

O R GEORGE & ASSOCIATES, INC

Traffic Engineers – Transportation Planners

10210 Greenbelt Road, Suite 310 • Lanham MD 20706 2218

Tel (301) 794-7700 • Fax (301) 794 4400

E mail ibanks@orgengineering.com

MEMORANDUM

DATE May 13, 2008

TO Pamela Frentzel-Beyme, Vice President
A&R Development Corporation

FROM Iain Banks Senior Project Engineer

RE Eastgate Family Housing PUD –Traffic Impact Study Update

INTRODUCTION AND BACKGROUND

This memorandum provides updated information to supplement the proposed modification of the approved Eastgate Family Housing Planned Unit Development (Zoning Case Number 05-24 – Order extracts are included as Attachment A) The development was approved in April, 2006 and consisted of 186 dwelling units including 158 townhomes, 20 detached single family dwellings and 8 units in two grandhomes Subsequent to the 2006 approval, the site plan has been modified to replace the 20 single family units with 45 townhome units The site location is presented in Exhibit 1 and the proposed site plans are included as Attachment B The remaining sections of this memorandum address the traffic impact of the proposed modifications

TRAFFIC ANALYSIS

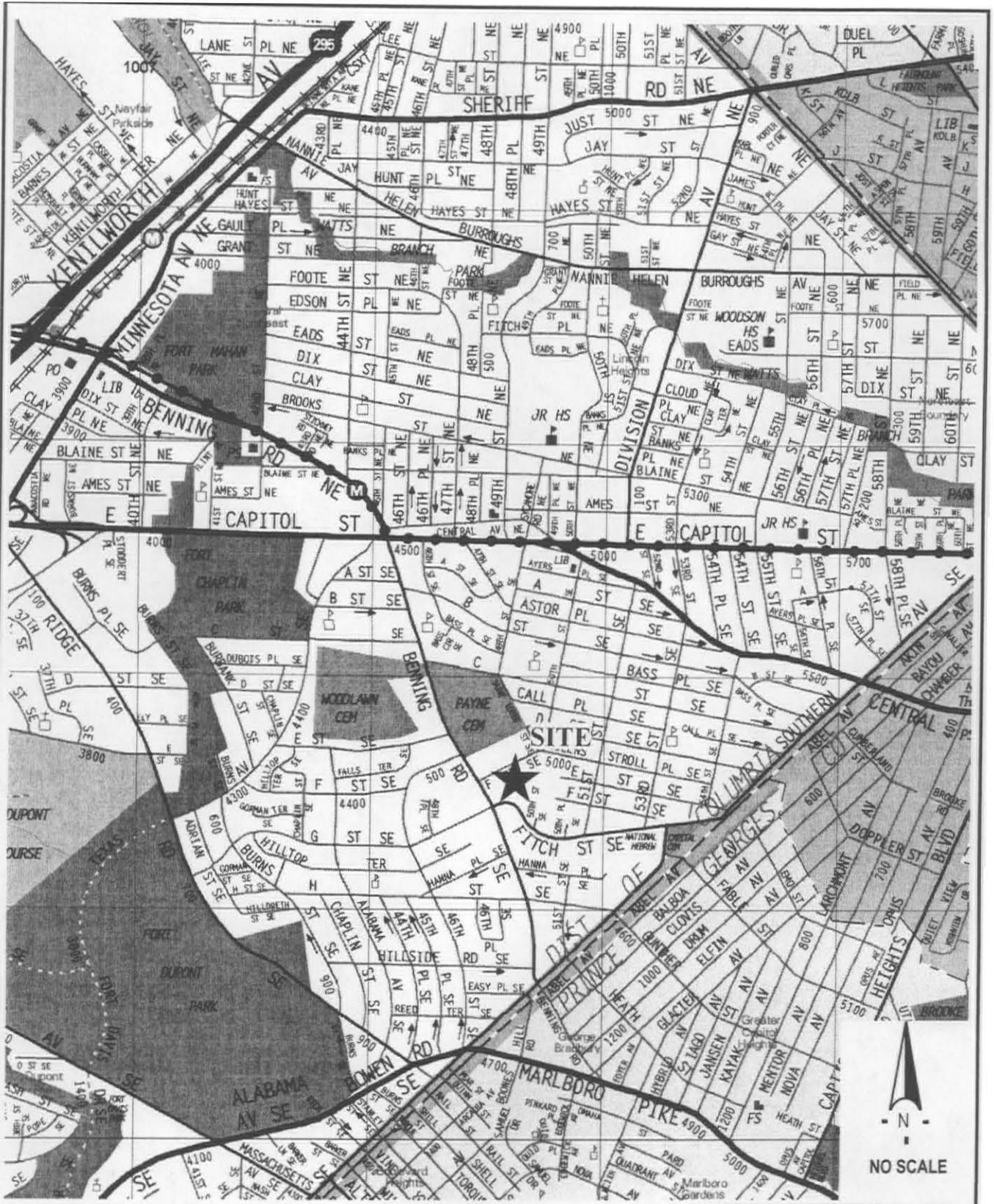
The District Department of Transportation (DDOT) concurred with the conclusions of the Traffic Impact Study (O R George & Associates, December 2, 2005) prepared as part of the PUD application, which specifically noted the following

- a) The intersections within the study area operated acceptably during the morning and afternoon peak hours
- b) The intersections would continue to operate acceptably upon build-out of the proposed development (The study showed projected levels of service at B or better)
- c) The development would not create any appreciable safety or traffic related impacts upon the surrounding area
- d) The development was provided ample parking so as not to create the need for over-spill into adjacent neighborhoods and streets

As per the 2005 study the trip estimates for the proposed development were based on the current ITE Trip Generation Manual (7th Edition, 2003) It is important to note that the ITE rates are for stand-alone suburban sites, which have little or no public transportation services or significant opportunities for weekday work trips via alternative modes Accordingly, the rates were adjusted by a factor of 20% to reflect the location of the property within proximity of the four (4) WMATA Metrobus routes along Benning Road and 51st Street, which provide connections to the adjacent Benning Road and Capitol Heights Metrorail Stations This is fully in keeping with DDOT's guidelines for conducting traffic impact assessments

-
- Traffic Engineering Studies • Transportation Planning • Site Impact Studies
 - Expert Witness Testimony • Data Collection Traffic and Parking Studies

ZONING COMMISSION
District of Columbia
CASE NO.05-24B
EXHIBIT NO.14C



O. R. GEORGE & ASSOCIATES, INC.
 Traffic Engineers - Transportation Planners

EXHIBIT 1
SITE LOCATION MAP
 Eastgate Family Housing Planned Unit Development Application

The projected vehicular trips for the approved and modified development are presented for comparison in Table 1

TABLE 1
PROJECTED PEAK HOUR TRIP GENERATION -
EASTGATE FAMILY HOUSING PUD

<u>Trip Generation</u>	AM Peak Hour			PM Peak Hour		
	In	Out	Total	In	Out	Total
A. Total (Approved 2006 Dev.)	11	59	70	56	29	85
B. Modified PUD 2008 - Per 211 Townhouse Units	11	63	74	59	30	89
Net Trips (B-A)	0	+4	+4	+3	+1	+4

Source ITE Trip Generation Manual (2003) & O R George & Associates

As is shown in the table above, the proposed modification would generate a “de-minimus” increase in vehicle trips during the morning and afternoon peak periods. This minimal increase is well within the daily fluctuation of the traffic flow within the surrounding roadway network and would not adversely impact the operations of the adjacent intersections. For reference Table 2 presents the capacity analysis results of the total traffic situation as undertaken within the 2005 study for the approved site plan.

TABLE 2
SUMMARY OF CAPACITY ANALYSIS RESULTS -
PROJECTED TOTAL TRAFFIC SITUATION

Intersection	AM Peak Hour		PM Peak Hour	
	Level of Service	Avg. Delay (Secs./Veh.)	Level of Service	Avg. Delay (Secs./Veh.)
• Benning Road @ F Street, S E	B	10.9	B	12.2
• Benning Road @ G Street, S E	B	14.0	B	16.9
• Queens Stroll Place/Drake Street @ 51 st Street, S E	A	7.4	A	7.8

Note Sec /Veh = Seconds Per Vehicle

Source O R George & Associates

Table 2 shows that under the projected total traffic situation, the study area intersections would continue to operate at quite acceptable levels of service and would not be adversely impacted by the minor increase in vehicle trips that the proposed modification to the site plan would generate.

PARKING ANALYSIS

The development site was approved with 345 parking spaces for 186 dwelling units. However, as a result of a need to conform to DDOT standards, a PUD Modification was requested and approved (Zoning Case Number 05-24A) in February 2007 to decrease the number of parking spaces to 277 (including on-street spaces) at a ratio of 1.5 spaces per unit. The proposed modification, which is the subject of this memorandum, would require the following:

REQUIRED VS PROPOSED OFF-STREET PARKING

Land Use	Required Parking Ratio	Required Parking	Proposed Parking Ratio	Proposed Parking
Townhouses (211 units)	1.0	211	1.24	261

Source: DCMR Title 11 – Zoning (Section 2101), and O. R. George & Associates

The above table also shows the proposed off-street parking, to facilitate a comparison. The data indicates that the proposed exceeds the required parking by a factor of 1.24. It is also noted that the proposed development would be served by 40 spaces along the internal streets, resulting in a total of approximately 301 parking spaces and a 1.43 ratio. The table below presents the detailed breakdown of the proposed parking:

PROPOSED PARKING SPACES

Parking Type	No. of Spaces
a) Townhome - Garage	96
b) Townhome - Driveway	165
c) On Street	
- Ivory Walters Lane	21
- Kimi Gray Court	19
TOTAL	301

As such, the proposed parking supply should adequately accommodate the projected parking demand for the planned land uses, as was concluded within the original and modified PUD approvals.

It has been noted through discussions with DDOT that they have concerns regarding the number of curb cuts for driveways and the impact upon the pedestrian experience along the sidewalk of Kimi Gray Court where the proposed townhomes would replace the single-family homes. The Applicant is aware of this concern but notes that in order to meet the required 28-Ft driveway separation as per the Zoning Regulations 2117.8(d), the overall parking supply would be reduced to 281 at a ratio of 1.33.

Eastgate Family Housing – Traffic Study Update

May 13, 2008

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In response to the above, the Applicant anticipates that the residents of this development to have vehicle ownership levels that are reflective of similar residential developments within the area. The Applicant's residential development at Capitol Gateway has indicated that almost all of the homeowners own at least one vehicle and they believe that the proposed driveway parking is an attractive and marketable amenity. It is also noted that the proposed driveway scheme matches the rest of the Eastgate Family Housing development and would be located at the end of a cul-de-sac where traffic and vehicle conflicts would be very low.

CONCLUSION

Based on the foregoing data, analyses and discussions, this study has shown that the proposed modification to replace twenty (20) single family detached units with forty-five (45) townhome units would have a de-minimus impact from a traffic and transportation perspective. The defined study area road network would be adequate to accommodate the minor increase in vehicle trips as a result of the proposed site plan modification. The proposed modification would also continue to provide adequate on and off-street parking provisions for the development, which would be in excess of the required parking per the Zoning Regulations. This study has also concurred with the prior studies and DDOT reviews that the proposed development would not create any significant capacity, safety or operational deficiencies within the study area road network, and would also not adversely impact the health, safety and general welfare of roadway users. As such, the proposed modification to the Eastgate Family Housing Planned Unit Development should not result in conditions that are objectionable to adjacent or area property owners and the community in general.

Should you have any further requirements in this matter please let us know. Thank you!

IJB

Attachments: As noted

ATTACHMENT

A

EXTRACTS FROM ZONING ORDER 05-24

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission



ZONING COMMISSION ORDER NO. 05-24
Z.C. Case No. 05-24
(Consolidated PUD –Eastgate Family Housing)
April 20, 2006

Pursuant to notice, the Zoning Commission for the District of Columbia (the “Commission”) held a public hearing on January 12, 2006 to consider an application from the D C Housing Authority and the associated private development team of A&R/THC II LLC (collectively, the “Applicant”) for review and approval of a consolidated planned unit development (“PUD”) pursuant to Chapter 24 of the District of Columbia Municipal Regulations (“DCMR”), Title 11, Zoning. The proposed development is a mixed-income residential community with various building types and an open space preserve. The public hearing was conducted in accordance with the contested case provisions of 11 DCMR § 3022. For the reasons stated below, the Zoning Commission hereby approves the application subject to the specified conditions.

FINDINGS OF FACT

The Application, Parties and Hearing

- 1 On July 28, 2005, the Applicant submitted an application to the Zoning Commission for a consolidated PUD utilizing the existing R-5-A zoning of the subject property.
- 2 The application requested approval of the plans and site plans depicting 186 dwelling units, including 158 townhouses, 20 detached single-family dwellings, and eight (8) units in two (2) grandhomes (each having four units). The plans also include an open space preserve, or “Urban Tree Park,” of 2.5 acres on the site.
- 3 The Office of Zoning received the Applicant’s Pre-Hearing Submissions on October 21 and December 8, 2005.
- 4 A description of the proposed development and the Notice of Public Hearing were published in the *D C Register* on November 18, 2005 (52 DCR 10177). The Notice of Public Hearing was mailed to all property owners within 200 feet of the subject property, as well as to Advisory Neighborhood Commission (“ANC”) 7E.
- 5 The parties in the case were the Applicant and ANC 7E.

441 4th Street, N W , Suite 200/210-S, Washington, D C 20001

Telephone (202) 727-6311

Facsimile (202) 727-6072

E Mail dcoz@dc.gov

Web Site www.dcoz.dc.gov

accommodate three public schools -- Fletcher-Johnson Middle School, J C Nalle Elementary School, and C W Harris Elementary School Numerous places of worship also serve the neighborhood

The PUD Project

13 The apartment buildings formerly constituting the 230-unit Eastgate Gardens public housing development have been demolished, and the PUD Site is currently vacant

14 The Applicant plans to develop the PUD Site with 186 dwelling units, including 158 townhouses, 20 detached single-family dwellings, and eight units in two grandhomes (each having four units) The overall goal is to create a stable, mixed-income residential community, with the emphasis on affordable housing Eighty units (43 percent [43%]) will be in the low-income range, 42 units (23 percent [23%]) will be in the moderate-income range and 64 units (34 percent [34%]) will be market rate The breakdown of the 186 dwelling units by building type, affordability, and tenure is as follows

<u>Building Type/Number</u>	<u>Tenure</u>	<u>Affordability</u>
53 townhouse	Rental	At or Below 60% Area Median Income ("AMI")
19 townhouses	Sale	At or Below 60% AMI
42 townhouses	Sale	60-80% AMI
44 townhouses	Sale	Above 80% AMI (Market)
20 detached houses	Sale	Above 80% AMI (Market)
8 grandhome units	Rental	At or Below 60% AMI

15 The site plan is generally described as follows Two- and three-story townhouses in groups of three to five units will line the perimeter street frontages facing the surrounding neighborhood along F Street, Queen's Stroll Place, 51st Street, and Fitch Street The only exceptions to this pattern are a short section of open space along Fitch Street and two grandhomes sited at the corner of 51st Street and Queen's Stroll Place Eighty-six of the townhouses will have garages and 72 will not, all of the detached dwellings will have either a one-car or a two-car garage

16 The new community will be pedestrian-friendly, with ample sidewalks, street lamps, and ample open spaces Common areas and the proposed urban tree park will provide a total of 2.88 acres of open space in the 16.03-acre site Two tot lots are included in the project plans

17 The interior of the PUD Site will be served by two new streets that are proposed to be public streets, lined with six-foot-wide sidewalks, lighting, and street trees following public street standards These streets will be continuations of E and F Streets outside the PUD Site The streets will form a U-shaped loop road where both frontages will be developed with detached single-family houses, so that like housing types will face each other along the street frontages

18 Five-foot-wide easements will run through the center of rear yards between the two new public streets The easements will provide access to the dwellings for residents of the for-

sale units and management in the case of rental units, and are needed for maintenance and rear access to yards. Easements are also proposed in other locations, as depicted on the Circulation and Parking Plan (Sheet C-9 0 of the plans). The easements will allow "dry" utilities to be located underground, a major benefit in terms of visual and design quality.

- 19 One proposed new street will be constructed in the southern part of the PUD Site. It will be curvilinear, running generally east-west, and will connect to 51st Street on the east and Fitch Street on the west. The south frontage will be developed with groups of townhouses and the north frontage with six detached dwellings. An east-west public alley will serve the interior of this block. A tot lot will be located at the western end of the town houses facing the new interior street.
- 20 A large open space of approximately 2.5 acres is planned for the area to the south and west of the detached houses. This area consists of steeply-sloping land with substantial coverage of mature trees. The Applicant determined that creating streets and new buildings on this part of the PUD Site would be environmentally undesirable. The Applicant submitted plans to preserve the mature trees in this open space and create an Urban Tree Park. A pedestrian path at the upper part of this area will link the two tot lots, together with a sitting area and meadow. In the lower part, the Applicant's landscape architect will work in cooperation with the Casey Tree Foundation, the Urban Forestry Administration, and the Earth Conservation Corps to re-establish the heavily treed area as a self-sustaining natural woodlands.
- 21 Building heights will range from just under 23 feet for the two-story detached houses to 33 feet, 6¾ inches for the three-story townhouses. The grandhomes and two-story townhouses will be in the range of 23 to 24 feet high. All of the proposed building heights are within the 60-foot building height allowed for a PUD in the R-5-A zone. Lot occupancy will be 35.15 percent (35.15%) based on the area devoted to residential lots, or 27.23 percent (27.23%) based on the lot areas plus open space. The proposed lot occupancy is within the allowed 40 percent (40%) lot occupancy in the R-5-A District.
- 22 The Applicant testified that the new residential community will have substantially fewer dwelling units than the previous Eastgate Gardens public housing complex, so that automobile trip generation will be reduced. Metrobus service connecting to the Benning Road Metrorail Station and other destinations is convenient to the PUD Site, with numerous lines along Benning Road and 51st Street.
- 23 The Commission credits the conclusion of the Applicant's traffic expert that the proposed PUD will not create any significant adverse traffic impacts. Intersections in the immediate vicinity of the PUD Site currently operate at acceptable levels of service during both the morning and afternoon peak hours, and are expected to continue to operate acceptably upon build-out and occupancy of the Eastgate Family Housing development. The PUD will not create any appreciable roadway capacity, safety, or operational deficiencies, or otherwise be unacceptable in terms of its traffic-related impact on the surrounding area.
- 24 The proposed PUD will provide ample parking in excess of the R-5-A requirement of one parking space per dwelling unit, in this case a requirement of 186 spaces. There will be

Applicant's proposal "meets the PUD evaluation standards outlined in § 2403 and is in accordance with the intent of the Zoning Regulations, the PUD process, and the consolidated PUD "

37 OP stated that, "The proposal is a very important residential development in furtherance of the District's aim to provide a variety of housing types for different income levels. The application is consistent with the requirements of the Zoning Regulations, elements of the Comprehensive Plan, and the Eastgate-Marshall Heights Neighborhood Alliance Master Plan "

38 OP cited public benefits including affordable housing, urban design and architecture, preservation of open space, an urban park, site plan, pedestrian access, and First Source Employment and LSDBE commitments. The OP report also noted that the site is a designated Development Opportunity Area in the Land Use Element of the Comprehensive Plan, which provides additional policy support for the PUD project.

Reports of Other Agencies

39 The District Department of Transportation ("DDOT"), by report dated January 11, 2006, indicated that had no objection to the overall proposal, but recommended changes regarding driveway spacing and roadway design. DDOT stated that the proposed new roadways and alleys must be constructed to DDOT standards and offered to work with the Applicant to ensure such compliance.

40 DDOT also expressed a policy of wider driveway spacing, shared driveways, or fewer driveways in the interest of allowing more curbside parking on the public streets. At the public hearing, the Zoning Commission asked the Applicant to submit a post-hearing report on this and other issues. See the discussion of this item under "Contested Issues "

Advisory Neighborhood Commission 7E

41 Advisory Neighborhood Commission 7E voted to support the PUD project and testified in support at the public hearing and submitted a letter indicating its support.

Public Testimony

42 Several individuals testified in support of the application. There was no testimony in opposition to the application.

Contested Issues

43 The DDOT report recommended that driveway spacing be increased or that fewer driveways or shared driveways be provided in order to increase curbside parking for visitors, delivery vehicles, and overflow parking for residents.

44 In its post-hearing submission dated January 26, 2006, the Applicant responded as follows:

- (a) There will be 345 parking spaces available on the PUD site for 186 dwelling units, a ratio of 1.8 spaces per dwelling. These will include regulation spaces in garages, parking spaces in driveways, plus 40 curbside spaces on streets.
- (b) Because of the ample parking provided, the curbside parking spaces on peripheral streets -- as proposed or if increased -- would only be needed very occasionally, typically when a resident has a large social gathering.
- (c) As stated by OP at the public hearing, elimination of driveways would likely reduce total parking available. Typically, loss of a driveway eliminates the garage parking space and the driveway parking space, while creating only one additional curbside space.
- (d) The Applicant submitted four alternative driveway configurations reflecting implementation of DDOT's recommendations.
- (e) FedEx and United Parcel Service ("UPS") deliveries will occur only occasionally, and these vehicles park for very short periods of time. They will either park curbside (even if partially blocking a driveway for 1-3 minutes typically) or they will double park. This is what they do on neighborhood streets generally.
- (f) Typically, United States Postal Service ("USPS") mail delivery vehicles will park in one (or two) locations within a small community such as this, and the postal worker will handle deliveries on foot.
- (g) Although driveway spacing is relatively close:
 - 1) These driveways serve single-family dwellings (except for the two grandhome buildings) and thus will be sparsely used, unlike multi-family or commercial driveways.
 - 2) The visual effect will be softened by plantings of shade trees, ornamental trees, and shrubs as set forth in the Landscape Plan.
- (h) The Zoning Regulations at § 2117.9(b) authorize a waiver of any parking requirement for groups of three or more row dwellings where no rear access is feasible. The Applicant prefers to meet parking needs to the extent feasible within sound planning principles.

CONCLUSIONS OF LAW

- 1. The planned unit development process is an appropriate means of controlling development of the site in a manner consistent with the best interests of the District of Columbia. The PUD process is designed to encourage high-quality development that provides public benefits (11 DCMR § 2400.1) and allows flexibility of development and other incentives provided that the PUD project "offers a commendable number or quality of public benefits, and that it protects and advances the public health, safety, welfare, and convenience" (11 DCMR § 2400.2).

- 2 Under the PUD process of the Zoning Regulations, the Zoning Commission may impose development conditions guidelines and standards that may exceed or be less than the matter-of-right standards identified for height, FAR, lot occupancy, parking loading yards, and courts The Zoning Commission may also approve uses that are permitted as special exceptions and would otherwise require approval by the Board of Zoning Adjustment
- 3 The development of this PUD project will carry out the purposes of Chapter 24 of the Zoning Regulations to encourage well-planned developments that offer a variety of building types with more attractive and efficient overall planning and design not achievable under matter of-right development.
- 4 Approval of this application is not inconsistent with the Comprehensive Plan for the National Capital
- 5 Approval of this application is consistent with the purposes of the Zoning Regulations and the Zoning Map of the District of Columbia and will promote orderly development in conformity with the zone plan as a whole
- 6 The PUD is within the applicable height and bulk standards of the Zoning Regulations, and the proposed height and density of buildings will not cause any adverse effect on nearby properties The proposed residential uses are appropriate on this site, which is well served by a major arterial street, bus lines, and a nearby mass transit station The impact of the project on the surrounding area will not be adverse but rather will enhance and promote the revitalization of the area.
- 7 The development of the project will be compatible with District-wide and neighborhood goals plans, and programs and is sensitive to environmental protection, public safety, and other significant policy objectives
- 8 The proposed PUD meets the minimum area requirements of § 2401.1 of the Zoning Regulations
- 9 The proposed PUD meets the contiguity requirements of § 2401.3 of the Zoning Regulations
- 10 The project benefits and amenities are reasonable for the development proposed on the site and responsive to the needs of the community and the city
- 11 The application can be approved with conditions to ensure that any potential adverse effects on the surrounding area from the PUD will be mitigated
- 12 The Commission is required under D C Code § 309.10(d) (2001) to give great weight to the issues and concerns raised in the recommendations of the affected ANC The Commission notes that ANC 7E testified and submitted a report in support of the application
- 13 The application is subject to compliance with D C Law 2-38, the Human Rights Act of 1977, as amended

- (c) Erect an entry sign that is consistent with the design character of the development and all applicable laws regarding signs, and
 - (d) Vary the mix of dwelling unit types by up to ten percent (10%)
- 8 The Applicant may erect six-foot wood privacy fences, of the type shown in the Applicant's submission in the rear yards of the dwelling units, provided that a fence shall not be erected within 10 feet of a rear easement, as described in Finding of Fact No 18
- 9 The Urban Tree Park shall be located and designed generally as depicted in the landscape and Urban Tree Park plans in Exhibits 14, 17, 32, and 38 of the record and shall be developed concurrently with the completion of the balance of the PUD. The approved plan is generalized in places in that specific plantings of trees and other plants, selective removal of trees, and other horticultural actions will be decided by the Applicant's Landscape Architect in concert with other public and private entities assisting in the project, as documented in the record. In addition to the pedestrian path depicted on the concept plan for the Urban Tree Park, the Applicant shall have the option, but not the requirement, of designing and creating a meandering path through the park following a route that takes into account existing and proposed plantings, slope, and other factors determined by the Applicant's design team
- 10 The Applicant shall execute the following agreements prior to the issuance of a final order
 - (a) A First-Source Employment Agreement with the Department of Employment Services and
 - (b) A Memorandum of Understanding with the District of Columbia Department of Small and Local Business Development to ensure local, small disadvantaged vendor participation
- 11 No building permit shall be issued for the PUD until the Applicant has recorded a covenant in the land records of the District of Columbia, between the Applicant and the District of Columbia that is satisfactory to the Office of the Attorney General for the District of Columbia and the Zoning Division of the Department of Consumer and Regulatory Affairs ("DCRA"). Such covenant shall bind the Applicant and all successors in title to construct and use the subject property in accordance with this Order, or amendment thereof by the Zoning Commission
- 12 The Office of Zoning shall not release the record of this case to the Zoning Division of DCRA until the Applicant has filed a certified copy of the covenant with the Office of Zoning

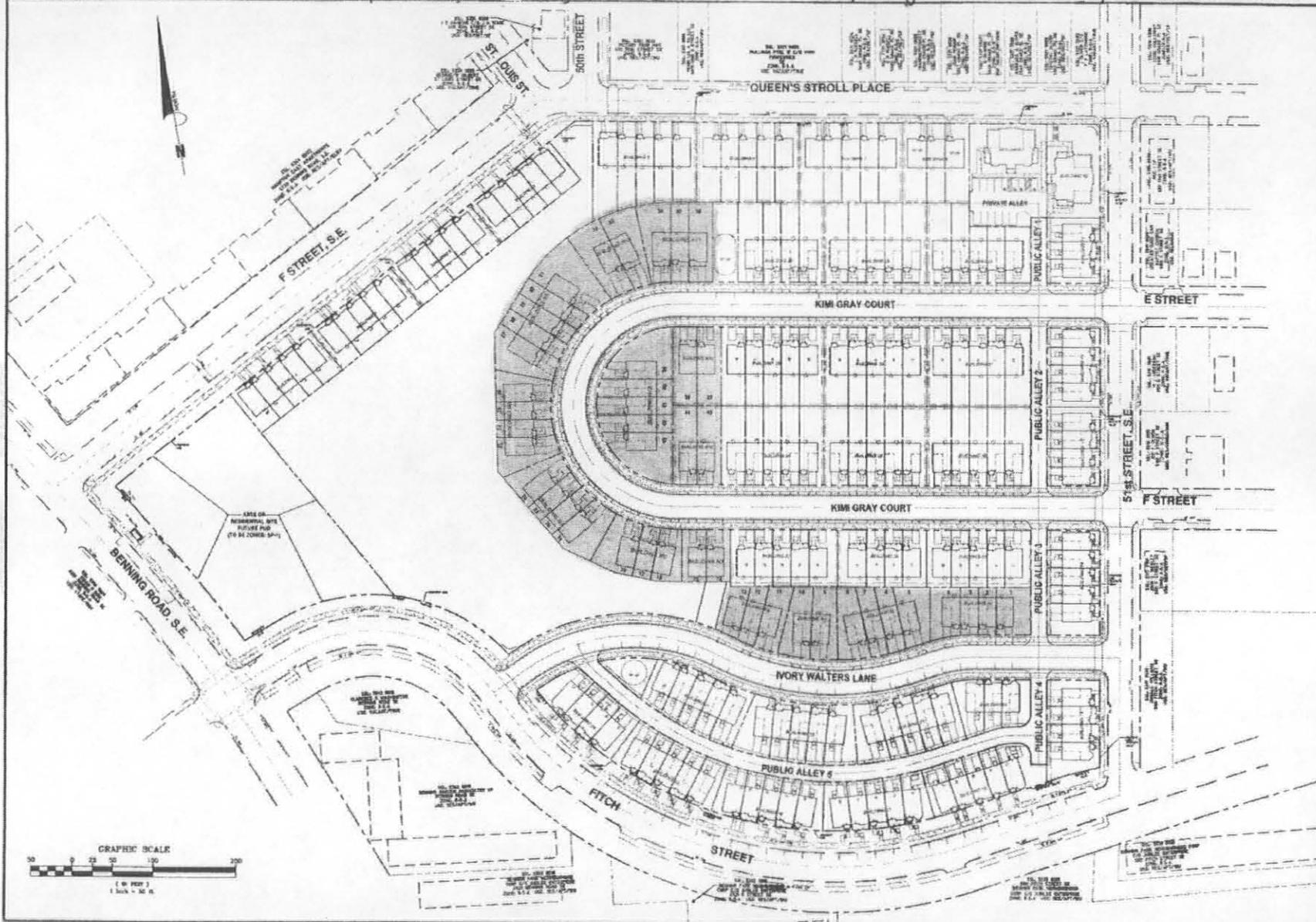
ATTACHMENT

B

APPROVED AND PROPOSED SITE PLANS

45 Units total

PROPOSED PLAN: 5 Duplexes (10 units), 3 triplexes (9 units), 4 quads (16 units), 5 townhomes



Bowman
CONSULTING

1000 Connecticut Avenue, N.W.
Washington, D.C. 20004
Phone: (202) 331-1000
Fax: (202) 331-1001
www.bowmanconsulting.com

NEW TOWN-HOME LOTS
EASTGATE FAMILY HOUSING
SQUARE 5318 LOTS 9-20, SQUARE 5319, LOTS 18-37, SQUARE 5320 (LOTS 25-36)
WASHINGTON, D.C.
WARD 7

PLAN STATUS
DATE: 1/11/09
BY: [Signature]

DATE	DESCRIPTION
1/11/09	STL
1/11/09	R/C
1/11/09	DESIGN
1/11/09	SCALE
1/11/09	JOB No. 2204-C2-001
1/11/09	DATE: JANUARY 2009
1/11/09	FILE No.
1/11/09	SHEET 10F1

ATTACHMENT

C

ZONING ORDER 05-24A

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission



ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
Z.C. ORDER NO. 05-24A
Z.C. Case No. 05-24A
(Minor Modification to Approved Planned Unit Development for
Eastgate Family Housing)
February 12, 2007

Pursuant to notice, a public meeting of the Zoning Commission for the District of Columbia (the "Commission") was held on February 12, 2007. At the meeting, the Commission approved an application from the District of Columbia Housing Authority and the associated private development team of A & R/THC II LLC (together, the "Applicant") for a minor modification to an approved planned unit development ("PUD") for specified properties bounded by Fitch, 51st and F Streets, Benning Road, and Queen's Stroll Place (Drake Place), S E. The property is identified as Lots 9-20 in Square 5318, Lots 20-36 in Square 5319, and Lots 29-36 in Square 5320. Because the modification was deemed minor, a public hearing was not conducted. The Commission determined that this modification request was proper before it under the provisions of §§ 2409.9 and 3030 of the Zoning Regulations (11 DCMR).

FINDINGS OF FACT

By Zoning Commission Order No. 05-24, dated April 20, 2006, the Commission approved a PUD for multiple properties in Squares 5318, 5319, and 5320. The PUD site is a rolling hillside of approximately 698,382 square feet of land, or 16.03 acres. The Order approved the construction of a large community redevelopment project that comprises a total of 186 new residences including 20 detached houses, 158 row dwellings, and two grand houses with four units in each building. The redevelopment plan also provides for closing and realigning several existing streets and alleys and creating new streets and alleys. Forty-three percent (43%) of the units will be in the low-income range, twenty-three percent (23%) will be in the moderate-income range, and thirty-four percent (34%) will be market rate. The PUD site is zoned R-5-A.

The application stated that the requested modifications to Zoning Commission Order No. 05-24 derive from meetings conducted by members of the Applicant's team with representatives of the District Department of Transportation ("DDOT") in conjunction with obtaining building permits. At those meetings, DDOT staff in the public space division objected to a number of locations where driveways would be less than 28 feet apart. The Zoning Commission had approved these driveways utilizing its authority to grant flexibility from the requirements of § 2117.8(d) of the Zoning Regulations, which requires that driveways be located at least 28 feet apart. Prior to the PUD hearing, DDOT had recommended against this condition on the basis that it would decrease on-street parking. However, the Commission approved it over DDOT's objection, based upon

441 4th Street, N.W., Suite 200/210-S, Washington, D.C. 20001

Telephone (202) 727-6311

Facsimile (202) 727-6072

E-Mail dcozi@dc.gov

Web Site www.dcoz.dc.gov

testimony from the Applicant's engineers and transportation expert that the alternative of rear alley access to garage units as recommended by DDOT was infeasible and not favored by the community. The Applicant's experts also demonstrated, with concurrence by the Office Planning ("OP"), that the alternative of shared driveways, also suggested by DDOT, actually decreased available parking to the project, because it eliminated more parking spaces on driveways than it freed on the adjacent streets.

The building permits for the project have been delayed since December 2006 while these meetings and negotiations took place. The Applicant finally concluded that the only feasible means of moving the project forward in a timely way, as required by its lenders and the Department of Housing and Community Development, was to delete the driveways and garages for the remaining affected 35 units. These properties are located along F Street and Queen's Stroll Place, S E.

The Applicant submitted site plans indicating the removal of the affected driveways and curb cuts and the related relocation of walkways. The application stated that 68 parking spaces are lost as a result of the modification, including garage spaces and driveway spaces in some units, but that 48 parking spaces are gained along the curb. The remaining 151 units in the PUD have off-street parking. At the public hearing on the original application, the Applicant identified 345 parking spaces for the entire site, including garage, parking pad, driveway, and internal on-street spaces. The parking ratio (off- and on-street) for the entire site was thus 1.8 spaces per dwelling unit. The new total, as a result of this PUD modification, will be 277 parking spaces for the entire site (114 garage, 123 driveway, and 40 on-street, internal to the site), for 186 units, a ratio of 1.5 spaces per dwelling unit.

In summary, by removing the curb-cuts, the project only loses one-third of the off-street parking along the affected two streets. That is, 35 homes lose driveways and parking, but 48 spaces are gained curbside, at a ratio of 1.4 spaces per home. As a result, the PUD overall maintains higher than a 1.1 parking ratio.

There was no opposition to this minor modification request. Advisory Neighborhood Commission ("ANC") 7E was served by the Applicant with the requested modification, and the Applicant consulted with ANC Commissioners. The ANC, however, did not submit a written report. OP submitted a report dated February 6, 2007 that recommended approval of the minor modification.

CONCLUSIONS OF LAW

Upon consideration of the record in this application, the Zoning Commission finds that the proposed modification is minor and consistent with the intent of the previously approved Zoning Commission Order No. 05-24. Further, the Commission concludes that its decision is in the best

interest of the District of Columbia and is consistent with the intent and purpose of the Zoning Regulations

The approval of the modification is not inconsistent with the Comprehensive Plan

Further, the proposed modification resolves transportation safety matters raised by DDOT, while not unduly affecting the site plan. The reduction in off-street parking is minor, considering the numerous on-street as well as off-street parking spaces provided by the PUD plan.

The modification is so minor that consideration as a Consent Calendar item without a public hearing is appropriate.

On February 12, 2007, at its regular monthly meeting, the Commission reviewed the application as a Consent Calendar matter and granted approval of the minor modification to the approved PUD. The Commission concurs with the Applicant that approving the modification is appropriate and not inconsistent with the intent of 11 DCMR §§ 2409.9 and 3030.

DECISION

In consideration of the Findings of Fact and Conclusions of Law herein, the Zoning Commission for the District of Columbia hereby orders approval of the application for a minor modification of an approved PUD. Condition No. 6 of Order No. 05-24 is hereby revised to read:

"There shall be a minimum of 277 on-site parking spaces that conform to zoning standards, plus approximately 123 spaces in driveways and 40 curbside spaces as depicted on the plans, for a total of 277 parking spaces."

This modification was **APPROVED** by the Zoning Commission at its public meeting on February 12, 2007, by a vote of 5-0-0 (Carol J. Mitten, Anthony J. Hood, Gregory N. Jeffries, Michael G. Turnbull, and John G. Parsons to approve.)

In accordance with the provisions of 11 DCMR § 3028.8, this Order shall become final and effective upon publication in the *D.C. Register*; that is, on OCT 26 2007



CAROL J. MITTEN
CHAIRMAN
ZONING COMMISSION



JERRILY R. KRESS, FAIA
DIRECTOR
OFFICE OF ZONING 

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission



Z.C. CASE NO.: 05-24A

As Secretary to the Commission, I hereby certify that on OCT 22 2007 copies of this Z.C. Order No. 05-24A were mailed first class, postage prepaid or sent by inter-office government mail to the following:

- | | |
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| 1. <i>D C Register</i> | 6. Councilmember Yvette M. Alexander |
| 2. Cynthia Giordano, Esq.
Arnold & Porter LLP
555 12 th Street, N.W.
Washington, D.C. 20004-1206 | 7. Office of Planning (Harriet Tregoning) |
| 3. Naomi Robinson, Chair
ANC 7E
5001 Hanna Place, SE, Ste B
Washington, DC 20019 | 8. Ken Laden, DDOT |
| 4. Commissioner Rosa Hamlett
ANC/SMD 7E03
503 53rd Street, SE
Washington, DC 20019 | 9. Acting Zoning Administrator (Matt LeGrant) |
| 5. Gottlieb Simon
ANC
1350 Pennsylvania Avenue, N.W
Washington, D.C 20004 | 10. Jill Stern, Esq.
General Counsel
941 North Capitol Street, N.E.
Suite 9400
Washington, D.C. 20002. |
| | 11. Office of the Attorney General
(Alan Bergstein) |

ATTESTED BY:

Sharon S. Schellin
Secretary to the Zoning Commission
Office of Zoning