

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

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Office of the Director

ZONING COMMISSION
District of Columbia

MEMORANDUM

CASE NO. 05-23

TO: D.C. Zoning Commission

EXHIBIT NO. 20

FROM: *JLS:dv*
Ellen McCarthy, Director

SUBJECT: Final Report – Zoning Commission Case No. 05- 23, Square 3576, Lot 815
A Proposed Consolidated Planned Unit Development (PUD) With Related Map
Amendment at Eckington Place and Harry Thomas Way, N.E.

DATE: July 3, 2006

I. OFFICE OF PLANNING SUMMARY RECOMMENDATION

The Office of Planning (OP) recommends the Zoning Commission (the Commission) approve the application for this PUD and related map amendment, with the conditions noted in the final section of this report. In OP's opinion, development of housing and retail on this site, where it is not currently permitted, is a sound planning objective.

Subject to the District Department of Transportation's findings on the project's traffic impacts, the applicant has responded satisfactorily to and/or resolved all of the concerns raised by the Commission or OP at the setdown hearing. The applicant has also received the unanimous support of ANC 5C.

The project's layout would enable it to become an extension of the Eckington neighborhood, while its scale would enable it to act as a transition buffer between that neighborhood and the light-industrial and commercial uses to the south. The project would provide retail space to an underserved neighborhood. The amenities package offers 8% of the total residential gsf as affordable housing for 20 years, and financial and physical elements totaling \$155,000, including a contribution for the construction of a connection to the Metropolitan Branch Trail.

Several factors indicate that an industrial land use designation may no longer be appropriate for this site, including many of the existing Comprehensive Plan policies, the recently completed Industrial Land Use Study (ILU) (see Attachment 3), the District's Transit Oriented Development Objectives, and the completion of the New York Avenue Metro Station.

II. BRIEF OVERVIEW AND BACKGROUND

The applicant – CSX Realty Development Corporation and FF Realty, LLC -- is requesting approval of a consolidated Planned Unit Development (PUD) and related zoning map

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amendment for a 4.3 acre site at Eckington Place and Harry Thomas Way, N.E. The applicant is proposing a medium-high density, primarily residential, project with some retail uses. The site is a vacant parcel near the intersection of Florida and New York Avenues, N.E., in the Eckington neighborhood of northeast Washington. It is approximately 1/4 mile from the New York Avenue Metro.



Illustration 1. Site Plan

Although with some refinements, the current site plan and principal elements of the architectural design of this project, as well as the project program's overall square footage and mix of uses are essentially the same as those included with the applicant's Supplemental Filing dated December 20, 2005.

The applicant proposes 738,702 gsf of residential space and 15,084 gsf of retail space. The 753,786 gsf development would contain 625-675 residential units and 750-796 parking spaces, 46 of which would be for the retail space. To achieve this, the applicant has requested consolidated PUD approval and rezoning from M to C-3-C, a request that is not inconsistent with OP's Industrial Land Use Study. (See Attachment 4).

Table 2: Development Summary

RESIDENTIAL GROSS SF.	738,702 sf
RETAIL GROSS SF.	15,084 sf
TOTAL RESIDENTIAL UNIT	625-675 UNITS
TOTAL RETAIL PARKING	46 CARS
TOTAL RESIDENTIAL PARKING	782 CARS (approximately)
LOT COVERAGE	89,147 sf
% LOT OCCUPANCY	47.4%
SITE AREA	187,958 sf
FAR	4.01

The units will include studios, one and two bedrooms, and one and two bedrooms with dens. Eight percent (8%) of the residential GSF – approximately 59,096 gsf or 60 units – would be reserved for 20 years as workforce housing aimed at households making 80% of the Area Median Income.

The application requests the Commission approve the following:

- A consolidated PUD (11 DCMR, Section 2406.11);
- A Related zoning map amendment from M to C-3-C for all of Square 3576, Lot 815;
- Relief from the multiple roof structure limitations of Section 411.3;
- Relief from the retail loading requirements of Section 2201.1;
- Relief from the residential recreation space requirements of Section 773.3.

In this report, issues that require additional information or action are *in italics*.

III. SITE AND AREA DESCRIPTION (Attachment 1)

The site is located between the Eckington residential neighborhood of northeast Washington and the northern reach of the central business district. It is approximately 4.3 acres of cleared and vacant formerly industrially used land. The site is part of a 33 acre tract that was given Large Tract Review approval fifteen years ago as a planned warehouse/distribution and flex/tech office space business park. The tract is known as the Capital Commerce Center (CCC). Approximately 1/3 of the land has been developed. The CCC land that has not been developed remains under the ownership of CSX Realty Development Corporation. FF Realty, LLC has a contract of purchase for the site.

The CCC contains the main FedEx distribution center for the Washington area, and a regional office building for State Farm Insurance. Also within the CCC, Pepco is constructing a substation on the south and east side of Harry Thomas Way, adjacent to the FedEx building. The substation will occupy approximately two acres, and Pepco will lease or sell approximately 4 acres just north of the substation. Outside the CCC boundaries, the Washington (Wholesale) Flower Center is adjacent to the applicant's site, to the north. The CCC is directly north and across New York Avenue from the redeveloping mixed use area between K Street and New York Avenue, east of North Capitol Streets and west of about 3rd Street, N.E. The site is a ten minute walk (0.25 mile) from the Metro entrance via the Metropolitan Branch Trail, and a fifteen minute walk (0.31 mile) via regular sidewalks.

The Eckington area to the north and west is a stable residential neighborhood of rowhouses and small apartment buildings. There has been substantial investment in renovating these residences since the opening of the Metro station. There has also been some new residential construction. The Eckington area to the northeast, between 4th Street and the rail tracks, is a mix of residential, storage, and light-industrial uses.

All of the area near the New York Avenue metro station is undergoing transition. The following table lists recent and planned development in the sub-area nearest the applicant's site.

Table 1: Larger existing/planned developments within ¼ mile of New York Avenue Metro

DEVELOPMENT OR PROJECT	COMPLETED (C), UNDER CONST. (UC), PLANNED (P),	RESIDENTIAL SQUARE FEET &/OR (APPROX. NUMBER OF UNITS)	COMMERCIAL SQUARE FOOTAGE	TYPE
175 R Street	C	--	131,905	Warehouse renovation
XM Satellite Radio	C		N/a	Office @ Florida Avenue & Eckington Placc
Enron / XM	C		62,000	XM expansion
Pepco Substation	UC		n/a	Industrial
Capitol Overlook	C	12,000 (6)		Duplex townhouses on R Street
Washington Gateway	P (Awaiting PUD Setdown hearing)	225,138 gsf (218-250 units)	561,136 sf office; 100,874 sf hotel	Office, residential hotel in triangle formed by NY/FL Aves. & rail tracks
GSA Federal Offices	UC		438,000	ATFE HQ
The Eckington	P		165,000 (incl. 17,00 retail)	Hotel to east of ATF

IV. ZONING AND HISTORIC PRESERVATION CONTEXT (Attachment 1)

The site, the entire Capital Commerce Center, and immediately surrounding properties north of New York Avenue are zoned M, industrial. North of these industrially zoned areas, the Eckington neighborhood is zoned R-4. South of New York Avenue, the land is zoned C-3-C. All of the C-3-C Squares except that bounded by New York Avenue, Florida Avenue and the railroad tracks, are also in Transferable Development Rights receiving zones.

There are no nearby historic districts.

V. DETAILED PROJECT DESCRIPTION

The following table summarizes the quantitative aspects, and zoning flexibility requests of the application. These aspects are compared with what would be permitted under the existing zoning as a matter of right, and with what would be permitted under C-3-C zoning as a matter of right.

Table 3: TABULATION OF DEVELOPMENT DATA (Lot Area:187,958 square feet)

	M Zoning	C-3-C Zoning	C-3-C PUD	<u>Project Design</u>
Gross Square Feet (GSF) By Use Type and Total & Number of Dwelling Units	1,127,748 Industrial/Commercial only ¹	1,221,727 Residential or Commercial	1,503,664 Residential or Commercial	-738,702 gsf residential (625-675 units); - 15,084 sf. of retail; TOTAL -753,786 sf
Floor Area Ratio (FAR)	6.0 (commercial only)	6.5 residential or non-residential	8.0 residential or non-residential	4.01
Building Height	90 feet	90 feet	130 feet	Varies-max. of 110'
Lot Occupancy (for res. uses)	N/A	100%	100%	47.43% (includes proposed streets)
Roof Structures	Single per level	Single per level	Single per level	More than one roof structure on a level – <u>Applicant requests flexibility</u>
Parking (Residential Use)	N/A	1 for each 4 dwelling units <u>160 spaces</u>	1 for each 4 dwelling units <u>160 spaces</u>	700 - 750 spaces for Residents and Guests
Parking (Retail Use)	>3,000 sf, 1 space for each additional 300 sf GFA	>3,000 sf, 1 space for each additional 750 sf GFA	>3,000 sf, 1 space for each additional 750 sf GFA <u>16 spaces</u>	Approx. 46 spaces for retail uses.
Loading Berths (Retail Use)	1 loading berth at 30 feet deep, and 1 loading platform at 100 square feet	1 loading berth @ 30', 1 loading platform @ 100 sf, 1 delivery /service space at 20'	1 loading berth @ 30', 1 loading platform @ 100 sf, 1 delivery /service space at 20'	Loading from Street – <u>Applicant Requests Flexibility</u>
	M Zoning	C-3-C Zoning	C-3-C PUD	<u>Project Design</u>
Loading Berths (Residential Use)	N/A	1 loading berth @ 55', 1 loading platform @ 200 sf, 1 delivery/service space @ 20'	1 loading berth @ 55', 1 loading platform @ 200 sf, 1 delivery/service space @ 20'	Non-townhouse building satisfy C-3-C loading. Townhouse building provides private alley for loading.
Residential Recreation Space	N/A	10% of residential GFA (72,430 SF)	10% of residential GFA (72,430 SF)	8%, or 61,483 gsf (112,446 indoors; 49,037 outdoors)- <u>Applicant Requests Flexibility</u>

¹ Entire 33 acre Capital Commerce Center, of which site is part, limited to approximately 835,000 gsf of development under Large Tract Review

SITE PLAN AND USES: The site plan includes the construction and public dedication of a new two-block extension of Q Street as a 60-foot wide street, as well as a ½ block long private north-south lane and an L-shaped service road on the north side of the new Q Street.

Q Street will be constructed to public standards, capable of supporting substantial street trees, and capable of being accepted into the public street system. The applicant intends to contribute funds to help Q Street continue as a pedestrian and bicycle way connecting to the New York Avenue Metro station via the Metropolitan Branch Trail. The proposed path would be constructed between Harry Thomas Way and the planned Metropolitan Branch Trail (MBT) which will continue adjacent to the rail tracks between New York Avenue and R Street. This connection has been required as part of a separate Large Tract Review Agreement for the land on the east side of Harry Thomas Way.

The site plan (see Illustration 1 and Attachment 4) would create essentially four development parcels on the 4.3 acres. The project would have a FAR of 4.0 and a lot occupancy of 47.4%, inclusive of all land presently under contract, including that to be dedicated to public streets.

- The northwest parcel, closest to most of the existing Eckington residential neighborhood, would contain approximately 20 townhouses and duplexes (39 residential units) facing Q Street and Eckington Place.
- The northeast area would contain a high-rise residential building of essentially 11 stories fronting on Harry Thomas Way, with two 9 story wings and a large lawn on the north side of Q Street. There would be a small public seating area between the lawn area and the Q Street sidewalk.
- There would be two generally U-shaped residential buildings on the south side of Q Street. The western building would have a nine story east-west block closer to Harry Thomas Way, with seven story wings projecting to Q Street on the eastern and western ends. The step-down from 9 stories to 7 stories would continue along all of Eckington Place, Q Street and the private lane. There would be a U-shaped driveway/drop-off entry from Q Street. There would be 15,000 square feet of retail space on the ground floor, fronting primarily on Eckington Place.
- The eastern buildings would have a similar lay-out, but the principal block would be 11 stories, and the 9 story wing would be at Harry Thomas Way and the private lane.

The buildings on the south side of Q Street will have front lawns, framed by the building wings, with a U-shaped drop-off. OP has strongly encouraged the applicant to provide a defining wall that will separate public from private space and give a greater sense of streetscape continuity on the south side. The high-rise building on the north side of Q Street will also have a generous lawn, devoted primarily to private recreation space. There will also be a small public sitting area with benches adjacent to the Q Street sidewalk. This will be privately maintained.

The tallest portions of the buildings, ranging from 9 to 11 stories, are placed as far away from Q Street as possible, in order to establish a lower-scale pedestrian environment on Q Street, and to allow the street to be as light-filled as possible. The townhouse duplexes on the north side of Q Street, near Eckington Place, and the two-story bases of the high-rise on the south side of Q Street will establish a transitional scale to the rowhouses west of Eckington Place. Most of the facades will be designed with townhouse-type bases with entries from the street and, for the high-rise buildings, from the main lobby.

Parking for the duplexes would be within private garages, with guest parking stacked behind the garages.

Parking for all mid and high-rise buildings would be underground. For buildings on the south side of Q Street, parking would be entered from the north-south lane. Parking for the third high-rise building would be entered from Harry Thomas Way, at the northernmost extent of the site.

Loading areas would be at-grade, adjacent to the parking garage entrances.

The roofs of the high-rise buildings would have swimming pools and would be “green”, although not LEED-certified.

ARCHITECTURE: The architecture is, first and foremost, urban. It strives to create the impression that the project consists of several separate buildings that were designed and constructed over time. The seven and nine story facades reflect the solid/void relationships of nearby industrial and commercial buildings, as well as some of the existing structures’ design details. The townhouses echo the rhythms of nearby 19th and early 20th century townhouses on Q and R Streets, while their scale and some design details also reflect recently constructed duplex units in the 300 block of R Street. The extensive use of red brick ties the project in with both the residential neighborhood and with the Capital Commerce Center. OP is supportive of the overall project massing and design.

VI. PUBLIC BENEFITS AND PROJECT AMENITIES

Public benefits are defined in Section 2403.5 as “superior features...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...matter or right...” Amenities are defined in Section 2403.7 as including “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 following is, according to the applicant, the list of public benefits and amenities to be provided.

- o Construction of a critical mass of new housing to help stabilize the Eckington neighborhood and to generate new demand for retail services in the neighborhood;
- o Construction of a very substantial amount of workforce housing (8% of total residential GSF);

- Provision of 15,000 gsf of retail space supporting both the residential neighborhood and nearby commercial development;
- Provision of 1,200 sf of community meeting / community office space along Harry Thomas Way;
- Construction of a new public street (Q Street) (estimate of cost not provided);
- Provision of space and street furnishings on and adjacent to Q Street that will help activate street life;
- Contributions for a community benefits/amenities package totaling \$155,000:
 - Provision of easier access for Eckington to the New York Avenue Metro station via a pedestrian/bicycle connection to the Metropolitan Branch Trail. This has been estimated by DDOT to cost \$55,000. The applicant is committed to paying for this;
 - Contribution of \$15,000 for community identification signage for the Eckington neighborhood; (The recipient organization has not been identified);
 - Contribution of \$20,000 to the charitable McKinley Tech Fund;
 - Contribution of \$10,000 to the Harry Thomas Recreation Center for the purchase and installation of a new scoreboard;
 - Contribution of \$15,000 to Emery Elementary School Student Account Fund for the purchase of new books, A/V equipment, stage draperies, and supplies for the community garden;
 - Contribution of \$5,000 to the City Year-Young Hero's Program for the participation of Emery's sixth grade students;
 - Contribution of \$30,000 to ANC 5C to establish a seed fund for a BID along North Capitol Street along New York and Florida Avenue;
 - Contribution of \$5,000 to the ANC 5C05 single member district for community improvements projects. (The project and method of administration have not been specified).
- Establishment of a higher density residential buffer zone between the light industrial and commercial uses to the south and east, and the residential uses to the north and west;
- Environmental remediation through the removal of soils contaminated during the site's former industrial uses;
- Reservation of space for flex-car/zip-car type uses;
- Provision of residential parking at a greater than 1 space: 1 unit ratio.

OP agrees that most of these would be significant public benefits, and acknowledges that the provision of one parking space for each unit will alleviate community concerns about possible loss of parking spaces in a neighborhood with relatively few alleys and off-street spaces. However, OP remains skeptical about whether the provision of 1:1 private parking so near a Metrorail station should be accepted as a public benefit in terms of overall District policy.

OP also realizes that the applicant has worked closely with the community on the package of community contributions. OP has requested details be provided on exactly what the community improvements are to be in the ANC single member district and how they will be implemented.

The applicant has also described the following as elements of its amenities package:

- The provision of housing, generally;
- The provision of 8% of the total residential GSF as workforce housing;
- Exemplary site planning, architecture and landscape design;
- Superior residential amenities such as private courtyards, lawns, and swimming pools;
- Establishment of an effective and safe vehicular and pedestrian environment, through the elimination of parking and loading off-of Q Street and Eckington Place, and all but one part of Harry Thomas Way;
- First Source Employment Program;
- L/SDBE Agreement.

The provision of 8% of the total residential GSF is also well-above what has been provided in most PUDs up until very recently.

VII. CONSISTENCY WITH THE PUD EVALUATION STANDARDS OF SECTION 2400

The objectives of a PUD are to permit flexibility of development in return for the provision of superior public benefits, provided the PUD process is not used to circumvent the intent and purposes of the Zoning Regulations or result in an action inconsistent with the Comprehensive Plan. The proposal appears to be generally consistent with the objectives and evaluation standards of a Planned Unit Development, as defined in 11 DCMR Section 2400. It will, however, require additional consideration in some areas before a public hearing.

1. Quantitative Standards

- In the existing M zone, and in the proposed C-3-C zone, a PUD has a 15,000 square foot minimum lot area. This 4 acre project meets that standard [Section 2401.1(c)].
- The maximum Floor Area Ratio may not exceed 6.0 for a PUD under the existing M zoning and 8.0 for a PUD in the proposed C-3-C zone. At an FAR of 4.01, the proposal would comply with these standards.
- The maximum height may not exceed 90 feet for a PUD in the M zone, and may not exceed 130 feet for a PUD in the proposed C-3-C zone, provided this complies with the Height Act. At a maximum of 110 feet on rights of way of 90 feet, the PUD would comply with these standards.

2. Relief

The application includes the following relief:

- Relief from the prohibition on multiple roof structures (Section 411.3). The applicant is requesting relief from this standard.

- OP believes that with structures as long and as narrow as the proposed buildings, the otherwise-required roof structure configuration would be overly large, and would undercut the desired breakdown of the scale of the buildings into smaller parts. As such, OP has no concerns with this request.
- Relief from requirements for off-street parking and loading berth facilities, “depending on the uses and the location of the project”. The applicant is requesting relief from the loading berth, loading platform and deliver/service space requirements of Section 2201.1 for the approximately 15,000 square feet of retail space on Eckington Place and Harry Thomas Way. The applicant has requested relief to load from the street.
 - *Both the applicant and OP have requested a response from DDOT on this. OP is expecting there to be a communication from the Department before the public hearing, but notes in the interim that the street on which loading is proposed is 90 feet wide, only three blocks long and serves no through traffic.*
- Relief from requirements for residential recreation space of §773.3.
 - The application requests relief from approximately 11,000 square feet of required recreational space. The applicant proposes to provide residential recreation space comprising 8% of the residential gfa in a zone where 10% is required. Given the broad range of amenities, on-site recreational facilities, and contribution to linking Eckington with the Metropolitan Branch Trail, OP believes the requested relief is justifiable.

In OP’s opinion, the benefits and amenities are exceptionally high in relation to the degree of flexibility requested.

VI. PUD EVALUATION STANDARD § 2403.4 RELATIONSHIP TO THE COMPREHENSIVE PLAN (10 DCMR) (See Attachments 2 and 3)

There are several elements of the Comprehensive Plan that must be considered in evaluating the proposed project. These include policies that encourage the attraction of new residents; the promotion of development leading to a return that leverages investment in the Metrorail system; Transit-Oriented-Development (TOD)-type policies emphasizing concentration of mixed-use development around Metro stations; the protection of stable neighborhoods and the minimization of development impact on the physical character of a community; and the retention of an adequate amount of viable industrially-zoned land within the District.

It has been over 20 years since the Comprehensive Plan addressed policies and land uses affecting this site. At that time the site was part of a railroad freight yard. It now lies within a ¼ mile walking distance of the New York Avenue Metro, which was not planned at the time.

There are policies in the Comprehensive Plan that support the industrial or commercial uses on this site. There are even more policies that seem to support the development of relatively dense housing at a site so close to a Metro.

A. Elements and Policies of the Comprehensive Plan

The Transportation Element includes the following objective in support of denser housing development near appropriate Metro stations:

- § 502.1 (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 encourages a substantial amount of new housing primarily near Metrorail Stations. The site was not near a metro station when the current Comprehensive Plan was developed, or when it was last amended, but it is now. The following objective would seem to apply:

- § 1134. 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 for the region, providing substantially increased amount of housing and jobs, and generally enhancing the District's economic development efforts.

The Land Use Element also includes the following objectives to support residential neighborhoods:

- § 1102.1: (a) To conserve and enhance the essentially satisfactory qualities of the District's many stable residential neighborhoods including those qualities that make them unique; (b) To enhance other neighborhoods and achieve stability; (c) To redirect public and private initiatives to neighborhoods most in need of improvement and stability; (d) To encourage development of adequate neighborhood shopping and support services in all sections of the District; (e) To protect residential neighborhoods from disruptive uses....

However, OP also notes that the Land Use element includes general guidance for industrially zoned areas (which are referred to as production and technical employment areas in the Comprehensive Plan) and particular policies for this site (referred to as the Eckington Yards):

- §1121.2 The policies established for the Northeast Number 1 and Eckington Yards special treatment area are as follows: (a) Create a physical and regulatory atmosphere to encourage nascent high-technology and light industries in the area north of Florida Avenue, N.E.

In OP's opinion, the proposed project would meet these objectives both by: 1) creating a high-density residential buffer between the industrial and high-density commercial uses to the south, and the lower density residential areas to the north and west, and; 2)

providing approximately 15,000 square feet of neighborhood serving retail where there is now little to none.

- § 1104.1 (b): Encourage the retention and expansion of residential uses in mixed used neighborhoods to help maintain the residential character of these areas, through modification of land use and related regulations when necessary.

The Housing Element policies also support the construction of housing on this site, which is near Metro. The provision of 8% of its residential development to moderate income residents also furthers Comprehensive Plan objectives.

- § 302.2 (d) states: Designate, as residential development opportunity areas, sites where significant housing development can appropriately occur and encourage multi-unit housing development near selected Metrorail stations, at locations adjacent to Downtown, and adjacent to proposed employment centers and office areas;
- § 302.2 (e) states: Encourage housing on suitably located public or private properties that are vacant, surplus, underutilized or unused... with particular emphasis upon the needs of low- and moderate-income residents;
- § 303.3 (d) states: 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.

In OP's opinion, the application is not inconsistent with at least seven of the ten major themes of the Comprehensive Plan, as stated in Section 101.1

Table 4: Consistency With Comprehensive Plan Themes

Theme	Not Inconsistent W/ Comp Plan?	Discussion
Stabilize/improve neighborhoods	Yes	Increases number of Eckington residents and establishes a buffer between low-density residential uses to north, and industrial uses and high-density commercial uses to south
Develop Living downtown	Yes	Creates significant housing on edge of Northeast One commercial area
Respect/improve physical character	Yes	Site is now vacant
Preserve/ensure community input	Yes	Project reviewed by ANC and civic association several times over 1 ½ years and is supported by ANC
Preserve historic character	Yes	Architecture is keyed to older warehouse and rowhouse architecture of area
Enhance public safety	Yes	Site vacant. Development and path connection will also enhance safety of

		Metropolitan Branch Trail and walk to Metro
Provide for diversity and overall social responsibilities	Yes	8% of residential GSF will be devoted to moderate income housing.

B. The Comprehensive Plan Generalized Land Use Map

The Comprehensive Plan's Generalized Land Use Map (see Attachment 2) designates the site as being appropriate for industrial usage – essentially reflecting the site's industrial past. It further designates the site and the entire Capital Commerce Center as a Special Treatment Area to encourage high-tech and light industrial uses. However, the site is ¼ mile from a new Metro station, a station not under consideration when the Comprehensive Plan was adopted. Approximately \$100 million has been contributed to the New York Avenue metro station's construction by a combination of District, Federal and private resources. A special taxing district was established at the behest of the local business community in order collect the private \$ 25 million share of the station's costs. The owner of this site and all sites within the Capital Commerce Center are part of this taxing district.

As noted earlier, the site is part of an area that has been identified as suitable for land use change, to include residential uses, in the final version of OP's Industrial Land Use Study. OP also notes that in addition to being consistent with the ILU, the medium-high density development is:

- Consistent with the District's TOD objectives. The site is ¼ mile from the New York Avenue Metro station;
- Displaces no businesses or jobs, as the land is vacant;
- Has been recommended for approval by all of the land and business owners within the Capital Commerce Center have voted to amend the Capital Commerce Center plan to accommodate the proposed development. OP is aware of no objection – written or otherwise – from any industrial property owner within 200 feet.

OP has cited above several of the Comprehensive Plan themes, objectives and policies with which the application is not inconsistent. It is OP's opinion that, despite the fact that the application is not consistent with all aspects of the current Comprehensive Plan, the New York Avenue Metro station's construction has so dramatically changed the facts on the ground for the Eckington area since the Comprehensive Plan was adopted in 1984, that this application should be considered as being "not inconsistent" with the Comprehensive Plan.

VIII. ISSUES THAT HAD BEEN RAISED BY THE COMMISSION AND/OR BY OP AT THE PUBLIC MEETING

OP's preliminary report had noted that the following matters would need to be addressed prior to and at any public hearing:

- Traffic generation and mitigation, both specific to the site, and cumulative for projected development in the vicinity of the New York Avenue Metro station;
 - *Response: Based on the information in the project's Traffic Impact Study (Exhibit E of applicant's April 2006 filing), it appears to OP that this individual project may be able to be acceptably accommodated into the existing traffic patterns. OP remains concerned that the applicant's traffic consultant has not studied the significant Florida Avenue/Eckington Place intersection and the North Capitol/R Street intersection in detail. OP will rely on DDOT's assessment, which is to be provided before the public hearing.*

The applicant has considered recent development that is under construction for future background development, but has not considered possible development for which applications or agreements have been filed; e.g., the mixed use PUD on Square 3584 which has been set down for a public hearing, the planned hotel in Square 710E, the site Pepco is currently marketing north of its new substation on the eastern side of Harry Thomas Way.

The applicant has offered traffic mitigation measures such as the provision of car-sharing spaces, and a pedestrian and bicycle connection to the Metropolitan Branch Trail but has not proffered transportation demand management measures.

OP remains concerned about considering any future development proposals, other than the current application that lie within the Capital Commerce Center prior to the completion of a more complete traffic study for the area.

- The future ownership status of the proposed extension of Q Street.
 - *Response: DDOT has given oral indications it will accept the street if it is built to DDOT standards. OP and the applicant are awaiting written confirmation of this.*
- A need for greater specificity about architectural and landscaping materials and details. E.G.,
 - Type and color of brick and mortar
 - *Response: Brick addressed; mortar not, but will be in samples board.*
 - Additional study of the impact of lightening the central portion of the western building above the 2nd story.
 - *Response: Studies not shown, but may be more important to show alternative reducing the symmetry of buildings flanking N/S private street.*
 - Type, color and finish of metal throughout fenestration, cornices, etc.
 - *Response: Addressed*
 - Prohibition on use of EIFS or through-wall HVAC systems.
 - *Response: No EIFS or through-wall HVAC systems shown, but prohibition not stated.*
 - Paving materials
 - *Response: Addressed*
 - Fencing and wall design

- Response: Addressed. (See Attachment 5)
- Design of public area on north side of Q Street
 - Response: Addressed
- Design of arched parking access beneath second story of Q Street duplex townhouses
 - Response: Addressed.
- Entrance details on duplex townhouses and on street entrances of townhouse-like bases of mid-rise and high-rise portions of buildings
 - Response: Addressed.
- Entrance details for mid and high-rise elements
 - Response: Addressed.
- Street trees
 - Response: Addressed.
- Shrubbery
 - Response: Addressed.
- Retail Signage
 - Response: Visually addressed through examples, but *lacking specifications.*
- Retail Awnings
 - Response: Visually addressed through examples, but *lacking specifications. An example of awnings specifications from a previously approved PUD is attached (Attachment 8).*
- A need for greater specificity about the contribution to the Metropolitan Branch Trail connection.
 - Response: Addressed, *but will need draft agreement in principle with DDOT before a final Commission decision.*
- If the applicant proposes to consult with the community to develop the final package, this needs to be in place before the public hearing;
 - Response: Addressed, *except for the naming of the organization receiving the contributions for the Eckington neighborhood signs and details about the use of \$5,000 in community improvements funds in ANC SMD 5C05.*
- Details of the affordable housing covenant;
 - Response: Completed.
- Provision of site circulation plan.
 - Response: Addressed.

The applicant has also plans showing an appropriate distribution of affordable units through the individual buildings and throughout the floors 3 through 9.

The Commission had also asked OP for:

- Details about the draft NoMA Plan's recommendations for new streets, and for streetwall design. These are included in Attachments 9 and 10.
- Details about projected DDOT infrastructure improvements planned for the area, particularly the interim redesign of the New York Avenue/Florida Avenue intersection. These are

attached (Attachment 6), as well as information on DDOT's long range considerations for that intersection (Attachment 7).

IX. AGENCY REFERRALS

This application has been referred to the following District government agencies for review and comment:

1. Department of Public Works;
2. Department of Transportation (DDOT);
3. Metropolitan Police Department (MPD);
4. Fire and Emergency Medical Services Department;
5. Department of Consumer and Regulatory Affairs (DCRA);
6. Department of Housing and Community Development;
7. District of Columbia Public Schools (DCPS).

Although no agency comments had been received as of June 25, 2006 OP has spoken with DDOT and is expecting comments to be filed by that Department. OP has also spoken with MPD at the district level, which was concerned that the development could displace existing residents' parking, until it learned that there would be one parking space for each unit.

IX. COMMUNITY COMMENTS

The applicant has met with ANC 5C and the Eckington Civic Association several times over the last 1½ years. The ANC voted to support the project as filed in July 2005, and voted again, 9-0 to support the project in June 2006.

The Eckington Civic Association did not take a position on the application.

X. OP RECOMMENDATION

OP recommends the Commission approve the project subject to the following:

- Comments that may be submitted by DDOT prior to or at the public hearing regarding the acceptability of the applicant's Traffic Impact Analysis;
- A response from DDOT on the conditions for its acceptance of the new Q Street into the public road system;
- An outline of the method by which DDOT will receive funds and execute the construction of the connection to the Metropolitan Branch Trail;
- Specification of mortar color(s);
- Specifications for signage and awnings;
- Identification of recipient for the contribution for Eckington neighborhood signage;
- Details on how the \$5000 amenity for community improvements within Single Member District 5C05 will be spent;

- Identification of a method of monitoring the implementation of the community benefits package for which the contributions are intended.

OP believes that development of housing and retail on this site is a sound planning objective. The applicant has given the proposed site plan, design, and program considerable attention, has engaged in an extensive consultation process with the community.

Overall, the project's layout would enable it to become an extension of the Eckington neighborhood, while its scale would enable it to act as a transition buffer between that neighborhood and the light-industrial and commercial uses to the south. It would extend existing city streets, provide public space that will be useful to the existing neighborhood and to new residents, and contributes money towards connections with the Metropolitan Branch Bicycle Trail that leads to the New York Avenue Metro station. The architecture is appropriately contemporary, but is very respectful of nearby residential and warehouse structures. It offers a mix of duplex, mid-rise and high-rise housing types ranging from studios to two bedrooms plus dens. There are multiple entrances onto existing and new streets, not just from the duplex townhouses, but also from the bases of the high-rise buildings. These will be developed as two-story residential units with individual street entrances. It offers retail space to an underserved neighborhood. The amenities package offers 8% of the total residential gsf as affordable housing for 20 years and over \$155,000 of amenities and benefits for the community and the general public.

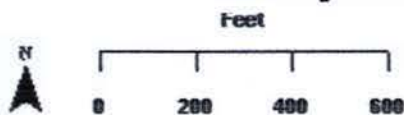
Emc/slc

Attachments and enclosures

1. Site Location
2. Comp Plan GLU Map
3. Site in ILU Study Context
4. Detailed Ground Floor Plan
5. Landscaping Plan Showing Stone Block Walls on South Side of Q Street
6. Illustration of Planned Interim DDOT improvements to NY/FL intersection
7. Draft DDOT Recommendations for Long-Range Improvements to NY/FL intersection
8. Examples of awning design specifications from a previous PUD (901 New York Avenue, NW).
9. Draft Proposed NoMA Road Network
10. Draft Proposed NoMA Streetwall Diagram



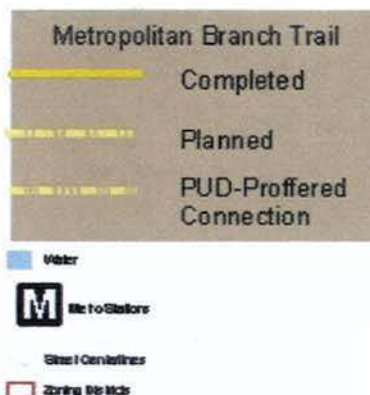
Z. C. 05-23 Proposed PUD/ Map Amendment
Harry Thomas Way & Eckington PL. N.E.
Square 3576 Lot 815



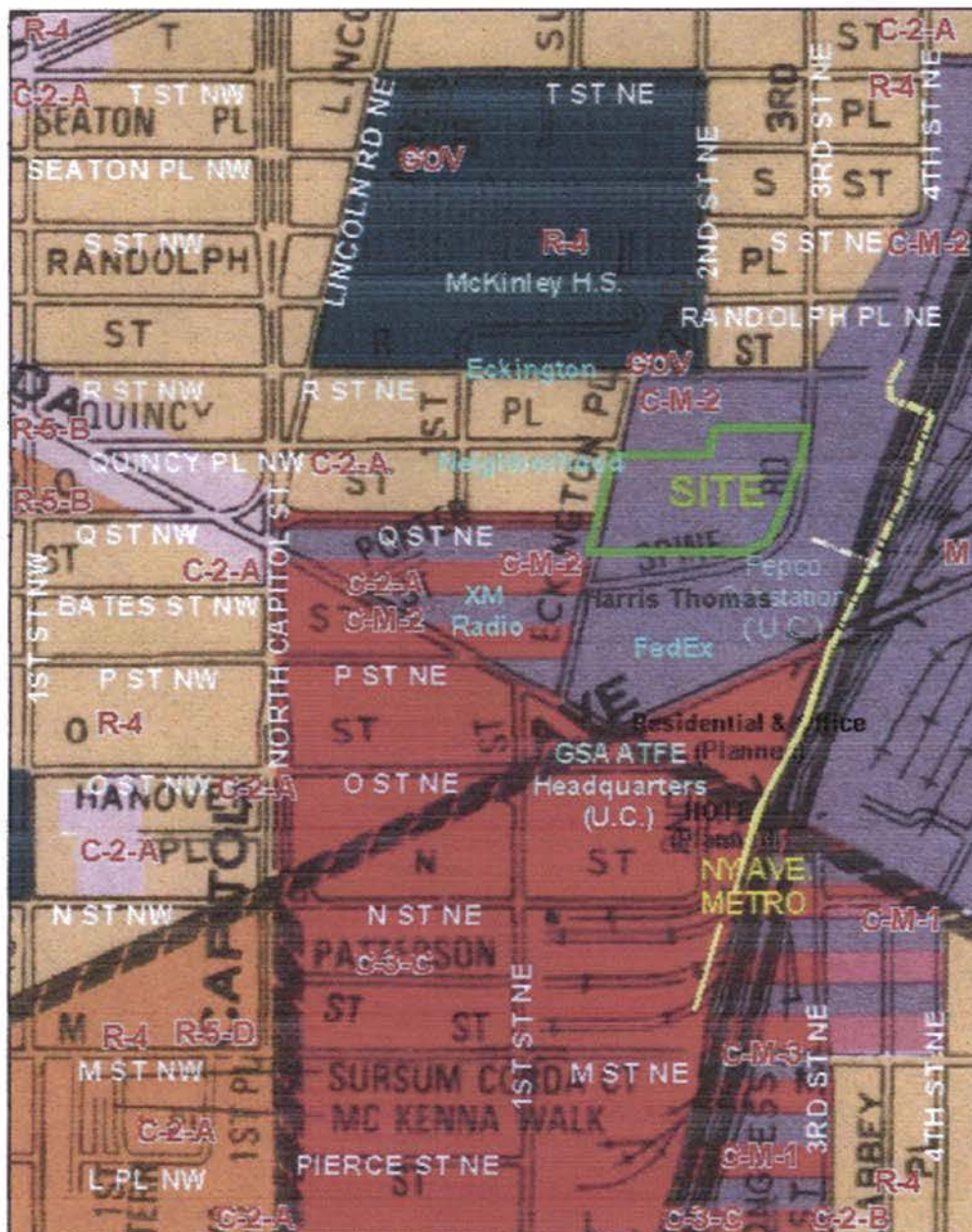
☆☆☆ Government of the
 District of Columbia
 Anthony A. Williams, Mayor

Office of Planning ~ December 1, 2005

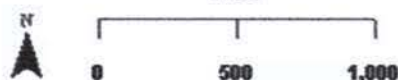
This map was created for planning
 purposes from a variety of sources.
 It is neither a survey nor a legal document.
 Information provided by other agencies
 should be verified with them where appropriate.
 Oblique Imagery ©2003 Picometry International



Attachment 1
Site Location



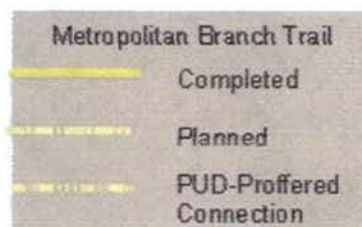
Z. C. 05-23 Proposed PUD/ Map Amendment
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Square 3576 Lot 815



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 District of Columbia
 Anthony A. Williams, Mayor

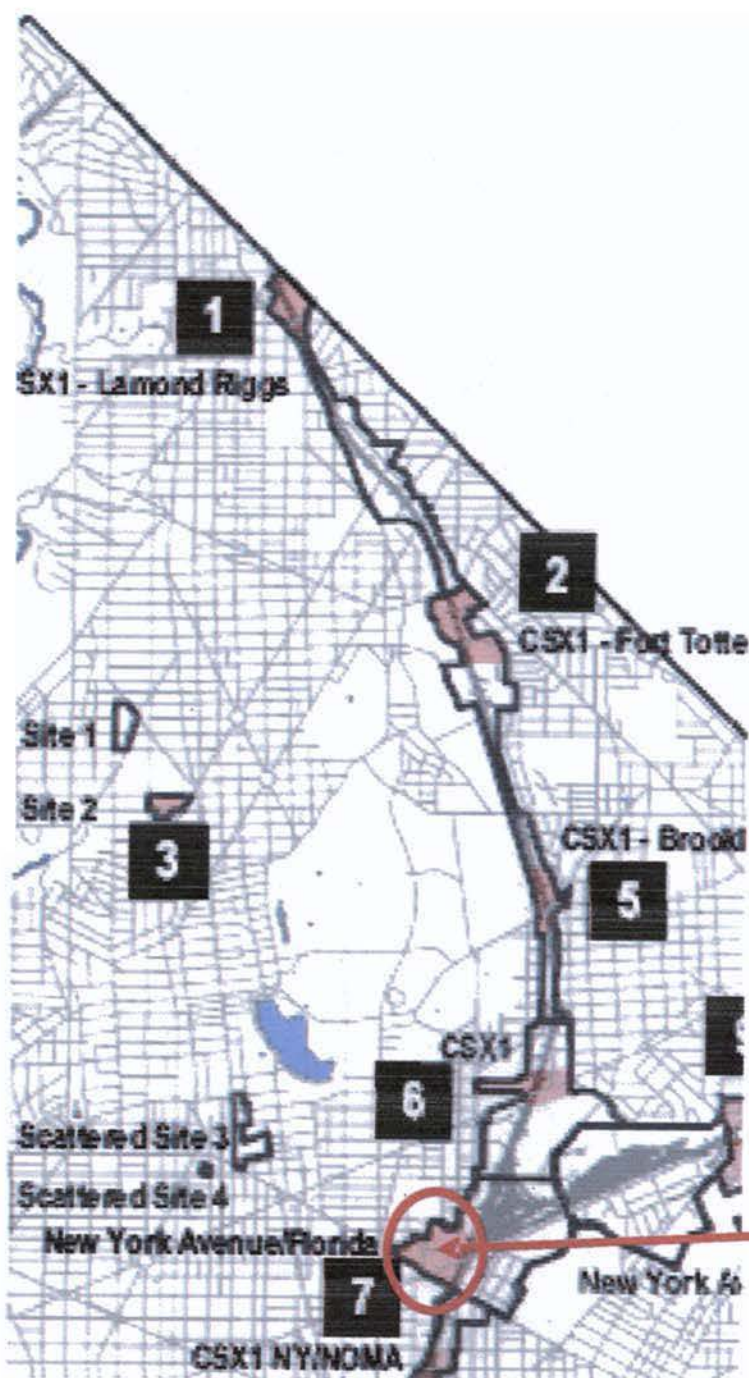
Office of Planning ~ December 1, 2005

This map was created for planning
 purposes from a variety of sources.
 It is neither a survey nor a legal document.
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 Oblique imagery ©2003 Picometry International



Attachment 2
Comprehensive Plan
Generalized Land Use

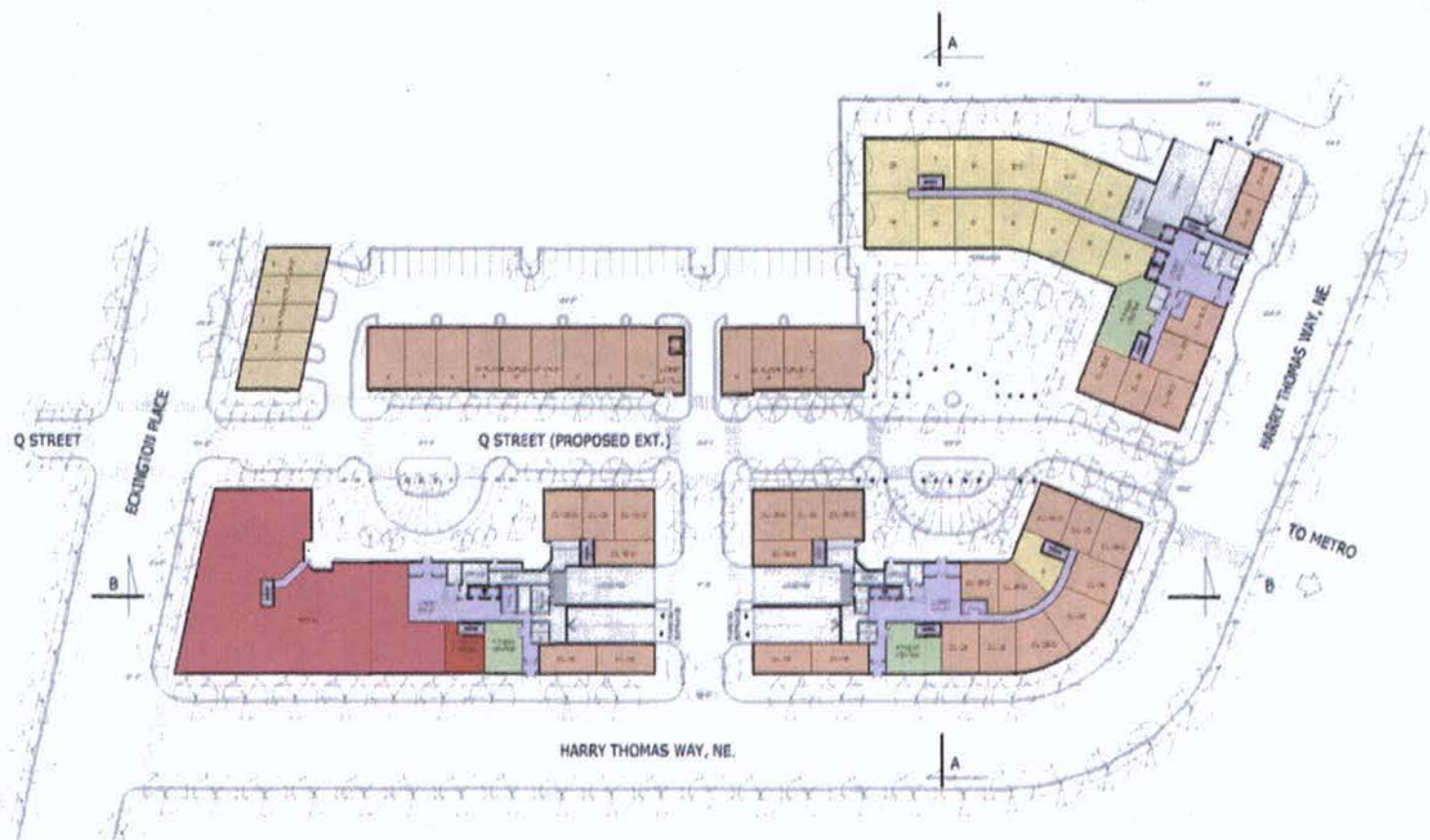
AREAS FOR LAND USE CHANGE



Selection from
Semi-Final Draft
Map 4.4 of DC
Office of
Planning
Industrial Areas
Land Use Study,
June 2006

Proposed PUD Site
is Within the
Portion of the
Capital Commerce
Center Area of
Eckington that is
below R Street and
that is Indicated as
Suitable for Land
Use Change

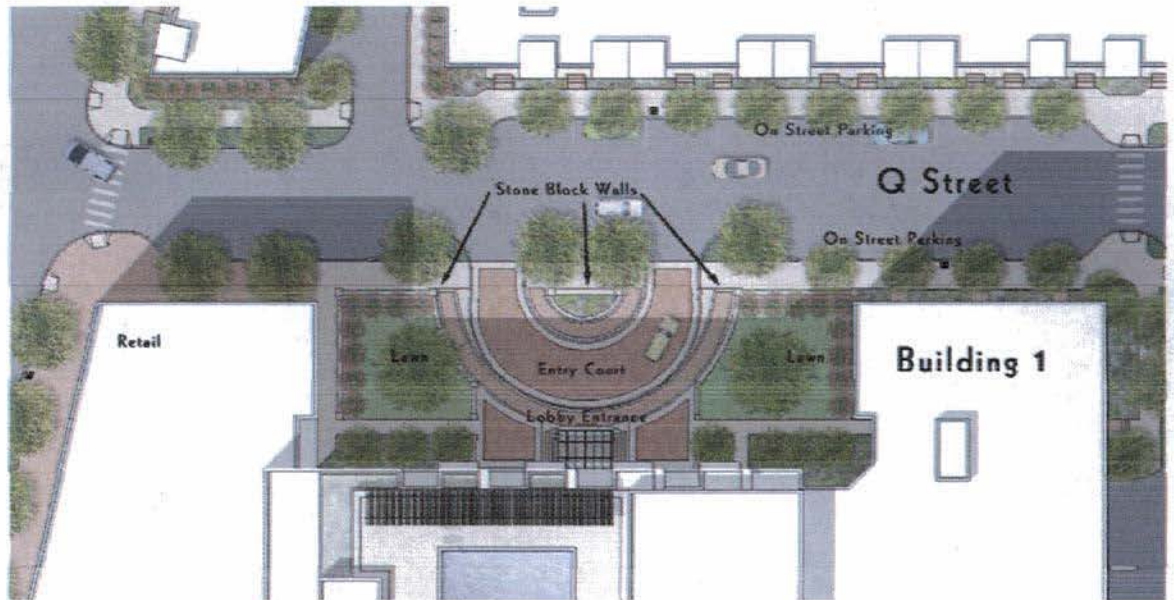
Ground Floor Plan



CAPITAL COMMERCE CENTER

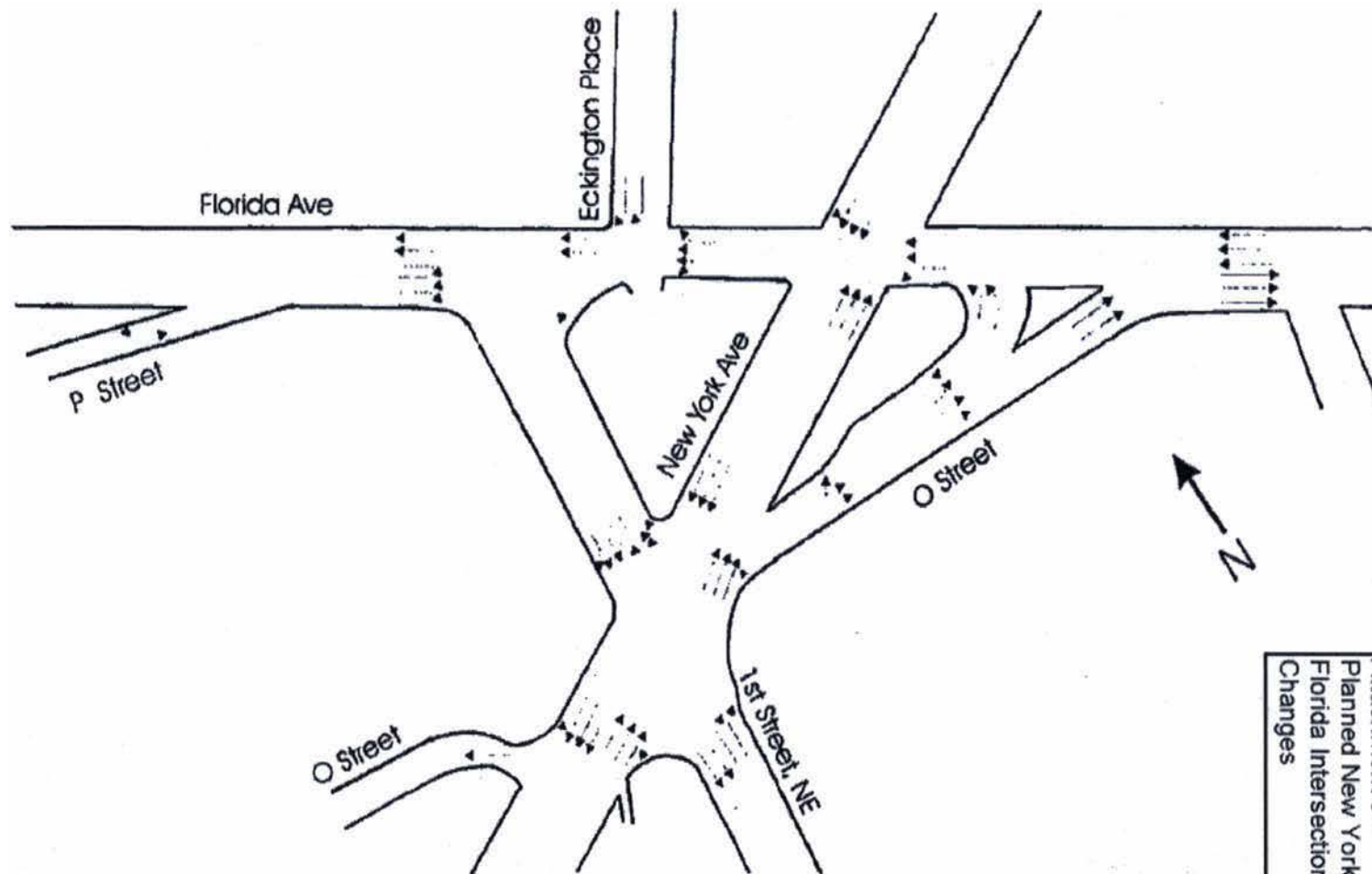
Fairfield
Residential
LLC

Landscaping – Building 1



CAPITAL COMMERCE CENTER

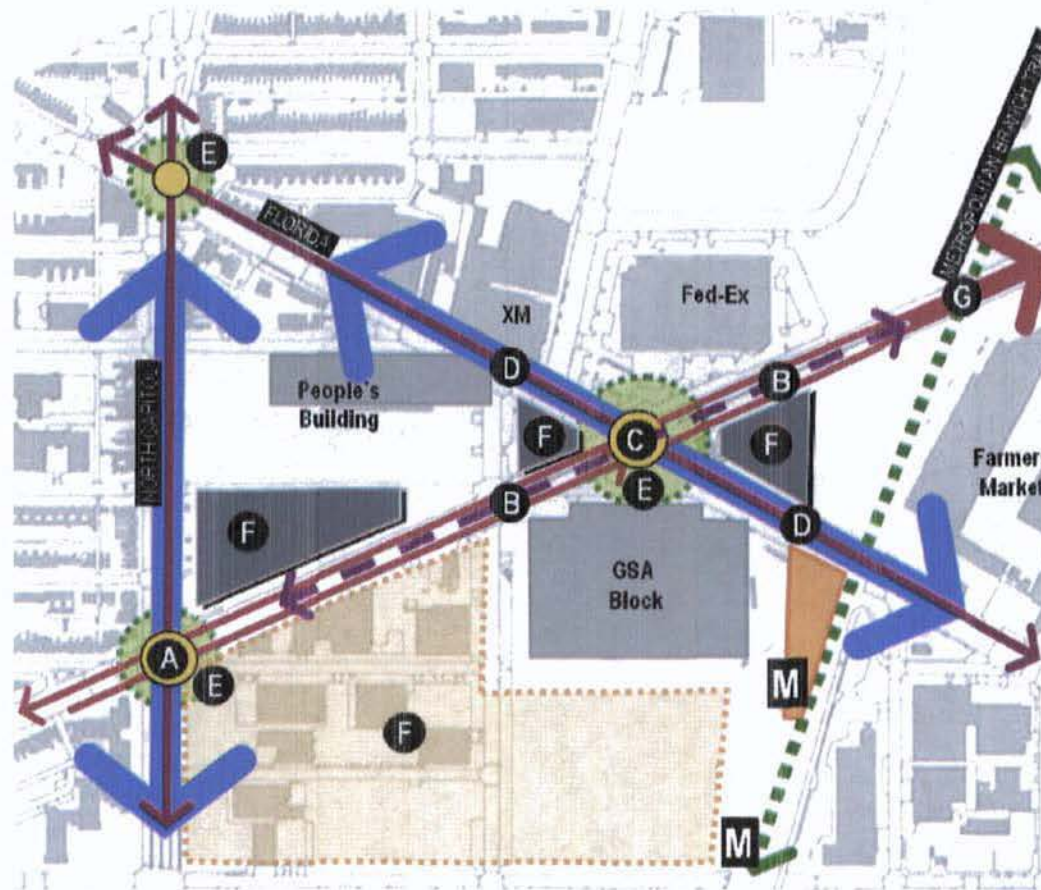
Fairfield
Residential
LLC



Attachment 6 -
Planned New York /
Florida Intersection Interim
Changes

Due to projected costs, and need to build greater consensus on tunnel versus bridge concepts, there will be an additional workshop for this roadway section in July 2006.

Zone 4: Framework Plan Recommendations



- A. Existing North Capitol tunnel under New York Avenue is removed and an at-grade intersection is constructed
- B. Regional traffic (I-395) comes to the surface between North Capitol Street and First Street, NE. It connects over or through Florida Avenue and then merges with local traffic on top of the bridge over the railroad tracks.
- Or
- B. Regional traffic (I-395) comes to the surface east of the railroad, just west of 9th Street, NE
- C. Florida Avenue intersection is improved to meet local and regional traffic needs and provide additional turning movements
- D. Pedestrian connections on Florida and North Capitol are enhanced to better serve neighborhoods, Metro, and Florida Avenue development
- E. Create a connection between bike and pedestrian facilities along New York Avenue with the Metropolitan Branch Trail

ATTACHMENT 8
Sample Awnings
Specifications

MEMORANDUM

TO: D.C. Zoning Commission

FROM: Andrew Altman

DATE: February 18, 2000

SUBJECT: Case No. 99-6M/88-16C (PUD Modification and Map Amendment in Square 372 – NDH 901 New York Avenue, N.W.) BZA Application No. 16519 – to modify an approved Planned Unit Development and amend the zoning map from HR/D-3-C and C-3-C to C-4: Awning Design Comments Requested by the Zoning Commission from the Office of Planning

At the public hearing on January 20, 2000 the Zoning Commission left the record open for the Office of Planning to comment on proposed awning designs for 901 New York Avenue. We have met with the applicant twice since the hearing to improve the awning design, as well as to work cooperatively with the applicant on changes the Commission requested the applicant consider to landscaping, bench placement, interior and exterior appearance of loading docks and the design of the National Park Service reservation.

The Office of Planning recommends that the Commission include the following awning-related language as part of the PUD conditions:

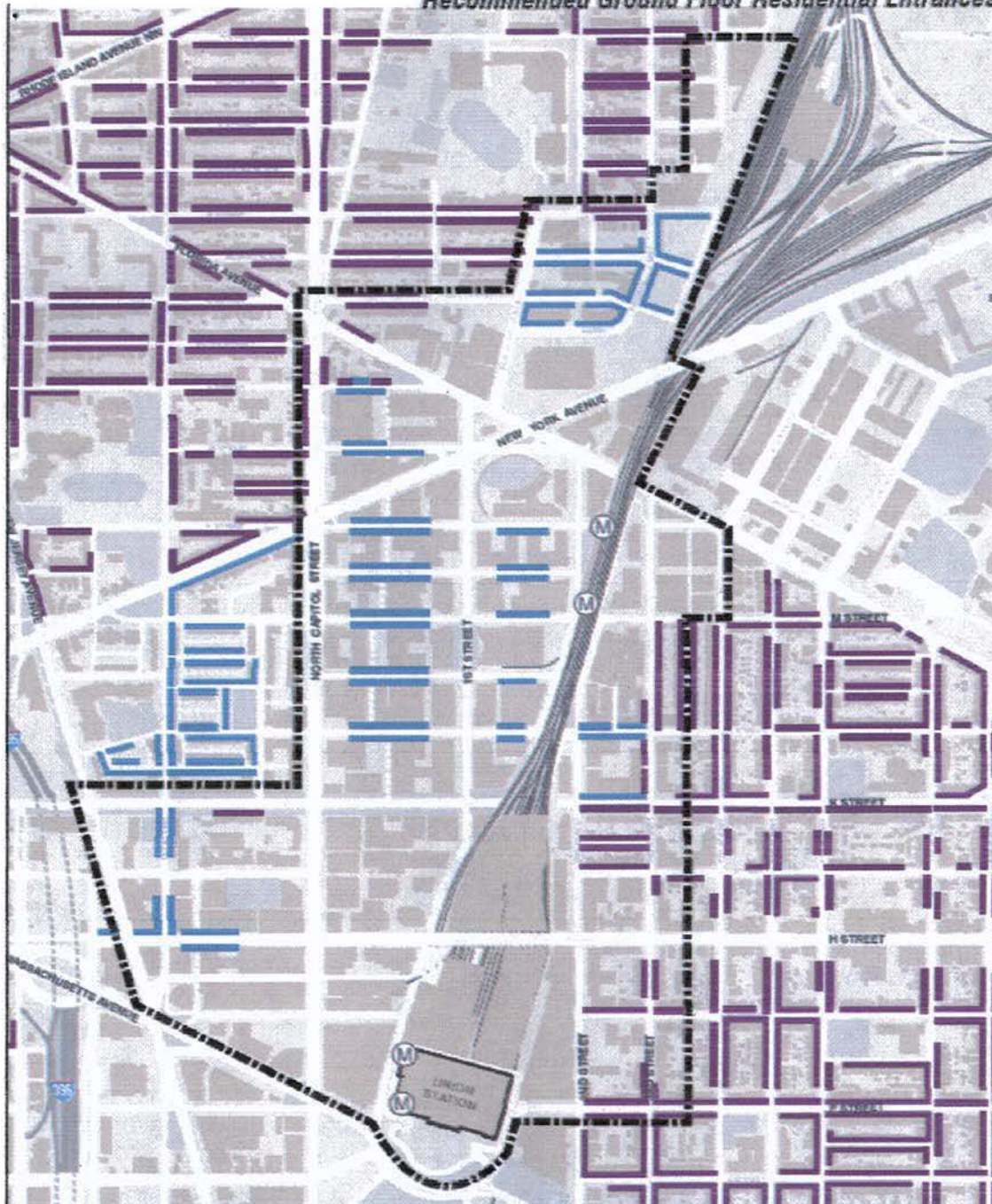
Awnings may be installed at the ground level of the building. Covering materials may be canvas or similar non-rubberized cloth material, glass, or metal. Vinyl, or other plastic-like sheeting is not acceptable. Awnings surfaces may be of any color or pattern. Awning edges shall be straight lines; scallops, curves, fringe, etc. are not acceptable. Signage and logos may be placed horizontally in the sign box at the front edge of the canopy. Lettering and logos may not be placed on sides, tops, or sloping surfaces of the awnings.

AA/sc

Recommended New Roads, Signals and Two-Way Streets



Recommended Ground Floor Residential Entrances



LEGEND

- Existing Ground Floor Residential with Multiple Entrances
- Recommended Ground Floor Residential with Multiple Entrances
- Study Area Boundary

SUMMARY OF RECOMMENDATIONS

- "Recommended Ground Floor Residential Entrances Including Imbedded Townhouses" illustrates opportunities for the creation of a neighborhood-wide street hierarchy that locates multiple, active residential entrances along east-west minor streets (see photos on facing page). The recommended locations shown on the diagram specifically indicate entrances into multiple street-level residential units (potentially "embedded" in the base of larger buildings, or individual stacked townhouses), along with residential lobby entrances of larger apartment buildings. The key goal is the creation of repetitive entrances, stoops, and locations for residents to actively engage the street, all of which will contribute to a pedestrian-friendly environment.