

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING



Office of the Director

MEMORANDUM

ZONING COMMISSION
District of Columbia

TO: D.C. Zoning Commission

CASE NO. 05-23A

FROM: *Jf* Jennifer Steingasser, Deputy Director

EXHIBIT NO. 21

SUBJECT: Final Report – Proposed Major Modification to Z. C. Order No. 05-23, Consolidated PUD / Map Amendment, Square 3576, Lot 815, Eckington Place and Harry Thomas Way, N.E.-

DATE: October 9, 2007

I. OFFICE OF PLANNING SUMMARY RECOMMENDATION

NoMa West Residential I LLC and CSX Realty Development have applied for a major modification to the consolidated PUD and related map amendment the Zoning Commission adopted in Order No. 05-23.



The Office of Planning (OP) recommends the Zoning Commission (the Commission) approve this application, as modified in the applicant's pre-hearing statement, and with an associated C-3-A zone district rather than the approved C-3-C district.

Although the proposed changes are substantial, the community benefits and amenities remain the same, the site plan retains most of the same public advantages, and the traffic impact on the surrounding neighborhood would remain the same as the approved PUD. The modification would add a publicly-accessible 4,500 square foot park. The parking impact would be marginally greater than the approved project..

II. PROJECT SUMMARY

The 4.3 acre site of the approved PUD is a vacant parcel near the intersection of Florida and New York Avenues, in the Eckington neighborhood of northeast Washington. It is approximately 0.23 miles from the New York Avenue Metro.

◀ Fig. 1. Site Location

The applicant seeks to change the type of the residential construction and to reduce the amount of retail space, as had previously been suggested by the Commission.

The approved PUD was to have 585 to 636 units in a variety of townhouse, mid-rise and high-rise buildings, with heights ranging from 40 feet to 110 feet. Its square footage, including the retail space, would have been 754,035 and its FAR would have been 4.10. Its residential parking ratio was to have been 1.2 to 1.3.

The proposed modified PUD would have 558 to 642 dwelling units in three approximately 57.5 to 64.5 foot five-story buildings. Its square footage would be approximately 592,610 square feet, including 1,000 gsf or retail space and would have an FAR of 3.3. Its residential parking ratio would be approximately 0.9. to 1.1. The unit types would range from studios to two bedrooms with den.

Both the approved and proposed modified PUDs would have underground parking, and would extend Q Street from Eckington Place eastward to Harry Thomas Way. Both the approved and the proposed modified PUD provide for an amenities package with 8% of the total residential gsf as affordable housing for 20 years, and financial and physical elements totaling \$155,000, including an approximately \$55,000 element for the design and construction of a connection to the Metropolitan Branch Trail. The approved PUD would have had 15,000 gsf of retail space, about which the Commission had expressed concern for its marketability. The applicant deleted all retail in its application for the modification, but has since included 1,000 square feet at the corner of Eckington Place and Harry Thomas Way. The modified PUD modification would also add a 4,500 square foot publicly-accessible park at the eastern end of the project.

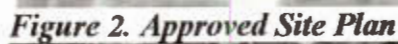
The PUD was approved with associated C-3-C zoning. This was requested primarily to achieve height, not FAR. Since the present application proposes a reduction in both the height and FAR to levels that could be accommodated by the C-3-A zone district, the Zoning Commission also advertised the major modification request with C-3-A in the alternative.

The approved site plan includes the construction and public dedication of a new two-block extension of Q Street with a 60-foot wide public street right of way, 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. The new site plan would provide for construction of a 56'4" wide street right of way that would be built to DDOT materials' standards, but as a private road, initially. Q Street would be constructed on-grade, would be capable of supporting substantial street trees. (See *Applicant Pre-Hearing Statement Page 138 for a cross section*). The proposed twenty-four foot cart way complies with DDOT's specifications of a 14-foot one-way travel lane and 8' parking lane. The 4 ½ foot wide parking strip and the 6-foot sidewalks are also congruent with DDOT standards. Only the overall right of way is not. If new street standards that would allow acceptance into the public street system of new streets that are narrower than seventy-five feet, then the applicant would deed the street over to the District. Q Street would continue as a pedestrian and bicycle way connecting to the New York Avenue Metro station via the Metropolitan Branch Trail. 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 proposed benefits and amenities differ from the approved conditions in the following ways:

- Condition No. 2: This condition of the approved PUD requires the developer to contribute \$10,000 to the Harry Thomas Recreation Center for a new scoreboard. The applicant asks for this condition to be modified so that the \$10,000 can be contributed to the Recreation Center for the purchase of new supplies and materials, in response to a request by the Recreation Center's executive director. A different PUD is to be paying for that scoreboard. *The applicant will need to specify more precisely, by the hearing, what equipment/supplies this donation would purchase and how that would be monitored.*
- Condition No. 5: The approved conditions require the developer to dedicate seven parking spaces to zip-car/alternative fuel vehicles, four of which could be street-spaces. The applicant asks that the condition be modified to require five such spaces, all of which could be located on the street. The applicant notes that the reduced number of dedicated spaces is reflective of the proposed reduction in the number of units. This condition would be subject to further modification if Q Street extended were accepted into the public street system.
- Condition No. 9: The approved PUD requires the developer to design and construct the connection between Harry Thomas Way and the Metropolitan Branch Trail (MBT), at what had been an estimated cost of \$55,000. The requested modification proposes the developer contribute \$55,000 to the District Department of Transportation (DDOT) for design and construction of the connection, and that DDOT certify receipt of the money in order to avoid any "block" on the issuance of a certificate of occupancy. *This would be acceptable to DDOT, but there are some administrative issues that need to be resolved.*
- Condition No. 10. This calls for the applicant to contribute to the installation of a traffic signal, in an amount "commensurate with the percentage of traffic" that the project generates for the intersection, but not less than \$25,000. The applicant asks that the amount be set at a fixed \$25,000 and that there be no condition-related hold on the certificate of occupancy once DDOT issues a letter of receipt of contribution.

The following drawings and table give a more detailed comparison of the approved and proposed-modified PUDs.



Q Street would be extended in both plans and continued as a bicycle and pedestrian path to connect with the Metropolitan Branch Trail and the New York Avenue Metro Station. The private open spaces for the southern buildings would be moved from Q Street extended to Harry Thomas Way, and the private open space for the northern buildings would become courtyards. A 4,500 square foot publicly-accessible park would be added at the corner of Q Street extended and Harry Thomas Way, in lieu of the sitting area on the northern side of Q Street in the approved PUD. There would be three mid-rise buildings, ranging from 123,460 gsf to 254,400 gsf. Each building would have two courtyards, and two of the buildings would have several direct entrances on Q Street. There would not be any townhouses.

Façade Comparisons

The taller project would become a lower-scale project with façade variation and a less varied skyline. OP has worked extensively with the applicant on these revisions.



◀ **Figure 4. Perspective of Approved PUD from SW corner of Eckington Place and Harry Thomas Way.**

Figure 5 ▶. Perspective of Proposed PUD from SW corner of Eckington Place and Harry Thomas Way, (Revision Dated July, 2007).



◀ **Figure 6. Proposed PUD from West Side of Eckington Place, at Extended Q Street. (Revision Dated 09.27.07)**

Extended Q Street Perspective Comparison



Figure 7 ▲. Perspective of Approved PUD from Western End of Extended Q Street



◀Figure 8 Perspective of Extended Q Street from Western End, as Proposed in Major Modification (10.08.07)

The proposed modified PUD would replace the frequently interrupted building line of the approved PUD with a continuous urban frame for an extended Q Street.

OP has worked extensively with the

applicant since setdown, to: refine the facades; reduce the above-grade height of the parking plinth; bring the first floor down to the sidewalk level; give more variety to the façades; improve the quality of building materials in the parts of the structures closest to the ground levels. There would be multiple individual entrances and stoops. The applicant has been very responsive. Multiple individual entrances and stoops have been introduced. The overall design is an extension of Eckington. It respects the neighborhood's traditional residential and industrial architecture, and injects an element of modern design at the edges farther from the existing structures.

Development Comparisons

Table 1 compares development that would be permitted as a matter of right with what is permitted for a C-3-C PUD, a C-3-A PUD, the approved PUD, and the requested major modification to the PUD.

<i>Site Area is 187,956 SF</i>	C-3-C Zoning	C-3-C PUD	C-2-C PUD Alternative	Approved PUD	Proposed Modified PUD
Gross Square Feet (GSF) By Use Type and Total & Number of Dwelling Units	1,221,727 Residential or Commercial	1,503,664 Residential or Commercial	1,127,736	-738,702 gsf residential (625-675 units); - 15,084 sf. retail; TOTAL -753,786	-591,610 gsf residential (558-642 units); -1,000 sf retail -TOTAL-592,610
Floor Area Ratio (FAR)	6.5 residential or non-residential	8.0 residential or non-residential	6.0 residential or non-residential	4.01	3.3
Building Height	90 feet	130 feet	90 feet	Varies—40' – 110'	57.5 to 64.5 feet
Lot Occupancy	100%	100%	100%	47.43%	63%
Roof Structures	Single per level	Single per level	Single per level	More than one roof structure on a level –	Single, uniform height $\uparrow \leq 18'6''$, and set back at least 1:1
Parking (Residential Use)	1 for each 4 dwelling units <u>160 spaces</u>	1 for each 4 dwelling units <u>160 spaces</u>	1 for each 4 dwelling units <u>160 spaces</u>	875 spaces 1.2 – 1.3 spaces per unit	Not specified 0.9 to 1.1 spaces per unit
Parking (Retail Use)	>3,000 sf, 1 space for each additional 750 sf GFA	>3,000 sf, 1 space for each additional 750 sf GFA (16)	>3,000 sf, 1 space for each add'l 750 sf GFA (0)	Approx. 46 spaces for retail uses.	0
Loading Berths (Retail Use)	1 berth @ 30', 1 platform @ 100 sf, 1 deliv. sp @ 20'	1 berth @ 30', 1 platform @ 100 sf, 1 deliv. sp @ 20'	1 berth @ 30', 1 platform @ 100 sf, 1 deliv. @ 20'	Loading from Street –	Loading from Street
Loading Berths (Residential Use)	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'	1 loading berth @ 55', 1 loading platform @ 200 sf, 1 delivery space @ 20'	Meet requirements for C-3-C and for townhouses.	1 loading berth @ 55', 1 loading platform @ 200 sf, 1 delivery/service space @ 20'
Side Yard	2" per foot of height	2" per foot of height	2" per foot of height	n/a	For 2 bldgs, 5'10" where 10'10" is required. <i>Flexibility Requested</i>

Table 1. Development Comparisons

III. SITE AND AREA DESCRIPTION

The site is located between the Eckington residential neighborhood of northeast Washington and the northern reach of the central business district. Its approximately 4.3 acres of cleared and vacant formerly industrially-used land 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). The CCC land that has not been developed remains under the ownership of CSX Realty Development Corporation. Approximately 1/3 of the land has been developed. 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 completing construction of 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 north of the substation and south of a line extending R Street. At the northern end of the CCC, between R Street and Rhode Island Avenue, OP is conducting a Large Tract Review (LTR) for the development of 10 acres as office, flex-tech space, and warehouses. FF Realty, LLC, the co-applicant for the approved PUD had a contract to purchase the site, but was unable to perform on that contract. NoMaWest Residential I, LLC, which is a part of Trammell Crow Residential, currently has a contract to purchase the site.

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 approximately 0.23 mile northwest of the New York Avenue Metro. 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 and in constructing some new ones since the opening of the Metro station. The Eckington area to the northeast, between 4th Street and the rail tracks, is a mix of residential, storage, and light-industrial uses.

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. All of the area near the New York Avenue metro station is undergoing transition.

IV. ZONING AND HISTORIC PRESERVATION CONTEXT

The site, the entire Capital Commerce Center, and immediately surrounding properties north of New York Avenue are zoned M, industrial. The approved PUD site has associated C-3-C zoning. The Commission has advertised C-3-A zoning in the alternative. 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. DETAILS OF THE PROPOSED MODIFICATIONS TO THE APPROVED PUD

The modified PUD would have approximately 600 units, +/- 7%, in three approximately 57.5 to 64.5 foot five-story buildings. The unit types would range from studios to two bedrooms with den. Project square footage would be approximately 592,610 square feet, including 1,000 gsf of retail space and would have an FAR of 3.3. Its residential parking ratio would be approximately 0.9 to 1.1. The Q Street extension would be built to DDOT-structural and materials' standards, and have a 54'6" right of way with a 14 foot one-way travel lane, 8 foot parking lane and brick gutters, 8" granite curbs, 4/5" planting strips and tree boxes on each side, 6-foot brushed aggregate sidewalks on each side, and a 5-foot setback on each side, inside of which would be any projecting bays, stoops or additional planting strips. Harry Thomas Way

and Eckington Place frontages would have the same specifications for the area inside the line of the gutters.

The site plan (*see Figures 2 and 3*) would create three, rather than the approved four, development parcels on the 4.3 acres. The project FAR would be reduced to 3.3 from the approved 4.0 FAR. The lot occupancy would increase to 63% from 47.3%.

The northwest parcel, known as Building 100, is closest to most of the existing Eckington residential neighborhood and would contain approximately 123,460 gsf. The main lobby would be on Q Street; the one level of underground parking would be entered from Q Street; and loading would be entered from Eckington Place. There would be two open courtyards in the rear.

The northeast parcel, known as Building 200, is at the corner of Harry Thomas Way and Q Street extended and would be the largest building, containing approximately 213,710 gsf. The main lobby would be on Harry Thomas Way. Two levels of underground parking would be entered from Q Street, via a driveway shared with the building to the west; and loading would be entered from Harry Thomas Way. There would be two central closed courtyards.

The southern building, known as Building 300, is bounded by Q Street extended, Eckington Place and Harry Thomas Way and would contain approximately 255,440 SF of gfa. There would be two lobbies on Q Street. One and one-half levels of underground parking would be entered at the mid-point of the Q Street-extended block; loading would be off of Harry Thomas Way, across from the side of FedEx. There would be two open courtyards on the southern side.

Each of the “stick-built” buildings would be constructed atop reinforced concrete garages that would be primarily, but not entirely, below grade.

Architecture

The buildings’ design respond to the industrial character of this part of Eckington, while introducing contemporary elements and reflecting the residential nature of the project. The buildings would be “stick-built” elevator buildings with facades of primarily brick, glass and cementitious board, with some metal elements. Since setdown, the design has come to better-define the edges of the proposed extension of Q Street, and better to emulate Washington’s urban form.

Public Benefits and Project Amenities and Project Mitigation

Although the project would be less dense than the approved PUD, the applicant would retain all of the provisions of Order 05-23 that stipulates benefits and amenities, with the exception of those noted on page 3 of this report. The requested changes concern the request to pay \$55,000 towards, rather than being responsible for constructing, the bike trail connection; to pay \$25,000 for a traffic light at 3rd Street and Rhode Island Avenue rather than waiting until DDOT determines what share of new traffic the proposed project would contribute to that intersection; and, to substitute payment for equipment and supplies for the Harry Thomas Recreation Center, rather than for purchase installation of a new scoreboard. *The applicant will need to provide a more detailed list of what would be purchased for the Center, so the fulfillment of the revised condition can be monitored.*

The applicant also proposes to construct and maintain a 4,500 square foot publicly-accessible park at the intersection of Q Street extended and Harry Thomas Way. *The applicant will need to present more details about the landscape design.*

In response to concerns expressed by OP, the applicant has added 1,000 gsf of retail at the corner of Eckington Place and Harry Thomas Way. This would be marketed as a convenience store space..

Summary of Benefits

Overall, as requested for modification, 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 buffer between that neighborhood and the light-industrial and commercial uses to the south. It would extend an existing city street, provide public space that will be useful to the existing neighborhood and to new residents, and contribute money toward connections with the Metropolitan Branch (Bicycle) Trail (MBT) that leads to the New York Avenue Metro station. The architecture is respectful of nearby residential and warehouse structures. It offers a mix of housing types ranging from studios to two bedrooms plus dens. There would be multiple entrances onto existing and new streets from the bases of the high-rise buildings. 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, including a connection to the MBT..

VI. CONSISTENCY WITH THE PUD EVALUATION STANDARDS OF § 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.

1. Quantitative Standards

The proposed modifications are congruent with all quantitative requirements.

Item	M District	C-3-C District	C-3-A District	Proposed Modified C-3-C PUD
Minimum Lot Size	15,000 SF	15,000 SF	15,000 SF	4 acres - <i>conforms</i>
FAR	6.0	8.0	4.5	3.3, including Q St extension -- <i>conforms</i>
Height	90 feet	130 feet	90	67 feet -- <i>conforms</i>

Table 3: Proposed Modified PUD Quantitative Standards Analysis

2. Relief from Certain Zoning Regulations

The applicant requests relief from the side yard requirements (§405) for two of the three buildings, primarily to make the construction of additional windows possible for some units. The side yard for buildings 100 and 200 is to the buildings' north. Neither the C-3-A nor the C-3-C districts require the provision of a side yard, but if one is provided it must be 2 inches per foot of building height, but not less than six feet. The applicant wishes to be able to include windows on the north elevation of these buildings, and not have those windows be "at-risk." However, the applicant states that it cannot provide the full-required side yard without making the buildings significantly less usable. OP sees no negative impacts from the Commission's granting the requested relief.

3. Other Flexibility Requested

The applicant is requesting permission to vary certain interior components, the location of parking spaces, and final details on certain building materials as long as they are consistent with those the Commission approves in a final order for the proposed application. The applicant also requests flexibility to vary the number of units by 7% up or down. OP has no issue with these requests.

VI. § 2403.4: RELATIONSHIP TO THE COMPREHENSIVE PLAN (10 DCMR)

The approved PUD was deemed consistent with the then-applicable Comprehensive Plan. Since the Commission decided Case No. 05-33, a new Comprehensive Plan has become effective. The proposed modifications are not inconsistent with the new Comprehensive Plan.

A. Elements and Policies of the Comprehensive Plan With Which the Project Is Not Inconsistent

1. Future Land Use Map (FLU)

Since the Commission decided Case 05-33, the FLU has been changed to reflect current conditions in the Eckington Area, and the recommendations in both OP's industrial land use and NoMA studies. While the previous Map had shown the area as being appropriate for industrial and light-industrial uses, the new map designates this area as being appropriate for mixed PDR/Medium Density Residential uses. The proposed revisions to the PUD are generally not inconsistent with the new land use designation. However, OP notes that a PUD with an associated C-3-A district may be a more appropriate zone than the C-3-C district. C-3-A would not result in over-zoning the PUD. The C-3-A allows a maximum FAR of 4.5 and height of 90 feet through a PUD. This zone is much more reflective of the proposed modified project.

2. Written Elements

The new Comprehensive Plan reflects the changing land use patterns to which Case No. 05-23 contributed. The proposed modifications are not inconsistent with the new Comprehensive Plan.

The guiding principles of the Comprehensive Plan, with which the project, as modified, would be not inconsistent include: Managing Growth and Change, Creating successful Neighborhoods, Connecting the City and, to some extent, Building Green and Healthy Communities.

The PUD, as proposed for modification, reinforces the following policies:

Land Use Element:

- *1.3 Transit-Oriented and Corridor Development.* The proposal is responsive to: §306.11, which emphasizes the development of vacant/underutilized land near Metro stations; §306.12, which stresses the need for affordable and "starter" housing in areas where transit makes car ownership less necessary;
- *1.4 Neighborhood Infill Development.* §307.4 encourages the filling-in of "gaps": with buildings that are of a scale and nature to be compatible with the existing physical development pattern. The project as proposed for modification, with its lower height and scale than the approved project, is consistent with this policy.

Transportation Element:

- *1.1.4 Transit-Oriented Development.* §403.10 encourages pedestrian-oriented developments around transit stations.
- *1.1-B Transportation Improvements.* §403.14 implicitly encourages the incorporation of transportation demand management measures such as bicycle facilities into PUDs, which this project, as modified, would do.
- *2.3.2 Bicycle Network:* §409.8 promotes the provision of a comprehensive bicycle network and the filling-in of gaps, which this project would do by funding a connection to the MBT.

Housing Element:

- *1.1.4 Mixed-Use Development.* §503.5 encourages the construction of housing on commercially zoned land around appropriate Metrorail stations. This project would accomplish this on land zoned C-3-C in association with the PUD.
- *1.1.5 Housing Quality.* §503.6 states that affordable housing should be of the same high-quality design as market-rate housing. The PUD, as requested for modification, would seamlessly incorporate 8% of its units as affordable housing for 20 years, for households earning up to 80% of the area median income.

Mid-City Area Element:

- *2.7.2 Eckington/Bloomingdale.* §2017.5 encourages the protection of the neighborhood's architectural and row-house character. The proposed height of the project would be congruent with nearby row house areas, as would be the front stoops and landings.

VII. ISSUES NOTED AT SETDOWN AND REMAINING ISSUES

Additional information needed is noted in italics.

- A. Q Street Extension Geometry and Design: The applicant has worked closely with OP and DDOT on the design of the extension. DDOT is not current able to accept a street with the proposed dimensions into the public system. However, while private, the Street would function as a public street, and would be capable of accommodating emergency vehicles. Both DDOT and OP are satisfied with the design of sidewalks, stoops, parking strips, the location of utility grates and other public space functions.
- B. Bicycle Trail Extension: The Commission will need to decide whether the applicant will: 1) be responsible for designing and constructing the connection; or 2) be permitted to contribute \$55,000 to DDOT for the design and construction of the connection. OP recommends the second alternative.
- C. Design:
 - a. Building Facades: OP and the applicant gave intensive consideration to façade designs, including on-site examinations of other successful infill projects in the District that involved industrial-type designs. The revised designs would be appropriate to the Eckington area.
 - b. Building Bases: The applicant has revised the proposed grading of the site to reduce the above-ground height the parking deck to an acceptable level.

- D. Green Elements. The PUD will incorporate some elements of "green" design. These include garage exhaust fans controlled by sensors to prevent continuous running; low-flow showerheads; low-emitting paint and coating materials and carpet and energy-efficient appliances.
- E. Relationship to Northern-Adjacent Development: The applicant has revised the design of the façade of Buildings 100 and 200, and to the northern boundary of its site. They now appear more finished.
- F. Alternative Associated Zoning of C-3-A. The applicant has indicated no objection to this zoning. As it more closely reflects the proposed project than does C-3-C, OP recommends the Commission modify the associated zone district to C-3-A. This would be consistent with the site's PDR/medium-density residential use designation.
- G. "Park" at Q Street Extended and Harry Thomas Way. *The applicant will present more details about the proposed benches, trash cans, and other landscaping and security elements at the public hearing.*

VIII. AGENCY COMMENTS

OP has had extensive conversations with DDOT, but has not received input from other District agencies. DDOT is willing to accept contributions from the applicant towards the construction of the bike trail extension and the installation of a traffic signal at Rhode Island Avenue and Third Street, NE. DDOT will forward any additional comments directly to the Zoning Commission.

IX. COMMUNITY COMMENTS

The applicant presented the proposed modifications to ANC 5C, the Eckington Civic Association, and representatives of several other groups that would be affected by the community benefits package. The Civic Association and several other groups have written letters of support for the modifications. The ANC was scheduled to vote on the proposed changes on October 16, 2007.

X. OP RECOMMENDATION

OP recommends the Commission approve the requested major modifications to the approved PUD, current to the September 28, 2007 architectural plans, with an associated C-3-A zoning, and subject to the additional information requested in this report concerning: :

- The equipment and supplies that the Harry Thomas Recreation Center would purchase with the applicant's \$10,000 contribution;
- The publicly accessible park's design and management.

jls/slc