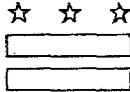


GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING



RECEIVED
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2006 DEC 11 PM 4:24

Office of the Director

MEMORANDUM

TO: D. C. Zoning Commission

FROM: *JS fev*
Ellen McCarthy
Director

DATE: December 11, 2006

SUBJECT: Final Report on Zoning Commission Case No. 06-26, a Proposal to Establish a Planned Unit Development (PUD) on Property Located Northeast of Puerto Rico Avenue, N.E. (Square 3788 Lot 814) and a PUD-related Map Amendment from R-2/FT and C-M-1 Districts to R-4 District

BACKGROUND

The Office of Planning (OP) presented its preliminary report on this consolidated Planned Unit Development application and a PUD related map amendment at a special Zoning Commission public meeting on July 24, 2006. The Commission voted unanimously to set this application down for public hearing, but requested additional information regarding the following issues:

- Whether the proposed private street through this site from 6th Street N.E. would continue north to intersect with an existing roadway within the abutting Rocky Gorge at Fort Townhouse Emerson Park Townhouse PUD, to form a continuous roadway to Emerson Street, N.E. beyond;
- Other development underway in the vicinity;
- What additional buffer will be provided between the proposed residences and; semi-detached dwellings under construction along 7th Street and the remaining industrial warehouses across 6th Street, N.E.;
- How steep slopes along the northern and eastern boundaries will be treated; and
- What would be the preferred route to access this development – to drive from Emerson Street south via the planned private road or travel north from Buchanan Street along 6th Street, N.E.

ZONING COMMISSION
District of Columbia

CASE NO. 06-26

EXHIBIT NO. 22

ZONING COMMISSION
District of Columbia
202-442-7637 or 7638
EXHIBIT NO.22

RECOMMENDATION

The Office of Planning (OP) recommends approval of this consolidated PUD application and related map amendment with the acceptance of the proposed amenities package that includes:

- two affordable units marketed at 85% of Washington Area Median Income (AMI), those units to remain “affordable” for a period of 20 years; and
- \$75,000 payable to the Friends of North Michigan Park Civic Association (FNMPCA) to be provided within 30 days of the issuance of building permits for the initial development phase to support:
 - North Michigan Park Recreation Center;
 - Food and Friends;
 - Community education seminars;
 - Community based agency donations;
 - Family Day Event;
 - Mother’s Day Event;
 - Father’s Day Event;
 - North Michigan Park Awards Dinner;
 - Beautification fund (to address landscaping issues and maintenance); and
 - Back to school fund (to provide notebooks, backpacks, lunchboxes, etc).

OP also recommends the applicant provide: protective fencing around all trees to be retained; more detailed information about what amount of funding would be allocated to each program, and exactly how the various groups would utilize this funding; and that no fences be erected that appear to create a “gated” community.

SITE AND AREA DESCRIPTION

The subject lot 814 is a portion of the property owned by the Thomas Summerville Company that totals 4.19 acres (182,595 square feet). This development site is occupied by a large concrete slab, an abandoned railroad siding track and a metal building. There are trees, other landscaping, and significant grade changes along the northern and eastern boundaries.

Surrounding development consists of the Rocky Gorge at Fort Totten Emerson Park Townhouse PUD approved by the Commission in March 2005 (Z.C. Application No. 04-11) to the north; a series of existing semi-detached one-family two-story dwellings fronting 6th Place, N.E., to the south; vacant lots being developed with new semi-detached one-family dwellings fronting 7th Street to the east; and the remaining Summerville Company lands and warehouse buildings to the west across 6th Street, N.E. A swath of the land approximately 180 feet wide on the west side of the site is within a Commercial-Light Industrial (C-M-1) district with a Fort Totten (FT) overlay district. The remainder of the site and surrounding properties to the north, east and south are in a Residential (R-2) district. Summerville Company buildings and land immediately west of 6th Street are in a General Industry (M-1) district. This northwest corner of the site is also approximately 1,700 feet from the Washington Metropolitan Transportation Authority (WMATA) Fort Totten Metro rail station.

This applicant also filed the referenced Z.C. Application 04-11 for the abutting Rocky Gorge at Fort Totten Emerson Park row house PUD.

Development Proposal

Contract purchaser Rocky Gorge LLC, the applicant, proposes to construct 35 one-family row dwellings around a single cul-de-sac. This would be a private street extending east from a second private street continuing north from 6th Street, N.E. None of these dwellings would frontage on a public street. A total of 77 seven vehicle parking spaces would be provided in the overall development, more than the required 1 space per dwelling unit. Fifty-three (53) vehicle spaces would be within one- or two- vehicles garages on the ground floor of each townhouse, and 24 spaces would be distributed along the street and alley system. The alley system also provides access to the rear-loading garages in each dwelling.

The townhouse product would consist of 18- and 20-foot wide, 3-story dwellings with second-floor open decks and gross floor areas of 2,087 square feet and 2,568 square feet, respectively. Single-vehicle garage would be provided on the ground floor of the narrower unit, and two-vehicle garage in the wider units.

The scale and design of these townhouses would be very similar to that approved for the abutting Rocky Gorge at Fort Totten Emerson Park PUD. As stated in the Pre-hearing Statement dated August 11, 2006, "... the Application ... is for the conversion of a largely vacant and unimproved industrial site into a thoughtfully-designed, pedestrian-focused, moderate density residential use within walking distance of the Fort Totten Metrorail Station which is consistent with the Comprehensive Plan, supported by the local community, and which entails significant physical improvement to the Site and to the surrounding neighborhood."

ANALYSIS

- Comprehensive Plan: The Generalized Land Use Map designates the area south and east of Fort Totten and Fort Circle Parks including this site for a mixture of Medium Density Commercial, characterized by shopping and services offering a large concentration and variety of good and services outside of Central Employment Area as predominant uses, and Production and Technical Employment, characterized by restructured industrial land designed to encourage growth industries and industries with a high ratio of employees to land area occupied.

This property also falls within the area around the Fort Totten Metro station designated by the Generalized Land Use Policies Map as a Metro rail station Development Opportunity Area. Applicable policies under this designation are outlined in Section 1122 of the Comprehensive Plan including:

"... (c) Develop surplus WMATA and unused industrial land for *medium density residential* and commercial mixed uses; ...

- (d) Protect and preserve existing low scale residences in the vicinity; ...
- (g) Create a “mini-in-town” community.”

Properties in the vicinity area also designated as Special Treatment and Housing Opportunity Areas.

In addition, the Draft District of Columbia Industrial Land Use Study dated March 2005 and the new draft Comprehensive Plan Generalized Land Use Policies Map designates the industrially zoned portion of the site as an area for change.

The new Draft Comprehensive Plan Future Land Use Map designates the site as “moderate density” residential, and the rowhouse form of development proposed is consistent with this designation, as is the proposed R-4 district. The proposal also furthers several Comprehensive Plan themes:

- Major Themes of the Comprehensive Plan in Section 101 include:

- “(a) Stabilizing and improving the District’s neighborhoods; ...” including “increasing housing opportunities” (§ 102.4); also
- (e) Respecting and improving the physical character of the District; ...
- (f) Preserving and ensuring community input; ...
- (i) Promoting enhanced public safety; and
- (j) Providing for diversity and overall social responsibilities.”

- § 204 Stimulating Private Sector Growth:

“204.2 The policies established in support of the stimulating private sector growth objective are as follows: ...

- (m) Place a high priority on stimulating and facilitating a variety of commercial, retail, and *residential development investments appropriate to selected Metrorail station areas* outside of the Central Employment Area, consistent with the Land Use Element and any ward and small area plan, and with sensitivity to surrounding areas.”

- § 302 Housing: General includes:

“302.1 The general objectives for housing are to *stimulate production of new and rehabilitated housing to meet all levels of need and demand* and to provide incentives for the types of housing needed at desired locations.

302.2 The policies established in support of the general objectives for housing are as follows:

- (a) 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, recognize the importance of the lending industry in housing development, identify sites where new housing is to be encouraged, and, in selected cases, provide incentives for desired development; ...
- (e) *Encourage housing on suitably located public or private properties that are vacant, surplus, underutilized, or unused, and encourage adaptive reuse of surplus schools and other available public buildings as housing, with particular emphasis upon the needs of low- and moderate-income residents; ...*

○ § 1102 Objectives for Residential Neighborhoods:

“1102.1 The residential neighborhood objectives are as follows:

- (a) To conserve and enhance the essentially satisfactory qualities of the District’s many stable residential neighborhoods including those qualities that make them unique;
- (b) To enhance other neighborhoods and achieve stability;
- (c) To redirect public and private initiatives to neighborhoods most in need of improvement and stability; ...
- (d) *protect residential neighborhoods from disruptive uses; ...*”

○ § 1608 Ward 5 Objectives for Housing:

“1608.1 The objectives for housing are as follows:

- (a) Protect and preserve the ward’s stable neighborhoods and its sound housing stock;
- (b) Stimulate the production of new housing ...
- (c) Provide incentives for housing at desired locations such as the Fort Totten Metrorail Station Special Treatment Area and the Rhode Island Avenue Metrorail area; ...”

○ § 1615 Ward 5 Actions in Support of Transportation:

“1615.1 The policies in support of transportation are as follows:

- (a) Improve the movement and management of vehicular and pedestrian traffic to ensure public safety and mitigate adverse effects of traffic and parking on residential streets around the Fort Totten ... Metrorail stations:

(b) Recommended actions:

- (A) *All proposed projects should include an analysis of potential traffic impacts on the surrounding streets and especially on adjacent residential neighborhoods; ...*

This project would further these themes and objectives by:

- Eliminating the possibility of future industrial uses similar to previous uses that the community reports had negative noise and traffic impacts;
- Converting underutilized industrial land into new residential development;
- Respecting the adjacent residential neighborhood through dwelling unit designs of similar height and scale;
- Providing a significant private sector investment in residential development in a Metro Station development opportunity area outside the Central Employment Area; and
- Having “no significant impact” on surrounding neighborhood intersection.

OP concludes that the proposal for a PUD-related change of site from a mixture of C-M-1/FT and R-2 zone districts to a uniform R-4 zone district is not inconsistent with the Comprehensive Plan, particularly in light of referenced designations, and that the requested map amendment would support the goals of the Comprehensive Plan since it would allow moderate density residential development.

- **Zoning Review:** A portion of the 182,595 square-foot (4.19 acre) development site is in a C-M-1 zone district with an FT overlay district, and the remainder is in an R-2 district. Under current Zoning Regulations, new residential development is not permitted as in the C-M-1 district. Residential development is permitted in the R-2 zone district; however this district requires a minimum lot width of 30 feet, and minimum lot area of 3,000 square feet. In addition, § 300.2 does not list “one-family attached dwellings” as an allowable use in the district. As such, the applicant is requesting a PUD related map amendment for the site to R-4 district.

The Pre-hearing Statement dated August 14, 2006 explains the applicant is seeking this zoning change because, without a Zoning Map amendment, “... residential use is currently only permitted on a portion of the unusually configured Site.” The planned unit development was applied for “... to provide the Zoning Commission, ANC 5A and the neighbors to the Site an increased sense of security, comfort and input into the future development of the Site, both through informal discussion in the neighborhood and through the public hearing process.”

The area of the development site exceeds the minimum 2.0 acres required for a PUD in the requested R-4 district per § 2401.1 of the regulations. This zone allows attached row (townhouse) dwellings and requires a minimum lot width of 18 feet and minimum lot

area of 1,800 square feet.

Development lots would not have frontage on a public street, therefore this proposal would require the creation of a “theoretical” lot subdivision per § 2516. Accordingly, lot widths must be a minimum 18 feet, front and rear yard setbacks must be a minimum 20 feet, end unit side yard setbacks must be a minimum 8 feet, the overall lot occupancy percentage must be under 40%, and heights of the 3-story row dwellings cannot exceed 40 feet. The percentage of lot occupancy on an individual lot would not exceed 54.6%, less than the allowable 60% for row dwelling lots under the regulations. The development would also provide on-site parking equal or greater than the required 1 vehicle space per dwelling.

None of the new lots would have frontage on a public street. Therefore the PUD includes a theoretical subdivision which must be consistent with the provision under § 2516 of the Zoning Regulation:

- the site is within twenty-five feet a residence district - *conforming*,
- the proposed private street are the minimum required width of 30 feet - *conforming*, and
- open space (front yard) in front of the entrance equivalent to the required rear yard in the district of 20 feet – *relief required*.

The Pre-hearing Statement notes that this proposal will also require zoning relief for:

- lot area for a number of theoretical lots (per § 2516.4);
- a number of lots do not have the required rear yard setback (per § 2516.5[c]);
- in a number of instances, proposed second floor decks extend into the required rear yard setback in violation of § 2503.2; and
- the applicant appears to measuring the open space from the street centerline which is not consistent with current practice - *as such, OP believes that relief from this requirement is also necessary but supportable*.

- Requested Zoning Relief:

- Lot area: Flexibility is requested per § 2405.4 of the regulations for 23 interior lots would not have the minimum area of 1,800 square feet square required for row dwelling lots in the R-4 zone district. These interior lots ranging from 1,574 to 1,312 square feet would vary 12.5% to 27% from the required minimum.

In spite of this deviation, “... the Project as a whole provides a significant amount of community common area (approximately 120,000 square feet) for use by residents of the Project that would not typically be available in an R-4 matter-of-right development.” Including the common area, the amount of space per lot created is about 5,200 square feet.

- Rear yard and front yard: This proposal requires relief from the required rear yard setback and the open space requirement that is equivalent to a rear yard setback per § 2503.2.

OP agrees that extending of remaining open space within the overall development offsets the smaller areas and rear yard of some townhouse lots. Also, the generous deck areas are needed to provide outdoor recreation space onsite, because most of the rear yard will be occupied by the garage driveway. OP supports the smaller than required front yard to provide an “urban” streetscape with buildings relating well to the street, and to maximize the rear yard area.

Based on this information, OP finds that the proposal is generally consistent with the intent of the R-4 zone district requirements per the theoretical lot provisions of the regulations, and supports granting the requested relief from the Zoning Regulations.

PUD EVALUATION STANDARDS

The purpose and standards for Planned Unit Developments are outlined in 11 DCMR, Chapter 24. Specifically, § 2400.1 states that a PUD is “designed to encourage high quality developments that provide public benefits.” In order to maximize the use of the site consistent with the zoning regulations and to utilize opportunities for additional FAR the applicant is requesting that the proposal be reviewed as a consolidated PUD. This will allow the utilization of the flexibility stated in § 2400.2:

“The overall goal is to permit flexibility of development and other incentives, such as increased building height and density; provided, that the project offers a commendable number of quality public benefits and that it protects and advances the public health, safety, welfare, and convenience.”

The standards under which the application is evaluated are further outlined as follows:

“2403.3 The impact of the project on the surrounding area and the operation of city services and facilities shall not be found to be unacceptable, but shall instead be found to be either favorable, capable of being mitigated, or acceptable given the quality of public benefits in the project.”

PUBLIC BENEFITS AND AMENITIES

The objectives of a PUD are:

- to permit flexibility of development in return for; and
- the provision of superior public benefits;

- provided the PUD process is not used to circumvent the intent and purposes of the Zoning Regulations;
- did not result in an action inconsistent with the Comprehensive Plan;
- provided the PUD process is not used to circumvent the intent and purposes of the Zoning Regulations; or
- results in an action inconsistent with the Comprehensive Plan.

Public amenities are defined in § 2407.3 as including “one type of public benefit, specifically a functional or aesthetic feature of the proposed development that adds to the attractiveness, convenience or comfort of the project for occupants and immediate neighbors”. The applicant has identified the following items as amenities.

- **Urban design, architecture and landscaping:** The applicant’s Supplemental Statement dated August 14, 2006 explains this project reflects “neo-traditional design principals” with its use of rear-loading garages, rear alleys to provide garage and service access, two formal green areas as community focal points, an internal sidewalk system extending north toward Emerson Street and south toward 6th Street, S.E. The original application described the Federal style townhouse designs inspired by home “... built throughout Washington in the late nineteenth and early twentieth centuries” with “... eaves and cornices” and “... richly detailed and consist(ing) of layered trim and dental molding and brackets (that) also creates interest on the facades with shadow lines, depth and texture.” Based on the submitted plans, townhouse units would have front facades of masonry (some with decorative metal features), vinyl siding on the rear and end facades, and asphalt shingles on roofs that would vary in pitch.

The applicant has stated their intent to retain existing trees so not to disturb the steep slope, and plans reflect extensive additional landscaping around the dwellings and along the private streets and alleys. In response to concern expressed by the Commission that a sufficient buffer be provided between planned residences and the existing industrial and warehouse uses, the applicant states the extensive landscaping that would be planted along the western end would provide “... an extensive visual buffer.” Retention of a 60 foot-wide private right-of-way between the different uses and “... significant constraints placed on industrial development adjacent to residential uses, including buffering requirements ...” under the FT overlay, would be sufficient to protect the investment of future residents.

Approval of this proposal would also protect neighboring residential properties to the south from the potential development of active industrial uses on the subject property. *Based on this information, OP concluded that project design and landscaping benefit the community, and recommends that the installation of properly installed protective fencing around trees to be retained be required prior to any on-site construction.*

- **Site planning and efficient and economical land utilization:** This project would convert a barren, irregularly shaped area bordered by steep slopes into new market rate and

affordable home ownership opportunities. This proposal also furthers a number of the principals associated with transit-oriented development (TOD) by creating an infill development with orientation and connectivity, quality public amenities, a safe pedestrian friendly environment; and attractive architecture and design.

Based on this information, OP concluded that project site plan and the associated land utilization benefit the community.

- Vehicular and pedestrian access, transportation management measures, and connections to public transit: The project would provide medium density residential development with easy walking distance of a Metrorail station and several Metro bus routes. The network of sidewalks would allow safe pedestrian access from 6th Street north to the Rocky Gorge at Fort Totten Emerson Park Townhouse PUD and Emerson Street beyond.

The applicant appears to provide sufficient parking resources for residents and visitors within the project boundaries to minimize pressure on neighborhood for limited on-street street parking.

In terms of anticipated traffic, the Transportation Impact Study for Emerson Park Phase 2 dated August 2006 and prepared by Wells & Associates LLC concluded “The proposed Phase 2 development will have a negligible effect on the traffic operations of the (South Dakota Avenue intersection with 8th and Buchanan Streets),” and “The increase in traffic at the Buchanan Street/Puerto Rico Avenue/6th Street intersection would not have an effect on levels of service at that intersection.”

The Commission expressed concern about the potential impact of truck traffic on resident vehicles traveling planned private roads. The report noted that “Truck access on the proposed private road (extending north from 6th Street to Rocky Gorge at Fort Totten Emerson Park Townhouse PUD and Emerson Street beyond) will be significantly limited due to the weight limit restrictions placed on Emerson Street, 6th Street and 8th Place.” As such, truck traffic generated by the remaining industrial and warehouse uses would generally travel south on 6th Street to Buchanan Avenue. Comment from the Metropolitan Police Department support this view (refer to the Agency Comment section below).

Based on this information, OP concurs that the vehicular and pedestrian access, transportation management measures, and connections to area public transportation benefit the community.

- Housing and affordable housing: The project will replace underutilized industrial lands with “... 35 high-quality, sensitively-planned residential units in close proximity to public transportation” thus adding to the supply of available home ownership opportunities in this community. In addition, 2 or 6% the 35 one-family row dwellings

would be affordable to households earning 85% of the area median income (AMI) for the next 20 years.

OP supports the proposed affordable housing as an amenity item.

- Environmental benefits, storm water controls and tree preservation: The proposed development would apply current standards from managing of storm water run-off. The applicant also proposed to replant steep slopes cleared for development of the duplex dwellings to the east, retain the existing trees on slopes to the north, and add a significant amount of additional vegetation.

In response to a question from the Commission, the applicant provided additional landscaping plans showing that this proposal, "... is utilizing a mix of landscape features, including planting of shade, ornamental and evergreen trees in coordination with the changing grades of the Site, to minimize the visual impacts of the Project (on the semi-detached dwellings under construction to the east) ... while at the same time buffering the Project to the extent possible from the neighboring non-residential uses" to the west.

Based on this information, OP concurs that implementing current environmental standards for storm water management on the site while retaining and enhancing existing foliage along the perimeter benefits the community. OP also recommends the use of native species where possible, to help ensure the health and rapid growth of new vegetation, and to minimize the care and watering required.

- Uses of special value to the neighborhood or the District of Columbia: The project involves removing the Property from its longstanding underutilized industrial use and replacing it with new residential uses consistent with the Comprehensive Plan goals and objectives."

Advisory Neighborhood Commission (ANC) 5A directed the applicant to negotiate with an ad-hoc committee organized by the Single-member District Representatives to develop the final list of additional benefits. As a result of negotiations (summarized in a letter from the applicant to these representatives in the Exhibit 3), the applicant agreed to provide \$75,000 to the Friends of North Michigan Park Civic Association (FNMPCA) to support the following programs:

- North Michigan Park Recreation Center;
- Food and Friends;
- Community education seminars;
- Community based agency donations;
- Family Day Event;
- Mother's Day Event;
- Father's Day Event;
- North Michigan Park Awards Dinner;

- Beautification fund (to address landscaping issues and maintenance); and
- Back to school fund (provide notebooks, backpacks, lunchboxes, etc); and

These funds would be provided within 30 days of the issuance of building permits for the initial development phase. Additional detail, however, regarding exactly what the funds will be used for and how this will be administered have not been provided.

OP believes that the listed items are, in concept, of special value to the neighborhood, but additional detail should be required prior to Final Action.

Amenities in Relation to the Degree of Flexibility Requested

Listed benefits, including residential development, affordable housing opportunities, development at a similar scale and character to the surrounding neighborhood, and development that seek to retain the existing treed and the addition community amenities would not result from a matter-of-right development in the current industrial district. Overall, OP finds the project amenities and public benefits as offered are acceptable, with the provision of additional detail, and commensurate with the zoning relief requested and needed given the anticipated impact of granting the requested relief.

COMMUNITY COMMENT

The North Michigan Park Civic Association hosted an initial information meeting about this project on March 13, 2006. ANC 5A voted unanimously to recommend Zoning Commission approval of this application at a regular scheduled meeting on September 27, 2006.

During a subsequent meeting on November 28, 2006, an ad-hoc committee representing community residents and organizations approved a list of additional benefits per the direction of the ANC.

AGENCY COMMENT

Summaries of the proposals were forwarded to the Metropolitan Police and Fire Departments, Department of Public Works, DDOT, and Department of Housing and Community Development (DHCD).

In a letter dated November 27, 2006 to Ellen McCarthy, Director, Office of Planning, Lt. Andre Rogers stated that the Metropolitan Police Department has no problem with this proposed development. The letter also confirmed the applicant's claim that "... truck access to the proposed private road (connecting Emerson Street to 6th Street/Puerto Rico Avenue) will be severely limited due to the weight limit restriction currently posted on Emerson Street, 6th Place and 8th Street." In addition, "...weight limits will be enforced by the Metropolitan Police Department."

To date no other agency comments have been received.

RECOMMENDATION

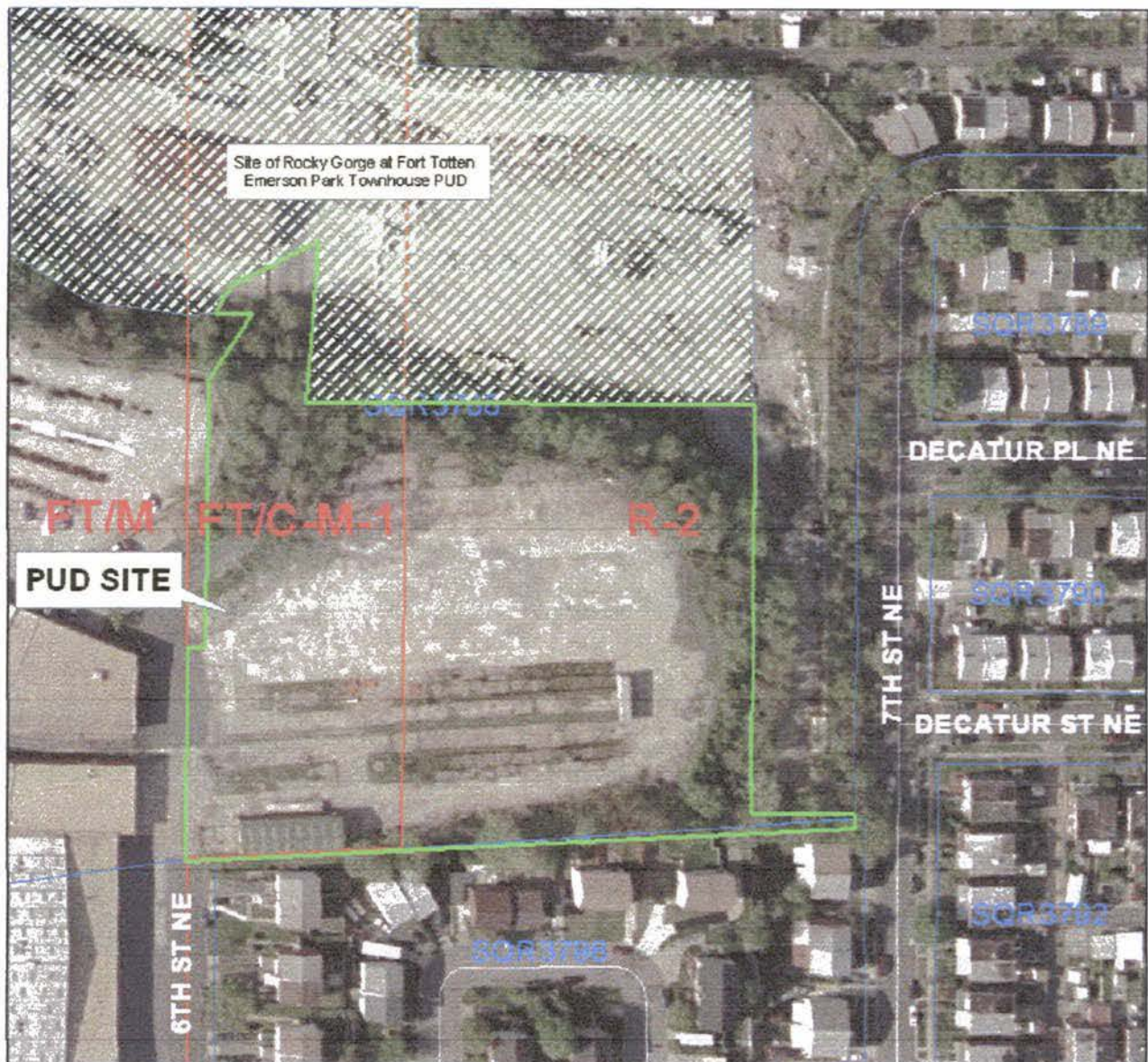
OP recommends approval of this consolidated PUD application and related map amendment with the acceptance of the proposed amenities package that includes:

- two affordable units marketed at 85% of Washington Area Median Income (AMI), those units to remain “affordable” for a period of 20 years; and
- \$75,000 payable to the Friends of North Michigan Park Civic Association (FNMPCA) to be provided within 30 days of the issuance of building permits for the initial development phase to support:
 - North Michigan Park Recreation Center;
 - Food and Friends;
 - Community education seminars;
 - Community based agency donations;
 - Family Day Event;
 - Mother’s Day Event;
 - Father’s Day Event;
 - North Michigan Park Awards Dinner;
 - Beautification fund (to address landscaping issues and maintenance); and
 - Back to school fund (to provide notebooks, backpacks, lunchboxes, etc).

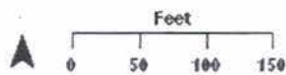
OP also recommends the applicant provide: protective fencing around all trees to be retained; more detailed information about what amount of funding would be allocated to each program, and exactly how the various groups would utilize this funding; and that no fences be erected that appear to create a “gated” community.

Attachments: Exhibit 1 Aerial Map with Zoning
Exhibit 2 Zoning, Opportunity and Special Treatment Areas
Exhibit 3 Letter dated November 29, 2006 to Levin Lee and Joseph Bowser, ANC 5C from John W. Anderson, Principal, Rocky Gorge LLC
Exhibit 4 Letter dated November 27, 2006 to Ellen McCarthy, Director, Office of Planning from Lt. Andre Rogers, Metropolitan Police Department

EMc/afj



**Z.C. Application No. 06-26
Rocky Gorge Development PUD**



☆☆☆ Government of the
District of Columbia
Anthony A. Williams, Mayor

Office of Planning - July 6, 2006

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It is neither a survey nor a legal document.
Information provided by other agencies
should be verified with them where appropriate.
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Legend

Street Centerlines
Property Squares

Legend

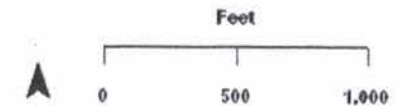
Zoning Districts
Street Centerlines



**Z.C. Application No. 06-26
Emerson Park Townhouses
Phase II PUD**

**Zoning, Opportunity and
Special Treatment Areas**

-  Metro Stations
-  Water
-  Property Squares
-  Railroads
-  Metro Bus Routes



☆☆☆ Government of the
District of Columbia
Anthony A. Williams, Mayor

Office of Planning - November 28, 2006

This map was created for planning purposes from a variety of sources. It is neither a survey nor a legal document. Information provided by other agencies should be verified with them where appropriate.



7900 Westpark Drive
Suite A320
McLean, Virginia 22102

Tel: 703.584.3540
Fax: 703.584.3541

November 29, 2006

Levin Lee
ANC 5A03

Joseph Bowser
ANC 5A04

Re: November 28, 2006 Amenities Package Meeting for Case No. 06-26 (PUD and Related Map Amendment @ Square 3788, Lot 814)

Dear Commissioners Lee and Bowser:

As you know, Advisory Neighborhood Commission (ANC) 5A considered the above-referenced application at its September 27, 2006 monthly meeting and voted unanimously to support the Zoning Map amendment and Planned Unit Development (PUD) proposed by the Applicant, Rocky Gorge Development, LLC. The ANC directed that a task force meeting be held between the Applicant and interested community stakeholders within ANC 5A03 to determine how the funds to be provided as part of the PUD approved by the Applicant should be directed within the community. To that end, on November 28, 2006 at the North Michigan Park Recreation Center, a meeting was held with the following persons being in attendance:

1. Levin Lee, ANC 5A03
2. Joseph Bowser, ANC 5A04
3. Angel Alston, ANC 5A03 (eldest)
4. Gwendolyn Jackson, President, Friends of North Michigan Park Civic Association, Inc.
5. Grace J. Lewis, President, North Michigan Park Civic Association
6. Belinda Bell, Agent for Concerned Citizens of North Michigan Park
7. George Robinson, Resident 600 Block Emerson Street, NE
8. John W. Anderson, Principal, Rocky Gorge Development, LLC

Collectively, it was decided that the parties would support the proposed amenities package offered by The Applicant. As the neighborhood's nonprofit organization, The Friends of North Michigan Park Civic Association, Inc. will manage the funds contributed by The Applicant, its successors or assigns, earmarked to support any or all of the following Ward 5 activities for the benefit of North Michigan Park:

1. North Michigan Park Recreation Center
2. Food and Friends (Riggs Road and South Dakota Ave. NE)
3. Community educational seminars
4. Community based agency donations
5. Family Day event
6. Mother's Day event
7. Father's Day event
8. North Michigan Park Awards Dinner
9. Beautification fund (to address landscaping issues and maintenance)
10. Back to school fund (provide notebooks, backpacks, lunchboxes, etc.)

Commissioner Levin Lee
Commissioner Joseph Bowser
November 29, 2006
Page Two

The Applicant has agreed to provide an amount equal to \$2,272.72 per approved market rate unit, which would total \$75,000 based on the PUD plan of 35 units (33 market rate) as submitted for approval by the Zoning Commission. Payment in full of the above funds shall be made within 30 days of the issuance of the building permit on the initial unit within the approved PUD. (current schedule mid-2009, subject to market conditions of Emerson Park Phase I). These funds are in addition to two (2) affordable housing units being provided within the PUD.

As indicated by the signatures below, the parties find this package is acceptable and these organizations and community leaders offer their support for the Rocky Gorge PUD application. This Agreement may be executed simultaneously in one or more counterparts, each of which shall be deemed an original, and all of which together shall constitute one of the same instrument.

I appreciate the assistance, availability, time and effort that have been offered by the ANC commissioners and the other leaders within the community.

Sincerely,



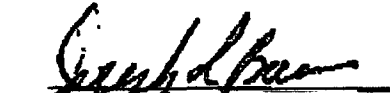
Rocky Gorge Development, LLC
John W. Anderson
Principal

Commissioner Levin Lee
Commissioner Joseph Bowser
November 29, 2006
Page Three

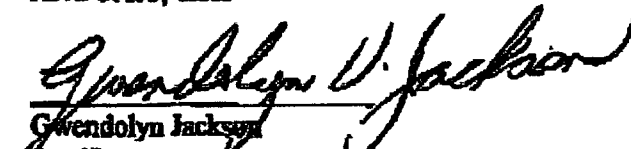
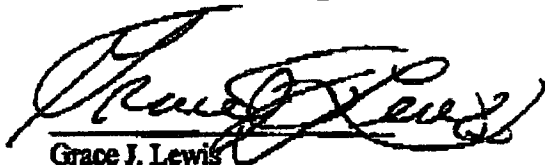
SEEN AND AGREED TO:



Levin Lee
ANC 5A03


Joseph Bowser
ANC 5A04

Angel Alston
ANC 5A03, elect


Gwendolyn Jackson
President
Friends of North Michigan Park Civic Association, Inc.

Grace J. Lewis
President
North Michigan Park Civic Association



Belinda Bell
Agent for Concerned Citizens off North Michigan Park



George Robinson
600 Block Emerson Street, NE



Fourth Police District

6001 Georgia Avenue, NW, Washington D.C., 20011 (202) 576-6751 FAX (202) 576-6559

MEMORANDUM

TO: Ellen McCarthy, Director
Office of Planning

DATE: November 27, 2006

SUBJECT: Zoning Commission Case No. 06-26 – Planned Unit Development (PUD) located on Lot 814 of Square 3788

The above case has been hereby referred to the Metropolitan Police Department for review and comment. The Metropolitan Police Department has no problems with the site improvement plan, and building elevations. The Advisory Neighborhood Commission is working the applicant for the betterment of the community.

Please note that the truck access to the proposed private road (connecting Emerson Street to 6th Street/Puerto Rico Avenue) will be severely limited due to the weight limit restriction currently posted on Emerson Street, 6th Place and 8th Street. Please advise all contractors that weight limits will be enforced by the Metropolitan Police Department.

Andre Rogers
Lieutenant
PSA 405