GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

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Office of the Director

MEMORANDUM

TO: D C Zoning Commission

FROM: Andrew Altman
Director

DATE: November 8, 2004

ZONING COMMISSION
District of Columbia
CASE NO. 04-11
EXHIBIT NO. 22

SUBJECT: Final Report on Zoning Commission Case No. 04-11, a Proposal to Establish a Planned Unit Development on Property Located South of Emerson Street, N.E (Square 3788 Lot 811 portion) and related map amendment

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APPLICATION

Rocky Gorge at Fort Totten LLC, the Applicant, is requesting Zoning Commission review and approval of the consolidated application for a Planned Unit Development (PUD) This request includes a related Zoning Map Amendment that would change the current "split" zoning of the subject property from Residence (R-2) zone district, and Commercial-Light Manufacturing (C-M-1) and General Industry (M-1) zone districts with Fort Totten Overlay zone districts, to a Residence (R-4) zone district

RECOMMENDATION

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

- Two (2) affordable units marketed at 85% of Washington Area Median Income (AMI), those units to remain "affordable" for a period of 20 years,
- Proposed pedestrian streetscape improvements to be constructed along 6th Street, N E , details of the improvements to be made part of the public record prior to final action,
- $15,000 to be contributed for the Lamond-Riggs Library,
- $15,000 to be contributed to North Michigan Park Civic Association for the North Michigan Park Community Center; and
- $12,000 to be contributed to the North Michigan Park Civic Association for "Welcome to Michigan Park" signs

OP recommends that prior to proposed action by the Zoning Commission, the applicant provide documentation showing that the appropriate agencies accept the referenced contributions and if they wish to claim Leadership in Energy and Environmental Design

ZONING COMMISSION
District of Columbia
CASE NO.04-11
EXHIBIT NO.22

(LEED) standards as a benefit of the project, documentation explaining how project construction and storm water management practices meet or exceed the LEED standards.

BACKGROUND

Based on information supplied by the Applicant, the subject portion of lot 811 totals 5.89 acres (255,975 square feet) It is also located west and south of 7th Street and Emerson Avenue, N.E., respectively (refer to Exhibit 1) Currently the site is developed with buildings, retaining walls, and other remnants of the previous concrete plant operation. Trees and other landscaping are also scattered around the rolling site Part of the northern site boundary has frontage along Emerson Road and a public alley The remainder of lot 811 will be consolidated with the Applicant's property along 7th Street for matter of right development of one-family semi-detached dwellings

Surrounding development consists of the District Department of Transportation (DDOT) salt domes and semi-detached two-story dwellings to the north across Emerson Street, light industrial and warehousing activity to the south, semi-detached two-story dwellings to the east and northeast, and railroad right-of-way to the west. The eastern end of the site, and properties to the north, south and east are in an R-2 zone district. A 150-foot wide swath of the site immediately west, and other property to the north and south are zoned C-M-1, and all property further west is zoned M-1. Both industrial zones fall under the Fort Totten Overlay Zone. The property's Emerson Street frontage is approximately 1,100 feet southeast of the Washington Metropolitan Transportation Authority (WMATA) Fort Totten Metro rail station

This PUD proposal would develop a residential subdivision on this underutilized property with 75 townhouse dwellings, each with a ground floor parking garage accessed from an adjacent service alley. A new private street and alley system would extend from a single point of ingress/egress along Emerson Street, N.E. The project would also provide two green spaces, an internal sidewalk system, and extensive landscaping.

This application would also rezone the entire site from R-2, and C-M-1 and M-1 zoning districts with the Fort Totten Overlay zone district, to a R-4 zone district. The Comprehensive Plan Generalized Land Use Map designates the site as a mix of Medium Density Commercial, which permits residential uses as a matter-of-right, and Production and Technical Employment (refer to Exhibit 2) This zoning change would support Comprehensive Plan policies for the surrounding Fort Totten Development Opportunity and Special Treatment areas in Sections 1118 and 1122 (refer to the Comprehensive Plan section below).

The Pre-Hearing Statement of Support dated July 13, 2004 identifies the principal public benefits and amenities as housing, urban design and landscaping, efficient and economical use of land, and effective and safe vehicular and pedestrian access It also emphasized that, ". . the Project also exemplifies the transit-oriented development ("TOD") model ..." in that "The TOD model stresses six design principles, namely: (1) orientation and connectivity; (2) quality public realm and amenities; (3) pedestrian-friendly, safe environment, (4) attractive architecture and design, (5) mix of uses; and (6) creative parking management " The Statement concludes that, "The Project, in the context of the surrounding area, satisfies each and every one of these criteria "

The Statement lists various goals in the Comprehensive Plan related to the Special Treatment, Development Opportunity, and Housing Opportunity areas The Applicant thus requests approval of this proposal primarily on this basis, while listing other benefits and amenities discussed below.

ANALYSIS

OP's review of this proposal considered whether it is generally consistent with intent of the Zoning Regulations, with specific PUD criteria in the Zoning Regulations, and with the Comprehensive Plan The Zoning Commission and Office of Planning raised the following issues when this case was set down for public hearing:

- Rezoning industrial land for residential use The Pre-hearing Statement indicates that the Lewis Plan studies that predated the 1958 adoption of Zoning Regulations and Zoning Map identified area for heavy commercial and industrial uses along rivers and railroad line "reflecting the transportation access that was assumed to be necessary to support those areas (uses)." Instead, these areas were developed with warehouse, storage, high technology and other uses represented by the Production and Technical Employment land use category on the Generalized Land Use Map.

  The Statement concludes that warehouse and technology uses, uses that do not rely on rail lines or shipping for transportation access, do not necessarily need to be in (or are not limited to) locations where industrial zoning was subsequently established in 1958 *In other words, is not necessary to retain all the existing industrial zoning because many land uses that might locate in these areas can locate elsewhere.* The Statement cited other areas of the District, such as the Georgetown waterfront, that have transitioned from industrial to mixed commercial and residential uses

  The Comprehensive Plan also designated this vicinity as a Special Treatment Area, a Development Opportunity Area and a Housing Opportunity Area. The Statement concludes that, "The Project is directly responsive to the criteria of the Special Treatment Area" in that it would ".. provide residential uses within close proximity to the Metrorail station" per Section 1122 2 (c) of the Comprehensive Plan.

  OP agrees that this site is integral to the area designated as Development Opportunity and Special Treatment areas on the Generalized Land Use Policies Map of the Comprehensive Plan Section 1118.3 of the Plan explains the Development Opportunity areas "offer opportunities to accommodate new growth and development" that " may be designated for a mixture of uses and may be further subclassified to identify those that are Metrorail station opportunity areas." Policies related to the Fort Totten Metrorail Station Special Treatment designation include: maximizing Metrorail access and leveraging; developing unused industrial land for medium density residential and commercial mixed uses, increase the residential component to strengthen local commercial establishments along Riggs Road, N.E., and create a "mini-in-town" community (refer to the Comprehensive Plan section below and Exhibit 3).

Plans are currently being developed for a mixed-use development on part of the Fort Totten Metro rail station parking area. Clark Realty proposes construction of 297-365 multi-family dwelling units in five structures on approximately 5 6 acres The buildings are 4 to 5 stories in height A portion of the building fronting Galloway Street, N.E (near the Metro station entrance) will contain approximately 10,000 square feet of ground floor retail space. Since this proposal would provide a retail component that would supplement existing commercial development along Riggs Road, the subject PUD proposal would support Plan objectives to strengthen the residential component that would support (expanded) local commercial establishment, and create a "mini-in-town" community while allowing non-industrial development that would take advantage of its proximity to the Metro rail facility

OP concludes that this proposal is not inconsistent with the referenced designations, and that the requested map amendment would support the goals of the Comprehensive Plan since it allows a higher intensity residential development (refer to the Urban design discussion under the Amenities and Benefits section below)

- Suitability of residential development on a site surrounded by other uses: Referring to former industrial and existing light-industrial uses north and south of the site, the Pre-hearing Statement anticipates that, over time, ".. the heavier commercial uses in the area will be replaced with residential and commercial uses " "In any event ...," the Statement continues, "... the Applicant has carefully designed the Project so the future residents will be protected from adverse consequences " It notes that the only access into the development would be from a residential street -- vehicular access to and from the light industrial area to the south would be terminated. The site plan also makes use of " ... topography and screening, to provide both distance and buffer from (the Thomas Sommerville industrial) use and the (CSX and Metro) rail line to the west." The closest dwelling would be between 140-171 feet from the rail way centerline, and "the vast majority of the townhouses are much further removed."

  OP agrees that the current plans provide appropriate landscape screening and setback from the light-industrial and railroad right-of-way for the south and west. It should also be noted the residents who purchase dwellings in the new development will be aware of the existing conditions (including the salt dome to the north), and the stable communities of Takoma and Brookland have coexisted with this railway corridor for years.

Comprehensive Plan

The Generalized Land Use Map designates most of the site a mixture of Medium Density Commercial and Production and Technical Employment. The Generalized Land Use Policies Map shows the site as being in the following specialized planning areas:

1) The Fort Totten Special Treatment Area
2) The Fort Totten Housing Opportunity Area,
3) The Fort Totten Development Opportunity Area, and

1) The Fort Totten Special Treatment Area

Section 1100.2 states that "Special treatment areas are areas where uniquely tailored solutions are necessary to achieve Plan objectives. Innovative tools and programs are focused on these areas;" §1118 2 clarifies further that·

> Special treatment areas are areas that exhibit unique physical, social, or functional characteristics and features and require case-specific planning actions. Special treatment areas may be defined by functional criteria, such as by the need for well-targeted and coordinated planning program initiatives to achieve common objectives, or may be designated in order to encourage specialized activities. Special treatment areas may incorporate parts of contiguous areas. These areas may include neighborhoods or areas of the District that exhibit unique cultural design or architectural and ethnic characteristics The special treatment areas are generally depicted on Map 2

The Comprehensive Plan has also identified this area as a housing opportunity area and the application is being brought forward as a "case-specific planning" action that will result in the achievement of the following objectives and policies:

Section 1122 Fort Totten Metrorail Station Special Treatment Area includes the following policies.

1122.2 The policies established for the Fort Totten metrorail station special treatment area are as follows:

(a) **Maximize metrorail access and leveraging;**
(b) Consider the WMATA site for a joint development project,
(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;**
(e) **Increase the residential component to strengthen local commercial establishments on Riggs Road, N.E.; ...**
(g) **Create a "mini-in-town" community.**

The project will result in 75 new residential units that will be within walking distance to the Metro, and as discussed above, furthers many of the District's TOD objectives. The project will directly further the policies by converting an unused industrial site to residential. As an industrial site the property must use a residential road network to access the major arterials.

The proposed development will be a residential rowhouse development at a moderate density level. The Comp Plan anticipates a higher density however, the neighborhood expressed great concern about a higher density development at the end of the local neighborhood road system. The applicant has worked with the neighborhood to reach a compatible density that integrates with the existing residential character.

Although the subject property does not, in and of itself, create a mini-in-town development, it will contribute to such local development. A mixed-use development by Clark Realty is being planned on part of the Fort Totten Metro rail station parking area, just north of this site. The pending Clark development is currently in the Large Track Review process with the District government and proposes construction of 297-365 multi-family dwelling units adjacent to the station and approximately 10,000 square feet of ground floor retail space The subject PUD proposal would contribute new households to help support local businesses on Riggs Road and at the Metro station.

The Fort Totten Housing Opportunity Area

1118.7 The criteria for designating housing opportunity areas are the same as those for development opportunity areas·

The Fort Totten Development Opportunity Area
Section 1118 Specialized Area Classifications includes the following description:

1118.3 Development opportunity areas are areas that offer opportunities to accommodate new growth and development. Development opportunity areas may be designated for housing, commercial development, employment centers, or for a mixture of uses and may be further subclassified to identify those that are Metrorail station development opportunities areas

1118.4 Development opportunity areas are usually the following
(a) **Areas at or near selected Metrorail** stations or major Metrobus interchange points;
(b) Areas where there is a significant amount of vacant or **poorly used land,**
(c) Potential surplus property sites;
(d) Areas that exhibit potential for successful joint public and private initiatives;
(e) Areas that represent unrealized employment and economic development potential, such as regional or other shopping areas, and
(f) Areas where development can be used **to improve neighborhood quality** and stability.

This site is approximately 2000 feet from the Fort Totten Metro station and is an unused industrial site, wedged between an established residential neighborhood and the rail tracks. The redevelopment of the site for residential will improve the neighborhood quality and stability by building a compatible residential development, eliminating industrial truck traffic from the site through the adjacent neighborhood and cleaning up the site environmentally to a residential standard As stated above, the additional households are also potential customers to local businesses.

The proposal also furthers several other Comprehensive Plan themes and policies.

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

  (a) Stabilizing and improving the District's neighborhoods; ...

Section 102 Stabilizing and Improving the Districts Neighborhoods includes.

102.4 Promoting and ensuring good quality neighborhoods is of utmost importance to the District The District elements of the Plan's policies and strategies on increasing housing opportunities, neighborhood commercial facilities, and improving transportation in some neighborhoods will be combined with other District policies on historic preservation, environmental quality, and public facilities to conserve functioning, stable neighborhoods, and to stabilize or improve those which need redirection.

Section 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.

Section 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, "

The Land Use Element of the Comprehensive Plan identifies "Objectives for Residential Neighborhoods" in §1102

"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) **To protect residential neighborhoods from disruptive uses; ..."**

Section 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; ."

Section 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 complains 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 Special Treatment and Development Opportunity area outside the Central Employment Area;
- Providing sidewalk and streetscape improvements that would improve pedestrian access

along 6th Street to Fort Totten Park and Fort Totten Metro Station beyond, and
- Having "no significant impact" on future neighborhood traffic circulation.

Based on this information, OP concludes this PUD proposal does not appear inconsistent with Comprehensive Plan and supports more specific housing goals identified in the Comprehensive Plan.

Level of zoning relief requested: The Pre-hearing Statement indicates the only relief being requested is to be allowed to develop moderate density residential uses on property current zoned for industrial and low density residential uses. The project represents a significant increase in the amount of allowable residential development currently allowed (refer to the Housing discussion under the Amenities and Benefits section below).

OP thinks this proposal also requires relief from the requirement for a theoretical subdivision under Section 2516 of the Zoning Regulations due to the number of individual lots with no street frontage

Amenities and Benefits: In deciding a PUD application, the Commission shall balance the value of the project amenities and public benefits against the flexibility required OP's review indicates that this project would primarily provide the following benefits and amenities:

- Urban design and architecture The Pre-hearing Statements states that this proposal will, "Provide a high-quality transit-oriented development that is in keeping with leading urban design principles and the District's stated goals." Proposed dwelling architecture is "... inspired by the Federal-style townhouse design which was built throughout Washington in the late nineteenth and early twentieth centuries." OP thinks the distinctive buildings designs, the use of extensive open spaces, and landscaped park areas would make an attractive addition to the existing neighborhood. The presence of this moderate density row house project would also form a transition between the CSX/Metro rail lines to the west and the low-density semi-detached homes to the west.

  The Pre-hearing Statement also alludes to an earlier proposal to develop a higher density residential development on this site This earlier proposal was more consistent with the medium-density of development mentioned in Comprehensive Plan objectives for the Fort Totten Metro Rail Station Special Treatment area. It notes. "... the Applicant early on listened to neighbors' concerns over the density proposed in the Applicant's initial plans for 130+ units, consisting primarily of two-over-two apartment units on the Site." This first proposal raised a number of community concerns relating its scale compared to existing residences, the use of building materials other than the masonry that permeates the neighborhood, and potential traffic impacts on neighborhood streets.

  In response, the Applicant ".. presented a significantly revised plan . . which proposes 75 row house units arranged in a manner that is compatible in the scale and layout of the surrounding community " The result is a unique, denser development that is still sympathetic to the architecture of the surrounding neighborhood, and would not significantly impact

expected congestion on neighboring streets OP thinks the Applicant's response to referenced Comprehensive Plan policies is appropriate in light of community concerns

- Housing The Pre-hearing Statement indicates that, "The Project contemplates approximately 175,000 square feet of residential development, whereas matter of right development would permit more than 1,000,000 square feet of (industrial and commercial) development." Residential uses are not allowed in the FT/M and FT/C-M-1 zone districts, and based on the minimum requirement for a lot area of 3,000 square feet in the R-2 zone district, a maximum of 25 semi-detached dwelling can be developed on the development site. The PUD with the proposed map amendment to an R-4 zone district would allow 75 row dwellings, an increase of 50 dwelling units

  In light of the difference between the numbers of dwelling units proposed under the PUD and currently allowed, OP encouraged the Applicant to include an affordable housing component in this application. The Applicant did agree to provide market two (2) dwellings (3 story, 1,296 square foot row dwelling on a 18 x 72 foot lot) at 85% of Washington Area Median Income Range (AMI).

  While this square footage is a lower percentage than OP typically encourages as an affordable housing amenities, the Applicant, notes the following issues related to the site and the overall undeveloped FAR:

  - "Given the Site's industrial past, the cleanup and mitigation of the debris of the abandoned concrete plant is integral to the residential development . ." In fact, the estimated $750,000 expense of the effort serves " as the major threshold that must be cost in order to convert this Site to residential use." The Applicant notes that this expense would be less if plans were to continue industrial uses or locate commercial uses on the site. The additional cost of this work must be divided among the 75 dwelling units.
  - In subsequent conversations, the Applicant noted that proposed price for the new units is anticipated to be consistent with the per-square-foot sales prices of surrounding dwellings. OP has asked the applicant to expand on this issue and explain the targeted market for the units
  - Approximately 800,000 square feet of industrial or commercial FAR that will go undeveloped and unused

  Given these circumstances, OP is satisfied that this proposal includes an affordable dimension OP also accepts, in this case, that the provision of housing is a benefit that is contemplated by the Comprehensive Plan (by the inclusion of the area within the Housing Opportunity Area, and the Fort Totten Special Treatment area) that would not be permitted under the existing industrial zone districts

- Effective and safe vehicular access.
  Replacing the remnants of the previous concrete operations with the proposed new construction would immediately benefit the surrounding neighborhood and residents along

Emerson Street. Applicant's traffic study entitled by "Traffic Impact Analysis for the Emerson Street Townhouses, Washington, D C " prepared by traffic consultants Wells & Associates, LLC concluded that.

- anticipated 2007 peak-hour levels of service at intersections studied around the site would not change as a result of traffic generated by the 75-unit PUD;
- delays for minor street approaches at the South Dakota Avenue/8th Street intersection "which currently fail" would increase only marginally;
- project traffic volumes would only account for 0 5% to 1 1%, and 20% to 30% of 2007 traffic at South Dakota Avenue intersections, and the Emerson Street/6th Street intersection, respectively; and
- "The Proposed PUD will not have a significant impact on the study area "

OP notes that the development would generate residential traffic as opposed to industrial traffic. The residential traffic would be consistent with the residential nature of the surrounding neighborhood. The Applicant's traffic study concluded that "The Proposed PUD will not have a significant impact on the study area "

Parking
The proposal provides sufficient development parking resources. The R-4 zone district requires 1 parking space per dwelling, whereas this proposal would provide 117 parking spaces for 75 dwelling units (a ratio of 1 5 per unit), with an additional 39 parallel parking spaces onsite (a total ratio of 2.0 per unit)

- Effective and safe Pedestrian access·
  The Pre-hearing Statement notes the project would "Provide extensive pedestrian connections that will create a walkable neighborhood " The Applicant proposes to improve an existing pedestrian walking trail across from Fort Totten Park that extends from Gallatin Street (near the north end of 6th Street). However, a final decision from the National Park Service is not expected in time to be considered with this application. In lieu of a pedestrian connection through the parkland, OP has suggested the Applicant discuss pedestrian and streetscape improvements along the 6th Street frontage between this site and the referenced walking path with DDOT. The Applicant has agreed to pursue this amenity, and if an agreement is reached, OP recommends that construction of proposed pedestrian and streetscape improvements, and adding said plans to the public record.

- Efficient and economic land utilization: This project constitutes a higher use of the subject underutilized industrial property, and the proposed row dwelling development is a suitable replacement The new dwellings would also be located approximately 1,100 feet from the WMATA Fort Totten Metro rail station and many connecting transit routes.

This proposal embodies many principals articulated in the document "Transformation. Recreating Transit-Oriented Neighborhood Centers in Washington, D.C." The site: is less than ¼ mile (approximately 1,100 feet) from the Metro station, eating and retail establishments existing along Riggs Road and planned for the Metro site, is served by

pedestrian facilities on Emerson, 6th (by way of a proposed walkway), and 7th Street, N.E ; would be developed with attractive buildings reflecting the predominant masonry construction in the area; and would provide on-site parking anticipated to be adequate for residents and visitors

- Environmental benefits: The Pre-hearing Statement explains that the expense of the environmental clean-up of the site as necessary to make the previous industrial property suitable for residential development. Since this level of clean-up might not be necessary for continued industrial use, but the Comprehensive Plan encourages redevelopment of underutilized industrial lands, the proposed environmental clean up is of benefit to the area.

  The Applicant is considering incorporating construction elements that could qualify for a Leadership in Energy and Environmental Design (LEED) certification and storm water management practices that would be consistent with LEED standards. OP supports efforts to achieve LEED standards and recommends that documentation be provided prior to proposed action if LEED elements are to be considered as an amenity

- Uses of special value to the neighborhood: The Pre-hearing Statement includes proposals to contribute

  - $15,000 to the Lamond-Riggs Library to address a list of high priority needs including " funding to hire a computer instructor, funding for books, games, cd/dvds, and other acquisitions and improvements;
  - $15,000 to the North Michigan Park Civic Association " for such improvements as computers, furniture, a marquee, a public address system, or landscape upgrades" at the North Michigan Park Community Center; and
  - another $12,000 to the Association ".. earmarked for the fabrication of a number of 'Welcome to Michigan Park' signs "

  Draft acceptance letters were included in the Pre-hearing Statement OP requested the Applicant document that contributions are made in a manner that the D C. Parks and Recreation, and Library Departments can actually spend these funds OP also recommends that documentation showing acceptance of these funds by the respective agencies be provided prior to proposed action.

Conclusion

Section 2403 10 states "a project may qualify for approval by being particularly strong in only one or a few of the categories in §2403.9, but must be acceptable in all preferred categories and superior in many." Based on this assessment, the benefits and amenities associated with this PUD proposal exceed the degree of zoning relief required The primary public benefits and amenities include housing, urban design and landscaping, efficient and economical use of land, and effective and safe vehicular and pedestrian access.

On this basis, OP determined that this proposal meets the standards for PUD approval under the Zoning Regulations

COMMUNITY COMMENT
The Applicant held several meetings with representatives of ANC 5A, the most recent on April 28, 2004 At that meeting, the ANC voted to recommend approval of this development. The Chair also indicated that a petition in support of this proposal was submitted from residents living on Emerson Street, N.E.

AGENCY COMMENT
Copies of the application were forwarded to the Metropolitan Police and Fire Departments, Department of Public Works, DDOT, and Department of Housing and Community Development (DHCD).

DHCD responded with a recommendation of support noting. "Development of this site would be a complementary extension of the existing neighborhood;" "The amount of proposed parking for the project (2 spaces per unit) is actually more than are provided for the existing housing units in the adjacent neighborhood," and "It should be considered that residential homeownership projects such as this proposed PUD is one of the major forms of dependable, taxable economic development available to the District." DHCD also advocated for more affordable units and supported the industrial land use study (refer to Exhibit 4).

To date no other comments have been received.

RECOMMENDATION
The Office of Planning (OP) recommends approval of this application for a consolidated Planned Unit Development (PUD) and related map amendment with the acceptance of the proposed amenities package that includes·

- Two (2) affordable units marketed at 85% of Washington Area Median Income (AMI), those units to remain "affordable" for a period of 20 years;
- Proposed pedestrian streetscape improvements to be constructed along 6th Street, N.E., details of the improvements to be made part of the public record prior to final action,
- $15,000 to be contributed for the Lamond-Riggs Library;
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- $12,000 to be contributed to the North Michigan Park Civic Association for "Welcome to Michigan Park" signs

OP recommends that prior to proposed action by the Zoning Commission, the applicant provide documentation showing that the appropriate agencies accept the referenced contributions and if they wish to claim Leadership in Energy and Environmental Design (LEED) standards as a benefit of the project, documentation explaining how project construction and storm water management practices meet or exceed the LEED standards

Attachments. Exhibit 1 Aerial Map with Zoning
Exhibit 2 Buildings and Comprehensive Plan Land Use

Exhibit 3 Zoning, Opportunity and Special Treatment Areas
Exhibit 4 Memorandum to Andrew Altman, Director, Office of Planning from Stanley Jackson, Director, Department of Housing & Community Development dated November 8, 2004

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Z.C. Application No. 04-11
Emerson Park
Planned Unit Development

Aerial & Zoning

Legend

- Water
- Street Centerlines
- Property Squares

N

100 50 0 100 200 Feet

★ ★ ★ **Government of the District of Columbia**
Anthony A. Williams, Mayor

Office of Planning ~ May 10, 2004

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.

Exhibit 1



Z.C. Application No. 04-11
Emerson Park
Planned Unit Development

Buildings & Comprehensive Plan Land Use

Legend

- Water
- Street Centerlines
- Property Squares
- Buildings
- Metro Development Areas (MDA)

N

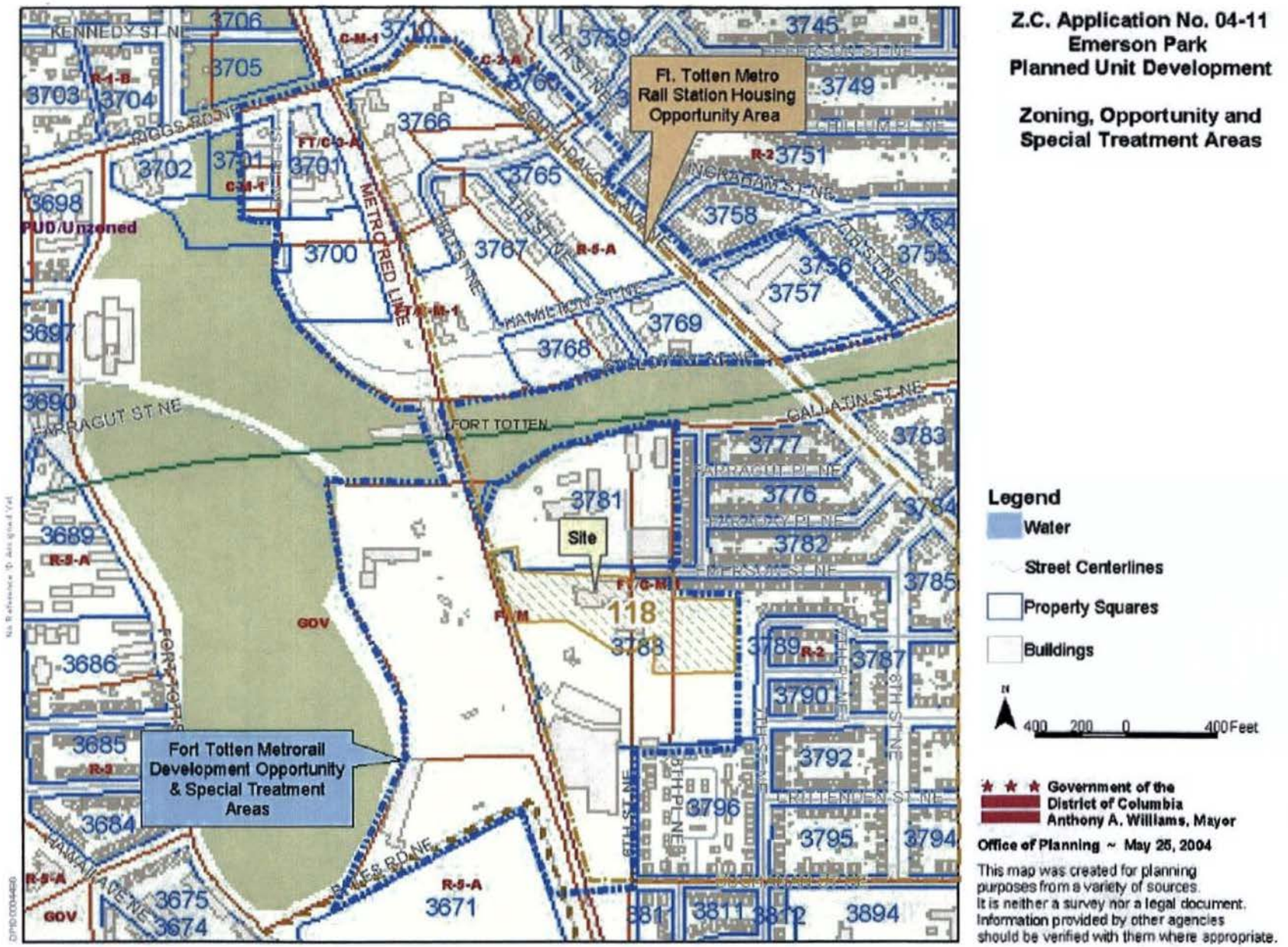
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★ ★ ★ **Government of the District of Columbia**
Anthony A. Williams, Mayor

Office of Planning ~ May 25, 2004

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Exhibit 2



Z.C. Application No. 04-11
Emerson Park
Planned Unit Development

Zoning, Opportunity and Special Treatment Areas

Exhibit 3

Exhibit 4

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

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Office of the Director

MEMORANDUM

TO: Andrew Altman
Director
Office of Planning

FROM: Stanley Jackson
Director

DATE: November 8, 2004

SUBJECT: Zoning Commission Case No 04-11 – Planned Unit Development (PUD)
Located at 611 Emerson Street NE (Square 3788, Lot 811)

As requested in an Office of Planning memorandum of October 25, 2004, the Department of Housing and Community Development (DHCD) has reviewed the above referenced Zoning Commission Case, supports approval of the proposed Planned Unit Development (PUD) with some reservations and several conditions and offers the following reasons and conditions of support based upon the specific information presented in the application:

1. The abandoned industrial property to be used for the proposed Planned Unit Development (PUD) is sited between a former Stewart Petroleum Company oil storage tank facility to the north of the site and an active Thomas Somerville Company industrial warehouse facility to the south of the site.

2. The Stewart Petroleum site appears to be in the process of being cleaned and environmentally remediated. There is a possibility that petroleum could have migrated horizontally into the abandoned industrial site

3. The abandoned industrial site, although it may not be in active use presently, has all its buildings intact on the site. The site will have to be cleared and environmentally remediated of any harmful materials that may have been used in its concrete block manufacturing process. Environmental remediation of petroleum materials that may have migrated horizontally from the Stewart Petroleum site may also have to be done.