

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
OFFICE OF PLANNING



Office of the Director

**MEMORANDUM**

**TO:** D.C. Zoning Commission

**FROM:** <sup>JS</sup>Jennifer Steingasser, Deputy Director

**SUBJECT:** Preliminary Report – Proposed Major Modification to Z. C. Order No. 05-23, Regarding an Approved Consolidated PUD and Related Map Amendment at Eckington Place and Harry Thomas Way, N.E.--Square 3576, Lot 815

**DATE:** July 20, 2007

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**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) set down this application for a public hearing.

Although the proposed changes are substantial, the community benefits and amenities remain the same, the site plan has most of the same public advantages, and the traffic impact on the surrounding neighborhood would remain the same as the approved PUD. The parking impact would be somewhat greater.



**II. APPLICATION 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.

The applicant seeks to change the PUD from a mixed residential and retail project to one that would be solely residential. The type of the residential construction would also change significantly.

ZONING COMMISSION  
District of Columbia

**Fig. 1. Site Location**

CASE NO.

EXHIBIT NO.

05-23A  
ZONING COMMISSION  
District of Columbia  
CASE NO. 05-23A  
EXHIBIT NO. 10

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 540 to 660 dwelling units in three approximately 57.5 to 64.5 foot five-story buildings. Its square footage would be approximately 617,318 square feet and would have an FAR of 3.30. Its residential parking ratio would be approximately 0.8.

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. Whereas the approved PUD requires the developer to design and construct the connection, at an estimated cost of \$55,000, the requested modification proposes only to contribute \$55,000 for design and construction of the connection. The modified PUD modification would also add a 4,500 square foot publicly-accessible park at the eastern end of the project.

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 57'8" wide street right of way that would be built to DDOT materials' standards, but as a private road, initially. (*See Attachments 3 and 4*). If DDOT approves new street standards it is considering that would allow it to accept into the public street system new streets that are narrower than seventy-five feet, then the applicant would willingly deed the street over to the District<sup>1</sup>. Q Street would be constructed on-grade, would be capable of supporting substantial street trees, and capable of being accepted into the public street system if right of way width standards are modified. 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 following drawings and table give a more detailed comparison of the approved and proposed-modified PUDs.

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<sup>1</sup> Although DDOT did not object to the approved PUD's 60' right of way, technically District regulations preclude accepting new streets less than 75 feet into the public system.



*Extended Q Street Perspective Comparison*



Figure 6. Perspective of Approved PUD from Western End of Extended Q Street



Figure 7. Perspective, Proposed Modified PUD from Western End of Extended Q Street

The proposed modified PUD would replace the frequently set-back building line with a continuous urban frame for Q Street, including individual entrances and stoops.

*Development Comparisons*

<i>Site Area is 187,956 SF</i>	<b>C-3-C Zoning</b>	<b>C-3-C PUD</b>	<b>Approved PUD</b>	<b><u>Proposed Modified PUD</u></b>
<b>Gross Square Feet (GSF) By Use Type and Total &amp; Number of Dwelling Units</b>	1,221,727 Residential or Commercial	1,503,664 Residential or Commercial	-738,702 gsf residential (625-675 units); - 15,084 sf. retail; TOTAL -753,786	- 617,318 gsf residential (540-660 units); - TOTAL – 617,318 gsf
<b>Floor Area Ratio (FAR)</b>	6.5 residential or non-residential	8.0 residential or non-residential	4.01	3.3
<b>Building Height</b>	90 feet	130 feet	Varies—40 ft. to max. of 110ft.	57.5 to 64.5 feet
<b>Lot Occupancy</b>	100%	100%	47.43%	63%
<b>Roof Structures</b>	Single per level	Single per level	More than one roof structure on a level –	Single, of uniform height, less than 18'6", and set back at least 1:1
<b>Parking (Residential Use)</b>	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 at least 0.8 space per unit
<b>Parking (Retail Use)</b>	>3,000 sf, 1 space for each additional 750 sf GFA	>3,000 sf, 1 space for each additional 750 sf GFA (16)	Approx. 46 spaces for retail uses.	n/a
<b>Loading Berths (Retail Use)</b>	1 berth @ 30', 1 platform @ 100 sf, 1 deliv. sp @ 20'	1 berth @ 30', 1 platform @ 100 sf, 1 deliv. sp @ 20'	Loading from Street –	n/a
<b>Loading Berths (Residential Use)</b>	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'	Meet requirements for C-3-C and for townhouses.	1 loading berth @ 55', 1 loading platform @ 200 sf, 1 delivery/service space @ 20'
<b>Residential Recreation Space</b>	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)-	No longer applicable with changes to Zoning Regulations
<b>Side Yard</b>	2" per foot of height	2" per foot of height	n/a	For 2 bldgs, 5'10" where 10'10" required. <i>Flexibility Requested</i>

**Table 2.**

### **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. 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). 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. 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.

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. 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 3<sup>rd</sup> Street, N.E. The site is approximately 0.23 mile northwest of the New York Avenue Metro. It 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 4<sup>th</sup> 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.



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 Place
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 (Approved PUD)	225,138 gsf (218-250 units)	561,136 sf office; 100,874 sf hotel; retail	Office, residential hotel in triangle formed by NY/Fl. Aves. & rail tracks
GSA Federal Offices	UC		438,000	ATFE HQ
The Eckington	UC		165,000 (incl. 17,00 retail)	Hotel to east of ATF
CCC North	P (in LTR)	--	Approx. 494,000 sf	Office, flex-tech and PDR in narrow 10 acre parcel west of tracks between R Street and RI Ave. NE

**Table 3: Larger existing/planned developments within ¼ mile of New York Avenue Metro**

#### 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. The approved PUD site has associated C-3-C zoning. 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 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, closest to most of the existing Eckington residential neighborhood, would contain approximately 245,936 sf. 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, between the proposed building and the Washington Flower Mart. There would be two open courtyards in the rear.

The northeast parcel at the corner of Harry Thomas Way and Q Street extended would be the largest building, containing approximately 252,589 sf. 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, bounded by Q Street extended, Eckington Place and Harry Thomas Way would contain approximately 246,936 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.

OP has asked for additional information on "green" design and construction in the project.

#### Architecture

The buildings' design tries to 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 primarily brick, and would have defined bases and corniced tops. Depending on the topography, portions of the buildings' bases would be the top of the garages. Their heights would range from one to five feet above the adjacent sidewalk.

OP is continuing to work with the applicant on the façade design and anticipates significant refinements, if the Commission set the case down for a hearing.

#### Public Benefits and Project Amenities

With one procedural exception, the applicant would retain all of the provisions of Order 05-23, Condition 2, which stipulates benefits and amenities. The requested minor change concerns the bike trail connection. The order stipulates that the applicant shall design and construct the extension, which would have an estimated cost of \$55,000. The applicant wishes to amend that provision, so that the applicant is obligated to contribute \$55,000 toward the construction of the trail, but would not be responsible for its design and construction.

#### Additional General 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 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 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 Metropolitan Branch Trail.

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

Table 4: Proposed Modified PUD Quantitative Standards Analysis

### 2. Relief from Certain Zoning Regulations

The application includes the following relief:

- 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.

### 3. Other Flexibility Requested

The applicant is requesting the 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 these the Commission approves in a final order for the proposed application. The applicant also requests flexibility to divide the 617, 318 gsf into between 540 and 660 units.

Most of the requested flexibility is typical of that frequently granted to PUD, and is in-line with Condition 14 of the existing order. However, more detailed examination needs to be given to:



- The request to vary the parking space locations. The Commission may wish to limit locations changes to within the garages, and explicitly preclude relocation to surface spaces.
- The request to be able to vary the number of units by up to 120 units, i.e. 22%. The Commission may wish to limit this somewhat.
- Although the applicant has not requested relief for this design element in its filing, OP notes that the applicant proposes to construct the Q Street extension with a 57'8" right-of-way, rather than the 60-foot right of way the Commission approved. (*See Attachments 3 and 4*). The extended Q Street would have sidewalks wide enough to accommodate some stoops and direct townhouse-like entrances onto the street, a wider-than average parking strip/tree box; and parking on one-side of the street, rather than on the two sides in the approved PUD

While DDOT had commented favorably on the approved PUD, if a proposed new street is outside of the L'Enfant Plan area and is less than seventy-five feet wide, that department's regulations do not permit it to accept a street of either sixty-feet or fifty-seven feet eight inches into the public system. DDOT is working with OP and other agencies to study the feasibility of modifying its street standards to permit such narrower streets. The task force work on this matter is optimistic about the prospects for such changes. However, until such changes, the applicant would construct the street to all of DDOT's standards other than street width, and maintain the street... Although OP and DDOT feel that such a proposal would be acceptable, the Commission may wish to examine this matter further.

## **VI. PUD EVALUATION STANDARD § 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 Appears to Be Not Inconsistent**

#### **1. Future Land Use Map (FLU) (*See Attachment 2*)**

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, which 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.

The C-3-C zone district the Commission approved for this PUD does not permit PDR uses, and it does permit high – rather than medium -- density residential uses. The applicant has not requested a change in the approved C-3-C zoning associated with the PUD.

## 2. Written Elements

Case No. 05-23 had already been approved by the time the current Comprehensive Plan was being finalized. The new plan reflects the changing land use patterns of which Case No. 05-23 is a part. It is not surprising, therefore, that the proposed modifications are not inconsistent with the new Comprehensive Plan.

The applicant has described a number of guiding principles with which the PUD, as proposed for modification, would be not inconsistent, and OP finds the applicant's analysis to be sound. The guiding principles 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 in the 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.

The PUD, as proposed for modification, reinforces the following policies or actions in the 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 with its connection to the MBT.

The PUD, as proposed for modification, reinforces the following policies or actions in the 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 that 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, to households earning up to 80% of the area median income.

The PUD, as proposed for modification, reinforces the following policies or actions in the Mid-City Area Element:

- *2.7.2 Eckington/Bloomingdale.* §2017.5 encourages the protection of the neighborhood's architectural and row-house character. The requested modifications to the PUD would reduce the height of the project to one more congruent with row houses.

## VII. ISSUES TO BE ADDRESSED

Should the Commission set down the application for a hearing, the following are among the issues that will need to be addressed:

- A. Q Street Extension Geometry and Design: The applicant will need to work closely with OP and DDOT on the design of the extension so that DDOT may be confident of its future ability to accept the road into the public system, and so that 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: A consensus will need to be reached concerning whether the applicant will: 1) be responsible for designing and constructing the connection; or 2) be permitted to contribute \$55,000 to an agency such as DDOT for the design and construction of the connection.
- C. Design:
  - a. Building Facades: OP will be exploring with the applicant whether some of the lessons learned from the integration of the industrial and rowhouse aesthetics in places such as the Uptown Arts District might be applicable to refining the applicant's design. The parties will be examining façade components such brick types, cornice treatment, window types and stoops.
  - b. Building Bases: Due to changes in topography, portions of the underground garages rise above grade between one and four feet. The surfaces – now proposed to be CMU – may need to be softened and given more visual interest..
- D. Green Elements. The applicant will need to clarify the green elements in the project's design, construction and operation.



- E. Relationship to Northern-Adjacent Development: The applicant will need to give more detail about the design of the northern boundary of its site.

## **VIII. AGENCY REFERRALS**

If set down, the application will be 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).

OP has already spoken with DDOT several times about the design of Q Street extended.

## **IX. COMMUNITY COMMENTS**

The applicant presented the modification request to ANC 5C. In a conversation with OP, the ANC chair expressed a favorable reaction to the presentation. The ANC will give the application more formal consideration if the Zoning Commission schedules a public hearing. The applicant has not presented to either the Eckington or the Bloomingdale Civic Associations.

## **X. OP RECOMMENDATION**

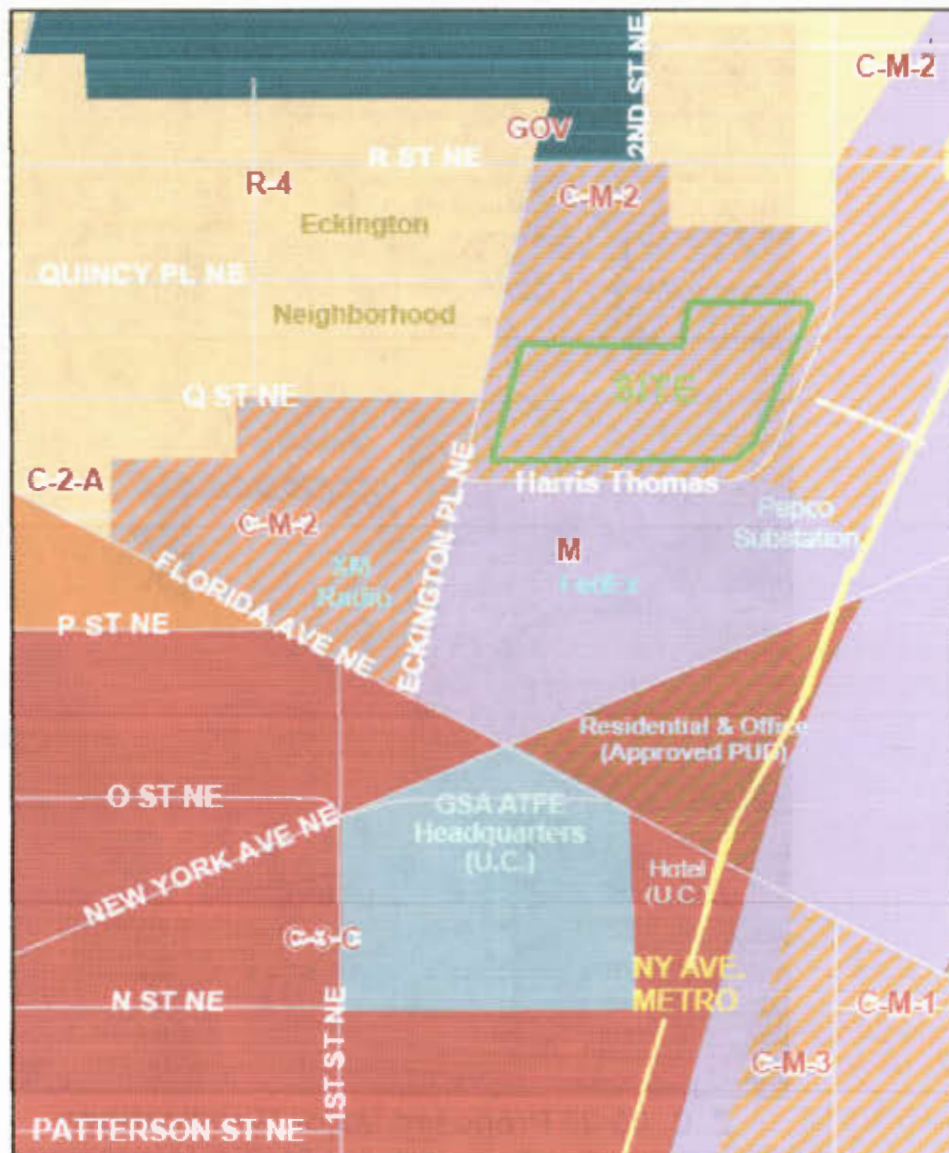
OP recommends the Commission schedule a public hearing on the application.

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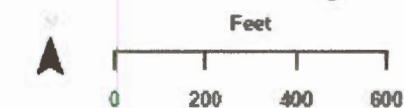
### **Attachments**

1. Site Location
2. Comp Plan FLU Map
3. Approved Q Street Section
4. Proposed Q Street Section

Attachment 2  
Comp Plan  
Future Land Use



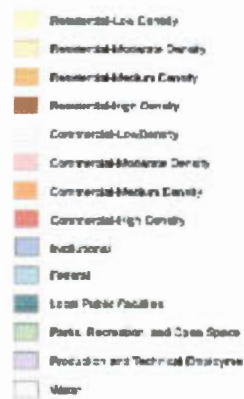
**Z. C. 05-23 Proposed Major Modifications**  
**Approved Order for Consolidated PUD & Map Amendment**  
**Harry Thomas Way & Eckington PL. N.E.**  
**Square 3576 Lot 815**

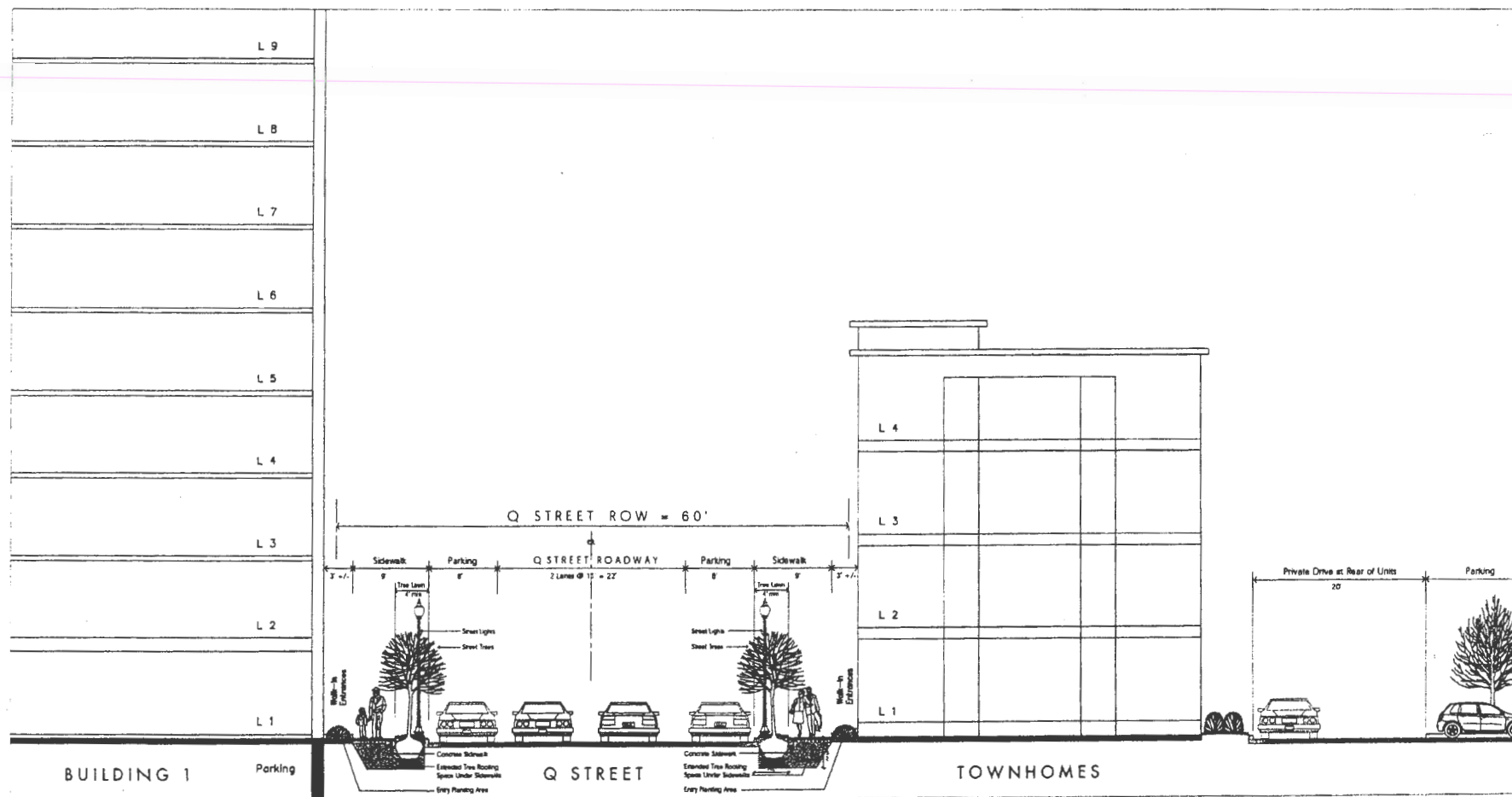


\*\*\* Government of the  
District of Columbia  
Anthony A. Williams, Mayor

Office of Planning ~ December 1, 2005

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SECTION: Q STREET AT PRIVATE DRIVE

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