

# The Village at Washington Gateway

APPLICATION TO THE  
DISTRICT OF COLUMBIA ZONING COMMISSION FOR  
CONSOLIDATED REVIEW AND APPROVAL OF A  
PLANNED UNIT DEVELOPMENT

By: Fort Lincoln/Gateway Village, LLC

February 14, 2006

400306488v3

RECEIVED  
D.C. OFFICE OF ZONING  
2006 FEB 15 PM 12: 21

ZONING COMMISSION  
CASE No. 06-08  
EXHIBIT No. 3  
ZONING COMMISSION  
District of Columbia  
CASE NO.06-08  
EXHIBIT NO.3

**DEVELOPMENT TEAM**

**APPLICANTS:**

Fort Lincoln/Gateway Village, LLC

c/o Fort Lincoln New Town Corporation  
3298 Fort Lincoln Drive, NE  
Washington, DC 20018

c/o Concordia Group  
1485 Chain Bridge Road  
Suite 100  
McLean, VA 22101

**ARCHITECTS AND  
ENGINEERS:**

Smith and Associates, P.C., Project Architects  
3609 Chain Bridge Road  
Suite D  
Fairfax, VA 22030

Vika, Inc., Civil Engineer  
8180 Greensboro Drive  
Suite 200  
McLean, VA 22102

ParkerRodriguez, Landscape Architect  
101 Union Street  
Suite 320  
Alexandria, VA 22314

Wells & Associates, Traffic Engineer  
1420 Spring Hill Road  
Suite 600  
McLean, VA 22102

**LAND USE COUNSEL:**

Pillsbury Winthrop Shaw Pittman, LLP  
2300 N Street, NW  
Washington, DC 20037

## Table of Contents

<b>DEVELOPMENT TEAM .....</b>	<b>ii</b>
<b>Table of Contents .....</b>	<b>iii</b>
<b>EXHIBITS .....</b>	<b>v</b>
<b>PREFACE.....</b>	<b>vi</b>
<b>I. INTRODUCTION.....</b>	<b>1</b>
<b>A. Summary of Requested Action .....</b>	<b>1</b>
<b>B. The Applicant .....</b>	<b>2</b>
<b>C. Project Goals and Objectives and Benefits of Using the PUD Process .....</b>	<b>3</b>
<b>D. Development Timetable.....</b>	<b>4</b>
<b>II. THE PROJECT SITE.....</b>	<b>4</b>
<b>A. Site Location .....</b>	<b>4</b>
<b>B. Project Description .....</b>	<b>4</b>
<b>C. Tabulation of Development Data.....</b>	<b>7</b>
<b>D. Flexibility under the PUD Guidelines .....</b>	<b>8</b>
<b>III. PLANNING ANALYSIS.....</b>	<b>9</b>
<b>A. Introduction.....</b>	<b>9</b>
<b>B. Land Use Impact.....</b>	<b>9</b>
<b>C. Zoning Impact.....</b>	<b>10</b>
<b>D. Environmental Impact.....</b>	<b>11</b>
<b>E. Facilities Impact.....</b>	<b>11</b>
<b>IV. PUD EVALUATION STANDARDS.....</b>	<b>12</b>
<b>A. Public Benefits and Project Amenities .....</b>	<b>12</b>
<b>1. Urban Design and Architecture.....</b>	<b>12</b>
<b>2. Site Planning.....</b>	<b>13</b>
<b>3. Effective and Safe Vehicular and Pedestrian Access.....</b>	<b>13</b>
<b>4. Housing and Affordable Housing.....</b>	<b>14</b>
<b>5. Revenue for the District.....</b>	<b>15</b>
<b>6. First Source Employment Program .....</b>	<b>15</b>
<b>7. Local, Small and Disadvantaged Businesses .....</b>	<b>15</b>
<b>8. Environmental Benefits.....</b>	<b>15</b>
<b>9. Uses of Special Value to the Neighborhood.....</b>	<b>16</b>

<b>10. Comprehensive Plan .....</b>	<b>17</b>
<b>V. COMPLIANCE WITH COMPREHENSIVE PLAN .....</b>	<b>18</b>
<b>A. Compliance with Major Themes .....</b>	<b>18</b>
<b>1. Stabilizing the District’s Neighborhoods .....</b>	<b>18</b>
<b>2. Respecting and Improving the Physical Character of the District.....</b>	<b>19</b>
<b>3. Preserving and Ensuring Community Input.....</b>	<b>20</b>
<b>B. Compliance with Major Elements.....</b>	<b>20</b>
<b>1. Housing Element .....</b>	<b>20</b>
<b>2. Transportation Element .....</b>	<b>21</b>
<b>3. Urban Design Element.....</b>	<b>21</b>
<b>4. Generalized Land Use Map.....</b>	<b>22</b>
<b>5. Ward 5 Goals and Policies .....</b>	<b>23</b>
<b>VI. CONCLUSION .....</b>	<b>24</b>

**EXHIBITS**

**DESCRIPTION**

**EXHIBIT**

Architectural Drawings	A
Application Form	B
Notice of Intent to File and Certificate of Notice	C
List of Owners of Property within 200 Feet of the Subject Site	D
Compliance with Consolidated PUD Requirements	E
Environmental Analysis	F
Traffic Impact Study Prepared by Wells & Associates	G
List of Publicly Available Maps	H

## **PREFACE**

This document is the statement of Fort Lincoln/Gateway Village, LLC, in support of an application for the consolidated review and one-step approval of a Planned Unit Development for the property known as Parcel 173/145 in Square 4325, located between Fort Lincoln Drive, NE and Commodore Joshua Barney Drive, NE. This application requests the consolidated review and approval of a PUD application in order to develop a residential project on the property. The PUD proposes the construction of 370 townhomes and townhome condominiums in 47 different strings of 4 to 8 units each. This project will establish a unique residential opportunity for individuals, couples, and families seeking high-quality, for-sale homes in Ward 5.

Submitted in support of this application are a completed application form, a notice of intent to file a PUD (with property owner list and certification of mailing), architectural drawings, a zoning map of the Subject Property and surrounding area, and a Surveyor's plat of the property. As set forth in Exhibit E, this statement and the attached documents meet the filing requirements for a PUD application under Chapter 24 of the District of Columbia Zoning Regulations.

## I. INTRODUCTION

### A. Summary of Requested Action

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”). The Subject Property includes approximately 1,000,573 square feet of land, or 22.97 acres, and is located in the Fort Lincoln Urban Renewal Area. The Subject Property is located in the R-5-D Zone District.

The Applicant will create a 370 unit townhome and townhome condominium development called The Village at Washington Gateway. This entirely residential project will consist of three different townhome sizes (16, 20, and 24 foot wide models) as well as “2 over 2” townhome condominiums. The project includes 198 townhomes and 172 townhome condominiums.

The Applicant intends to use the PUD process to accommodate the proposed development plan. The size and topography of the Subject Property present unique challenges for the creation of the theoretical lots necessary to accomplish the development according to the matter-of-right requirements of the Zoning Regulations. The proposed height of the buildings, density and lot occupancy of the project fully satisfies the underlying R-5-D District matter-of-

---

<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.

right standards, and the development is otherwise consistent with the Subject Property's Medium Density Residential land use category designation on the Generalized Land Use Map.

### **B. The Applicant**

As previously mentioned, the Applicant is a joint venture of Fort Lincoln New Town Corporation and the Concordia Group. Fort Lincoln New Town Corporation has successfully developed and completed 1,358 units of housing at Fort Lincoln New Town. Fort Lincoln New Town Corporation has provided housing opportunities for residents of all income levels through the development of 521 condominium units, 158 market rate apartment units with a twenty-percent set-aside for affordability, and 679 senior housing units in the Fort Lincoln neighborhood. Currently Fort Lincoln New Town Corporation is developing two residential projects, one major retail project, and one infrastructure project.

In October of 2005, Fort Lincoln New Town Corporation, in partnership with the Concordia Group and Pulte Homes, broke ground on a highly anticipated residential project located to the southwest of the Subject Property across Fort Lincoln Drive. Located on a 23 acre site at Fort Lincoln New Town, the project consists of 209 townhomes. All of the units will have two-car garages and approximately 2,000 square feet per unit. (See BZA Application No. 17192). In addition, Fort Lincoln New Town Corporation is completing financing for a 127 unit senior housing project being jointly developed with the Union Wesley Housing Development Corporation. This project will be located to the north of the Subject Property.

Fort Lincoln New Town Corporation is also developing a major retail project known as Washington Gateway, located to the south of the Subject Property. In partnership with the Peterson Companies, Washington Gateway will consist of approximately 400,000 square feet of retail space on 42 acres of land. Washington Gateway will be anchored by a Costco store, a



Target store, and Shoppers Food Warehouse. This commercial project will also provide much needed neighborhood retail stores and possibly two sit-down family oriented restaurants. This project is possible as a result of Z.C. Order No. 02-33, which approved the rezoning of the 45-acre site to the C-2-B Zone District.

In 2001, Fort Lincoln New Town Corporation completed a 160,000 square feet warehouse facility with Premium Distributors. This facility is located just to the east of the Subject Property and was approved as a PUD and related Zoning Map amendment (See Z.C. Order No. 918 and Order No. 918-A). As one of the largest distributorships in the region, Premium Distributors employs over 100 employees at its Fort Lincoln New Town facility.

The Concordia Group specializes in developing property throughout the Washington Metropolitan Area. With an expertise in assembling and entitling real property that produces housing, retail centers and mixed-use developments, the Concordia Group has built an impressive portfolio of projects which have enhanced the quality of life in the surrounding communities. With more than two decades of experience, the principals bring a thorough understanding of the development process and manage the intricacies of the development process with expertise and innovative solutions.

### **C. Project Goals and Objectives and Benefits of Using the PUD Process**

The Applicant's goal is to create new homeownership opportunities for residents of Ward 5. The proposed project will infill a currently vacant lot to anchor and strengthen the surrounding neighborhood. The PUD process is the appropriate means of making this happen as it gives the community and District agencies the tools to ensure that the project is well-designed and best meets the needs of the community. The PUD process will allow the Applicant to use the Subject Property in a manner that is compatible with its land use designation and surrounding

existing uses in the neighborhood, yet is not possible under the strict requirements of the R-5-D Zone District and theoretical lot requirements of Section 2516.

#### **D. Development Timetable**

The Applicant hopes to start construction by Spring 2007 and expects that the total construction period will last approximately 48 months.

## **II. THE PROJECT SITE**

### **A. Site Location**

The Subject Property is composed of approximately 22.97 acres or 1,000,573 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 is currently undeveloped.

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 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 houses senior citizens. Further to the west and north lies residential development in the R-5-D Zone District.

### **B. Project Description**

The architectural drawings and plans depicting the design and layout of the proposed project are attached as Exhibit A. The Villages at Washington Gateway will be a 370 unit

townhome and townhome condominium development composed of 47 strings of 4 to 8 townhomes. The proposed project situates 13 of the strings, the 172 “2 over 2” townhome condominiums, on the western portion of the site, which features a Community Green at its center. The balance of the units, the 198 townhomes, are located in 34 strings in the central and eastern portions of the Subject Property. All of the buildings have entrances facing the Community Green, existing and proposed streets, or the two proposed pocket parks. The facades of all the buildings will be predominantly brick and all sides of the buildings that are visible from the public or private streets will be treated in an architecturally appropriate manner. The proposed site design results in a pedestrian-oriented layout that creates active streets and public spaces, yet also allows for efficient vehicular traffic flow through the site.

As shown on the attached Exhibit A, 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 include eighteen foot travel ways. Three primary entrances into the site will be created along both Fort Lincoln Drive and Commodore Joshua Barney Drive; they will be identified with tasteful brick entrance piers.

The PUD project offers 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 to suit the varying needs of individuals and families seeking to live in what promises to be a diverse and vibrant community. The 24-foot wide townhomes will include approximately 2,624 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. The “2 over 2” townhome condominiums will include approximately 1,750 square feet on the lower level and approximately 2,300 square feet on the upper level.

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, 148 additional guest parking spaces will be made available throughout the site on the interior private street system.

The project provides significant open and green spaces, approximately 33% of the Subject Property will remain open space. The large central Community Green includes approximately 1.18 acres. A children’s play area/tot lot and two pocket parks are also provided on the Subject Property. All of these public areas are designed for both active and passive recreation spaces. The Community Green will be lined with benches and possibly a gazebo, while the interior will be predominantly a level grass field that can accommodate a variety of activities, such as throwing a Frisbee or football, having a picnic or sitting on a blanket to read a book. The Applicant anticipates that the residents of the PUD project will also take advantage of the outstanding recreational amenities offered by the nearby Theodore Hagens Cultural Center and the Fort Lincoln Recreation Center.

The total gross floor area included in the PUD is 609,650 square feet which creates a total FAR of 0.6, 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 entire PUD has a lot occupancy of 55.4%, while the R-5-D District allows a maximum lot occupancy of 75%. The R-5-D District requires one parking space for every dwelling unit. The PUD will contain a total of 936 parking spaces, or 2.5 spaces per unit.

**C. Tabulation of Development Data**

Site Area: 1,000,573 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)	0.6
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%	55.4%
Gross Floor Area	1,000,573 s.f. x 4.5 FAR <u>Total: 4,502,579 s.f. (PUD)</u> 1,000,573 s.f. x 3.5 FAR <u>Total: 3,502,006 s.f. (MOR)</u>	<u>Total: 609,650 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	124 total spaces, one for every three residential units	936 total spaces

<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.

#### **D. 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 Board of Zoning Adjustment (“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 and side yard requirements for some of the individual structures is also requested. 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.

### **III. PLANNING ANALYSIS**

#### **A. Introduction**

Through the PUD process, the Applicant will develop a new residential community on a vacant site that creates 370 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 Statement of Principles and Recommendations of the Comprehensive Housing Strategy Task Force's Homes for an Inclusive City: A Comprehensive Housing Strategy for Washington, D.C., dated January 31, 2006, sets forth a plan for improving the District's housing and affordable housing by 2020. Below are core recommendations of this Strategy:

- “The District of Columbia should . . . increase[e] residential development . . . throughout the District”:
  - “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 growth in population of 100,000”;
  - “The location of new production envisioned by the task force should support a balanced growth policy, which will allow increases in population density”; and

- “Both assisted and market-rate housing produced in the District should adhere to high architectural and urban design standards, providing housing with amenities and access to transportation for all neighborhood residents.”
- “The government of Washington, D.C. should accelerate its efforts to preserve and increase high-quality affordable housing for both owners and renters”

The Applicant will create 370 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 Fort Lincoln Urban Renewal Area plan, most recently amended in 1994, 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 (0.6) 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 and side 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 F 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 F), determined that there are no wetlands on the Subject Property. The pocket park 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.

#### **IV. 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 370 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 landscape plan and treatment of the Community Green, the pocket parks, 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 plan 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 (0.6) and lot occupancy (55.4%) 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 7.5 acres of open space on the Subject Property. These open and green spaces are 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 three means of access to both 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.

The proposed development provides residents with 936 parking spaces. Guest parking is provided in 148 designated parallel parking spaces located along the interior roadway system. In total the project provides 936 parking spaces for 370 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 G 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 936 parking spaces on-site, while the Zoning Regulations only require 124 spaces for the 370 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 370 new for-sale residential units to the Fort Lincoln neighborhood.

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 370 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. The Applicant will enter into an agreement to participate in the Department of Employment Services (“DOES”) First Source Employment Program to promote and encourage the hiring of District of Columbia residents during the development and construction process.

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). Therefore, the Applicant will enter into a 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.

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 33%, or 7.66 acres of the site, as open space in the form of a spacious public Community Green, two pocket parks, and a dedicated children’s play area.

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 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.

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 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.
- Housing: This project will provide the District with 370 homes for individuals, couples, and families.

#### 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 V below, the PUD is consistent with and furthers many elements and goals of the Comprehensive Plan.

## **V. 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 370 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 370 new townhomes and townhome condominiums will certainly help achieve that goal. The Applicant believes that the establishment of the homeowners' association, with 370 members,



will have a sufficiently broad membership base to provide proper maintenance and upkeep of the interior roadway system and landscaped common areas.

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 370 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 project, that the District and Ward 5 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. The Applicant believes that the proposed design of the project will encourage residents to walk to the adjacent Washington Gateway 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 Josuha 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.

#### **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 370 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.

## 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 7.66 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 Fort Lincoln Urban Renewal Area plan, but was designed in direct response to satisfy these specific objectives.

## VI. CONCLUSION

For the foregoing reasons, the Applicant submits that the consolidated PUD application 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 set the PUD application down for a public hearing at the earliest possible date.

Respectfully submitted,  
Pillsbury Winthrop Shaw Pittman, LLP



Phil Feola  
Paul Tummonds  
David Avitabile\*

\*Not admitted to practice in the District of  
Columbia

February 14, 2006