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Memorandum

TO: District of Columbia Zoning Commission

FROM: Jennifer Steingasser, Deputy Director *JS*
Development Review and Historic Preservation

DATE: November 30, 2009

SUBJECT: Final Report - ZC #09-03 (Skyland Shopping Center)
Consolidated PUD and Related Map Amendment
Various Parcels and Various Lots in Squares 5632, 5633, 5641, 5641-N

I. APPLICATION

The applicant, Skyland Holdings on behalf of the District of Columbia through the Deputy Mayor for Planning and Economic Development, proposes a Consolidated Planned Unit Development (PUD) and related map amendment. The property is currently in the C-3-A, R-5-B, R-5-A, and R-1-B districts (Exhibit 1 of applicant's submission). The majority of the property is in the C-3-A district and the requested map amendment would rezone the R-5-A, R-5-B and R-1-B portions to the C-3-A district. The development would replace the old Skyland Shopping Center and create the Skyland "Town Center" with retail, residential and other complementary uses at 1.61 FAR.

II. RECOMMENDATION

The redevelopment of the Skyland Shopping Center is a high priority to the City and the neighborhood. It has been under consideration and planning for a number of years with extensive community involvement. The redevelopment of the property would provide a new town center that would serve the residents of the development, the surrounding area and the wider community East of the River with a wider range of retail and services as well as new residences. The project would be at a scale compatible with surrounding residential and commercial developments. The proposal is not inconsistent with the 2006 Comprehensive Plan, Future Land Use Map that recommends moderate density commercial for the majority of the property and Generalized Policy Map recommendation for a multi-neighborhood center for the property. The development is also consistent with many of the policies for the Far Northeast and Northwest Area.

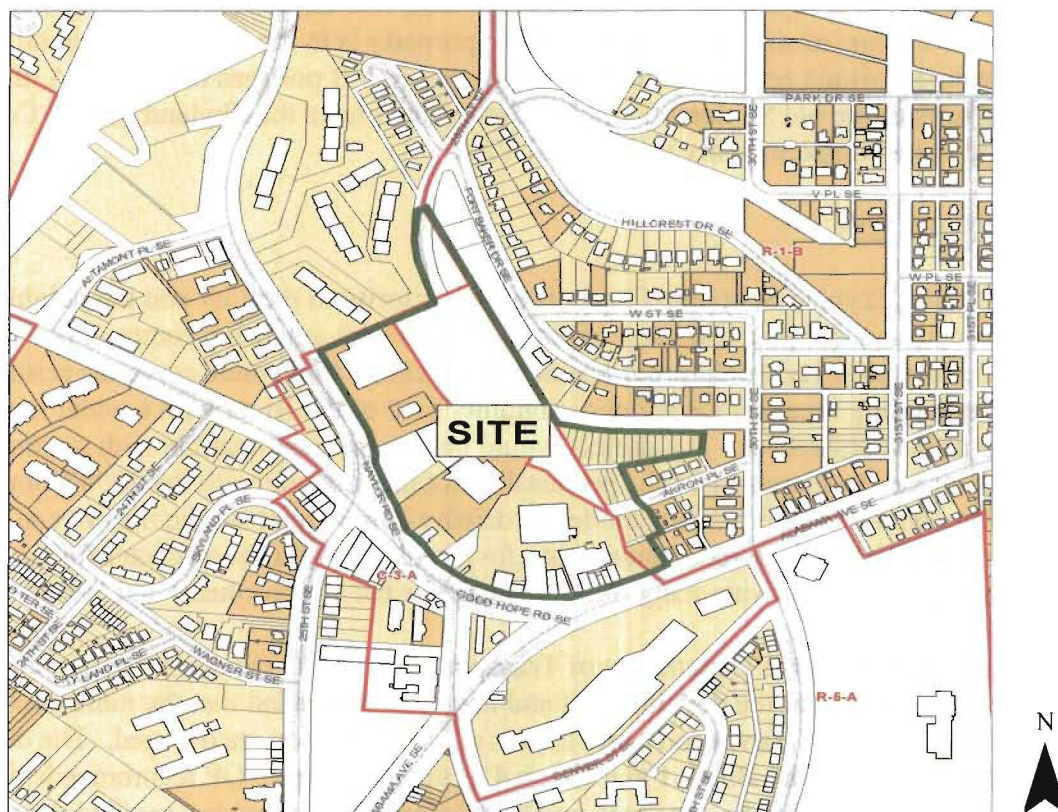
The Office of Planning (OP) and the Department of Transportation (DDOT) have concerns regarding the 1,698 parking spaces proposed for the development and have recommended that the number of spaces be drastically reduced and the use of transit and other modes of transportation encouraged. The development would be constructed in phases with Block 1 and Block 4 in the first phase. OP recommends that the parking for Phase 1 (Blocks 1 and 4) be approved and that the applicant provide a methodology and standard by which the necessity for the parking spaces in other phases of development would be evaluated and submitted to the Zoning Commission for approval. The applicant has been advised that the evaluation methodology and standards should be provided prior to the public hearing.

ZONING COMMISSION
District of Columbia

The Office of Planning (OP) therefore recommends approval of the proposed map amendment and PUD with the condition that the applicant provide a mythology by which parking for Blocks 2, 3 and 5 would be evaluated and submitted to the Zoning Commission for approval.

III. PROPOSAL

The applicant proposes to demolish all the existing buildings and redevelop the site as a mixed use “Town Center” consisting of apartments, rowhouses, and retail uses. The development would feature a “main street” running in an east-west direction and terminating at a “big box” retail use on the western portion of the site. On both sides of the main street buildings would have ground floor retail with apartments above. The ground floor of the buildings which would front on Alabama Avenue, Good Hope Road and Naylor Road would have retail uses fronting on them to provide pedestrian activity. Above grade parking structures are proposed to serve the residential and retail uses. Parking structures would be wrapped by retail and residential building thus minimizing their visibility. An existing building that houses a switching facility for the RCN cable company is currently located in the center of the property and would be relocated to the southeastern corner of the property close to Alabama Avenue.



SITE LOCATION

IV. SITE AND SURROUNDING AREA

The subject property¹ is located in Skyland neighborhood in Ward 7 at the intersection of Naylor Road, Good Hope Road and Alabama Avenue, SE and is developed with the currently vacant Skyland Shopping Center. The site is currently in the C-3-A, R-5-B, R-5-A and R-1-B districts and is bounded on the east by the Hillcrest single-family residential in the R-1-B district; to the south by the Good Hope Marketplace which has approximately 97,000 square feet of retail space including a supermarket in the C-3-A district; to the west are multifamily residences in the R-5-A district; and to the north by the Fairlawn neighborhood of multifamily residences in the R-5-A district.

V. ZONING

The majority of the property is in the C-3-A district with eastern portions in the R-5-B, R-5-A and R-1 B Districts. Concurrent with the requested PUD, the applicant has requested a map amendment to rezone the R-5-B, R-5-A and R-1-B portions to the C-3-A district.

The C-3 districts are “... *designed to accommodate major business and employment centers supplementary to the Central Business (C-4) District*” and “... *provide substantial amounts of employment, housing, and mixed uses.*” The C-3-A district in particular “... *permit medium density development, with a density incentive for residential development within a general pattern of mixed-use development*” and are “... *compact in area and located on arterial streets, in uptown centers, and at rapid transit stops.*”

Attachment 1 is a table that outlines a comparison of the existing R-1-A, R-5-A, R-5-B and C-3-A districts to the proposed C-3-A/PUD standards and the development proposal for the project.

VI. FLEXIBILITY

The applicant has requested flexibility from the loading, roof structure, closed court, parking requirements in addition to having more than one principal building on a single record lot and other requirements of Section 2516.

Loading

The regulations require that loading facilities to serve the residential and retail uses be provided independently. The applicant is proposing that the retail and residential uses on Block 3 and Block 4 share the loading facilities and their use would be coordinated to facilitate both users. The applicant proposes to not provide the required service delivery area for the retail use on Block 1. Block 1 would accommodate a “big box” retail use and a few other small storefronts. The applicant propose additional loading berths to better service Block 1 and believes that trucks that would use the service delivery area could be accommodated in the loading berths. Both OP and the Department of Transportation (DDOT) support the use of shared facilities. The flexibility requested to reduce the facilities is as follows:

¹ The 18.7 acre property encompasses Square 5632, Lots 3-5, 805; Square 5633, Lots 800, 801; Square 5641, Lots 10-13, 819; Square 5641-N, Lots 12-31, 33; Parcels 213/52, 213/60, 213/61, 214/62, 214/88, 214/104, 214/182, 214/187, 214/189, 214/190, and 214/196.

Block 1 – one, 20 feet deep service delivery area.

Block 3 – one, 55-feet berth; one, 200-feet platform; and one, 20-feet deep service delivery area

Block 4 – one, 30-feet berth; two, 100-feet platform; and one, 20-feet deep service delivery area

Roof Structure

The applicant has requested flexibility from the roof structure setback and enclosure requirements on Buildings 1 to 4 as shown in Appendix 1, page X, Roof Dimension Plan. Most of the roof structures that require flexibility from the setback requirements are to facilitate stairs in the parking structures which are best located on the perimeter of the structures to better service users from various directions. Due to the size of the building and the parking structures, the location of the stairs are not close to each other and it would be impractical to construct a single enclosure for all the structures which are at opposite ends of the building. Since the structures are not setback from the roof's edge, enclosures would be very visible and would seem like an additional floor on top of the buildings. OP therefore supports the requested flexibility.

Closed Court

Areas of closed and open courts are shown in Appendix 1, page XIV, Court Diagrams. Closed Court 1 requires a width of 16.33 feet, however, a reduced width of 15 feet is provided. The court area is formed by the residential building surrounding the parking structure. The proposed reduction in width would not result in a greatly minimized light and air into the adjacent residential building.

The applicant is proposing to subdivide the property into 27 A&T lots each with a principal building. As outlined in Section 2516, each lot should meet the area requirements for the zone.

VII. PURPOSE AND STANDARDS FOR PLANNED UNIT DEVELOPMENT

The purpose and standards for Planned Unit Developments are outlined in 11 DCMR, Chapter 24. A PUD is “*designed to encourage high quality developments that provide public benefits.*” Pursuant to Section 2402.3, the applicant has elected to file a consolidated PUD. In order to maximize the use of the site consistent with the zoning regulations and to utilize opportunities for some flexibility as allowed in Section 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.”

Section 2403 further outlines the standards under which the application is evaluated.

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.

Land Use and Urban Design

Consistent with the recommendation of the Comprehensive Plan, the proposal would develop the site with a mixed used development consisting of residential, retail and other service uses. The development would feature a “main street” with some parking space and building with ground floor retail uses complemented by wide sidewalks for easy and active pedestrian experience. The proposal would be an open, externally focused center with ground floor retail facing Alabama Avenue, Naylor Road and Good Hope Road. Pathways would also be provided to draw pedestrians into the main street area from the adjacent communities along Good Hope Road and alighting from the buses from Good Hope Road. The development would include a variety of public spaces and plazas integrated throughout the development.

The façade of the building in Block 1 would be of masonry and precast elements and would have a distinctive tower element at the Naylor Road entrance. The other building would make use of similar elements and would be configured to have various façade treatments to appear as separate buildings and not one large building. Block 4 also has a distinctive tower element at the intersection of main Street and the residential street. The massing of the buildings is broken up by open spaces, sitting areas, porches, canopies and other elements.

The townhouses would be appropriately transitioned from the larger and taller buildings and would be a transition to the single family homes to the northeast. The façade of the townhouses would be of cast stone and bricks of a variety of colors and would capture some of the elements of the adjacent single family houses.

Landscaping

The development would have extensive landscaping consisting of grasses and groundcover, shrubs, and trees. The landscaping would be used to define spaces; provide buffering; provide shelter and cooling; and would work in conjunction with street furniture to enhance the development. On Block 1, green screens would be utilized to hide and buffer the parking lot on the roof of the building.

Housing

The proposal would create up to approximately 500 residential units of which 20 would be townhouses. The apartment units would be a combination of one-bedroom, one-bedroom plus den and two-bedrooms and would be distributed throughout the development as follows:

Block 1-	None
Block 2-	256 units
Block 3-	111 units
Block 4-	81 units
Block 5-	20 townhouses

As part of the overall development, the applicant is proposing between 135-150 affordable units distributed throughout the multifamily. The applicant proposes 90-100 units or 20% would be available for families earning up to 80% of AMI and 45 to 50 units or 10% would be for residents earning below 120% of AMI. At the time of this report, the applicant has not determined if the units would remain affordable in perpetuity or for a specified number of years.

Retail

A feature of the new town center would be a “big box” retail store that would provide a variety of goods. Other retail spaces of varying sizes would allow for a mixture of other retail goods and services. The new retail would serve the new residents on the property, the surrounding neighborhood as well as draw customers from a wider service area. The provision of new retail space would improve the urban fabric and increase pedestrian activity to create a livelier and more inviting streetscape experience for residents and visitors.

Transportation and Traffic

The site is serviced by Alabama Avenue, Good Hope Road and Naylor Road which are major roadways that connect to the area east of the River to other parts of the City. The property is well serviced by a 7 bus routes that serve the site and connect to the Anacostia, Congress Heights, or Southern Avenue Metro Stations which are within two miles of the site and the Naylor Road Station which is within a mile of the property. With the redevelopment of the property the bus lines would continue to be accommodated on the site. The applicant proposes to undertake improvements to the adjacent roadways including pedestrian crossings, intersection improvements and traffic signals. The applicant has provided a Transportation Management Plan with an objective of reducing potential impacts from traffic and parking and outlines a truck management plan that would manage trucks coming to and from the site as well as coordinating the joint users of the loading docks. Further analysis of the transportation and traffic issues are in the DDOT report submitted under separate cover

Parking

Parking on the site would be provided in the retail and multi-family structures as well as individual spaces for the townhouse units. The parking on Block 1 would be provided underground as well as above the retail store. The parking structures on the other blocks would be hidden from view along the main street as they would be fully or partially blocked by the retail and residential buildings.

The applicant is proposing a significant amount of parking spaces to serve both the retail and residential uses that is significantly above that required by the Zoning Regulations. Based on the existing regulations the proposed uses would require a total of 1,042. In the original proposal, 1,867 spaces were proposed. Both OP and DDOT expressed to the applicant that the proposed number of spaces is exorbitant and is not consistent with the aim of reducing car usage and encouraging the use of other modes of transportation. Subsequently, the applicant reduced the number of spaces to 1,698. OP and DDOT continues to find that providing parking at a rate of 1.8 spaces for the townhouses; 1:1 ratio for the apartment units; and 1,214 spaces for the retail uses continues to be excessive. ‘

OP understands the constraints placed on the applicant by the “big box” retailer as it relates to the large number of parking spaces they require. However, OP believes that a methodology could be found to evaluate the necessity for parking spaces. OP has therefore recommended that subsequent to the construction of Blocks 1 and 4 (Phase 1) and prior to the construction of any other block an evaluation of the use of the existing parking spaces and the projected need at that time be undertaken. At that time the applicant should return to the Zoning Commission for evaluation and approval of the parking spaces to serve the remaining blocks. OP has advised the applicant to provide a process by which the reevaluation would be undertaken and submit prior to or at the time of the public hearing.

OP believes that in order to reduce the need for expensive parking spaces the need for residents, employers and visitors to drive personal vehicles has to be reduced. Therefore methods have to be found to encourage the use of other modes of transportation. It is even more significant at this location since there are currently seven bus routes terminate at the site or pass directly along the adjacent roadways with stops at the site. The development would encourage and facilitate pedestrians use through the provision of bicycle racks along the sidewalks near the retail areas and public gathering spaces as well as in the garages. Car-share parking spaces would also be provided on-site to reduce the reliance on car ownership and automobile use.

Commuter Store

In order to encourage the use of other modes of transportation in the area the applicant is providing bike racks, shared car spaces, and safe and adequate pedestrian walkways. Transit ridership can be encouraged through the provision of real time information relating to bus routes, arrival and departure times, and improved facilities for riders. OP has proposed that the applicant include a "Commuter Store" on the property. This facility would provide services such the sale of SmarTrips cards, passes for students and seniors; bus and train schedules; information on SmartBikes and car sharing programs, distribution of car seats and bike helmets, residential parking permits, maps and any other service deem necessary that would help in reducing the use of single-occupant vehicles. The commuter store could also market alternative transportation options to employers, employees, and residents of other residential communities. The applicant is in support of the commuter store and has committed to providing the space possibly in Block 2 to accommodate the facility. OP and DDOT will continue to work with the applicant to bring the facility to fruition.

Environmental

The developer states that Block 1 is to be constructed to LEED NC Silver certification standards with the remainder of the blocks designed to meet the certified level in the LEED for Homes, certified rating and has provided a checklist for the both. The applicant has proposed green roofs on the roof of the parking structures in Block s 3 and 4. OP has also conveyed to the applicant that roof of Block 1 with its many parking spaces may also be considered for a green roof or be landscaped to minimize its environmental and visual impact. A number of the buildings would have green roofs and other environmentally sensitive elements related to erosion control and stormwater management. There are topographical changes across the site and the development utilizes these changes in the siting of the buildings which minimizes grading. The topographical changes allow the project to be buffered from the adjacent residences to the east of the property. The application was referred to the District Department of the Environment (DDOE) and their comments regarding green building and stormwater management are addressed in their report. (See attached)

First Source Agreement

The applicant has committed to participation in a First Source Agreement with the District of Columbia Department of Employment Services and should provide a signed agreement prior to the Commission's vote on the Final Order.

Local Business Opportunities

The applicant has committed to participation in the Certified Business Enterprise (CBE) program offered by the Department of Small and Local Business Development to engage the District's small and local businesses in the design, development and construction of the project. The applicant should provide more

information on the details of this program and should provide a signed agreement prior to the Commission's vote on the Final Order.

Public Benefits and Amenities

The objectives of a PUD are to permit flexibility of development in return for the provision of superior public benefits, provided the PUD process is not used to circumvent the intent and purposes of the Zoning Regulations, or results in an action inconsistent with the Comprehensive Plan.

Public amenities are defined in Section 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 proposed redevelopment targets an under-utilized shopping center that is located at an intersection of three major roadways. The majority of the site is already zoned C-3-A and the proposal would include small areas of residentially zoned land, a majority of which would remain undeveloped and together with the topography act as a buffer to adjacent residences. The applicant has requested only a minimum amount of flexibility which does not affect the FAR, density, or height allowed by-right in the C-3-A district. The proposal requests a PUD related map amendment to the C-3-A district to permit a 1.61 FAR and a height of up to 60 feet which is significantly below the maximum 4.0 FAR (2.5 commercial) and 65 foot height limit that is permitted as a matter of right.

The following amenities and benefits have been proposed:

Amenities

1. The applicant proposes between 90-100 units (20%) of the housing for households with incomes of up to 80% of AMI, and 45-50 units (10%) for household with incomes of below 120% of AMI.
2. An environmentally sustainable development which incorporates green building practices set by the National Association of Home Builders, as well as green building materials and practices in the development and construction of the development.
3. Participation in a First Source Agreement with the District of Columbia Department of Employment Services and participation in the Certified Business Enterprise (CBE) program offered by the Department of Small and Local Business Development to engage the District's small and local businesses in the design, development and construction of the project.
4. Facilitation for transit oriented development through the provision of ride share spaces, transit subsidy, bus shelters, and space for a commuter store.

Benefits

1. The revitalization of the property with a new town center with a mix of residential and retail uses.
2. Improvements to transportation and pedestrian circulation and infrastructure
3. Extensive landscaping

OP has requested that the applicant provide a table that outlines the proposed amenities and benefits, their cost/value and when they would be delivered. The applicant has stated that they would provide the information prior to the public hearing.

VIII. MULTIPLE BUILDINGS ON A SINGLE LOT

2516 EXCEPTIONS TO BUILDING LOT CONTROL (Residence Districts)

The proposal is to subdivide the existing property into 27 building lots each with a principal building. The streets and alleys were not included in the lots. Section 2516.1 states: ***"If approved by the Board of Zoning Adjustment as a special exception under § 3104, two (2) or more principal buildings or structures may be erected on a single subdivided lot, subject to the provisions of this section."***

2516.2 ***This section applies to construction on a lot that is located in, or within twenty-five feet (25 ft.) of a Residence District.***

The subject property is within 25 feet of a residence district.

2516.3 ***In addition to other filing requirements, the applicant shall submit to the Board, with the new application, four (4) site plans for all new rights-of-way and easements, and existing and preliminary landscaping and grading plans with approximate building footprints; provided:***

- (a) The applicant shall also submit, either with the original application or at a later time, final landscaping and grading plans and two (2) sets of typical floor plans and elevations; and***
- (b) If the applicant elects to submit the plans referenced in § 2516.3(a) at a later date, the Board's original approval shall be conditional, subject to a later public hearing and final decision on the project as a whole.***

The applicant has provided the required site plans showing the existing and proposed right-of-ways, landscaping, building locations and footprints.

2516.4 ***The number of principal buildings permitted by this section shall not be limited; provided, that the applicant for a permit to build submits satisfactory evidence that all the requirements of this chapter (such as use, height, bulk, open spaces around each building, and limitations on structures on alley lots pursuant to § 2507), and §§ 3202.2 and 3202.3 are met.***

The proposed development would have 27 principal buildings. The proposed buildings are consistent with the uses allowed in the C-3-A district. The overall FAR and height are below that allowed under the C-3-A/PUD. The applicant has requested flexibility to reduce the required rear yards setbacks and lot occupancy on some of the townhouse lots and side yard reductions on four lots. The application in Appendix 1, pages XII and XIII show the delineation of lots and a table showing how each lot addresses the zoning requirements.

2516.5 ***If a principal building has no street frontage, as determined by dividing the subdivided lot into theoretical building sites for each principal building, the following provisions shall apply:***

- (a) The front of the building shall be the side upon which the principal entrance is located;***

- (b) Open space in front of the entrance shall be required that is equivalent either to the required rear yard in the zone district in which the building is located or to the distance between the building restriction line recorded on the records of the Surveyor of the District of Columbia for the subdivided lot and the public space upon which the subdivided lot fronts, whichever is greater;**
- (c) A rear yard shall be required; and**
- (d) If any part of the boundary of a theoretical lot is located in common with the rear lot line of the subdivided lot of which it is a part, the rear yard of the theoretical lot shall be along the boundary of the subdivided lot.**

The property would be re-subdivided into 27 theoretical lots each having a principal building. Block 4 and the townhouse units would not front on a public right-of-way. The rear yard setback required is 12 feet and therefore a front yard setback of 12 feet is required for all buildings. The applicant has not provided the information regarding the front yard setbacks. However, it can be surmised that the requirement is met on most lots from other plans in the submission.

2516.6 In providing for net density pursuant to § 2516.11, the Board shall require at least the following:

- (a) The area of land that forms a covenanted means of ingress or egress shall not be included in the area of any theoretical lot, or in any yard that is required by this title;**

The layout of the proposed development shows that the area of the street and alley are not included in the area of the lots.

- (b) Notwithstanding any other provision of this title, each means of vehicular ingress or egress to any principal building shall be twenty-five feet (25 ft.) in width, but need not be paved for its entire width;**

All the ingress/egress to each principal building would be greater than 25 feet

- (c) If there are not at least two (2) entrances or exits from the means of ingress or egress, a turning area shall be provided with a diameter of not less than sixty feet (60 ft.); and**

There are more than two access points and therefore a turning area is not required

- (d) The requirements of paragraphs (b) and (c) of this subsection may be modified if the Board finds that a lesser width or diameter will be compatible with, and will not be likely to have an adverse effect on, the present character and future development of the neighborhood; provided, that the Board shall give specific consideration to the spacing of buildings and the availability of resident, guest, and service parking.**

2516.7 *Where not in conflict with the Act to Regulate the Height of Buildings in the District of Columbia, approved June 1, 1910 (36 Stat. 452, as amended; D.C. Official Code §§ 6-601.01 to 6-601.09 (2001) (formerly codified at D.C. Code §§ 5-401 to 5-409 (1994 Repl. & 1999 Supp.))), the height of a building governed by the provisions of this section, in all zone districts, shall be measured from the finished grade at the middle of the front of the building.*

The height limit for the proposed C-3-A/PUD is 90 feet. The proposed building would have heights ranging from 38 feet to 60 feet when measured from the finished grade at the middle of the front of the buildings and would therefore meet the requirement.

2516.8 *The proposed development shall comply with the substantive provisions of this title and shall not likely have an adverse effect on the present character and future development of the neighborhood.*

Overall, the proposed development would meet the density, lot occupancy, height, and parking requirements of the C-3-A/PUD. However, the applicant has requested flexibility to reduce the side and rear yard setbacks on individual lots. The proposed reduced setbacks would not compromise the light and air of the proposed buildings.

2516.9 *Before taking final action on an application under this section, the Board shall refer the application to the D.C. Office of Planning for coordination, review, and report, including:*

- (a) The relationship of the proposed development to the overall purpose and intent of the Zoning Regulations, and other planning considerations for the area and the District of Columbia as a whole, including the plans, programs, and policies of other departments and agencies of the District government; provided, that the planning considerations that are addressed shall include, but not be limited to:*
 - (1) Public safety relating to police and fire concerns;*
 - (2) The environment, relating to water supply, water pollution, soil erosion, and solid waste management;*
 - (3) Public education;*
 - (4) Recreation;*
 - (5) Parking, loading, and traffic;*
 - (6) Urban design;*
 - (7) As appropriate, historic preservation and visual impacts on adjacent parkland;*
- (b) Considerations of site planning; the size, location, and bearing capacity of driveways, deliveries to be made to the site; side and rear yards; density and open space; and the location, design, and screening of structures;*
- (c) Considerations of traffic to be generated and parking spaces to be provided, and their impacts;*
- (d) The impact of the proposed development on neighboring properties; and*

(e) *The findings, considerations, and recommendations of other District government agencies.*

The proposal was reviewed by the relevant agencies and their reports or attached or submitted under separate cover.

2516.10 *The Board may impose conditions with respect to the size and location of driveways; net density; height, design, screening, and location of structures; and any other matter that the Board determines to be required to protect the overall purpose and intent of the Zoning Regulations.*

OP does not recommend any conditions regarding the issues outlined above.

IX. PHASING

The development would be developed in phases over a number of years. Phase One of the development would include Blocks 1, 4 and the relocation of the RCN building and the construction of Main Street. The remainder of the blocks would be developed as dictated by the market at that time.

X. 2006 COMPREHENSIVE PLAN

The Generalized Land Use Map of the 2006 Comprehensive Plan shows how different parts of the City may change. The map designates a majority of the property as a Multi-Neighborhood Center. Multi-Neighborhood Centers are described as:

Multi-neighborhood centers contain many of the same activities as neighborhood centers but in greater depth and variety. Their service area is typically one to three miles. These centers are generally found at major intersections and along key transit routes. These centers might include supermarkets, general merchandise stores, drug stores, restaurants, specialty shops, apparel stores, and a variety of service-oriented businesses. These centers also may include office space for small businesses, although their primary function remains retail trade.

Examples of multi-neighborhood business centers include Hechinger Mall, Brentwood Shopping Center, and Skyland Shopping Center. Mixed-use infill development at these centers should be encouraged to provide new retail and service uses, and additional housing and job opportunities. Transit improvements to these centers are also desirable (emphasis added).

The subject property is recommended to be a Multi-Neighborhood Center and the proposal meets this designation as it would provide new retail, service and housing on the site as well as transit improvements both on the site and its periphery.

The 2006 Comprehensive Plan Future Land Use Map designates public policy on future land uses and designates the majority of the property as moderate density commercial. Small areas of the site are also designated as moderate-density residential and low-density residential. Moderate-density commercial uses are described as:

“ . . . shopping and service areas that are somewhat more intense in scale and character than the low-density commercial areas. Retail, office, and service businesses are the predominant uses. Areas with this designation range from small business districts that draw primarily from the surrounding neighborhoods to larger business districts uses that draw from a broader market area. Buildings are larger and/or taller than those in low density commercial areas but generally do not exceed five stories in height. The corresponding Zone districts are generally C-2-A, C-2-B, and C-3-A, although other districts may apply.”

The existing C-3-A zoning would be retained and the other small residentially zoned portions rezoned to C-3-A. This PUD related zoning and the proposed development are not inconsistent with the moderate density designation. The development would be a town center that would serve patrons from a wide area as well as the surrounding neighborhood. The proposal is not inconsistent with the 2006 Comprehensive Plan Future Land Use Maps.

The proposed development is within the Far Northeast and Southeast area and meets or furthers many of the policies for this area as outlined below.

FNS-1.1 Guiding Growth and Neighborhood Conservation

Policy FNS-1.1.1: Conservation of Low Density Neighborhoods

Recognize the value and importance of Far Northeast and Southeast's stable single family neighborhoods to the character of the local community and to the entire District of Columbia. Ensure that the Comprehensive Plan and zoning designations for these neighborhoods reflect and protect the existing low density land use pattern while allowing for infill development that is compatible with neighborhood character.

The proposed development would enhance the predominantly residential use which surrounds the property. The proposed development would be buffered through vegetation and retaining wall would be planted to minimize their visibility from adjacent residences. The low scale of the buildings as well as the architecture and façade of the townhouses and apartments would incorporate elements of the buildings in the area to be more compatible with the character of the neighborhood.

Policy FNS-1.1.2: Development of New Housing

Encourage new housing for area residents on vacant lots and around Metro stations within the community, and on underutilized commercial sites along the area's major avenues. Strongly encourage the rehabilitation and renovation of existing housing in Far Northeast and Southeast, taking steps to ensure that the housing remains affordable for current and future residents.

The property currently does not have any housing. The proposed development would provide approximately 500 units of which up to 150 would be affordable. The proposal would also provide a larger number of additional retail uses.

Policy FNS-1.1.3: Directing Growth

Concentrate employment growth in Far Northeast and Southeast, including office and retail development, around the Deanwood, Minnesota Avenue and Benning Road Metrorail station

areas, at the Skyland Shopping Center, and along the Nannie Helen Burroughs Avenue, Minnesota Avenue, Benning Road, and Pennsylvania Avenue SE “Great Streets” corridors. Provide improved pedestrian, bus, and automobile access to these areas, and improve their visual and urban design qualities. These areas should be safe, inviting, pedestrian-oriented places.

The proposed development is consistent with this policy as the applicant proposed to undertake improved pedestrian ways that are clearly marked both on the site and on its outskirts to make safe connections and movements. The development would provide improved bus shelters and more access points into the development.

Policy FNS-1.1.4: Retail Development

Support the revitalization of the neighborhood commercial areas listed in Policy FNS-1.1.3 with new businesses and activities that provide needed retail services to the adjacent neighborhoods and that are compatible with surrounding land uses.

The main feature of the proposed development would be a “big box” retail use, the first to be provided for residents in Wards 7 and 8. As a complement, space would be provided for other smaller retail uses to serve the community.

Policy FNS-1.1.9: Congestion Management

Re-examine traffic control and management programs along major Far Northeast and Southeast arterial streets, particularly along Pennsylvania and Minnesota Avenues, East Capitol Street, Benning Road, Branch Avenue, and Naylor Road, and develop measures to improve pedestrian safety and mitigate the effects of increased local and regional traffic on residential streets.

The applicant has undertaken a traffic study and has proposed many changes along Naylor Road, Good Hope Road and Alabama Avenue to better accommodate traffic and pedestrian movements to and from the site. Changes would include pedestrian walkways, traffic lights, and turning lanes.

Action FNS-1.1.A: Façade Improvements

Encourage urban design and façade improvements in the established commercial districts along Naylor Road, Minnesota Avenue, Benning Road, Branch Avenue, Alabama Avenue, Nannie Helen Burroughs Avenue, Division Avenue, and Pennsylvania Avenue SE. These improvements should respect and enhance historic structures and landmarks in these areas.

The proposed development has a town center design has retail uses that would front onto the adjacent streets. The architectural design and façade of the buildings are more of a contemporary design but incorporated many elements of the buildings surrounding the site.

FNS-1.2 Conserving and Enhancing Community Resources

Policy FNS-1.2.4: Soil Erosion

Reduce soil erosion and stabilize slopes at Far Northeast and Southeast erosion “hot spots,” particularly the Skyland/Alabama Avenue area, Blaine Street NE (in Capitol View), O Street SE, and along Watts Branch and Pope Branch.

As part of the development the applicant has proposed stormwater management and erosion control measurements.

FNS-2.7 Skyland

Skyland Shopping Center occupies 16 acres at the intersection of Naylor Road, Good Hope Road, and Alabama Road SE. When it was initially developed in the 1940s, the 170,000 square foot complex of free-standing retail buildings was one of the first auto-oriented shopping centers in Washington. Along with the adjacent 95,000 square foot Good Hope Marketplace, it is the principal commercial center serving the southern part of Far Northeast and Southeast. Plans to renovate and modernize Skyland have been evolving for many years. The center has not adapted to changing trends in retailing, and is not fully meeting the needs of the more than 80,000 residents who live in its primary market area. Its redevelopment as a “Town Center” with more than 275,000 square feet of leasable space is being pursued by the National Capital Revitalization Commission. Reinvestment in Skyland is an important part of the District’s efforts to provide better shopping options for neighborhoods east of the Anacostia River, reduce the loss of retail dollars to the suburbs, and make the East of the River area more attractive to existing and future residents. To be most effective, planned improvements should be part of a broader strategy to enhance the Alabama/Good Hope area as a focal point for surrounding neighborhoods such as Hillcrest and Fairlawn, and to upgrade the Naylor Road corridor as a gateway to Far Northeast and Southeast and Historic Anacostia.

Policy FNS-2.7.1: Skyland Revitalization

Revitalize Skyland Shopping Center as an essential, dynamic community scale retail center. Together with the Good Hope Marketplace, these two centers should function as the primary business district for adjacent neighborhoods, providing a diverse array of quality goods and services for area residents.

The proposal meets the above recommendations and would be developed as a town center with a mix of residential and commercial uses. The development would serve both the immediate neighborhood and the wider community with its wide range of retail uses. The connection to the Good Hope Marketplace would enable this area to function as a primary business district.

XI. AGENCY COMMENTS

The following district agencies reviewed the proposal.

D.C. Department of Transportation

DDOT has reviewed the applicant and will submit its recommendation under separate cover.

Department of the Environment

DDOE has reviewed the application and submits that the Commission includes the proposed environmental design elements outlined in the proposal. Further detailed review regarding the green building and stormwater management would be conducted at the Building Permit stage.

Fire and Emergency Medical Services Department

The FEMS submitted a report which indicated concerns regarding the roadway access and fire hydrants. The applicant is working with FEMS to resolve the issues prior to the public hearing.

XII. COMMUNITY COMMENT

The property is in Ward 7 and within ANC-7B. The applicant has had numerous meetings and charattes with the community and the ANC as the plans for the redevelopment of the subject property evolved over the years. On November 19, 2009 the ANC voted to support the development. The Hill Crest Community Association is also in support of the development.

XIII. SUMMARY AND RECOMMENDATION

The redevelopment of the property would provide a new town center that would serve the residents of the development, the surrounding area and the wider community East of the River with a wider range of retail and services as well as residences. The project would be at a scale compatible with surrounding residential and commercial developments. The proposal is not inconsistent with the 2006 Comprehensive Plan, Future Land Use Map that recommends moderate density commercial for the majority of the property and Generalized Policy Map recommendation for a multi-neighborhood center for the property. The development is also consistent with many of the policies for the Far Northeast and Northwest Area.

OP has identified a number of items that are missing from the submission and would be required for further analysis. OP recommends approval of the proposed map amendment and PUD;

Attachment:

1. Development Table
2. Memorandum form DOES
3. Memorandum from FEMS

JLS/mbr

ATTACHMENT 1
ZC #09-03 (Skyland Shopping Center)

A comparison of the existing R-1-A, R-5-B and C-3-A districts to the proposed C-3-A/PUD standards and the proposal.

Requirement	Existing R-1-A, R-5-A, R-5-B and C-3-A	C-3-A/PUD	Proposal
Site Area	R-1-A - 2.56 acres R-5-B - 4.69 acres C-3-A - 11.44 acres TOTAL - 18.7 acres	18.7 acres	C-3-A - 18.7 acres
FAR	<u>R-1-A, R-5-A</u> C-3-A Residential - 4.0 max. Commercial - 2.5 max.	Residential - 4.5 Commercial - 3.0 Total - 4.5	1.61 (total) 0.95 (residential)
Lot Occupancy	R-1-A - 40% R-5-B - 60% C-3-A - 75%	Residential - 75% Commercial - 100%	Residential - 44.5%
Height	R-1-A - 40 ft. R-5-A - 40 ft. C-3-A - 65 ft.	90 ft.	Blocks 1 29-58 ft. Block 2 60 ft. Block 3 55 ft. Block 4 58 ft. Block 5 40 ft. RCN 38 ft.
Parking	One family dwelling = 1 per unit: Multifamily - 1 per 2 units Retail - 1 per each additional 300 sf. over 3,000 sf.	<u>Block 1:</u> 155,440 sf. retail = 508 spaces Total: = 508 spaces <u>Block 2:</u> 91,870 sf. retail = 296 spaces 256 units = 128 spaces Total = 424 spaces <u>Block 3:</u> 39,420 sf. retail = 21 spaces 111 units = 56 spaces Total = 77 spaces <u>Block 4:</u> 28,790 sf. retail = 86 spaces 81 units = 41 spaces Total = 127 spaces <u>Block 5:</u> 20 townhouses = 20 spaces Total Required: 1,156 spaces	<u>Block 1:</u> Retail = 650 spaces <u>Block 2:</u> Retail = 317 spaces Residential = 256 spaces Total = 573 spaces <u>Block 3:</u> Retail = 134 spaces Residential = 111 spaces Total = 245 spaces <u>Block 4:</u> Retail = 111 spaces Residential = 81 spaces Total = 192 spaces <u>Block 5:</u> Residential = 36 spaces Total: 1,698 spaces

Requirement	Existing R-1-A, R-5-A, R-5-B and C-3-A	C-3-A/PUD	Proposal
Bicycle	5% of retail	5% = 52 spaces	52 spaces
Loading	<u>Non-Residential</u> 2 berth @ 30 ft. deep 2 berth @ 55 ft. deep 2 platforms @ 100 sf. 2 platforms @ 200 sf. 2 space @ 20 ft. deep <u>Residential</u> 1 berth @ 55 ft. deep 1 platform @ 200 sf. 1 space @ 20 ft.	<u>Block 1:</u> 1 berth @ 30 ft. deep 2 berths @ 55 ft. deep 1 platform @ 100 sf. 1 platform @ 200 sf. 1 service @ 20 ft. deep <u>Block 2:</u> Retail 1 berth @ 30 ft. deep 1 berth @ 55 ft. deep 1 platform @ 100 sf. 1 platform @ 200 sf. 1 service @ 20 ft. deep Residential 1 berth @ 55 ft. deep 1 platform @ 200 sf. 1 service @ 20 ft. deep <u>Block 3:</u> Retail 1 berth @ 30 ft. deep 1 berth @ 55 ft. deep 1 platform @ 100 sf. 1 platform @ 200 sf. 1 service @ 20 ft. deep Residential 1 berth @ 55 ft. deep 1 platform @ 200 sf. 1 service @ 20 ft. deep <u>Block 4:</u> Retail 2 berths @ 30 ft. deep 2 platforms @ 200 sf. 1 service @ 20 ft. deep Residential 1 berth @ 55 ft. deep 1 platform @ 200 sf. 1 service @ 20 ft. deep <u>Block 5:</u> None Required	<u>Block 1:</u> 1 berth @ 30 ft. deep 4 berths @ 55 ft. deep 1 platform @ 100 sf. 1 platform @ 200 sf. <u>Block 2:</u> Retail 1 berth @ 30 ft. deep 1 berth @ 55 ft. deep 1 platform @ 100 sf. 1 platform @ 200 sf. 1 service @ 20 ft. deep Residential 1 berth @ 55 ft. deep 1 platform @ 200 sf. 1 service @ 20 ft. deep <u>Block 3:</u> Retail & Residential 1 berth @ 30 ft. deep 1 berth @ 55 ft. deep 1 platform @ 100 sf. 1 platform @ 200 sf. 1 service @ 20 ft. deep <u>Block 4:</u> Retail & Residential 1 berth @ 55 ft. deep 1 berth @ 30 ft. deep 1 platform @ 200 sf. 1 service @ 20 ft. deep <u>Block 5:</u> None Required

GOVERNMENT OF THE DISTRICT OF COLUMBIA

District Department of the Environment



Office of the Director

November 20, 2009

TO: Chair, District of Columbia Zoning Commission
FR: Shane Farthing, District Department of the Environment ("DDOE")
RE: Skyland Town Center PUD, ZC 09-03

DDOE appreciates the opportunity to provide input to the Office of Planning as it prepares its recommendation to the Zoning Commission regarding the plans for development of Skyland Town Center. We believe that the redevelopment in this area presents a remarkable opportunity to improve the overall sustainability level of the site and the neighborhood, and look forward to working with the developer and the community to assist as appropriate in promoting environmentally sensitive design and environmental compliance.

In reviewing the applicant's submissions, DDOE has identified several key issues that merit special attention as the process moves forward. This is not to suggest that any action by the Commission should be delayed. Rather, it is to specifically note issues that will need to be addressed later in the project cycle so that the applicant can approach design refinement to meet these environmental requirements.

Green Building

DDOE appreciates the applicant's inclusion of their LEED Checklist in the PUD package, and we applaud their efforts to achieve the LEED and Green Communities standards as required by the District's Green Building Act. While the Green Communities checklist was not provided in the package, a commitment to achieving the Green Communities standard is included. Such commitment is sufficient at this time. However, please note that the relevant checklist(s) will be required by DCRA prior to the issuance of a building's construction permit.

Stormwater Management

Given the existing condition of the site, the redevelopment of this site as planned provides excellent opportunities to improve stormwater management on the site. DDOE is appreciative of the efforts to include green roofs, green screens, and a tree-lined streetscape. However, DDOE would like to express concern regarding the removal trees from a wooded portion of the site near an area of steeper slope. Given the increased concerns about erosion in areas of steep slope—especially where existing trees are to be removed—DDOE would like to see specific efforts to



prevent erosion on this portion of the site and to leave as many trees as possible, given the District's tree canopy goals.

Again, DDOE is appreciative of the efforts of the applicant to redevelop this site in a sustainable manner and bring environmental, as well as economic benefits to the community. We look forward to working together as the project progresses to address these few areas of concern.



MEMORANDUM

TO: Maxine Brown-Roberts
Development Review Specialist, OP
D.C. Office of Planning

FROM: Bruce D. Faust
A/D.C. Fire Marshal/Deputy Fire Chief

DATE: November 1, 2009

SUBJECT: Re: Zoning Commission #09-03 A Consolidated Plan Unit Development (PUD) and Map Amendment: Skyland Shopping Center

The District of Columbia Fire and Emergency Medical Services Department (FEMSD), Office of the Fire Marshal has reviewed the above application for conformance with the 2006 edition of the International Fire Code (IFC) and Title 12 DCMR, 12H (District of Columbia Building Code Supplement of 2008), both of which have been adopted by the D.C. Fire and EMS Department and are utilized when rendering a decision on life safety issues.

Based on the site plans submitted, we recommend the applicant address fire and life safety issues with respect to fire apparatus roadway access. Specifically, we note that roadway width and aerial clearance and the location and quantity of fire hydrants are not in conformance with the IFC as detailed below:

The IFC Section 503.1, "Buildings and Facilities," states:
"[a]pproved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction." Also, IFC Appendix D states: "[b]uildings or facilities exceeding 30 feet (9144 mm) or three stories in height shall have at least two means of fire apparatus access for each structure." (See Block 1, p.5 & Block 2, p.6.)

IFC Section 503.2.4, "Turning Radius," requires adequate turning radius be provided for FEMSD fire apparatus.

IFC Section 503.2.4, "Dead Ends," requires turnaround be provided for dead-end fire apparatus access roads in excess of 150 ft (45 720 mm). (See Block 3, p.7 residential street and rear 316' dead end alley.)

IFC Section 508.1, "Required Water Supply," requires fire hydrants be located within required distances. Fire protection water supply - only one (1) fire hydrant location on Naylor Road indicated on plan (see Block 1 p.5).

In conclusion, the aforementioned regulations require that buildings or portions of buildings or facilities exceeding 30 feet (9144 mm) in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus.

The Office of the Fire Marshal is requesting additional plans which identify the fire hydrant layout for the complex, as well as the proposed locations, type, and flows for the plan development. The plans should also indicate whether the Skyland Project (PUD) will contain public hydrants with an easement, or private hydrants maintained by the owner.

If you have any questions or concerns regarding our plan review, please contact Captain Chris Roggeron at 727-1614.