

# THE VILLAGE AT WASHINGTON GATEWAY



BY FORT LINCOLN/GATEWAY VILLAGE, LLC

PRE-HEARING SUBMISSION TO THE  
DISTRICT OF COLUMBIA ZONING COMMISSION FOR  
CONSOLIDATED REVIEW AND APPROVAL OF A  
PLANNED UNIT DEVELOPMENT  
IN CASE NO. 06-08

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ZONING COMMISSION  
District of Columbia

CASE NO. 06-08

EXHIBIT NO. 22

ZONING COMMISSION  
District of Columbia  
CASE NO. 06-08  
EXHIBIT NO. 22

## **DEVELOPMENT TEAM**

### **APPLICANTS:**

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Washington, DC 20018

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1420 Spring Hill Road  
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McLean, VA 22102

### **LAND USE COUNSEL:**

Pillsbury Winthrop Shaw Pittman, LLP  
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## TABLE OF CONTENTS

DEVELOPMENT TEAM.....	ii
TABLE OF CONTENTS.....	iii
CERTIFICATION OF COMPLIANCE WITH SECTION 3013 OF THE ZONING REGULATIONS.....	v
LIST OF WITNESSES AND ESTIMATE OF TIME REQUIRED TO PRESENT CASE.....	vii
EXHIBITS .....	viii
PREFACE.....	ix
I. INTRODUCTION .....	1
II. THE PROJECT SITE .....	1
A. Site Location .....	1
B. Project Description.....	2
III. SUMMARY OF FORT LINCOLN URBAN RENEWAL AREA PLAN .....	6
A. History and Overview .....	6
B. Current State of Development in the Fort Lincoln Urban Renewal Area.....	7
C. Appropriateness of the Current PUD .....	8
D. Prior PUD Approval for the Subject Property .....	9
E. Recent Proposed Developments in the Fort Lincoln Urban Renewal Area.....	10
F. Tabulation of Development Data.....	12
G. Flexibility under the PUD Guidelines.....	13
IV. PLANNING ANALYSIS .....	13
A. Introduction.....	13
B. Land Use Impact.....	14
C. Zoning Impact.....	15
D. Environmental Impact.....	15
E. Facilities Impact.....	16
V. PUD EVALUATION STANDARDS.....	17
A. Public Benefits and Project Amenities .....	17
1. Urban Design and Architecture .....	17
2. Site Planning .....	18
3. Effective and Safe Vehicular and Pedestrian Access .....	18
4. Housing.....	20
5. Revenue for the District .....	20
6. First Source Employment Program.....	20
7. Local, Small and Disadvantaged Businesses .....	20
8. Environmental Benefits .....	21

9. Uses of Special Value to the Neighborhood .....	21
10. Comprehensive Plan .....	23
VI. COMPLIANCE WITH COMPREHENSIVE PLAN .....	23
A. Compliance with Major Themes.....	24
1. Stabilizing the District’s Neighborhoods.....	24
2. Respecting and Improving the Physical Character of the District.....	25
3. Preserving and Ensuring Community Input.....	25
B. Compliance with Major Elements .....	26
1. Housing Element.....	26
2. Transportation Element.....	26
3. Urban Design Element.....	27
4. Generalized Land Use Map .....	28
5. Ward 5 Goals and Policies .....	29
VII. CONCLUSION .....	29

## **CERTIFICATION OF COMPLIANCE WITH SECTION 3013 OF THE ZONING REGULATIONS**

Fort Lincoln/Gateway Village, LLC hereby certifies that this pre-hearing submission, twenty copies of which were filed with the Zoning Commission on August 11, 2006, complies with the provisions of Section 3013 of the Zoning Regulations as set forth below, that the application is complete, and that no further changes to the project are expected to be submitted prior to the public hearing on this application.

Fort Lincoln/Gateway Village, LLC also certifies that certain modifications and refinements have been made to the project and materials provided to the Zoning Commission since the original submission in response to comments raised in meetings that have been held with the Office of Planning, and in response to the comments of the Commission members at the June 12, 2006 public meeting. These modifications include: (i) an analysis of the Fort Lincoln Urban Renewal Area Plan as it applies to recent and proposed development in Fort Lincoln (including discussion of appropriate density for the PUD site and adjacent retail parcel); (ii) analysis and discussion of a previously approved PUD on this site; (iii) detailed landscape plans, including descriptions of the proposed use of the project's Community Green and children's play area/tot lot and Mews Green; (iv) detailed grading plans; (v) a final transportation and parking analysis prepared by Wells and Associates; (vi) details regarding the reduction in height of retaining walls and the landscape buffer to minimize views of the retaining walls; and (vii) updated site plans and drawings, which include additional information as to how this project will relate to the retail project across Fort Lincoln Drive.

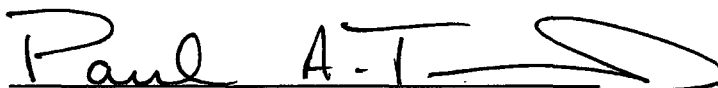
### **Sub-Section**

### **Page**

3013.1(a)	Information Requested by the Commission; Updated Materials Reflecting Changes Requested by the Commission	Pre-Hearing Submission, Exhibits A, B, C, D, G, H
3013.1(b)	List of Witnesses	Pre-Hearing Submission
3013.1(c)	Summary of Testimony of Applicant's Witnesses and Reports for the Record:	
	Outline of Testimony of Representative of the Applicant	Exhibit J
	Outline of Testimony of the Landscape Architect	Exhibit J
	Outline of Testimony of Civil Engineer	Exhibit J
	Outline of Testimony of Traffic Engineer	Exhibit J

<b><u>Sub-Section</u></b>		<b><u>Page</u></b>
3013.1(d)	Additional Information, Reports or Other Materials Which the Applicant Wishes to Introduce	Pre-Hearing Submission; Exhibits A, B, C, D, G, H
3013.1(e)	Reduced Plans	Exhibit A
3013.1(f)	List of Publicly Available Maps, Plans and Other Documents	Exhibit I
3013.1(g)	Estimated Time Required for Presentation of Applicant's Case	1 hour
3013.3 and 3013.6(a)	List of Names and Addresses of All Property Owners within 200 Feet of the Subject Site and Names And Addresses of the Owners of the Property to be Rezoned	Exhibit E
3013.4	Proposed First Source Employment Agreement with Department of Employment Services and Proposed Memorandum of Understanding with the Office of Local Business Development	Exhibit K
3013.6(b)	List of Leaseholders	N/A

Respectfully submitted,  
PILLSBURY WINTHROP SHAW PITTMAN LLP

  
Paul A. Tummonds, Jr.  
David M. Avitabile

**LIST OF WITNESSES AND ESTIMATE OF TIME REQUIRED TO PRESENT  
CASE**

**WITNESSES:**

Will Collins and Michele Hagans, Representatives of the Applicant

Trini Rodriguez, Urban Planner and Landscape Architect, ParkerRodriguez – TO BE  
PROFFERED AS AN EXPERT WITNESS IN THE FIELD OF URBAN PLANNING AND  
LANDSCAPE ARCHITECTURE

John Amatetti, Civil Engineer, VIKA, INC. - TO BE PROFFERED AS AN EXPERT WITNESS  
IN THE FIELD OF CIVIL ENGINEERING

Jami Milanovich, Traffic Engineer, Wells & Associates – TO BE PROFFERED AS AN  
EXPERT WITNESS IN THE FIELD OF TRAFFIC ENGINEERING

**ESTIMATED TIME REQUIRED TO PRESENT CASE:**

**1.0 HOUR**

## **EXHIBITS**

<b><u>DESCRIPTION</u></b>	<b><u>EXHIBIT</u></b>
Architectural Drawings	A
1994 Fort Lincoln Urban Renewal Area Plan	B
Fort Lincoln Housing Snapshot	C
Prior PUD Order for the Subject Property (Z.C. Order No. 903)	D
List of Owners of Property within 200 Feet of the Subject Property	E
Compliance with Consolidated PUD Requirements	F
Environmental Analysis	G
Traffic Impact Study Prepared by Wells & Associates	H
List of Publicly Available Maps	I
Summary of Testimony of Applicant's Witnesses and Reports for the Record	J
Proposed First Source Employment Agreement with Department of Employment Services and Proposed Memorandum of Understanding with the Office of Local Business Development	K



## PREFACE

This statement is submitted by Fort Lincoln/Gateway Village LLC to the Zoning Commission in support of an application for the consolidated review and approval of a Planned Unit Development for the property known as Parcel 173/145 in Square 4325, to allow the construction of a residential development featuring 357 townhomes and townhome condominiums, providing a variety of housing options for individuals and families seeking high-quality homeownership opportunities in Ward 5.

At a public meeting on June 12, 2006, the Zoning Commission voted 3-1-1 to schedule this application for a public hearing. At that meeting, the Commission members requested the following plans and information: detailed grading and enhanced landscape plans (including more information and details on the proposed Community Green), a revised site plan, and more information regarding the relationship of this project to the proposed retail project across Fort Lincoln Drive. These plans are included as part of Exhibit A. Further, pursuant to the Commission's request, the Applicant has provided a detailed analysis of the Fort Lincoln Urban Renewal Area Plan as it applies to the proposed PUD. This analysis includes a discussion of the PUD's conformance with the FLURA Plan, the appropriateness of the proposed density for the site, and the conformance of the proposed adjacent retail development with the FLURA Plan as well as current District planning policy. Finally, in response to requests from the Commission, the Applicant has included in this statement a discussion of the previously approved PUD for the site.

This PUD is consistent with the District of Columbia Comprehensive Plan, D.C. Law 12-275, 10 DCMR (Planning and Development) § 100 et seq. (1998) (the "Comprehensive Plan"), as well as numerous goals and policies of the District of Columbia. This pre-hearing statement, as well as the materials submitted with the initial application, meet the filing and processing

requirements for a consolidated PUD application under Chapter 24 of the District of Columbia Zoning Regulations.

## **I. INTRODUCTION**

This document supports the application of Fort Lincoln/Gateway Village, LLC, which is a joint venture of Fort Lincoln New Town Corporation and the Concordia Group<sup>1</sup> (together, the “**Applicant**”), to the Zoning Commission of the District of Columbia for the consolidated review and one-step approval of a Planned Unit Development (“**PUD**”) for the site. The project site consists of Parcel 173/145 in Square 4325 and is located between Fort Lincoln Drive, NE and Commodore Joshua Barney Drive, NE (the “**Subject Property**”). Since the submission of the initial site plan, the Applicant has worked with the Office of Planning to refine various aspects of the Village at Washington Gateway PUD project. These refinements result in a project that now includes 357 townhome and townhome condominium units and provides a more pedestrian-oriented project that is further integrated with the surrounding community.

## **II. THE PROJECT SITE**

### **A. Site Location**

The Subject Property is composed of approximately 23 acres or 1,003,544 square feet. The Subject Property is irregularly shaped and is bounded by Fort Lincoln Drive, NE to the west and south, Fort Lincoln Drive North, NE to the east, and Commodore Joshua Barney Drive, NE to the north. The Subject Property has significant grade changes throughout the site and is currently overgrown with invasive, non-native tree and plant species.

As shown in the Site Context Plan included in Exhibit A, the Subject Property is bordered by thickly wooded and natural areas to the north and west. Further to the west of the site is the Theodore Hagans Cultural Center and the Fort Lincoln Recreation Center, which provide a

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<sup>1</sup> The Redevelopment Land Agency Revitalization Corporation (“RLARC”), a subsidiary of the National Capital Revitalization Corporation (“NCRC”) that manages the NCRC’s real estate portfolio, has jurisdictional authority over the site and has signed the PUD Application form. The Applicant received authorization from NCRC’s Board of Directors in September 2005 to pursue this application.

number of recreational amenities to the neighborhood, including a lighted basketball court and little league baseball field, softball field, tennis courts, playground, picnic area, and indoor swimming pool. To the southwest of the Subject Property, at the intersection of Fort Lincoln Drive and 33<sup>rd</sup> Place, NE, are the Petersburg Apartments, which house senior citizens. Further to the west and north lies residential development in the R-5-D Zone District.

## **B. Project Description**

The architectural drawings, plans and illustrative sketches depicting the updated design and layout of the proposed project are attached as Exhibit A. The Village at Washington Gateway will be a 357-unit townhome and townhome condominium development consisting of three sizes of single-family townhomes and “2 over 2” townhome condominiums. The combination of 16-foot, 20-foot, and 24-foot wide single-family townhomes with the “2 over 2” townhome condominiums will offer a wide range of housing options. The 24-foot wide townhomes will include approximately 3,024 square feet of living area, which is comparable in size to typical single family detached homes located in a R-5-D Zone District. Each single-family townhome will be three stories and the “2 over 2” townhome condominiums will be four stories tall. All of the single-family townhome units will have family rooms or studies and garages on the first floor, kitchens and living areas on the main floor, and two or three bedrooms on the third floor. All of the townhomes will have decks in the rear. The “2 over 2” townhome condominiums will include approximately 1,750 square feet in the lower level units and approximately 2,300 square feet in the upper level units.

All of the buildings have entrances facing the Community Green, existing and proposed streets, or the proposed pocket park and Mews Green. The facades and sides of all the buildings will be predominantly brick. Side entrances to the townhomes will be provided for those units

that face a public street or the Community Green. As shown on page C-6 of Exhibit A, the various unit types have been interspersed throughout the site. In an effort to provide a greater variety of housing options, all of the 24-foot wide townhomes now include detached garages and open space on the individual townhome lot.

All units will have one or two garage parking spaces (the 16-foot wide units will have a single parking space in the garage and a tandem parking space in the driveway) accessed from the rear of the units via alleys as well as driveway space for additional parking. The “2 over 2” condominiums will have one garage parking space and one tandem parking space for each unit. In addition, 182 additional guest parking spaces will be made available throughout the site on the interior private street system. In total, the project will include 896 parking spaces.

The Applicant has determined that this project can help fulfill a need for housing that is affordable to families, couples and individuals that have an income that is approximately 100% of the area median income (“AMI”). In 2006, the AMI for the Washington Metropolitan Region is \$90,300 for a family of four. The Applicant will reserve 35 moderately-priced units, not including the 24-foot wide townhome models, for this income group. The Applicant will actively market these units to two-income households that are mid-career public employees, such as firefighters/EMS personnel, police, teachers, and employees of various District government agencies.

At the June 12, 2006 Zoning Commission Public Meeting, questions were raised regarding the proposed use of the Community Green. The Community Green, which is approximately 1.18 acres, is intended for non-organized, passive and active recreational use. The Applicant does not propose to create a soccer field or a baseball/softball diamond on the Community Green. The Applicant anticipates that the residents of the project will take advantage

of the outstanding recreational amenities offered by the nearby Theodore Hagans Cultural Center and the Fort Lincoln Recreation Center for organized athletic games. Rather, the Applicant anticipates a broad, open green space that can provide areas for individuals to sit on a blanket reading a book, have a picnic, or join in informal games of soccer or Frisbee. The lawn will have a slope of 2% - 3%. At the eastern and western corners of the Community Green, more formal entrances to the Green will be marked with stone and brick paving, and, at the western corner, include a pavilion. Details of the proposed landscaped border and formal entrances to the Community Green are included in Exhibit A, Page L-1.

The project also provides other significant open and green spaces, in addition to the Community Green. A children's play area/tot lot is located just north of the Community Green. A detail of the proposed playground equipment is included on Page L-3 of Exhibit A. A rectangular Mews Green is included at the western edge of the site and serves as the terminus of the long east west street that runs from the Community Green to the western edge of the site. The Mews Green will include stormwater quality vaults to help treat stormwater before it leaves the site. A pocket park on the northern edge of the property along Commodore Joshua Barney Drive provides additional green space and includes a pedestrian connection from the project to the public street between the vehicular entrances along Commodore Joshua Barney Drive. An additional pedestrian connection from the project has been added at the southern end of the property along Fort Lincoln Drive.

The proposed site plan maintains much of the significant grade changes on the property (See Schematic Site Sections, Pages C-4D and C-4E, Exhibit A). In those areas where retaining walls are required, the retaining walls have been terraced and significant landscaping is introduced to buffer the appearance of the walls. Along the eastern boundary of the site, the

terraced retaining walls will be approximately 5-6 feet in height. Along Fort Lincoln Drive, as shown on Page C-4F of Exhibit A, the retaining walls will grow in height as one moves to the east. The proposed terracing and landscaping of the retaining walls will minimize the visual impact of these necessary features of the project.

A new interior street system will be created to serve the clusters of the townhomes and townhome condominiums and will link the development to the surrounding roadway network. All of the interior streets will be designed to DDOT standards and will have a width of 25 feet. All alleys will have a width of 20 feet. Four vehicular entrances into the site will be created along Fort Lincoln Drive and Commodore Joshua Barney Drive; they will be identified with tasteful brick entrance piers. The Applicant will make an initial capital contribution to the reserves fund for the homeowners' association that will ultimately be responsible for the maintenance of these streets and alleys.

A significant modification to the site plan that has occurred since the initial filing of the application is the enhancement and alignment of a pedestrian connection from the Village at Washington Gateway PUD project to the proposed retail project to the southeast of the Subject Property. Page C-3 of Exhibit A provides a detail of the pedestrian connection that will be made to the retail center. The Applicant has met with representatives of DDOT and has received preliminary approval for the introduction of a three-way stop sign at the location of the pedestrian crossing and a break in the existing median on Fort Lincoln Drive. The Applicant will construct a decorative stamped asphalt paving treatment and appropriate delineation of the pedestrian crossing, per DDOT standards. These details will help create a safe pedestrian environment in this area.

The total gross floor area included in the PUD is 576,109 square feet which creates a total FAR of 0.574, well below the 4.5 FAR guideline for a PUD in the R-5-D District and well below the 3.5 maximum FAR permitted in the R-5-D District as a matter-of-right. The “2 over 2” townhomes will have heights of 54 feet, while the single-family townhomes will have heights of approximately 40-43 feet<sup>2</sup>, far less than the 90 foot height permitted in the R-5-D District as a matter-of-right. The average lot occupancy for the individual lots is 58.64%, while the R-5-D District allows a maximum lot occupancy of 75%. As shown on page C-8 of Exhibit A, the project provides a total of 180,486 square feet of open green space, which is equal to 17.98% of the site. The R-5-D District requires one parking space for every dwelling unit. The project includes approximately 2.5 parking spaces per unit.

### **III. SUMMARY OF FORT LINCOLN URBAN RENEWAL AREA PLAN**

#### **A. History and Overview**

The Fort Lincoln Urban Renewal Area Plan (“**FLURA Plan**”) was initially adopted in 1972 and was most recently amended in 1994. A copy of the 1994 FLURA Plan is attached as Exhibit B. The FLURA Plan calls for the construction of 3,000 dwelling units with a wide variety of housing types, densities and bedroom sizes in order to create a true mixed-income community. The FLURA Plan also calls for 700,000 square feet devoted to retail or shopping uses, up to 700,000 square feet of office or warehouse space, and 300,000 square feet devoted to service uses.

Earlier versions of the plan called for denser development of up to of 4,600 housing units. These plans were, however, predicated on the construction of the “Industrial Freeway,” a proposed major arterial extending from the intersection of New York and South Dakota Avenues

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<sup>2</sup> The building height was determined by measuring the distance from the finished grade at the front of each structure to the highest point of the roof.



(1980 FLURA Plan, Section 322.11) and a transit shuttle that would stop at the proposed Town Center and Federal City College and provide a dedicated connection to the Deanwood and Rhode Island Avenue Metrorail stations (1980 FLURA Plan, Section 322.20). The Industrial Freeway was deleted and the transit shuttle was de-emphasized as part of the 1985 amendments to the plan. Calls for a transit shuttle were finally eliminated in 1990, and Section 322.20 was amended to call for “public bus service” to connect the neighborhood to the rest of the District. As a result, the 1994 FLURA Plan reduced the residential development objective to 3,000 housing units.

The 1994 FLURA Plan calls for a mixed-income community, with one-third of the total number of units reserved as affordable housing (Sec. 512.20). Further, the Plan calls for a variety of housing types providing a bedroom mix to allow for a wide range of family sizes (Section 321.24). The Plan calls for a 40-foot height limit for townhomes and 60-foot height limit for walk-up apartments (Sec. 513.31). The Plan calls for a density of 24 units per acre, or 0.8 FAR, for townhouse development (Sec. 513.10). The 1994 FLURA Plan also calls for ample amounts of open space. It requires an average lot area of 1,800 square feet per townhome (inclusive of common parking and open space), and a lot occupancy of 50% for townhouse developments (exclusive of parking structures). (Sec. 513.20). The FLURA Plan also mandates that housing units should be oriented to allow for adequate views, sunlight, and breezes.

#### **B. Current State of Development in the Fort Lincoln Urban Renewal Area**

Fort Lincoln New Town currently has 1,488 households. Prior to the implementation of the FLURA Plan, the area contained 19 single-family homes. As detailed in the “Housing Snapshot” attached as Exhibit C, 1,349 housing units were constructed by the Fort Lincoln New Town Corporation in furtherance of the FLURA Plan. The existing housing stock currently includes a variety of housing types: Washington Overlook, a garden style apartment that sets

aside 20% of its housing as affordable housing; five condominium projects containing 521 units; and 670 housing units designed for senior citizens. Additionally, the D.C. Housing Authority operates a “senior village” featuring 120 homes. As a result Fort Lincoln New Town currently has a disproportionate amount of senior housing (54%). Moreover, the Fort Lincoln neighborhood, which was intended to be a mixed-income neighborhood, currently contains an undersupply of market-rate housing, with only 44% of the total number of residential units considered market rate.

### **C. Appropriateness of the Current PUD**

The Village at Washington Gateway PUD project will add 357 townhome units to the Fort Lincoln Neighborhood, and is entirely consistent with the housing densities and types considered for the site under the most recent amendments to the FLURA Plan. As indicated above, Fort Lincoln New Town currently contains an overconcentration of low and moderate income housing. The proposed predominantly market-rate development, featuring a range of townhome sizes, will offer high-quality housing options attractive to a variety of consumers. The current PUD’s housing types, housing mix, building height and density are consistent with the FLURA Plan’s recommendations<sup>3</sup>. The current PUD will appeal to a variety of consumers. The twenty-eight 24-foot wide townhomes will have an average unit size of 3,024 square feet and the eighty 20-foot wide townhomes have an average unit size of 2,120 square feet.

The use of “2-over-2” condominium structures allows the project to approach the recommended townhome density while maintaining a low overall lot occupancy. This results in substantial amounts of public and private open space, again consistent with the recommendations

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<sup>3</sup> To the extent that there are minor inconsistencies between the proposed PUD project and the FLURA Plan (i.e., the proposed townhouses have heights of 40-43 feet rather than the 40 foot height limit enumerated in the FLURA Plan) the Applicant will seek approval from the National Capital Planning Commission (“NCPC”) for an amendment to the FLURA Plan when the project is reviewed by NCPC during the normal PUD review process.

of the FLURA Plan, which calls for 200 square feet of private open space for 2+ bedroom units. Finally, the plan calls for one parking space per unit, within buildings or separate parking structures where feasible. The proposed project design allows for ample parking consistent with the plan; it features at least one garage space per unit, and more than two spaces per unit overall.

**D. Prior PUD Approval for the Subject Property**

In Z.C. Order No. 903, this Commission, by a vote of 3-0-2, approved a PUD for the Subject Property that permitted a residential development of 93 single-family detached units or, in the alternative, 79 single family units and 30 condominium units. (The Order is attached as Exhibit D.) The single-family homes approved in that PUD consisted of an average of 2,000 square feet and the condominium units averaged 1,200 square feet. The proposed project had a FAR of 0.2. The single-family detached home PUD project was not entirely consistent with the FLURA Plan for a number of reasons. First, the FLURA Plan does not provide for detached housing; it explicitly permits only elevator and walkup apartments and town houses (Section 511.01-03). Second, the previous PUD lacked the housing mix required by the FLURA Plan. Finally, the FLURA Plan calls for densities of 0.8 for townhouse units; the 0.2 density was well under that minimum.

The current PUD represents an opportunity to develop this site more closely to the requirements of the 1994 FLURA Plan. The 24-foot wide townhomes proposed in this project (3,024 square feet) are considerably larger than the 2,000 square foot single family detached homes that were previously approved, as are the 20-foot wide townhomes (2,120 square feet.)

Therefore, the current PUD provides 108 townhomes that are larger than the 93 (or 79) single-family detached homes that were previously approved for the Subject Property<sup>4</sup>.

**E. Recent Proposed Developments in the Fort Lincoln Urban Renewal Area**

In Application No. 17192, the Board of Zoning Adjustment (“BZA”) approved the construction of a townhome development on the parcel of land southwest of the Subject Property, across Fort Lincoln Drive. This single-family townhome development will add 209 row homes to the Fort Lincoln neighborhood. Construction of this project began in January 2006 and settlement of the final units is expected to occur in August of 2008.

Additionally, approximately 32 acres of land lie vacant to the northeast of the Subject Property, across Commodore Joshua Barney Drive. While some of this land will remain in its natural state, consistent with the FLURA Plan, much of this land, which is zoned R-5-D and C-2-B, is intended to be developed for residential use.

The FLURA Plan has consistently called for a strong retail presence as part of Fort Lincoln New Town. The 1994 Plan, for example, allows for a variety of retail uses, including personal service establishments, regional services, such as general office uses, department stores, grocery stores, restaurants and fast food chains, and entertainment facilities such as movie theatres, to be developed in the proposed “Retail-Shopping” area on the General Land Use Plan. Consistent with this call for a strong regional retail presence, the FLURA Plan calls for C-3-B zoning in the area south of the Subject Property. The 1994 FLURA Plan calls for approximately 700,000 square feet of retail space, with an approximate FAR of 0.5 and lot occupancy of 60%.

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<sup>4</sup> An additional factor that contributed to the previous PUD project not moving forward is related to the topography and geotechnical conditions of the Subject Property. The Subject Property contains approximately six to eight feet of uncontrolled fill material across the majority of the site. Remedying this geotechnical condition will cost \$10-12 million, and spreading the cost over 79-93 single-family units was financially difficult. The current PUD allows the Applicant to spread this cost over four times as many units and allows for the provision of affordable, yet market-rate, housing.

It envisions a maximum height of 40 feet, with office buildings that feature ground-floor retail reaching heights of 65 feet. It recommends that the retail be oriented to the north, towards Fort Lincoln Drive and 33<sup>rd</sup> Place, but also emphasizes the importance of maximizing pedestrian and vehicular separation.

Current District planning policy echoes the FLURA Plan. Policy UNE-2.4-1 of the draft Comprehensive Plan, currently submitted to the City Council for its review, states that the city should: “Support the continued development of Fort Lincoln New Town consistent with the approved plans for the site. Fort Lincoln should be recognized as an important opportunity for family-oriented, owner-occupied housing, large-scale retail development, and additional employment” (emphasis added). The draft Generalized Policy Map indicates the area is a “Land Use Change Area” and also denotes it is a “Future Commercial Center”; the draft Future Land Use Map retains the area’s designation as Moderate Density Commercial.

In Z.C. Order 02-33, the Commission approved, by a 3-2 vote, a Zoning Map Amendment for the parcel of land to the southeast of the Subject Property shown as the “Washington Gateway Regional Retail Center” on the Site Context Plan/Soils & Zoning Map plan. The Zoning Map Amendment rezoned that property from the C-3-C, SP-2, and R-5-D zone districts to the C-2-B zone district. In its approval, the Zoning Commission agreed with the Office of Planning’s recommendation that the rezoning is needed to ensure conformity with the Fort Lincoln Urban Renewal Plan designation for the property as the site for retail-shopping development.

The Washington Gateway Regional Retail Center, was scheduled to be reviewed by NCPC on August 3, 2006. On July 27, 2006, the NCPC staff issued a report on the proposed project. The most important aspect of the NCPC staff report for this PUD case is that NCPC is

entirely cognizant of the need to coordinate the pedestrian connection between the projects, and the visual impacts that the commercial project will have on the Village at Washington Gateway. Included in the NCPC staff report are the following recommendations that are pertinent to this PUD application.

- Strengthen pedestrian connections to adjacent housing areas and Anacostia Park through the use of clearly defined crosswalks, sight lighting/landscaping, or retail outlets at major intersections with Fort Lincoln Drive and 33<sup>rd</sup> Place.
- Enhance views from the surrounding residential developments into the site by studying building orientation, landscape design, and lighting alternatives.

The Applicant will continue to monitor the status of the Washington Gateway Regional Retail Center as it proceeds through the NCPC Review Process.

#### **F. Tabulation of Development Data**

Site Area: 1,003,544 square feet

<b>Requirement</b>	<b>R-5-D PUD Guidelines / Matter of Right</b>	<b>Project Design</b>
FAR	4.5 (PUD) / 3.5 (MOR)	0.574
Building Height	90 feet (PUD) / 90 feet (MOR)	<u>Single family:</u> 40'-3" to 43'-2" total; <u>2 over 2:</u> 54'
Lot Occupancy	75%	58.64% (Average)
Gross Floor Area	1,000,544 s.f. x 4.5 FAR <u>Total: 4,502,448 s.f. (PUD)</u> 1,000,544 s.f. x 3.5 FAR <u>Total: 3,501,904 s.f. (MOR)</u>	<u>Total: 576,109 s.f.</u>
Rear Yard	4 in. per ft. of height from middle of rear of structure to the highest point of the main roof or parapet wall; not less than 15 ft.	Minimum: 4 feet Average: 18.3 feet
Side Yard	Not required, but if provided, 3 inches per foot of height of building, but not less than 8 ft.	Minimum: 5 feet Average: 5 feet
Parking	119 total spaces, one for every three residential units	896 total spaces

#### **G. Flexibility under the PUD Guidelines**

The PUD Process was created to allow greater flexibility in planning and design than is possible under conventional zoning procedures. The PUD regulations specifically allow the Zoning Commission to approve any zoning relief that would otherwise require the approval of the BZA. The PUD will be built on a single record lot with multiple buildings. Pursuant to Section 2516.4 of the Zoning Regulations (Exceptions to Building Lot Control (Residence Districts)), multiple buildings are permitted on a single record lot with special exception approval, provided that each building satisfies applicable zoning requirements (such as use, height, bulk, and open spaces around each building). Section 2405.7 of the Zoning Regulations authorizes the Zoning Commission “to approve any use that is permitted as a special exception and which would otherwise require the approval of the Board of Zoning Adjustment.” In addition, Section 2405.8 states that the Zoning Commission is not required to apply the special exception standards normally applied by the BZA and that BZA approval is not subsequently required once the Zoning Commission approves the special exception.

Relief from the rear, side and front yard requirements for some of the individual structures is also requested (See Pages C-7 and C-7A of Exhibit A). The Zoning Commission has the authority to grant this requested flexibility pursuant to Sections 2405.4 and 2405.5 of the Zoning Regulations as part of the PUD application.

### **IV. PLANNING ANALYSIS**

#### **A. Introduction**

Through the PUD process, the Applicant will develop a new residential community on a vacant site that creates 357 new homeownership opportunities for the residents of Ward 5 and the District of Columbia, and attracts potential new residents to the District. The approval of the

PUD project will allow for the creation of well-designed housing opportunities that presently are limited in the surrounding neighborhood. The proposed project will provide residents of this area with high-quality, for-sale two and three bedroom townhomes with front yards and rear yards in a wonderfully designed community, with numerous active and passive recreation options. Moreover, the infill development on vacant land will not result in the displacement of any residents. The proposed project is complementary to the existing neighborhood and is entirely consistent with the District's planning goals for the Fort Lincoln neighborhood.

## **B. Land Use Impact**

The Comprehensive Housing Strategy Task Force's Homes for an Inclusive City: A Comprehensive Housing Strategy for Washington, D.C., dated April 5, 2006, sets forth a plan for improving the District's housing and affordable housing by 2020. Below are core recommendations of this Strategy:

1.1 The District of Columbia should increase the net supply of housing by at least 55,000 units to reduce upward pressure on housing prices and rents and accommodate a growing population.

- "The District must increase the stock of assisted and market-rate housing by working collaboratively with developers, builders, non-profits, and financial institutions. This will have a direct impact on the physical and social fabric of the city. Residential use represents the vast majority of land use in the city and drives the development of related uses, such as retail, recreation, and civic amenities. The manner in which we add to the stock of housing will affect the overall growth of the city and the character, design, and quality of its neighborhoods. It will also improve the District's fiscal health, support regional "smart growth" goals, sustain local small businesses and retailers, and restore vibrant communities in areas that are now struggling to succeed."
- "To succeed in increasing the housing stock by 55,000 units, the District of Columbia government must move quickly to develop proposed "new neighborhoods" . . . [on] large publicly and privately owned sites. . . . The potential for as many as 20,000 more units has been identified on vacant and underutilized sites, primarily downtown, near Metrorail stations and along major corridors across the city."

1.2 The location of new production envisioned by the task force should support a balanced growth policy, which will allow increases in population density.

- "The largest opportunity for development lies in the eastern half of the city, which has lost the most population. In the past, the majority of market-rate residential development and development in general has been concentrated in the western half of the city. As a result, Washington has experienced imbalanced economic and physical growth. Poverty, unemployment, and low educational attainment remain concentrated in the eastern half of the city. Looking towards the future, the city government should make sure its policy and planning decisions address this imbalance.



1.3 Both assist and market-rate housing produced in the District of Columbia should adhere to high architectural and urban design standards, providing housing with amenities and access to transportation for all neighborhood residents.

- Agencies involved in the city's housing delivery system should focus not only on the amount of assisted housing produced and preserved, but the quality of the living environment that is created. The measure of quality should include high-grade construction materials, provision of open space, recreational amenities, safe access to public transportation, environmentally sustainable or green building practices, neighborhood schools, neighborhood retail options, and respect for neighborhood history and context.

The Applicant will create 357 new units of attractive, high-quality housing in Ward 5.

The project creatively adapts a challenging site into a residential complex of appropriate density that complements the existing residential unit types in the neighborhood. The Applicant will develop a highly desirable residential community, with extensive greenspace and passive recreation area, that will anchor the Fort Lincoln neighborhood. The project is also consistent with the FLURA Plan, which calls for the creation of expanded opportunities for homeownership in this area through a variety of building types, including townhomes of this height and density, in the area encompassed by this PUD project.

### **C. Zoning Impact**

The proposed townhome and condominium townhome development is entirely consistent with the existing R-5-D zoning for the Subject Property. The proposed FAR of the PUD project (0.574) is significantly lower than the matter-of-right FAR limitation (3.5) and the proposed building heights (40-43 feet and 54 feet) are also significantly lower than the maximum matter-of-right building height (90 feet) in the R-5-D District. The minor flexibility requested from the rear, side and front yard requirements of the R-5-D District will have no impact on the surrounding R-5-D zoned properties.

### **D. Environmental Impact**

As more specifically detailed in Exhibit G of this statement, there is no adverse environmental impact that will result from this project being constructed. Much of the Subject

Property is completely vacant, and although a small portion of the southwest portion of the site is currently forested, many of the trees are non-native or invasive species.

The U.S. Army Corps of Engineers, by letter dated September 22, 2005 (included in Exhibit G), determined that there are no wetlands on the Subject Property. The Mews Green on the eastern edge of the Subject Property has been designed to incorporate appropriate stormwater management features that will regulate the quality and quantity of the stormwater run-off for the entire site.

The Applicant has also completed a Phase II Environmental Site Assessment Investigation for the Subject Property and, based on the recommendations of its consultants, intends to remove 14 feet of fill area on the eastern portion of the Subject Property and replace it with new compacted soils. The Phase II assessment concluded that dumping had occurred on this portion of the site, and batteries, a tire, and other construction debris were discovered at a depth of around 6 feet during a subsurface investigation in March 2005. The Applicant will also develop a health and safety plan prior to removal activities, which will cover standard protocols for dumping removal activities, measures to be taken if contaminated soil or ground water is uncovered, and procedures for taking soil and ground water samples.

#### **E. Facilities Impact**

The proposed project will not have an adverse impact on the public facilities that it will rely on for service. The Subject Property is located along the H-6, B-8, and B-9 Metrobus routes. A stop for all routes is located at Fort Lincoln Drive and 33<sup>rd</sup> Place, NE. The site is approximately a 9 minute ride by bus or auto to the Rhode Island Avenue Metrorail Station; the Anacostia Metrorail station is approximately 2.5 miles from the Subject Property. The H-6 bus also provides Metrobus service to the Brookland-CUA Metrorail Station, which is approximately a nine-minute ride, or 3 miles, from the Subject Property. The nearby Theodore Hagans Cultural

Center and Fort Lincoln Recreational Center will provide numerous recreational amenities, including an indoor swimming pool and lighted fields and courts, for the PUD project's future residents.

## **V. PUD EVALUATION STANDARDS**

### **A. Public Benefits and Project Amenities**

This consolidated application will achieve the goals of the PUD process by providing high quality residential development on the Subject Property with significant public benefits to the neighborhood and the District as a whole.

#### **1. Urban Design and Architecture**

The proposed townhomes and condominium townhomes are designed to complement and elevate the level of architectural quality and design in this area of the District. The impact of 357 new residential units at this location will set a design standard for this area. All of the buildings are built to the street, with yards at the front and automobile entry and parking provided from rear alleys. There will be no gates or barriers preventing members of the public from gaining access to the Subject Property. The proposed design connects the homes to the public streets, incorporates the entire development into the existing neighborhood, and enhances the walkability of the interior streets. The proposed detached garages for the 24-foot wide townhomes allow for additional green space on those lots that are more likely to have families with children.

As discussed above, the appearance of the retaining walls has been reduced through the terracing of the retaining walls and the landscaping. The proposed landscape plan and treatment of the Community Green, the pocket park, Mews Green, and the children's play area/tot lot provide both active and passive recreation activities for residents of the project and their guests. The goal of the landscape plan is to create an urban standardized street tree pattern. As depicted

in the landscape plans included in Exhibit A, a variety of street trees and alley trees will be used to create a uniform setting along the interior streets and to help soften the visual impact of the proposed alleys.

## 2. Site Planning

Pursuant to Section 2403.9(b) of the Zoning Regulations, “[s]ite planning, and efficient and economical land utilization” are public benefits and project amenities to be evaluated by the Zoning Commission. The proposed density of the project is entirely appropriate for the Subject Property. The FAR (0.574) and lot occupancy (58.64%) of the project are significantly less than the matter-of-right standards for the R-5-D District.

The site plan for the proposed project makes efficient use of a vacant site that sits in the center of a developing neighborhood. The design of the residential complex intersperses street-oriented, rear-loaded townhomes in an efficient and economical manner appropriate for the R-5-D zone district. The significant green spaces provided in the project seamlessly tie this project into the fabric of the existing Fort Lincoln neighborhood, as well as the future neighborhood. The project maintains over 4.1 acres of open green space on the Subject Property, a significant project and community amenity.

## 3. Effective and Safe Vehicular and Pedestrian Access

The proposed project provides “effective and safe vehicular and pedestrian access,” which the Zoning Regulations consider to be a public benefit and project amenity. The project provides four means of vehicular access to Fort Lincoln Drive and Commodore Joshua Barney Drive. The connections to the surrounding streets allow pedestrians and vehicular traffic to enter and exit the development safely and efficiently. The new internal road system allows for two way traffic. Safe and inviting sidewalks will be created along the surrounding public streets and

throughout the site to encourage pedestrian activity and also mitigate any pedestrian/vehicular conflicts. Additional pedestrian connections along Fort Lincoln Drive and Commodore Joshua Barney Drive will help to further encourage pedestrian activity in the area. The proposed stop sign and paving treatments on Fort Lincoln Drive connecting this project to the proposed retail project will provide a safe connection between these projects.

The proposed development provides residents with 714 parking spaces. Guest parking is provided in 182 designated parallel parking spaces located along the interior roadway system. In total the project provides 896 parking spaces for 357 residential units. This is well above the R-5-D requirement of 1 space for every 3 dwelling units.

The Applicant has engaged Wells & Associates, LLC as the traffic engineering expert to analyze the traffic and parking impacts of the proposed project on the surrounding street system. Attached as Exhibit H is a copy of the Wells & Associates Traffic Impact Study for The Village at Washington Gateway project. The Traffic Impact Study includes the following conclusions and recommendations:

- The proposed residential development is anticipated to generate 137 AM peak hour vehicular trips (approximately 2.28 cars per minute) and 164 PM peak hour vehicular trips (approximately 2.73 cars per minute).
- After the PUD project is built, at the Fort Lincoln Drive/33<sup>rd</sup> Place intersection, only 6.3% of the projected AM peak hour vehicular traffic and only 2.9% of the PM peak hour vehicular traffic will be attributable to this project. At the other surrounding intersections, less than 3% of the vehicular traffic will be attributable to the project.
- In order to mitigate the potential traffic impact of the proposed development, minor timing adjustments should be made at the Fort Lincoln Drive/Eastern Avenue/Bladensburg Road and the South Dakota Avenue/33<sup>rd</sup> Place intersections during the AM and PM peak hours.
- The PUD project will provide 896 parking spaces on-site, while the Zoning Regulations only require 119 spaces for the 357 residential units.

4. Housing

Under Section 2403.9(f) of the Zoning Regulations, the PUD guidelines state that the production of housing and affordable housing is a public benefit that the PUD process is designed to encourage. In support of this important goal, the proposed PUD project will add 357 new for-sale residential units to the Fort Lincoln neighborhood. In addition, the proposed project will include 35 units of moderately-priced housing.

5. Revenue for the District

According to Section 2403.9(i), “[u]ses of special value to the neighborhood or the District of Columbia as a whole” are deemed to be public benefits and project amenities. The addition of 357 new households will result in the generation of significant additional tax revenues in the form of property, income, sales, and employment taxes for the District.

6. First Source Employment Program

Section 2403.9(e) of the Zoning Regulations states that “employment and training opportunities” are representative public benefits and project amenities. Attached as Exhibit K is a draft First Source Employment Program Agreement with the Department of Employment Services (“DOES”).

7. Local, Small and Disadvantaged Businesses

The use of local firms in the development and construction of the project is a representative public benefit and project amenity pursuant to Section 2403.9(e). A draft Memorandum of Understanding (“MOU”) with Office of Local Business Development (“OLBD”) to use the resources of the OLBD to utilize local business enterprises in the development of this project is attached as Exhibit K.

8. Environmental Benefits

Section 2403.9(h) of the Zoning Regulations provides that “[e]nvironmental benefits, such as . . . preservation of open space or trees” are public benefits and project amenities of a proposed PUD. Here, the Applicant will preserve 4.14 acres of the site, as open space in the form of a spacious public Community Green, a pocket park, a Mews Green, a dedicated children’s play area/tot lot, and green spaces surrounding the individual lots. As noted above, the Mews Green will include underground stormwater quality vaults to treat stormwater prior to leaving the site.

Moreover, based on the outcome of the Phase II Environmental Site Assessment Investigation, the Applicant has determined that it will remove 14 feet of soil on land at the Subject Property’s eastern end that was previously used for dumping, and replace it with new compacted fill soils. The Applicant will also collect and analyze soil and ground water samples to determine if further remedial action is necessary, and is committed towards providing a healthy and safe site for the project’s future residents.

9. Uses of Special Value to the Neighborhood

Pursuant to Section 2403.9(i), “[u]ses of special value to the neighborhood or the District of Columbia as a whole” are deemed to be public benefits and project amenities. The Applicant will continue to discuss the project with various community organizations and ANC Commissioners in the area surrounding the Subject Property. The Applicant will work with these individuals and organizations in order to create a community amenities package that addresses the needs of the surrounding area. For example, the Fort Lincoln New Town Corporation and the Concordia Group are currently providing financial contributions to the Fort Lincoln Community Foundation that are being used to construct new playground equipment for the Thurgood

Marshall Elementary School and provide supplies and capital improvements to the Fort Lincoln Recreation Center.

In deciding a PUD application, the Zoning Commission is, according to Section 2403.8, required to “judge, balance, and reconcile the relative value of the project amenities and public benefits offered, the degree of development incentives requested, and any potential adverse effects according to the specific circumstances of the case.” In addition, Sections 2403.12 and 2403.13 require the Applicant to show how the public benefits offered are superior in quality and quantity to typical development of the type proposed.

The proposed PUD project has been sensitively designed to mitigate any adverse effects on neighboring properties or the surrounding community. The proposed PUD project provides significant and tangible project amenities and public benefits that far outweigh the development incentives and flexibility from the strict application of the Zoning Regulations that are requested, and the PUD process is the only feasible means for achieving a residential project of this configuration on the Subject Property. Moreover, a consolidated PUD application allows the Zoning Commission a level of design review and approval that is not available for a matter-of-right project. This PUD project will include many, if not all, of the attributes of PUD projects that have recently been approved by the Zoning Commission, including:

- Exemplary architecture and site planning: This project creates an inviting residential community with street-oriented townhomes, multiple recreational open and green spaces, and an urban standardized street tree pattern. The project has been carefully designed to allow for safe and effective pedestrian connections to the surrounding neighborhood and the proposed retail project to the south of the site.
- Housing: This project will provide the District with 357 homes for individuals, couples, and families and will include 35 moderately-priced housing units.
- Traffic Mitigation and Traffic Calming Measures: This project will include, with the help of DDOT, the installation and implementation of numerous traffic mitigation and traffic calming measures for the general area. These improvements are not necessary to mitigate



the impact of this project, rather they are necessary to mitigate the collective impact of all of the proposed projects in the immediate area.

10. Comprehensive Plan

According to Section 2403.9(j), public benefits and amenities include ways in which the PUD advances the “major themes and other policies and objectives of any of the elements of the Comprehensive Plan.” The District of Columbia Generalized Land Use Map includes the Subject Property in the Medium Density Residential land use category. The Medium Density Residential land use category anticipates multiple-unit housing as well as row houses and other low and medium density housing options. Thus, the proposed PUD is consistent with the Generalized Land Use Map designation for the Subject Property. In addition, as described in greater detail in Section VI below, the PUD is consistent with and furthers many elements and goals of the Comprehensive Plan.

**VI. COMPLIANCE WITH COMPREHENSIVE PLAN**

The proposed PUD is consistent with and fosters numerous goals and policies enumerated in the Comprehensive Plan.

The purposes of the Comprehensive Plan are to:

(1) Define the requirements and aspirations of District residents, and accordingly influence social, economic and physical development; (2) Guide executive and legislative decisions and matters affecting the District and its citizens; (3) Promote economic growth in jobs for District residents; (4) Guide private and public development in order to achieve District and community goals; (5) Maintain and enhance the natural and architectural assets of the District; and (6) Assist in conservation, stabilization and improvement of each neighborhood and community in the District (D.C. Code § 1-245(b) (1994 Supp.)).

The proposed project significantly advances these purposes by furthering the social and economic development of the District through the creation of approximately 357 new residential units (with substantial open recreational space) over currently vacant land, enhancing the urban environment in the immediate neighborhood.

## **A. Compliance with Major Themes**

Three major themes that are applicable to this project were adopted as part of the Comprehensive Plan. The Applicant's proposal is consistent with these themes as follows:

### **1. Stabilizing the District's Neighborhoods**

The Comprehensive Plan's primary residential neighborhood objectives include the enhancement and stabilization of the District's neighborhoods and the protection of residential neighborhoods from non-residential and disruptive uses. Development in the Fort Lincoln area of 357 new townhomes and townhome condominiums will certainly help achieve that goal. The Applicant believes that the establishment of the homeowners' association, with 357 members, will have a sufficiently broad membership base to provide proper maintenance and upkeep of the interior roadway system and landscaped common areas. As noted above, the Applicant will provide an initial contribution to the capital reserves fund of the homeowners' association.

A new residential development in this neighborhood will not be disruptive, and in fact provides a new type of residential opportunity for existing residents of the neighborhood. As noted above, no displacement of residents will occur as a result of this application. Moreover, the introduction of 357 new individuals, couples and families will help create the critical mass of residents needed to provide the demand for retailers, such as the retailers in the adjacent Washington Gateway Regional Retail Center project, that the District and Ward 5 leaders are trying to attract. This project will continue the momentum initiated by the new construction and redevelopment that has taken place over the past few years in this area, and will help make the neighborhood even more attractive to new development, while respecting the existing surrounding residential community. For these reasons, the proposed project is consistent with the Comprehensive Plan's goals for strengthening existing neighborhoods.

## 2. Respecting and Improving the Physical Character of the District

The project has been designed to be completely complementary to the surrounding neighborhood. All of the buildings are built up to the street and create an attractive and intrinsically walkable community that is oriented towards the surrounding neighborhood. Pedestrian connections on both Fort Lincoln Drive and Commodore Joshua Barney Drive have been added to the project since the initial application. The Applicant believes that the proposed design of the project will encourage residents to walk to the adjacent commercial project and other residential projects in the area, thereby helping to invigorate pedestrian activity in the entire Fort Lincoln neighborhood.

The development also provides multiple areas of usable, secure green space that can be utilized for many forms of recreation. By designing green space near Fort Lincoln Drive, not creating an internally focused development, and laying out the townhomes to accommodate the topography of the site, the Applicant recognizes the significance of Fort Lincoln Drive and Commodore Joshua Barney Drive as important arterials in the neighborhood, enhances the quality of the residential community, and respects the physical character of the site.

## 3. Preserving and Ensuring Community Input

The Applicant is committed to having a long-term, positive impact in Ward 5 and particularly in the Fort Lincoln neighborhood. The Applicant understands that to have an impact that is embraced by the community, it is necessary to gain community input on the projects that it undertakes. As the Comprehensive Plan states in Section 102, “citizen participation in civic improvement starts from the interest that people have in their neighborhood blocks and in their day-to-day relationships.” As noted above, the Applicant will meet with neighborhood organizations to receive their input on the proposed project and community amenities package.

4. Providing for Diversity and Overall Social Responsibilities.

The proposed project will help further expand the range of housing options for the Fort Lincoln neighborhood. The inclusion of 35 moderately-priced units will provide opportunities for couples and families to purchase new residential units in the Fort Lincoln neighborhood.

**B. Compliance with Major Elements**

The Comprehensive Plan also contains 11 major elements. The proposed project furthers the objectives and policies of several of these elements as follows:

1. Housing Element

According to Section 302.2 of the Comprehensive Plan, it is the goal of the District to:

- “Encourage the private sector to provide new housing to meet the needs of present and future District residents at locations consistent with District land-use policies and objectives” (10 DCMR § 302.2(a));
- “Encourage housing on suitably located public or private properties that are vacant, surplus, underutilized, or unused” (10 DCMR § 302.2(e)); and
- “Encourage the private sector to meet housing needs through the development of infill housing” (10 DCMR § 302.2(f)).

The proposed development is consistent with the housing provisions of the Comprehensive Plan as it creates 357 new townhomes and condominium townhomes in an area that is identified on the District of Columbia Generalized Land Use Map to be a medium density residential area. The proposed project will create new homes in a community with significant for-sale housing needs on property that is currently vacant. The proposed high-quality residential community will serve as an anchor that strengthens and enhances the surrounding residential neighborhood.

2. Transportation Element

The objective of the streets and alleys portion of the Transportation Element, laid out in Section 505 of the Comprehensive Plan, is to:

- “Provide a system of streets and alleys to ensure access to all sections of the District” (10 DCMR § 505.1);
- “Promote private-sector involvement in the development of sidewalks and pedestrian paths to complete the District’s pedestrian system” (10 DCMR § 505.2(d));
- Ensure “adequate parking will exist for occupants and other users” in accordance with the Zoning Regulations (10 DCMR § 505.2(e)); and
- “Require a systematic program for the maintenance and repair of streets.” (10 DCMR § 505.2(f)).

The Applicant will enhance the existing road network of the District by creating an internal street system on the Subject Property that allows for two way traffic and several access and egress points to the proposed development. Furthermore, the sidewalks of the proposed development will be connected to the existing sidewalk system on Commodore Joshua Barney Drive and Fort Lincoln Drive. The sidewalks and streets will be designed and constructed to DDOT standards. The sidewalks on these streets will be safer and more user-friendly with the removal of overgrown vegetation as well as the integration of a complete pedestrian sidewalk system for the surrounding neighborhood. The building out of the townhomes to the sidewalk also enhances the appearance and walkability of the pedestrian streetscape. Finally, in the proposed development more than two parking spaces per dwelling unit are provided, which is well above the parking ratio that is required in the R-5-D District.

### 3. Urban Design Element

According to Section 701 of the Comprehensive Plan, it is the goal of the Urban Design Element:

“To promote a built environment that serves as a complement to the natural environment, provides visual orientation, enhances the District’s aesthetic qualities, emphasizes neighborhood identities, and is functionally efficient” (10 DCMR § 701.1).

The proposed development will reflect the beneficial architectural qualities of the surrounding residential neighborhoods. In site planning and architectural detailing, the project will emphasize and help strengthen a neighborhood identity for this area. The project proposes an appropriate number and density of residential units, while allowing for sufficient private and

public open space for the residents. The townhomes are oriented towards the street at the front, yet also have auto access through the rear alleys.

The Comprehensive Plan also sets forth the following objective for areas in need of new and improved character:

“To encourage new development or renovation and rehabilitation of older structures in areas with vacant or underused land or buildings to secure a strong, positive physical identity” (10 DCMR § 712.1).

The area between Fort Lincoln Drive and Commodore Joshua Barney Drive currently lacks “a strong, positive physical identity.” The addition of the proposed development to this area will strengthen the identity of this site. Attractive views of the side and front elevations of the townhomes as one walks or drives along either road will also provide passersby with a stronger sense of place than previously existed at this location.

#### 4. Generalized Land Use Map

The Land Use Element of the Comprehensive Plan sets forth the following goal:

“[W]here appropriate, [encourage] the rehabilitation and new construction of detached and row housing . . .” (10 DCMR § 1104.1(h)).

The Comprehensive Plan Generalized Land Use Map includes the Subject Property in the Medium Density Residential land use category. The Medium Density Residential land use category envisions multiple-unit housing as well as low and moderate density housing such as row houses. The proposed project is entirely consistent with the Generalized Land Use Map designation of this site.

Moreover, the proposed 2006 Comprehensive Plan Map Amendments to the Future Land Use Map designate the entire site as Moderate Density Residential. These amendments are proposed, according to the Office of Planning, in order to (a) reflect existing conditions and (b) indicate a “Policy Change.”

## **5. Ward 5 Goals and Policies**

Section 1600 of the Comprehensive Plan, which focuses on the needs of Ward 5, sets forth a series of goals for the community that are met or enhanced by this project:

- “Stimulate the production of new housing, such as in Fort Lincoln” (10 DCMR § 1608.1(b));
- “Encourage new and rehabilitated affordable housing for area residents” (10 DCMR § 1609.1(a));
- “Promote a physical environment that upgrades the ward’s aesthetic qualities, enhances neighborhood stability, emphasizes neighborhood identity and function, and physically enhances the gateways and entrance ways into the city” (10 DCMR § 1620.1(a));
- “Protect and enhance the stability of residential neighborhoods” (10 DCMR § 1629.1(a));

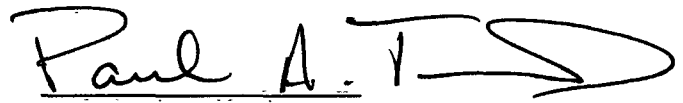
Fort Lincoln New Town is designated as a Housing Opportunity Area by the Comprehensive Plan. The project will provide a high-quality residential development that also respects the physical aspects of the Subject Property. The site is surrounded by streets with existing infrastructure that can accommodate the proposed use and intensity of the development, and the location of this project fits the stated objectives of the Ward 5 Plan. The Applicant also believes that the proposed project will help elevate the standard for design quality for this area. Moreover, the PUD will also preserve approximately 4.14 acres of open space on the site. Finally, the instant application will help connect existing and proposed housing, recreation and commercial projects into a cohesive and thriving Fort Lincoln community. This project will lie at the center of a community being transformed into an active and revitalized neighborhood of Ward 5.

For all of the above-mentioned reasons, the Applicant believes that the proposed PUD is not only consistent with the Ward 5 Elements of the Comprehensive Plan as well as the FLURA Plan, but was designed in direct response to satisfy these specific objectives.

## VII. CONCLUSION

For the foregoing reasons, the Applicant submits that the consolidated PUD request meets the standards of Chapter 24 of the Zoning Regulations; is consistent with the purposes and intent of the Zoning Regulations and Map; will enhance the health, welfare, and safety and convenience of the citizens of the District of Columbia; satisfies the requirements for approval of a consolidated PUD; provides significant public benefits; and advances important goals and policies of the District of Columbia. Therefore, the consolidated PUD application should be approved and adopted by the Zoning Commission. Accordingly, the Applicant respectfully requests the Zoning Commission approve this PUD application.

Respectfully submitted,  
Pillsbury Winthrop Shaw Pittman, LLP

  
Paul A. Tummonds, Jr.

  
David M. Avitabile

August 11, 2006