NCPC
NATIONAL CAPITAL PLANNING COMMISSION

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IN REPLY REFER TO:
NCPC File No. Z.C. 02-33

MAR 18 2003

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2003 MAR 20 PM 1:10

Zoning Commission for the
District of Columbia
2nd Floor, Suite 210 South
441 4th Street, NW
Washington, D.C. 20001

Members of the Commission:

The National Capital Planning Commission at its meeting on March 12, 2003, approved the enclosed action on the amendment to the Zoning Map of the District of Columbia to rezone undeveloped land from C-3-C, SP-2 and R-5-D to C-2-B in Square 4327, bounded by New York Avenue, NE, South Dakota Avenue, and Fort Lincoln Drive. Also, enclosed is a copy of the Staff Recommendation for the project.

Sincerely,

Patricia E. Gallagher, AICP
Executive Director

Enclosure

ZONING COMMISSION
District of Columbia
Case 02-33
Exhibit 22

ZONING COMMISSION
District of Columbia
CASE NO.02-33
EXHIBIT NO.22

COMMISSION ACTION

NCPC File No. 02-33

NCPC
NATIONAL CAPITAL PLANNING COMMISSION

MAP AMENDMENT TO THE DISTRICT OF COLUMBIA ZONING MAP, SQUARE 4327 BOUNDED BY NEW YORK AVENUE, NE, SOUTH DAKOTA AVENUE,AND FORT LINCOLN DRIVE (WITHIN THE FORT LINCOLN URBAN RENEWAL AREA)

Submission by the Zoning Commission of the District of Columbia

March 12, 2003

Commission Action Requested by Applicant

Approval of comments pursuant to Section 8 of the National Capital Planning Act (40 U.S.C. § 8724 (a)) and D.C. Code § 2-1006(a).

Commission Action

The Commission finds that the proposed map amendment to rezone undeveloped land from C-3-C, SP-2 and R-5-D to C-2-B in Square 4327, bounded by New York Avenue, NE, South Dakota Avenue, and Fort Lincoln Drive would not negatively affect the federal interests, nor be inconsistent with the Federal Elements of the Comprehensive Plan for the National Capital or the Fort Lincoln Urban Renewal Plan.

RELATED RECOMMENDATION

The Commission recommends to the Zoning Commission that any development on this site be administered as a Planned Unit Development so as to further ensure that its design meets all of the goals of the Fort Lincoln Urban Renewal Plan, and is worthy of this site's function as a gateway to the National Capital.

Deborah B. Young
Secretary to the National Capital Planning Commission

S. AFF RECOMMENDATION

NCPC File No. Z.C. 02-33

NCPC
NATIONAL CAPITAL PLANNING COMMISSION

MAP AMENDMENT TO THE DISTRICT OF COLUMBIA ZONING MAP IN SQUARE 4327, BOUNDED BY NEW YORK AVENUE, NE, SOUTH DAKOTA AVENUE, AND FORT LINCOLN DRIVE (WITHIN THE FORT LINCOLN URBAN RENEWAL AREA)

Submission by the Zoning Commission of the District of Columbia

March 6, 2003

D.C. OFFICE OF ZONING
2003 MAR 20 PM 1:10

Abstract

The Zoning Commission has taken a proposed action to amend the District of Columbia Zoning Map by rezoning approximately 44 acres of undeveloped land to C-2-B (commercial). This site is currently zoned C-3-C (commercial), SP-2 (special interest) and R-5-D (residential) and is located within the Fort Lincoln Urban Renewal Plan area (FLURA).

Federal Interests

The federal interests in this case include the Fort Lincoln Urban Renewal Plan, which was originally approved by Commission in 1972, and the site's function as a gateway to the National Capital.

Commission Action Requested By Applicant

Approval of comments pursuant to Section 8 of the National Capital Planning Act (40 U.S.C.§ 8724 (a)) and D.C. Code § 2-1006(a).

Executive Director's Recommendation

The Commission finds that the proposed map amendment **would not negatively affect the federal interests, nor be inconsistent with the Federal Elements of the Comprehensive Plan for the National Capital or the Fort Lincoln Urban Renewal Plan.**

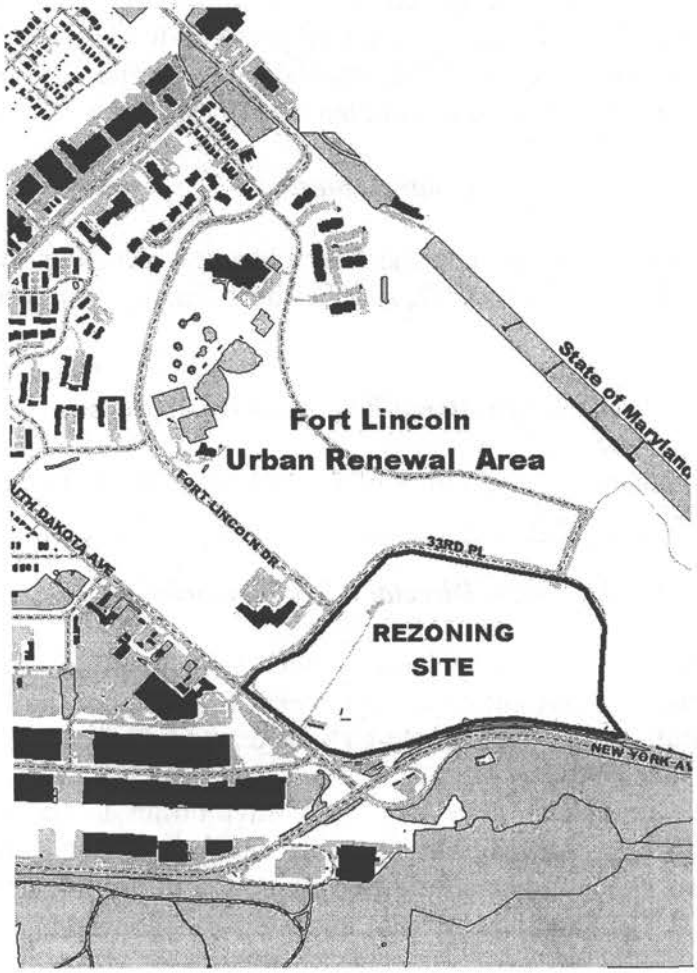
However, the Commission makes **a related recommendation** to the District of Columbia Zoning Commission that any development on this site be administered as a Planned Unit Development (PUD) so as to further ensure that its design meets all of the goals of the Fort Lincoln Urban Renewal Plan, and is worthy of this site's function as a gateway to the National Capital.

* * *

BACKGROUND AND STAFF EVALUATION

DESCRIPTION OF THE PROPOSAL

The District of Columbia Zoning Commission has taken a proposed action to amend the District of Columbia Zoning Map by rezoning approximately 44 acres of undeveloped land from C-3-C (Commercial/Neighborhood Shopping Districts), SP-2 (Special Interest) and R-5-D (High Density Residential) to C-2-B (Commercial/Community Business Centers). The site is designated as Square 4327 and is located in the Fort Lincoln Urban Renewal Area, just north of New York Avenue N.E. at its junction with the Baltimore – Washington Parkway. It is bordered by South Dakota Avenue, NE to the west, with 33rd Place and Fort Lincoln Drive marking the site's northern and eastern boundaries. The following area map illustrates the site's general location



The site is currently undeveloped, but is surrounded by the developing Fort Lincoln Urban Renewal Area. To the east is the Premium Distributors warehouse site, a 14-acre development approved as a Planned Unit Development in 2000. The Commission commented on that PUD in April of 2000 in case number ZC 99-5. To the north of the proposed rezoning site is a residential housing development for senior citizens, and to the west across South Dakota Avenue is the Goodwill Industries warehouse complex. The Goodwill Industries site is not a part of the Fort Lincoln Urban Renewal Area plan.

As stated above, the site is currently zoned with three different zoning designations: C-3-C (Commercial/Neighborhood Shopping Districts), SP-2 (Special Interest) and R-5-D (High Density Residential). The proposed action will reclassify the entire 44-acre site to the C-2-B (Commercial/Community Business Centers) classification. This zoning is a medium intensity commercial zoning that allows for commercial and retail uses up to a Floor-to-Area Ratio (FAR) of 1.5, while encouraging mixed-use and residential development by allowing these uses to be developed to an FAR of 3.5. The following table compares the existing and proposed zoning classifications for this site.

ZONING CLASSIFICATION	Uses	FAR	Height	Lot Occupancy
R-5-D	All Residential types/most semi-public and institutional type uses permitted	3.5	90 feet	75%
SP-2	Residential/Institutional Uses	6.0 Residential 3.5 Other	90 Feet	80%
C-3-C	High intensity commercial and retail uses/major business and employment centers/residential and mixed use developments	6.5	90 feet	100%
C-2-B	Medium intensity commercial and retail/residential/mixed-use developments	3.5 Residential 1.5 Other	65 feet	80%

The intent of this proposed rezoning is to allow for a large format (i.e. big box) retail development, which will also include a supermarket and various retail storefronts. Although no plan has been officially submitted at this time, preliminary discussions have indicated that the development will include approximately 375,000 square feet of retail. Despite the large impending development plan for this site, the project is to gain approval as a matter-of-right development under the C-2-B zoning classification and not to proceed as a Planned Unit Development through the Zoning Commission. Under the matter-of-right process, as long as the development meets the standards for the C-2-B zoning described above, the District government will issue a permit.

The District of Columbia Office of Planning (DCOP) in conjunction with the National Capital Revitalization Corporation (NCRC) is the official applicant this rezoning proposal. Under the Fort Lincoln Urban Renewal Plan, NCRC is the agency responsible for overseeing the implementation of the plan, and in this instance is working with DCOP in rezoning this site to the commercial designation recommended in the FLURA Plan.

PUBLIC PARTICIPATION
A public hearing was held for this proposal on November 25, 2002. At that hearing testimony was received from District of Columbia Council Member Vincent Orange, Advisory Neighborhood Commission 5A (ANC-5A), the Fort Lincoln Civic Association, as well as representatives from DCOP and the National Capital Revitalization Corporation. Council member Orange and ANC-5A testified in support of this zone change proposal.

OFFICE OF PLANNING REPORT
As stated above, the District of Columbia Office of Planning filed this rezoning application to the Zoning Commission in coordination with NCRC. DCOP issued two reports on this matter, with the final report dated November 15, 2002. In that report, DCOP concluded that the proposed rezoning conforms to the Fort Lincoln Urban Renewal Plan as well as the District Elements of the Comprehensive Plan and accordingly recommended approval of the zone change.

EVALUATION
The federal interest in this proposed Zoning Commission action includes the Fort Lincoln Urban Renewal Plan as adopted and amended by the National Capital Planning Commission. An additional federal interest is this site's function as one of the many gateways to the National Capital as travelers enter into the District from the State of Maryland via the Baltimore-Washington Parkway.

Fort Lincoln Urban Renewal Plan

The Fort Lincoln Urban Renewal Plan was adopted by the National Capital Planning Commission in 1972 and has been amended several times, the most recent being 1994. This document establishes an overall Plan for the redevelopment of the Fort Lincoln area, and specifically addresses the areas of land use, site development, circulation and zoning. The FLURA designates the Redevelopment Land Agency, now the National Capital Revitalization Corporation, the chief implementation agency, giving them authority to review all development plans for their consistency with the FLURA design guidelines and objectives. More importantly, Section 660.00 of the plan requires that NCRC must make application to the Zoning Commission to zone the project area in accordance with the plan's zoning guidelines.

In general, the proposed map amendment is in conformance with the Fort Lincoln Urban Renewal Plan. Map 3 of the FLURA Plan designates the land use of this site to be retail-shopping and the proposed C-2-B is appropriate to achieve that use. However, Section 310 of the FLURA Plan details design standards required for this site, including a maximization of environmental character and urban amenities, a balanced circulation system, and preservation of the Project Area's natural beauty and recognition of its scenic values and historic landmarks. More specifically, a portion of the Fort Park Trail, which is a 20 foot pedestrian trail, is required

to run along the site's New York Avenue edge and shall be adequately landscaped and designed in accordance with Section 551.10 of the FLURA Plan. Given that the development of this site is anticipated to proceed as a matter-of-right and not a PUD, there has been no official, detailed plan submitted. Hence, no determination can be made as to whether or not these standards and amenities will be achieved. As it proceeds through matter of right zoning and not the PUD guidelines, the Zoning Commission nor the National Capital Planning Commission will be able to review the specific design details to make that determination. NCRC will be the only review agency making a determination on the design's compliance with the Fort Lincoln Urban Renewal Plan. The proposed change in zoning is not inconsistent with the FLURA Plan as it does advance the Plan's goals for commercial use of this site and nothing in the FLURA Plan requires development to proceed under the Zoning Commission's PUD guidelines. **However, it is staff's position that development on this site would be better served proceeding through the Planned Unit Development process, as did the adjacent Premium Distributors development, so that the design can be more thoroughly assessed for its compliance with the FLURA Plan**, and the developer **can have more flexibility** in achieving a superior design.

The site in question also performs a vital gateway function as it is situated just west of the State of Maryland and District of Columbia border and is located at the end point of the Baltimore-Washington Parkway, a major artery to the National Capital. It is staff's determination that the proposed zone change will not negatively affect this gateway site, but **staff reiterates its concern with the development on this site proceeding as a matter of right development. As such, there will be minimal scrutiny on the quality of development on this critical site**, and it is imperative **that any new development is of a scale and design that compliments this entry point to the National Capital**. The C-2-B Zoning does establish a limited FAR and height which will assist in controlling the intensity of use, but without a Planned Unit Development procedure in place neither the Zoning Commission nor NCPC will be able to provide input and guidance to the bulk, massing and over character of development on this site.

In summary, it is staff's position that the change in zoning to C-2-B is a positive step towards implementing the Fort Lincoln Urban Renewal Plan and should be approved by the Zoning Commission. However, staff has noted its strong concerns with development proceeding at this site without a Planned Unit Development procedure. Under these guidelines, more flexibility can be given to the developer, and more input and guidance can be provide by both the Zoning Commission and the National Capital Planning Commission in ensuring that any development meets the goals of the Fort Lincoln Urban Renewal Plan and is of a quality worthy of this gateway to the National Capital. It is staff's recommendation that the Commission conclude that this proposal does not negatively affect the identified federal interests but **staff recommends that the Commission make a related recommendation to the Zoning Commission urging it to enact a Planned Unit Development overlay for this site as was done in previous Fort Lincoln developments.**