Correspondents:

ARNOLD & PORTER
555 Twelfth Street, NW
Washington, DC 20004
- Cynthia A. Giordano, Esquire

Prepared by:

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Transportation Planning & Engineering Consultants
10210 Greenbelt Road, Suite 310
Lanham, MD 20706
Tel: (301) 794-7700

May 11, 2005

TABLE 3

SUMMARY CAPACITY ANALYSIS RESULTS – PROJECTED YEAR 2007 TRAFFIC SITUATION

Intersection	AM Peak Hour		PM Peak Hour	
	Level of Service	Average Control Delay (Sec./Veh.)	Level of Service	Average Control Delay (Sec./Veh.)
1) Rhode Island Avenue @ Reed Street/Metro Entrance, N. E. *	C	24.2	D	47.2
2) Brentwood Road @ W Street/Shopping Ctr. Entrance, N.E.*	D	35.1	C	27.2
3) Brentwood Road @ Shopping Ctr. Secondary Entrance **	D	27.1	D	27.6

* Signalized intersection. Highway Capacity Manual (HCM) procedures applied.

** Unsignalized intersection. Highway Capacity Manual (HCM) procedures applied. Indicates Average Control Delay for the worst intersection approach.

Source: O. R. George & Associates.

3.4 Parking and Loading

3.4.1 Parking

The proposed PUD would include a total of 512 parking spaces. Fifteen (15) of those spaces would serve Metro kiss & ride patrons and five (5) would be used for taxi drop-offs. The breakdown of the remaining four hundred ninety-two (492) spaces, by proposed land use designation, is presented in Table 4. This table also presents the requirements of the District of Columbia Municipal Regulations (DCMR) Title 11 – Zoning, to facilitate comparison.

TABLE 4

REQUIRED VS. PROPOSED PARKING - RHODE ISLAND AVENUE METRO STAGE I PUD

Category	Required Parking*	Proposed Parking
• 271 Apartments	90	271**
• 70,000 GSF Retail Space	89	221***
TOTAL	179	492

* As per DCMR - Title 11 (Zoning), with respect to the C-2-B Zoning District.

** Based on a 1 : 1 ratio.

*** Consists of 180 retail garage spaces and 41 on-street spaces.

Source: DCMR - Title 11 (Zoning), Lessard Group and O. R. George & Associates.

Forty-one (41) of the four hundred ninety-two (492) spaces would be provided on-street. The remaining spaces would be distributed between two (2) garages. It is envisaged that the on-street spaces would be metered to produce high turnover rates by patrons of the proposed retail uses, and minimize usage by Metro commuters. In addition, the following should be noted:

a) The proposed development would be situated immediately adjacent to the Rhode Island Avenue Station rail and bus transit services. This proximity would significantly reduce the demand for the proposed on-street/retail parking. It is noted that Section 2104 of the DCMR - Title 11 (Zoning) provides for a parking reduction of up to 25%, for non-residential uses located within an 800-foot radius of a Metrorail station.

b) The proximity of the adjacent shopping centers and other significant uses would generate considerable multi-purpose trips, which could have a positive effect on the demand for the proposed retail parking.

c) The City has recently conducted a Traffic and Parking Study for the Eckington North – Rhode Island Avenue sub-area. This study included the segment of Rhode Island Avenue situated between the Metro Station Entranceway/Reed Street, N. E. and 4th Street, N. E. A key recommendation of the study is the provision of metered off-peak on-street parking along that roadway segment to serve the abutting land uses.

Based on the above, it can be concluded that the parking, proposed for the planned residential and retail uses, would be quite adequate. It is noted that the number of Metro long-term and kiss & ride parking spaces would be reduced from three hundred forty (340) to two hundred (200), and from forty-seven (47) to fifteen (15), respectively. This is based on the requirements of the Transit Oriented Development (TOD) policies of the City, which require that parking spaces at Metrorail Stations be minimized to encourage/increase transit usage.

The provision of reduced long-term and kiss-and-ride/short-term parking, as described above, appears to have considerable merit based on the following:

a) WMATA has a total of forty-one (41) Metrorail Stations within the City. Only nine (9) or 22% of those stations provide commuter long-term and/or kiss-and-ride/short-term parking of parking. (See Appendix C.)

b) The Rhode Island Avenue Station is provided with 340 commuter/long-term and 40 kiss-and-ride/short-term parking spaces. This is based on the fact that the station was initially the eastern terminus of a five-station Red Line System within the City's core. The Red Line has now been extended northward to include seven (7) additional stations. One of these stations (Fort Totten) is also on the Metro Green Line, for which the Greenbelt Station is the eastern terminus.

c) Parking usage surveys, conducted as part of this study, indicate that the short-term and long-term parking areas operate at capacity generally between 7:00 AM and 4:00 PM on weekdays. It was also determined that only 170± (or 51.0%) of the parked vehicles are registered in the District of Columbia.

d) It is also noted that there is excess capacity at several stations within the general catchment area of the Rhode Island Avenue Station. These include Fort Totten, Forest Glen and Glenmont (on the Red line), and West Hyattsville, Prince George's Plaza and Greenbelt (on the Green Line). This excess capacity would be available to reduce potential overflow parking impacts on the adjacent roadways and land uses.

Regardless of item (d), the reduced Metro parking would have some adverse vehicular circulation and parking impacts within the immediate area of the station. These effects could be mitigated through shared parking arrangements with the Metro PUD, the Brentwood Shopping Center and the Rhode Island Avenue Shopping Center. In addition, on-street parking on the neighboring streets would need to be regulated appropriately and enforced rigidly to minimize usage by commuters accessing the Metro station.

The above considerations are consistent with the "*Rhode Island Avenue Parking Analysis Report*" (March 2003)[2] prepared by Nelson-Nygaard Consulting Associates for the US EPA and D.C. Office of Planning. This document also notes that the full replacement of parking is not necessarily required, or does it need to be at the same station, based on WMATA's Joint Development Policies and Guidelines[3]. This is in keeping with the City's Transit Oriented Development (TOD) policies

3.4.2 *Loading Considerations*

With regard to loading, the PUD Conceptual Plan calls for the provision of the following:

1) A 15' x 55' loading berth along the south side of Building No. 1. This facility would accommodate a single truck-trailer, and would be accessed off the loop/perimeter road.

2) A 25' x 55' loading berth within Building No. 2. This facility would accommodate two (2) tractor-trailers and would be accessed off the Main Street.

These loading facilities would be in accordance with the requirements of the DCMR. It is projected that major deliveries utilizing tractor-trailers would be extremely rare; and would be scheduled during off-peak daytime and nighttime periods, as well as on weekends. The physical and operational provisions for the loading facilities should be quite adequate, and should not adversely impact the users of the proposed development and the Metro Station.

4.0 CONCLUSION

This study has demonstrated that the Rhode Island Avenue Metro Stage I Planned Unit Development and Map Amendment would have no appreciable adverse traffic impacts on the adjacent study area roadway network and land uses. However, the main internal intersection formed by the Metro Entrance, "Main Street" and Brentwood Shopping Center Entrance, should be further evaluated. This study should include a signal warrant analysis, determine operational,

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[2] "Rhode Island Avenue Parking Analysis, Draft Technical memorandum #2, Revised Parking Analysis," US EPA and D.C. Office of Planning, March 2003.
[3] "WMATA Joint Development Policies and Guidelines," WMATA, Revised February 21, 2002.

capacity and safety issues; and recommend appropriate remedial measures. These measures should be based on the consideration that the subject intersection would serve as a "Gateway" to a major mixed land use complex comprising the Metro station, the Brentwood Shopping Center and the proposed Rhode Island Avenue Metro Development.

The proposed site access, parking and loading provisions would also be adequate, from an operational and safety perspective. Based on the above considerations, it is concluded that the proposed application would satisfy the City's requirements for adequate public facilities and would not be "objectionable" either from the perspective of potential traffic and parking impacts, or the health, safety and general welfare of the users of the existing and proposed land uses.

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