

GOVERNMENT OF THE DISTRICT OF COLUMBIA

OFFICE OF PLANNING



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Office of the Director

TO: District of Columbia Zoning Commission

FROM: Jennifer Steingasser, *JS*
Deputy Director for Development Review and Historic Preservation

SUBJECT: ZC Application No. 04-24A^B - Request for Approval of a Minor Modification to the Rhode Island Avenue Metro PUD Order

DATE: May 9, 2008

The Office of Planning (OP) has reviewed the applicant's request for a Minor Modification to the PUD Order, specifically to Decision Condition No. 3 that states, "The project will consist of approximately 270 rental apartments totaling approximately 322,000 square feet of gross floor area; **70,000 square feet of retail uses**; additional ground floor uses for community businesses; and approximately 531 garage and on-street parking spaces."

In discussions with OP, the applicant clarified this request is for the flexibility for up to 20%, or 14,000 square feet of the 70,000 square feet of gross floor area allocated for retail uses under the PUD order to also be available for office uses. OP understands this modification is necessitated by:

- the pending financial closing for this project scheduled for July 2008;
- a requirement that the applicant secure Letters of Intent from commercial tenants to lease approximately 15-30% of the proposed commercial space prior to the financial closing;
- the fact many retail tenants in the current market for retail lease space are deciding not to enter into lease agreements prior to the lease space becoming available for occupancy; and
- efforts underway on behalf of this project to secure a lease agreement with the District of Columbia, with the intent of locating a Department of Motor Vehicle, Tax Payer Service, or a similarly appropriate office/service use on the project site, in order to satisfy the referenced requirement.

OP expressed concern that the proposed modification neither abrogate the positive amenities and benefits associated with this development nor upset the delicate balance achieved in the anticipated transportation impacts. In response, the applicant provided the following clarifications:

- The proposed office uses will be consistent with and complimentary to the vision for the Rhode Island Avenue Metro development as approved under PUD Order No. 02-24A such that:

ZONING COMMISSION
District of Columbia

CASE NO.

04-24A^B

- The proposed uses would be consistent with Class A office uses elsewhere in the District of Columbia; and
- The office uses would be customer-service oriented, that is offering services to the general public.
- The proposed office space would not be inconsistent with design standards and plans approved under the PUD, and include the following characteristics:
 - Active storefront windows that would contribute to the lively pedestrian environment envisioned for the development; and
 - No physical alterations to the approved site plan and/or the approved traffic circulation patterns.

Based on OP's review of the applicant's submission and these assurance, it is OP's opinion that the requested minor modification would not otherwise diminish the benefits and amenities associated with the original PUD approval, and that the requested flexibility would enable this project to move forward to completion at the earliest possible date.

The Office of Planning therefore recommends Zoning Commission approve the applicant's request while continuing to encourage the applicant to limit the amount of linear street frontage that will be occupied by any office uses.

JS/afj