NCPC
NATIONAL CAPITAL PLANNING COMMISSION

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Washington, DC 20576
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The Honorable Linda W. Cropp

Executive Director
Patricia E. Gallagher, AICP

IN REPLY REFER TO:
NCPC File No. Z.C. 03-27

DEC 13 2004

Zoning Commission of
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 December 2, 2004, approved the enclosed action on the consolidated Planned Unit Development at 4600-4614 Wisconsin Avenue, NW. Also enclosed, for your information, is a copy of the Staff Recommendation for the project.

Sincerely,

P. Gallagher

Patricia E. Gallagher, AICP
Executive Director

Enclosures

ZONING COMMISSION
District of Columbia
CASE NO. 03-27
EXHIBIT NO. 54

ZONING COMMISSION
District of Columbia
CASE NO.03-27
EXHIBIT NO.54

COMMISSION ACTION

NCPC File No. Z.C. 03-27

NCPC
NATIONAL CAPITAL PLANNING COMMISSION

CONSOLIDATED PLANNED UNIT DEVELOPMENT
Square 1732, Lots 817 and 820
4600 – 4614 Wisconsin Avenue, NW

Submitted by the Zoning Commission of the District of Columbia

December 2, 2004

Commission Action Requested by Applicant

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

Commission Action

The Commission:

Concludes that the consolidated Planned Unit Development for the property at 4600 – 4616 Wisconsin Avenue, NW **would not adversely affect the identified federal interests nor be inconsistent with the Comprehensive Plan for the National Capital.**

Deborah B. Young
Secretary to the National Capital Planning Commission

STAFF RECOMMENDATION

NCPC File No. ZC 03-27

NCPC
NATIONAL CAPITAL PLANNING COMMISSION

CONSOLIDATED PLANNED UNIT DEVELOPMENT
Square 1732, Lots 817 and 820
4600 – 4614 Wisconsin Avenue, NW

Report to the Zoning Commission of the District of Columbia

November 24, 2004

Abstract

A mixed-use development of 37,983 square feet in the C-2-A Zone District is proposed for a site at the northwest corner of Wisconsin Avenue and Brandywine Street, NW, in Lots 817 and 820 of Square 1732. The current commercial property would be replaced with a development of 42 residential units and 1,650 square feet of neighborhood-oriented retail space along Wisconsin Avenue. The development conforms in height and Floor Area Ratio with the requirements for a Planned Unit Development in the C-2-A Zone District.

Authority

Section 8 of the National Capital Planning Act (40 U.S.C. § 8724(a)) and DC Code § 2-1006(a))

Executive Director's Recommendation

The Commission concludes that the ~~modified~~ consolidated Planned Unit Development for the property at 4600 – 4616 Wisconsin Avenue, NW **would not adversely affect the identified federal interests nor be inconsistent with the Comprehensive Plan for the National Capital.**

* * *

PROJECT SUMMARY

Site Description

The 12,661-square foot site is located at 4600-4614 Wisconsin Avenue, NW, in Square 1732, Lots 817 and 820. The site, which is located in the C-2-A Zone District, is located at the northwest corner of Wisconsin Avenue and Brandywine Street, NW, and fronts both streets. It is currently occupied by Babe's Billiards.

Adjacent to the property to the north and within the C-2-A Zone is a four-story office building with ground-floor retail. To the east of Wisconsin Avenue are retail and office buildings, radio and television transmission towers and a five-story office building, also within the C-2-A zone. The one-story Friendship Animal Hospital, as well as single-family and semi-detached dwellings within the R-2 zone, continue on Brandywine Street to the west, across a north-south alley. To the south, across Brandywine Street and within the C-3-A zone, are a five-story office building with ground floor retail and a two-story office building. The Tenleytown Metrorail Station is two blocks south of the site.

Proposal

The mixed-use, primarily residential building would include a total of 37,983 square feet of gross floor area, would have a total Floor Area Ratio (FAR) of 3.0, would be approximately 65 feet in height, and would occupy 60% of the property. (Matter-of-right development in the C-2-A zone allows a height of 50 feet and an FAR of 2.5.)

The residential portion would include 42 one- and two-bedroom condominium units (accessed from Brandywine Street) for a total of 36,333 square feet of gross floor area. One unit would be "affordable." The non-residential portion would include approximately 1,650 square feet of neighborhood-oriented retail space along Wisconsin Avenue. The project would also provide 4,600 square feet of residential recreation space in a landscaped courtyard in the rear yard of the property. There would be two levels of parking below grade, including 44 parking spaces that would be accessed from Brandywine Street.

The building's facades would incorporate brick, precast concrete, glass and metal, with site work including decorative paving, terracing, and planting. The project is designed by the architecture firm of Cunningham + Quill.

Zoning Commission and Office of Planning

The Zoning Commission by a 5-0 vote took proposed action on November 8, 2004 to approve the consolidated Planned Unit Development (PUD). The proposed Decision is attached.

Advisory Neighborhood Commission 3E approved the proposal. Its letter is attached.

The Office of Planning (OP) report approved the application, determining that the proposed consolidated PUD was not inconsistent with the Comprehensive Plan, would bring needed housing to the District, and would provide a mixed-use building in close proximity to a Metrorail Station. OP found that the project was of "exceptional merit" and would replace a commercial development with one that was largely residential.

The application proposes the construction of a mixed-use building that would require the approval of one waiver and one variance. The project otherwise is in conformance with the minimum requirements for a PUD within the C-2-A zone. The waiver is needed because the project at 12,661 square feet is smaller than the minimum PUD area of 15,000. However, the project is in conformance with the zoning regulations in that it is 95.7% residential, in excess of the minimum 80% residential required, so the OP recommended approval of the waiver, stating

that the proposed development is of exceptional merit and in the best interest of the City. The requested variance would allow 12.66% of residential recreation space rather than the 20% required. The proposed residential open space consists of a 4,600 square foot landscaped courtyard at the rear (west) of the building, designed for passive recreation. OP recommended approval of the variance, noting that the design of the building includes private balconies and private roof decks for passive recreation and that the property is in close proximity to a public park.

OP has determined that the proposed amenities package is commensurate with the relief requested. The amenities offered by the developer include the architectural design of the building; a larger rear set-back than required with a tree buffer; employment and training opportunities; an affordable housing unit; a green roof; new housing units in the Tenleytown Metrorail Station Housing Opportunity Area; and financial awards to Janney Elementary, Friends of the Tenley Library, Wilson Senior High School PTA, Friends of Fort Bayard Park, and the DC Fire Department.

Staff has also determined that the project is consistent with Comprehensive Plan policies and objectives relative to transit-oriented development, housing, and for transit-oriented neighborhoods.

Federal Interests

The proposed project is consistent with the Planned Unit Development (PUD) guidelines for the C-2-A District. The mixed-use, primarily residential building would include a total of 37,983 square feet of gross floor area, would have a total Floor Area Ratio (FAR) of 3.0, would be 65 feet in height, and would occupy 60% of the property.

The staff has not identified any federal interests that would be adversely affected by this project. Wisconsin Avenue is a gateway street into the District of Columbia, but Eastern Avenue is approximately eight blocks from the site. Wisconsin Avenue is not an original L'Enfant Street. Fort Reno is not adjacent to the site, but is in the vicinity, at the northeast corner of Chesapeake Street and Belt Road, east of 41st Street and Wisconsin Avenue, NW. Fort Bayard, the subject of amenity funding to the Friends of Fort Bayard Park, is a historic Civil War fort managed by the National Park Service, which has approved the funding for renovation of the park. The development would benefit from proximity to the Tenleytown Metrorail Station.

The residential project helps to meet District of Columbia housing objectives, especially in the Tenleytown area, as well as objectives for transit-oriented development, especially in transit-oriented neighborhoods. The development is not inconsistent with the Federal Elements of the Comprehensive Plan, especially policies that support transit-oriented housing and development.

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R-1-B
R-4
R-2
C-1
R-5-A
SQUARE 1732
C-2-A
4108 friendship animal hospital
4600 babes billiards
4620 krupins
4624 office and retail
4636 office
4652 embassy brazil
4664
Wisconsin Avenu
River Road
SUBJECT PROPERTY
41st Street
C-2-A
4615
4617
4619
4620 western union
4027 office
4001 8-story office
4010 parking garage
4028 new youth alliance
NORTH
Albemarle Street
Chesapeake Street
Brandywine Street



PROPOSED SITE PLAN
(SCALE: 1/32" = 1')

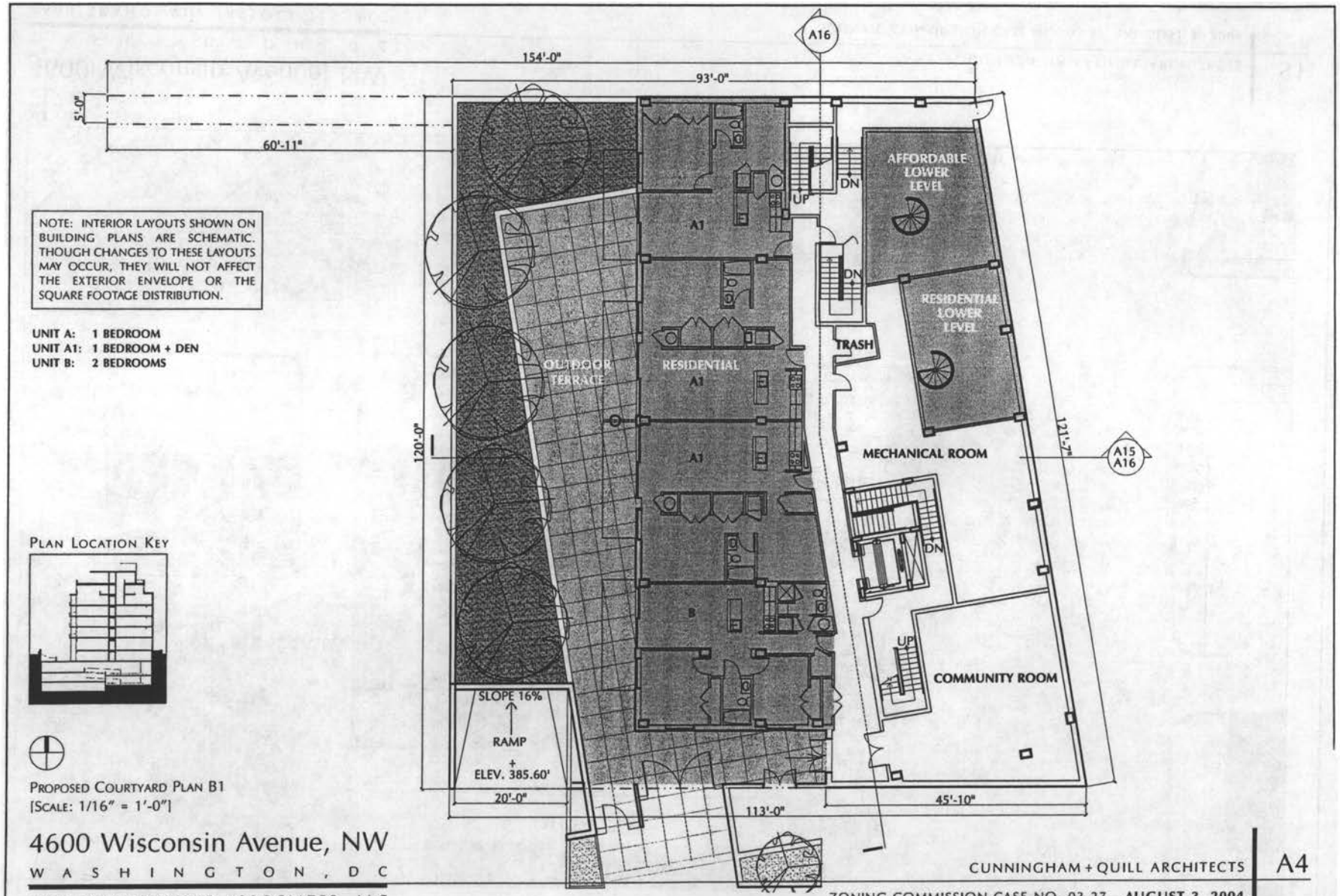
4600 Wisconsin Avenue, NW

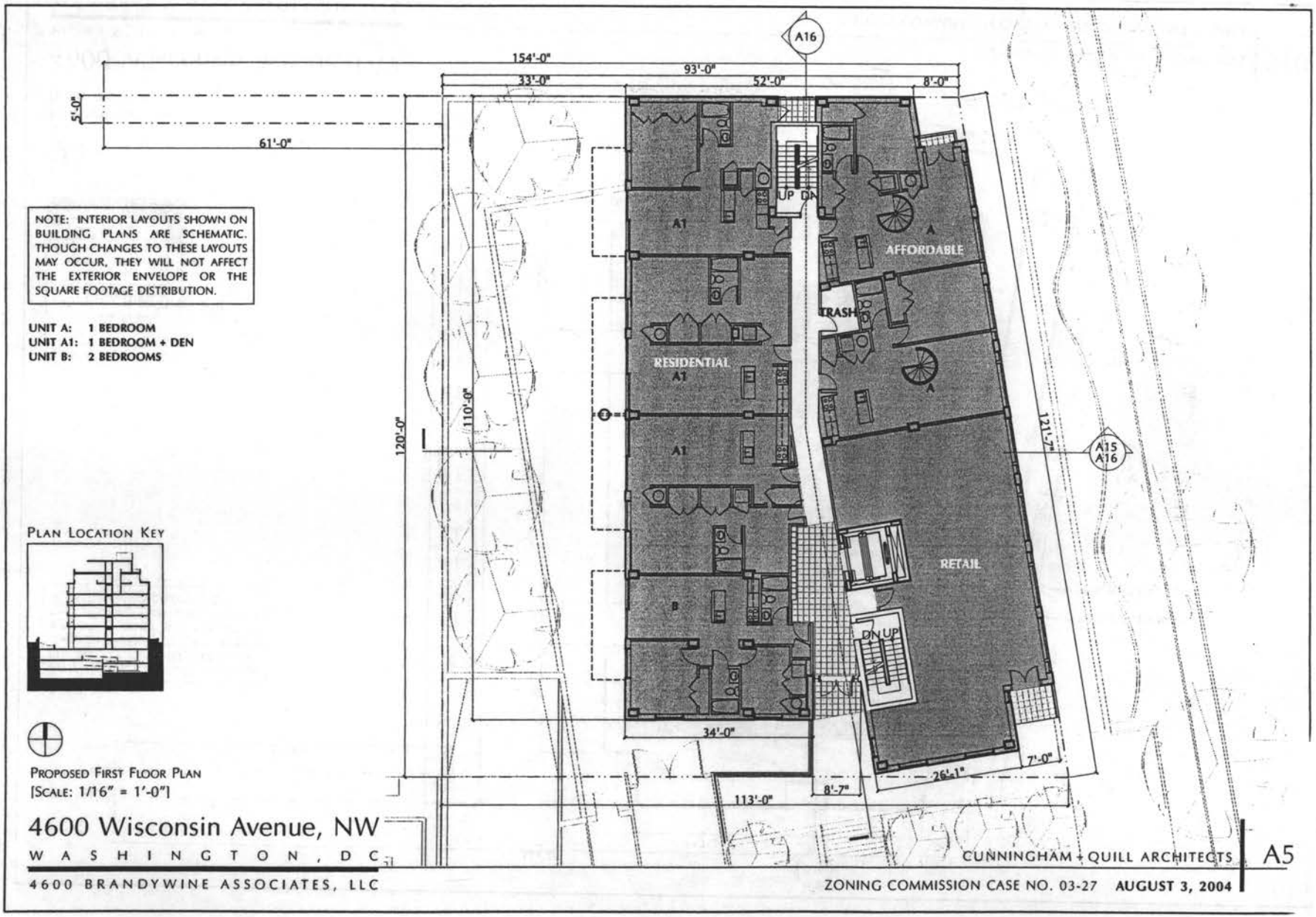
WASHINGTON, DC

4600 BRANDYWINE ASSOCIATES, LLC

CUNNINGHAM + QUILL ARCHITECTS | S1

ZONING COMMISSION CASE NO. 03-27 **AUGUST 3, 2004**


A16
154'-0"
93'-0"
5'-0"
60'-11"
NOTE: INTERIOR LAYOUTS SHOWN ON BUILDING PLANS ARE SCHEMATIC. THOUGH CHANGES TO THESE LAYOUTS MAY OCCUR, THEY WILL NOT AFFECT THE EXTERIOR ENVELOPE OR THE SQUARE FOOTAGE DISTRIBUTION.
UNIT A: 1 BEDROOM
UNIT A1: 1 BEDROOM + DEN
UNIT B: 2 BEDROOMS
AFFORDABLE LOWER LEVEL
RESIDENTIAL LOWER LEVEL
OUTDOOR TERRACE
RESIDENTIAL
A1
B
UP
DN
TRASH
MECHANICAL ROOM
COMMUNITY ROOM
120'-0"
121'-7"
A15
A16
SLOPE 16%
RAMP
+
ELEV. 385.60'
20'-0"
113'-0"
45'-10"
PLAN LOCATION KEY
PROPOSED COURTYARD PLAN B1
[SCALE: 1/16" = 1'-0"]
4600 Wisconsin Avenue, NW
WASHINGTON, DC
4600 BRANDYWINE ASSOCIATES, LLC
CUNNINGHAM + QUILL ARCHITECTS
A4
ZONING COMMISSION CASE NO. 03-27 AUGUST 3, 2004



NOTE: INTERIOR LAYOUTS SHOWN ON BUILDING PLANS ARE SCHEMATIC. THOUGH CHANGES TO THESE LAYOUTS MAY OCCUR, THEY WILL NOT AFFECT THE EXTERIOR ENVELOPE OR THE SQUARE FOOTAGE DISTRIBUTION.

UNIT A: 1 BEDROOM
UNIT A1: 1 BEDROOM + DEN
UNIT B: 2 BEDROOMS

PLAN LOCATION KEY

PROPOSED FIRST FLOOR PLAN
[SCALE: 1/16" = 1'-0"]

4600 Wisconsin Avenue, NW

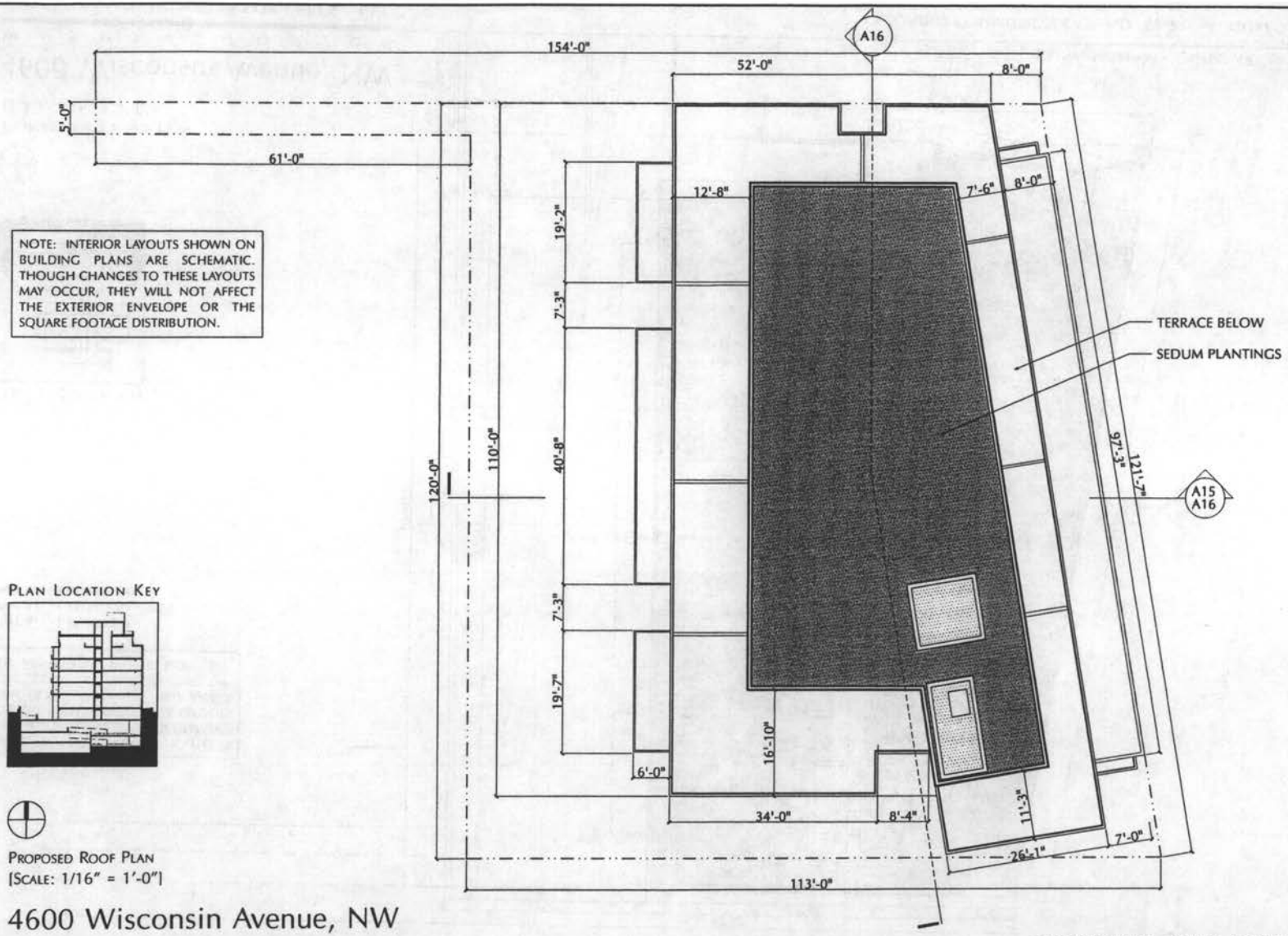
WASHINGTON, DC

4600 BRANDYWINE ASSOCIATES, LLC

CUNNINGHAM + QUILL ARCHITECTS

A5

ZONING COMMISSION CASE NO. 03-27 **AUGUST 3, 2004**



NOTE: INTERIOR LAYOUTS SHOWN ON BUILDING PLANS ARE SCHEMATIC. THOUGH CHANGES TO THESE LAYOUTS MAY OCCUR, THEY WILL NOT AFFECT THE EXTERIOR ENVELOPE OR THE SQUARE FOOTAGE DISTRIBUTION.

PLAN LOCATION KEY

PROPOSED ROOF PLAN
[SCALE: 1/16" = 1'-0"]

4600 Wisconsin Avenue, NW

WASHINGTON, DC

4600 BRANDYWINE ASSOCIATES, LLC

CUNNINGHAM + QUILL ARCHITECTS | A10

ZONING COMMISSION CASE NO. 03-27 **AUGUST 3, 2004**

PROPOSED CONDITIONS OF APPROVAL FOR ZONING COMMISSION CASE NO. 03-27 – 4600 BRANDYWINE ASSOCIATES, LLC CONSOLIDATED PLANNED UNIT DEVELOPMENT APPLICATION

DECISION

In consideration of the Findings of Fact and Conclusions of Law contained in this order, the Zoning Commission for the District of Columbia **ORDERS APPROVAL** of the application for consolidated review of a Planned Unit Development application for Lots 817 and 820 in Square 1732. The approval of this PUD is subject to the following guidelines, conditions and standards:

1. The PUD shall be developed in accordance with the plans and materials submitted by the applicant marked as Exhibits 26, 38, and 50 of the record, as modified by the guidelines, conditions and standards of this order.

2. In accordance with the plans and materials noted above, the approved PUD shall consist of a mixed-use, primarily residential, project which includes 42 residential units[1] occupying approximately 36,333 square feet of gross floor area and ground floor retail along Wisconsin Avenue consisting of approximately 1,650 square feet of gross floor area. The PUD project will have: a FAR of approximately 3.0; a building height of 65 feet; a lot occupancy of 60%; and will include approximately 49 parking spaces.

3. The applicant will provide one affordable housing unit in the proposed PUD. The applicant is provided the flexibility to locate this affordable housing unit as noted in the plans marked as Exhibits 26, 38, and 50 of the record, or elsewhere in the project depending on future market conditions.

4. The applicant will enter into a Development and Construction Management Agreement with neighboring property owners that is in substantial conformance with the Development and Construction Management Agreement that was submitted into the record as Exhibit 37.

5. The applicant will have the flexibility to use the 1,000 square foot space on the B1 level as a community room for residents of the project, or as storage space for the ground floor retail uses, depending on future market conditions.

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[1] The applicant is awarded the flexibility to modify the number of residential units in the project by up to 10% in response to future market conditions. In the event that the number of residential units are modified, the number of parking spaces will be modified proportionately.

6. The applicant shall provide the following community amenities no later than the issuance of the building permit for the PUD project.

Janney Elementary School - $75,000 + – For the replacement of the wooden play equipment on the lower playground, additional play equipment for the older students, and necessary stormwater management and soil erosion measures. The payment will be made to the Janney Elementary School PTA.

Tenleytown Branch of the D.C. Public Library - $25,000 – For a state-of-the- art audio visual room in the renovated Tenley Library. The payment will be made to the Friends of the Tenley Library.

Wilson Senior High School - $20,000 – For necessary repairs to the school buildings, including repainting of the Cupola. The payment will be made to the Wilson Senior High School PTA. .

Friends of Ft. Bayard Park – $15,000 - A contribution will be made to the Friends of Ft. Bayard Park to help fund the renovation/rehabilitation of Ft. Bayard Park, as approved by the National Park Service.

D.C. Fire Department - Tenleytown Area- $47,427 – For the purchase of a hazardous materials POD for use by the DC Fire Department.

7. The applicant shall enter into a Memorandum of Understanding with the Office of Local Business Development in substantial conformance with the Memorandum of Understanding submitted as part of Exhibit 31 of the record.

8. The applicant shall enter into a First Source Employment Agreement with the Department of Employment Services in substantial conformance with the First Source Agreement submitted as part of Exhibit 31 of the record.

9. No building permit shall be issued for the PUD until the applicant has recorded a covenant in the land records of the District of Columbia, between the applicant and the District of Columbia, that is satisfactory to the Office of the Corporation Counsel and the Zoning Division of the Department of Consumer and Regulatory Affairs (DCRA). Such covenant shall bind the applicant and all successors in title to construct and use the Subject Property in accordance with this order, or amendment thereof by the Zoning Commission.

10. The Office of Zoning shall not release the record of this case to the Zoning Regulations Division of DCRA until the applicant has filed a certified copy of the covenant with the records of the Office of Zoning.

11. The consolidated PUD approved by the Zoning Commission shall be valid for a period of two years from the effective date of this order. Within such time, applicant must be filed for a building permit as specified in 11 DCMR 2408.8 and 2409.1. Construction shall start within three years of the effective date of this order.

12. The Applicant is required to comply fully with the provisions of the Human Rights Act of 1977, D.C. Law 2-38, as amended, and this order is conditioned upon full compliance with those provisions. In accordance with the D.C. Human Rights Act of 1977, as amended, D.C. Official Code § 2-1401.01 et seq., (Act) the District of Columbia does not discriminate on the basis of actual or perceived: race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, familial status, family responsibilities, matriculation, political affiliation, disability, source of income, or place of residence or business. Sexual harassment is a form of sex discrimination, which is also prohibited by the act. In addition, harassment based on any of the above protected categories is also prohibited by the Act. Discrimination in violation of the Act will not be tolerated. Violators will be subject to disciplinary action. The failure or refusal of the Applicant to comply shall furnish grounds for denial or, if issued, revocation of any building permits or certificates of occupancy issued pursuant to this order.

For the reasons stated above, the Commission concludes that the applicant has met the burden, it is hereby **ORDERED** that the application be **GRANTED**.

VOTE: 5-0-0

In accordance with the provisions of 11 DCMR 3028, this order shall become final and effective upon publication in the D.C. Register on _____.

CAROL J. MITTEN	**JERRILY R. KRESS, FAIA**
Chairman	**Director**
Zoning Commission	**Office of Zoning**

ADVISORY NEIGHBORHOOD COMMISSION 3E
TENLEYTOWN • AMERICAN UNIVERSITY PARK • FRIENDSHIP HEIGHTS
P.O. Box 9953 • Friendship Station
Washington, DC 20016

202-244-0800

Resolution
4600 Brandywine Street NW
Planned Unit Development

Whereas: On June 7, 2004, 4600 Brandywine Associates LLC submitted a pre-hearing statement to the District of Columbia's Zoning Commission supporting an application for consolidated review and one-step approval of a Planned Unit Development ("PUD") for a project site including lots 817 and 820 in Square 1732.

Whereas: The Zoning Commission's Public Hearing on this application, identified as Case No. 03-27, is scheduled for October 14, 2004.

Whereas: On August 4, 2004, 4600 Brandywine Associates LLC submitted to the Zoning Commission revisions to Exhibit A of the application.

Whereas: On September 9, 2004, representatives of 4600 Brandywine Associates appeared at an ANC 3E public meeting to present the plans for this site.

Whereas: At the September 9 ANC 3E meeting, the representatives of 4600 Brandywine Associates noted the following adjustments to their application that they committed to presenting to the Zoning Commission on October 14, 2004 as a formal part of the application:

a) an off-street "lay-by" on Brandywine Street that will be used for deliveries and moves by residents in and out of the building.
b) a requirement that owners of units in the building may not apply for or be eligible for Residential Parking Permits
c) an enhanced streetscape at the corner of Brandywine Street and Wisconsin Avenue
d) one unit of affordable housing located within the building
e) plans for a "green" roof

Whereas: The current application presented by 4600 Brandywine Associates and the modifications presented at the September 9 ANC 3E meeting have been the result of extensive meetings and negotiations between residents of the neighborhood surrounding the project site and representatives of 4600 Brandywine Associates.

Whereas: ANC3E is committed to increasing the affordable housing units in Washington, DC, realizes that affordable housing encourages socioeconomic diversity in ANC3E, encourages efforts to bring affordable housing to the ANC, accepts the one given unit for this small-scale development BUT notes that ANC3E anticipates that it will strongly advocate for more affordable units for future developments.

Therefore, Be It Resolved that:
ANC3E supports the application of 4600 Brandywine Associates as submitted June 7, 2004, revised August 4, 2004, and with the addition of the modifications presented to ANC 3E on September 9, 2004, and noted above.

Be It Further Resolved that:
ANC 3E's support of this application is contingent on the Zoning Commission's acceptance of the modifications presented by 4600 Brandywine Associates at the September 9 ANC 3E meeting. Should any or all of the conditions not be accepted by the Zoning Commission, then ANC 3E's position on this application should be recorded as opposing the application.

Be It Further Resolved that:
ANC 3E authorizes Chapman Todd to serve as its representative on this application before the Zoning Commission or any other official entity which may consider this Case.

ANC 3-E approved this resolution at a special public meeting on September 28, 2004, which was properly noticed and at which a quorum was present. The resolution was approved by a vote of 4-0. Commissioners Chapman Todd, Lucy Eldridge, Amy Hoang, and Amy McVey voted.

Amy B McVey 9/28/04

Amy B. McVey, Chair