ROCKY GORGE

AT FORT TOTTEN, LLC

APPLICATION
TO THE
DISTRICT OF COLUMBIA ZONING COMMISSION
FOR
CONSOLIDATED REVIEW AND APPROVAL OF A
PLANNED UNIT DEVELOPMENT
AND
ZONING MAP AMENDMENT

ZONING COMMISSION
District of Columbia
Case 04-11
Exhibit 5

April 16, 2004



ZONING COMMISSION
District of Columbia
CASE NO.04-11
EXHIBIT NO.5

PREFACE

Pursuant to Chapter 24 of the District of Columbia Zoning Regulations, this statement is submitted to the District of Columbia Zoning Commission by Rocky Gorge at Fort Totten, LLC, a Maryland limited liability company, (the "Applicant"), in support of an application for the consolidated review and approval of a planned unit development ("PUD") and a related amendment to the Zoning Map for property located on the south side of Emerson Street, west of 7th Street, NE. The property is currently split-zoned R-2, Fort Totten ("FT")/C-M-1 and FT/M. The Applicant is seeking PUD approval and rezoning of the Subject Property to the R-4 District in order to construct a neo-traditional residential development consisting of seventy-five (75) single family townhouses. The units will be three stories in height and contain either one or two garage parking spaces depending on the footprint of the respective units. The property is located in Ward 5 and within the boundaries of Advisory Neighborhood Commission 5A.

As set forth herein, this statement and the attached documents fulfill the filing requirements for PUD applications established in Chapter 24 of the District of Columbia Zoning Regulations (11 DCMR).

DEVELOPMENT TEAM

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Traffic Consultant:	Wells and Associates LLC Suite 600 1420 Spring Hill Road McLean, VA 22102
Land Use Counsel:	Holland & Knight LLP 2099 Pennsylvania Avenue, NW Suite 100 Washington, DC 20006

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I. INTRODUCTION

This statement and the attached documents support the application of Rocky Gorge at Fort Totten, LLC (the "Applicant") to the Zoning Commission of the District of Columbia for the consolidated review and approval of a PUD and a related amendment to the Zoning Map for the property located at 611 Emerson Street, NE, a portion of Lot 811 in Square 3788 (the "Subject Property" or the "Site")(Exhibit A), to allow the construction of seventy-five (75) single family townhouses, each with garage parking (the "Project")(Exhibit B). The application is consistent with the District of Columbia Comprehensive Plan, 10 DCMR, (the "Comprehensive Plan"), including its Land Use Element and the Generalized Land Use Map and Generalized Land Use Policies Map, which, among other things, designate the Subject Property as being within a housing opportunity area (Exhibits C and D). This Project will benefit the District by providing significant new housing opportunities within the context of a transit-oriented development in Ward 5. At the same time, the Project will do much to improve the public space surrounding the Site as well as the overall pedestrian experience along 7th and Emerson Streets.

A. Project Summary

The Project proposes to demolish and replace an abandoned concrete manufacturing plant on the Site with a vibrant residential townhouse

development, including ample off-street parking and significant landscaped green space (Exhibit B)

Two townhouse configurations will be offered, as described in Section C. Project Design below. Each 20' wide townhouse will include a two car garage and each 18' wide townhouse will include at least a single car garage. In keeping with the Project's neo-traditional design, the garages will be accessed from a carefully designed alley system that runs behind the townhouses There will be a total of 156 off-street parking spaces to serve the residents of the development and their guests, 117 contained in the garages of individual units and an additional 39 in parallel and front-load street spaces throughout the Project.

Also in furtherance of neo-traditional principles, the Project includes two formal public greens that, as further detailed below, serve as the focal points of the development.

The Project is designed to have a building density of approximately 0.69 FAR and a building height of approximately 30 feet.

Significant public space improvements are also contemplated as part of the Project. In place of abandoned, unsightly industrial structures and materials, the Project promises to create a pleasing, lower-density residential community that complements and makes an engaging connection with the surrounding neighborhood as a result of its urban design and extensive landscaping enhancements.

B. The Applicant

The Applicant is a limited liability company managed by Rocky Gorge Homes, LLC, a residential developer with a long history of successful and innovative homebuilding and community development in the metropolitan Washington, D.C. area. Under the ownership of Christopher S. Dorment, Rocky Gorge Homes, LLC has developed and built over 2,500 homes in approximately 35 communities over the course of the past 30 years, including townhouses, single-family detached houses, and multi-family dwellings throughout the Washington metropolitan area. The Applicant also has experience in master planning, developing, and/or entitling approximately 4,000 lots, for its own use and for sale to other builders.

Rocky Gorge Homes, LLC, has served diverse markets in a variety of areas, including the counties of Fairfax, Loudoun and Prince William in Virginia and Montgomery, Prince George's, and Baltimore in Maryland, and also the cities of Falls Church, Fairfax and Alexandria in Virginia. The list of noteworthy communities in which Rocky Gorge Homes, LLC, has built includes Cameron Station (Alexandria), The Gates at Avenel (Potomac), Kentlands (Gaithersburg), Germantown Town Center, Fairwood (Prince George's), Arora Hills (Clarksburg) and Victory Lakes (Gainesville).

The Applicant has established a reputation for innovative design, architectural integrity, quality construction, and customer satisfaction. Primarily a "niche" builder, the Applicant often undertakes difficult development challenges to create unique and special living environments. As a result of these exceptional efforts, Rocky Gorge Homes, LLC, has been the recipient of twenty "Finest for Family Living" awards, the highest accolade a homebuilder can receive from the Northern Virginia and Suburban Maryland Builders Associations.

The Applicant has had a great deal of experience and success constructing the townhouse product proposed for the Project. While architectural design modifications have been made to tailor the elevations to a more traditional Washington design, the floor plan and neo-traditional site planning approach have met with exceptional success in a number of communities, including Oakgrove in Sterling, Virginia, Germantown Town Center in Germantown, Maryland and in the master planned community of Fairwood (Prince George's County).

Leading by example, Mr. Dorment has been engaged in a number of philanthropic building and development projects in the District of Columbia, including serving as Chairman of the Board for Victory Housing, a non-profit Catholic charity. Over the course of the past twenty years, Mr. Dorment has been actively involved with such projects as: (1) the rehabilitation and remodeling of a single family home for unwed mothers (Gift of Love) in

Southwest Washington, DC, and; (2) the construction of a 2,500 square foot community kitchen/after-school facility for Mother Theresa, also in the Anacostia area.

C. Project Goals/Objectives

Consistent with the goals of the District, as outlined in the Land Use Element of the Comprehensive Plan, and utilizing leading principles of urban design, the Applicant desires to transform this underutilized site into a vibrant residential neighborhood that will contribute substantially to the vitality of the Fort Totten area. In so doing, the Applicant seeks to provide a neo-traditional, transit- and pedestrian-oriented environment, complete with substantial landscaping and extensive passive recreation space that is compatible with the surrounding neighborhood.

D. Benefits of the PUD Process

The PUD process is the appropriate mechanism for guiding the development of the Subject Property. In permitting an applicant to construct a Project that is not completely in conformity with the matter-of-right zoning envelope for a particular property, the PUD process insures that such a project is in keeping with the general character of, and not detrimental to, surrounding properties, and to the District and its Zone Plan as a whole. The PUD process accomplishes this balance through public hearing and

consideration by the Zoning Commission based upon the expert input of the Office of Planning and the Department of Transportation as well as the views of the affected advisory neighborhood commission ("ANC") and the larger community.

A particularly important component of the Zoning Commission's review of any proposed PUD is that of the benefits that a project brings to the larger community. In the case of this application, the package of benefits and amenities is significant and particularly relevant to the pattern of development planned for this area of the District. The Applicant is proposing to establish a residential use that will: (1) increase residential opportunities in a designated housing opportunity area; (2) provide a high-quality transit-oriented development that is in keeping with leading urban design principles and the District's stated goals; (3) provide extensive pedestrian connections that will create a walkable neighborhood; (4) revitalize an abandoned industrial site for vibrant residential use; and (5) generate additional revenue to the District in the form of real property and income taxes. Furthermore, new housing such as that here proposed by the Applicant will create demand for more retail and commercial goods and services for Fort Totten, an area of the District that historically has not received the extent of retail and residential investment that has been enjoyed by other areas of the District

II. PROJECT DESCRIPTION

A. Site Location and Description

The Subject Property is identified as a portion of Square 3788, Lot 811, with premises address of 611 Emerson Street, NE and contains a total lot area of 255,975 square feet or approximately 5.87 acres. The Site is irregularly shaped, but is roughly bounded on the north by Emerson Street, on the west by the CSX and Metrorail tracks, on the south by the Thomas Somerville Co. property, and on the east by a strip of properties fronting on 7th Street, NE, in the R-2 District which are owned by the Applicant. (Exhibit F).

The Subject Property is well located with respect to public transportation opportunities. The Fort Totten Metrorail Station is located approximately 2,000 feet (approximately a six-minute walk) to the east of the Subject Property. As noted in the Traffic Impact Study, the Subject Property is also well-served by Metrobus. (Exhibit G).

While the Comprehensive Plan's Generalized Land Use Map identifies mixed-use medium density commercial and production and technical employment uses as appropriate for the Site, the Comprehensive Plan's Generalized Land Use Policies Map includes the Subject Property within both the Fort Totten Housing Opportunity Area and the Fort Totten

Metrorail Station Development Opportunity Area (Exhibits C and D). With respect to this latter designation, the Comprehensive Plan identifies conversion of nonresidential property to residential property as a preferred method for achieving additional residential development within housing opportunity areas. The Applicant's effort to establish a new residential use follows this directive of the Comprehensive Plan.

The Subject Property's proximity to the Fort Totten Metrorail Station qualifies the Site as an area designated for Transit Oriented Development ("TOD"). The Mayor's Task Force has identified TOD in the District of Columbia as a land use strategy that accommodates new growth, strengthens neighborhoods, and expands choices and opportunities by capitalizing on bus and rail assets to stimulate and support vibrant, compact, diverse and accessible neighborhood centers within an easy walk of transit.

The Site is currently occupied by an abandoned concrete plant along with associated structures, including metal shed storage facilities, abandoned railway tracks, underground concrete hopper tunnels, several tons of excess concrete stored along the perimeter of the Site, office trailers, adjacent paved surface storage areas, and other miscellaneous storage barrels, containers, and debris. The Project involves demolition and removal of these structures and materials, infill of the hopper tunnels, and ultimately, the construction and landscaping of the 75-unit residential development.

B. Neighboring Land Uses

The Subject Property stretches from railroad tracks at its west to single family residential at its east, across 7th Street, NE. The Site spans three distinct underlying zoning districts, from industrial (M), to commercial-light manufacturing (C-M-1) to moderate density residential (R-2), two of which portions (the C-M-1 and the M) are also subject to the Fort Totten Overlay, which places certain land use controls on businesses and industrial uses to protect surrounding residential areas from adverse impacts.

To the immediate south of the Site is the Thomas Somerville property, which continues to operate as an industrial facility. To the north and east of the Subject Property is District of Columbia-owned property which contains equipment and materials storage for the Department of Public Works, including road salt storage in domes, and also a portion of the Fort Totten Park. To the northeast, east and southeast of the Site, the immediately surrounding area is zoned R-2 and improved with a mixture of detached and semi-detached single family residences.

C. Project Design

The proposed residential development promises to be an exciting new addition to the Fort Totten area, one that incorporates leading principles of urban neo-traditional residential design and TOD. To that end, the proposed

townhouses will be sited to address the street, pedestrian access and communication will take priority over vehicular traffic at the fronts of the units, and garages will be accessed from an alley system which runs behind the units in order to reinforce aesthetically pleasing front façades.

- *Project Layout:*

Two townhouse configurations will be offered in the Project: (1) an 18' x 36' footprint with a rear-loaded large one-car garage integrated into the building, consisting of 2-3 bedrooms and approximately 1,950 gross square feet (including garage); and (2) a 20' x 40' townhouse with a rear-loaded two-car garage integrated into the unit, consisting of 2-4 bedrooms and approximately 2,400 gross square feet (including garage) Each unit will also include a rear deck. Fifteen units will have individual parking pads between the garage and alley, providing 21 stacked parking spaces in addition to the 156 parking spaces being provided throughout the Site which are accessible in accordance with the Zoning Regulations. The units will be three-stories in height, slab-on-grade, with attic space hidden behind a variety of rooflines including gables, hipped roofs, and dormers. Typical units will measure approximately 30 feet in height from finished grade level of the building to the ceiling of the unit's third story.

- Design and Materials:

Pedestrian-focused urban design and sensitive architectural treatment are essential components of neo-traditional design which fully integrate the Project into the experience and appearance of the existing community and its overall sense of place. The architectural treatment chosen for the Project, particularly the elevations of the townhouses, is inspired by the Federal-style town house design which was built throughout Washington in the late nineteenth and early twentieth centuries. The presence of eaves and cornices is in keeping with the rowhouse character. They are richly detailed and consist of layering trim with dentil molding and brackets. This treatment also creates interest on the facades with shadow lines, depth, and texture.

Varied exterior elevations utilizing maintenance-free materials will provide a diverse streetscape throughout the Project. Some front elevations will be full-brick with intricate brick details, including header soldier courses, jack arches, and continuous rowlock sills.

Other elevations will include a brick water table, with a combination of double 5" and triple 3" beaded horizontal vinyl lap siding with accent details such as vinyl accent strips and window header trim. The side elevations will be a combination of a brick water table with vinyl siding. The use of brick and vinyl will ensure that the exteriors of the homes will look as fresh and clean in twenty years as they will the day they are constructed. Roofing material will consist of self-sealing, asphalt shingles.

It is important to note that the Site will be subjected to a Homeowners' Association ("HOA"), which, among other things, will ensure a consistency of design and maintenance of the unit properties as well as the open space and the private roads/alley system.

-Landscaping:

The Project includes two formal public greens that serve as the focal points of the development. The public greens are centrally located and will provide easy access to passive recreation for the residents of this development (Exhibit B, at page 17). The western public green is rectangular in shape and more than 200 feet in length. Approximately twenty-five percent (25%) of the units will directly face this attractive area. The eastern public green is circular, and will provide direct frontage for more than twenty percent (20%) of the units.

Both public greens will be extensively landscaped using a variety of coordinated trees, shrubs, and groundcover (Exhibit B at Pages 17, 18). There will be landscaped seating areas with benches that are designated by elegant concrete pavers with parquet banding and running bond field. Both public greens will be easily accessible to all units in the development, as they are bordered by a four-foot wide concrete sidewalk which connects the various buildings of the Project in seamless fashion.

Additional landscaped open space will be provided at the western end of the Site, providing buffering from the rail tracks, and along the southern portion of the Site, providing buffering from the industrial operations to the south of the Site. (Exhibit B at Page 17).

D. Matter of Right Development Under Existing Zoning

The Subject Property is split-zoned, with portions of the Site located in the R-2, FT/C-M-1 and FT/M Districts, respectively (Exhibits E and F). Residential uses are not permitted in the M and C-M Districts. A rezoning of the Subject Property is necessary to permit the residential use herein proposed.

Pursuant to §400 of the Zoning Regulations, the maximum permitted height in the R-2 District is 40 feet (three stories). Pursuant to §402 of the Zoning Regulations, there is no prescribed floor area ratio ("FAR"), although §403 of the Zoning Regulations limits lot occupancy in the R-2 District to forty-percent (40%) for residential uses, which can result in a density of 1.2 FAR Pursuant to §840 of the Zoning Regulations, the maximum permitted height in the C-M-1 District for commercial and light manufacturing uses is also 40 feet (three stories). However, pursuant to §841 of the Zoning Regulations, the maximum height permitted in the M District is 90 feet, with no limitation on the number of stories. Section 841 of the Zoning Regulations permits new construction and redevelopment up to a 3.0 FAR (172,788 sq.ft.)

in the C-M-1 District and up to a 6.0 FAR (736,602 sq. ft.) in the M District. Overall, theoretically, the Site permits more than 900,000 square feet of non-residential usage.

Pursuant to §2101 of the Zoning Regulations, parking for one-family dwellings in all residential districts is required at a rate of one parking space for each dwelling unit. As noted above, the Project includes 156 parking spaces, which provides the equivalent of more than two spaces for each dwelling unit.

E. Development Under Proposed Zoning

The Applicant is requesting an amendment to the Zoning Map to rezone the Site to R-4. Pursuant to §400 of the Zoning Regulations, the maximum permitted height in the R-4 District is 40 feet (three stories). Pursuant to §402 of the Zoning Regulations, there is no maximum FAR in the R-4 District.

F. Tabulation of Development Data

	Matter of Right (Existing)	Proposed Zoning (R-4)	PUD Guidelines (R-4)	Project*
Minimum Lot Area	R-2 = 3,000 sf FT/C-M-1 = N/A FT/M = N/A	1,800 sf	1,800 sf	Each building >1,800 sf
Total FAR	R-2 = No Limit FT/C-M-1= 3 0 FAR FT/M= 6 0 FAR	No Limit Prescribed	1 0 FAR	Approx 0 69 FAR
Gross Floor Area			255,975 sf	Approx. 175,244 sf
Height	R-2 = 40 ft FT/C-M-1 = 40 ft FT/M = 90 ft.	40 ft	60 ft	Approx 30 ft **
Lot Occupancy	R-2 = 40 % FT/M = N/A FT/C-M-1 = N/A	60 %	60 %	Approx 26 %
Parking	R-2 = 1 space/unit FT/C-M-1 = N/A FT/M = N/A	1 space/unit	1 space/unit	156 spaces (2 spaces/unit)

*Note – Please refer to Exhibit B, Page 12, for specific dimensions of yards provided.

**Note – Building height may vary slightly depending upon final grade. Height of buildings from 1st floor to top of ceiling of 3rd floor shall not exceed approximately 30 feet

III. COMPLIANCE WITH THE FILING REQUIREMENTS FOR A CONSOLIDATED PUD APPLICATION AND ZONING MAP AMENDMENT

The Zoning Regulations, pursuant to §2406.2, permit an application for a PUD to be filed in conjunction with a change in zoning for the property involved. According to §2402.4 of the Zoning Regulations, in order to initiate a consolidated review of a PUD application, an applicant must file all the material required of first and second stage applications. The applicable requirements for filing a consolidated PUD, and the Applicant's compliance, are discussed below.

A. Sections 2406.11(a) and 2406.12(a): *A completed application form*

The completed application forms for the PUD and Map Amendment are attached to this Statement

B. Section 2406.11(b): *A map showing the location of the proposed project, the existing zoning for the Subject Property, zoning of adjacent properties, and any proposed change of zoning.* This information is included in Exhibits A, B, and E.

C. Sections 2406.11(c) and 2406.12(b): *A statement of the purposes and objectives of the Project, including the uses to be located in the Project and how this application meets the evaluation standards for planned unit developments enumerated in the Zoning Regulations.* This information is included in this Statement.

D. Sections 2406.11(d) and 2406.12(c): *A detailed site plan, showing the location and external dimensions of all buildings and structures, utilities and other easements, walkways, driveways, plaza, arcades and any other open spaces.* This information is provided in Exhibit B.

E. Section 2406.12(d): *A detailed landscaping and grading plan, the drainage for the site, including the location of buildings, roads, sidewalks, water and sewer lines, inlets and basins in connection with public water and sewer lines.* This information is provided in Exhibit B.

F. Section 2406.12(e): *Typical floor plans and architectural elevations for the building, sections for the building and the project as a whole, and sections and elevations of the entire square within which the project is located.* This information is included in Exhibit B.

G. Section 2406.12(f): *A circulation plan showing all driveways and walkways, including width, grades and curb cuts, as well as detailed parking and loading plans.* Parking and access information is shown on the architectural plans included in Exhibit B as well as discussed in the Traffic Impact Study included as Exhibit G.

H. Section 2406.11(e): *A tabulation of development data providing relevant information regarding the proposed project.* This information is

included in this statement, Section II, F and included with the architectural plans attached as Exhibit B.

IV. PLANNING ANALYSIS

A. Introduction.

Through the PUD process, the Applicant will develop a high-quality residential development that will achieve an important goal of the District of Columbia· increasing the District's residential population by, among other efforts, establishing a residential use on formerly non-residential property that is in close proximity to public transportation.

The adjustments that are sought through the rezoning of the Subject Property are consistent with other developments in the area and are within the PUD guidelines established in the Zoning Regulations for the requested R-4 District.

B. Land Use Impact.

Throughout the design and planning process for this residential Project, much care has been given to the efficient and economical utilization of the Site, especially given its unusual shape and location. The Applicant submits that this Application goes far to improving the land use of the Subject Property consistent with the Zone Plan, the Comprehensive Plan and neighboring uses.

The Project accomplishes this by offering a significant yet appropriate amount of premium new residential construction in an area of the District that has not recently enjoyed much in the way of residential investment. The proposed uses are likewise compatible with adjacent land uses. Furthermore, as detailed herein in Section VIII, the Applicant's proposal furthers many goals stated in the District's Comprehensive Plan, most notably regarding housing, transportation, and economic development.

Notably, a significant portion of the Site is zoned FT/M and FT/C-M-1, which permit, as a matter of right, significantly greater building heights and densities than would be permitted under the proposed R-4 zoning or as proposed in the present application. The FT/M District provides for a maximum building height of 90 feet, whereas the application proposes slightly less than 30 feet. Similarly, while the FT/M zoning permits development to a maximum of 6.0 FAR and the FT/C-M-1 District permits 3.0 FAR, the R-4 District allows 1.0 FAR and the application proposes only 0.69 FAR.

C. Zoning Impact.

The proposed rezoning of the Subject Property to the R-4 District is entirely consistent with the surrounding area and the goals for the Fort Totten community. Furthermore, the accompanying PUD application restricts development on the Subject Property to a building height of less than forty feet, a building density of less than 1.0 FAR (less than 1/4 of

current permitted density), and provides more than twice the amount of required parking on the Site. In fact, were the Site zoned entirely R-2, the Project proposed by the application would comply with the applicable R-2 requirements for building height, density, lot occupancy, parking and others. The Applicant has remained cognizant of the low residential R-2 zoning of the surrounding neighborhood, and, as discussed herein, has made great efforts to reduce the scope of work to remain consistent with the underlying pattern of development in the immediate area.

D. Environmental Impact.

As more specifically detailed in Section VII of this Statement, there is no adverse environmental impact that would result from this Project being undertaken. The increased use in water and sanitary services will have an inconsequential effect on the District's delivery systems (Exhibit B at page 2). Because the Site is considered to be an infill project, there are adequate connection opportunities to all major utilities.

E. Facilities Impact.

The Project will not have an adverse impact on the public facilities that it will rely upon for service. Located within 2,000 feet and a six-minute walk of the Fort Totten Metrorail station, as well as serviced by several different bus routes, the Project is adequately served by public transportation Furthermore, the Project provides an amount more than

twice the required parking in order to protect against any spillover of parking demand on neighboring streets

V. EVALUATION STANDARDS

Section 2403 of the Zoning Regulations provides the standards by which the Zoning Commission is charged with evaluating a PUD application. As set forth herein, this application comports with said standards and is deserving of approval by the Zoning Commission.

A. Public Benefits and Project Amenities

The objective of the PUD process is to encourage high quality development that provides public benefits and project amenities by allowing applicants greater flexibility in planning and design than may be possible under conventional zoning procedures. Section 2403.9 of the Zoning Regulations provides categories of public benefits and project amenities for review by the Zoning Commission. In approving a PUD, the Zoning Commission must determine that the impact of a PUD on the surrounding area and on the operation of city services and facilities is either not unacceptable, is capable of being mitigated, or is acceptable given the quality of public benefits provided by said project (11 DCMR §2403 3).

This consolidated application will achieve the goals of the PUD process by providing high-quality residential development with sufficient parking in a designated housing opportunity area and in close proximity to a Metrorail

station. A summary of the Project amenities and community benefits proposed by the Application is attached as Exhibit H.

The Project likewise will have no unacceptable impact on city services and facilities. In addition, the Project provides an ample supply of off-street parking. It is in close proximity to Metrorail and Metrobus as mentioned above. As discussed in the attached Traffic Impact Study conducted by Wells and Associates, the Project will have no significant impact on traffic conditions (Exhibit G). The Project likewise will not result in any significant additional strain on existing water and sewer facilities nor create any environmental degradation to the Site or to the surrounding neighborhood. (Exhibit B at Page 2)

The Project will not have an unacceptable impact on neighboring properties. The Project envisions significant improvements to the Site, including extensive landscaping and two attractive and usable public greens.

1 Urban Design, Architecture, Landscaping, or Creation or Preservation of Open Spaces

Section 2403.9(a) lists urban design, architecture and landscaping as categories of public benefits and project amenities for a PUD. This application presents a residential design that accomplishes all of these criteria. As discussed above, the Project has been carefully designed to follow neo-traditional design principles, including rear-loaded garages accessed through an alley system, the inclusion of two formal public greens

that serve as the focal points of the development, an extensive and coordinated internal sidewalk system that allows for a high level of neighborhood walkability, and easy connections to both nearby transit and other uses in the surrounding community.

Due to the steep grades along the southern edge of the Subject Property, virtually all of the existing vegetation in that location will be preserved for slope stabilization purposes. Retaining walls will be installed where appropriate in order to minimize impact on existing tree root systems. Additional tree preservation techniques will be applied as necessary in order to maintain and enhance the health of the existing forest stand. Additional plantings on the Site will be comprised of native/indigenous species that have been approved for use by the Urban Forestry Division of the D.C. Department of Public Works. The planting of exotic ornamentals species will be kept to a minimum and used only as foundation plantings on the private lots or in some cases sparingly within the public pocket parks.

2 Site Planning, and Efficient and Economical Land Utilization

Pursuant to §2403.9(b) of the Zoning Regulations, "site planning, and efficient and economical land utilization" are public benefits and project amenities to be evaluated by the Zoning Commission. The proposed development epitomizes efficient site utilization and planning.

On a physical level, the Project makes very efficient use of its highly irregular shape. The Project is also an efficient and economical use of land in that it will generate a significant amount of revenue for the District in the form of vastly increased property taxes payable by the property owner and income taxes payable by new residents (Exhibit H). Furthermore, the new occupants of the approximately 75 units will add significantly to the market demand for existing neighboring retail uses and amenities, further invigorating the neighborhood

As set forth above, the Project also epitomizes the transit-oriented development ("TOD") model that the Mayor's Task Force and the Office of Planning have championed throughout the District in efforts to enhance traditional neighborhood centers with minimal disruption. In the case of an established urban jurisdiction such as the District, TOD is accomplished more in the form of in-fill projects rather than wholesale neighborhood design 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. As discussed throughout this Statement, the Project, in the context of the surrounding area, satisfies each and every one of these criteria. Successful TOD results in increased property values, tax base and economic strength throughout a neighborhood as well as

protection of the existing neighborhood character by focusing development nearest transit.

3. Housing

Under §2403.9(f) of the Zoning Regulations, the PUD guidelines state that the production of housing is a public benefit that the PUD process is designed to encourage. In furtherance of this important goal, under the current Zoning Regulations, the proposed PUD project will add a total of 75 residential units. This provision is especially important given that the Site is located within the Fort Totten housing opportunity area, and, as such, non-residential property is encouraged to be transformed into residential property.

4. Transportation

Pursuant to §2403 9(c) of the Zoning Regulations, "Effective and safe vehicular and pedestrian access; transportation management measures, connections to public transit service, and other measures to mitigate adverse traffic impacts" are representative public benefits and project amenities. The Applicant's Traffic Impact Study concludes that the Project will have an inconsequent impact on vehicular traffic (Exhibit G at Page 20)

As mentioned above, the Project provides an ample supply of on-site parking. This amount is proposed in order to ensure that the Project does not increase the pressure on the neighborhood for limited street parking. It is

not provided with the intent to discourage use of public transportation. Indeed, the Applicant expects the Project's proximity to public transportation to serve as a major amenity to prospective purchasers.

The Subject Property is ideally located for residential development in that it is within easy walking distance of a Metrorail station and several Metrobus routes. To that end, the Applicant has contacted the National Park Service, as custodian of the Fort Totten Park, with a proposal to improve the existing cut-through the park from 6th Street, NE, with hardscape and related improvements. And, as mentioned above, the Project layout is pedestrian-focused, with connective footpaths and with vehicular traffic largely regulated to the alleys

5. Comprehensive Plan

According to §2403.9(j), public benefits and project amenities include "other ways in which the proposed planned unit development substantially advances the major themes and other policies and objectives of any of the elements of the Comprehensive Plan". For Project compliance with the provisions of the Comprehensive Plan, please see herein at Section VIII.

6. Other Benefits and Amenities of Special Value

It should not be forgotten that, at its core, the Project involves removing the property from its longstanding industrial use and replacing it

with vibrant residential use. Given the Site's industrial past, the cleanup and mitigation of the Property is integral to the residential development of the Site and serves to enhance the larger neighborhood.

VI. TRANSPORTATION ANALYSIS

Please refer to the Applicant's Traffic Impact Study (Exhibit G), wherein Wells and Associates, the Applicant's expert traffic analyst, concludes that the proposed residential development will not have a significant impact on traffic in and around the Subject Property. The analyst concludes that the Project would generate only 20 morning peak trips, and 30 evening peak trips, with no significant impact on projected future levels of service.

VII. ENVIRONMENTAL ANALYSIS

A. Water Demand

The average daily water demand for the Project can be met by the existing District water system (Exhibit B at page 2). The proposed connection for fire supply will be made within the existing distribution system and will be coordinated with the D.C. Department of Public Works.

B. Sanitary Sewer Demand.

The proposed connection for the sanitary sewer line will be made with the existing distribution system and will be coordinated with the D.C. Department of Public Works (Exhibit B at page 2).

C. Stormwater Management.

The Site's stormwater run-off will be accommodated in compliance with standards set by the D.C. Department of Public Works (Exhibit B at page 2). In order to enhance the environmental benefits of the Site, innovative stormwater techniques will be provided in the form of two underground filtration devices and storage tanks which will help to purify the on-site stormwater runoff. These BMP (Best Management Practices) facilities will treat the runoff and filter out a majority of the pollutants before reintroducing the runoff into the public storm sewer system.

D. Solid Waste Services.

Solid Waste will be collected regularly by a private contractor from covered receptacles for appropriate disposal. These receptacles will be in the form of rolling garbage cans (toters) that each resident will store within their garage out of sight from public view except on collection days as stated within the community HOA guidelines and codes, covenants, and restrictions.

E. Electrical Services.

Electricity for the building will be provided by the Potomac Electric Power Company (PEPCO) in accordance with its usual general terms and conditions of service All electrical systems will be designed to comply with the D C. Energy Code.

F. Energy Conservation.

The Project will be constructed in full compliance with the Energy Conservation provisions of the District of Columbia Building Code. Conformance to code standards will minimize the amounts of energy needed for the heat, ventilation, hot water, electrical distribution and lighting systems contained in the building.

VIII. COMPLIANCE WITH THE COMPREHENSIVE PLAN

The Project advances the purposes of the Comprehensive Plan, is consistent with the Generalized Land Use Map, and furthers and complies with the major themes and policies for the District and Ward 5 elements in the Comprehensive Plan.

A. Purposes of the Comprehensive Plan

The purposes of the Comprehensive Plan are six-fold:

(1) Define the requirements and aspirations of District residents, and accordingly influence social,

> economic and physical development; (2) Guide executive and legislative decisions on matters affecting the District and its citizens, (3) Promote economic growth and jobs for District residents; (4) Guide private and public development in order to achieve District and community goals; (5) Maintain and enhance the natural and architectural assets of the District; and (6) Assist in conservation, stabilization, and improvement of each neighborhood and community in the District.

D.C. Official Code §1-245(b).

The Project significantly advances these purposes by promoting the social and economic development of District residents through the provision of quality residential development at a location designated for housing, achieving the community goal of adequate parking, and enhancing the natural and architectural assets of the District.

B. Generalized Land Use Map

The proposed development is consistent with the Generalized Land Use Map, which designates the PUD Site for medium density commercial and production and technical employment uses but also includes it within a housing opportunity area (Exhibit C). The Comprehensive Plan supports the conversion of non-residential property to residential property as a preferred method for achieving additional housing within housing opportunity areas.

C. Compliance with Major Themes of the Comprehensive Plan

The Project is consistent with many of the Comprehensive Plan's major themes as follows:

1. Respecting and Improving the Physical Character of the District

The PUD process will ensure the development of an exceptional design and appropriate density in this well-developed and established community. As demonstrated in the contextual plan (Exhibit B at Page 3), the Project not only replaces an abandoned concrete plant with a vibrant residential development, but also accomplishes this transformation in a manner that is consistent and complementary to the density and layout of the immediately surrounding neighborhood.

2. Reaffirming and Strengthening District's Role as the Economic Hub of the National Capital Region

The Comprehensive Plan encourages making maximum use of the District's location at the center of the region's radial Metrorail and commuter rail systems. See 10 DCMR §109.1(b). The Project takes advantage of this asset by its proximity to the Fort Totten Metrorail Station as well as numerous routes of Metrobus. It fulfills the tenets of TOD espoused by the District and furthers the efforts to create housing need to bring additional residents to the District.

3. Preserving and Ensuring Community Input

Beginning in the Summer of 2003, the Applicant initiated contact with adjacent neighbors to the Site and with ANC representatives in an effort to gather community input on the Project and to gain community support. Throughout this process to date, the Applicant has attempted to address those concerns raised by interested members of the Fort Totten community. The Applicant's responsiveness to the surrounding community is already evident in its decision to reduce the density of the Project to virtually half of that which was originally proposed. The Project has been transformed from a series of four-story "two-over-two" condominium buildings into a single family townhouse environment more suited to the immediate neighborhood. Likewise, community concerns as to parking, traffic, and green space issues have been thoroughly reviewed by the Applicant and thoughtfully incorporated into the present application. The Applicant will continue to work with the community to address any identified issues with respect to the Project

D. Compliance with Major Elements of the Comprehensive Plan

The Project furthers the objectives and policies of many of the Comprehensive Plan's major elements as follows:

1. Economic Development Element

According to the Economic Development element of the Comprehensive Plan, the District places 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 ward plans, with sensitivity to the surrounding area. 10 DCMR § 204.2(m). The proposed development serves to attract and retain residents which further increases the tax base and creates revenue for the District of Columbia.

2. Housing Element

According to the Housing element of the Comprehensive Plan, housing in the District is viewed as a key part of a total urban living system that includes access to transportation and shopping centers, the availability of employment and training for suitable employment, neighborhood schools, libraries, recreational facilities, playgrounds, and other public amenities. (10 DCMR § 300.4). A policy of the Comprehensive Plan is to designate, as residential development opportunity areas, sites where significant housing development can appropriately occur. (10 DCMR § 302.2(d)). The Site exemplifies the characteristics set forth in this element. The Site is designated as a housing opportunity area, is located in close proximity to the Fort Totten Metrorail and Metrobus stations, and will further the total urban living system with its access to public transportation.

3. Transportation Element

A basic philosophy of the District's Transportation element is to provide for the efficient movement of people and goods within the District and its metropolitan area. (10 DCMR § 500.2) The policies established in support of the general transportation objectives include supporting land use arrangements that simplify and economize transportation services (10 DCMR § 502.1(a)) The location of the Project near the Fort Totten Metrorail and Metrobus stations as well as its location within a larger mixed use area is appropriate and furthers this goal. The Applicant's Traffic Impact Study concludes that the Project will have no significant impact on vehicular traffic.

4. Urban Design Element

The Urban Design element states that it is the District's goal to promote the protection, enhancement and enjoyment of the natural environs and to promote a built environment that serves as a complement to the natural environment, provides visual orientation, enhances the District's aesthetic qualities, emphasizes neighborhood identities, and is functionally efficient. (10 DCMR § 701.1).

The Project has been designed to greatly enhance the physical character of the area and complement the materials, height, scale and massing of the surrounding land uses. (10 DCMR § 708.2).

The streetscape objective of this element is to establish a clear classification of streets and sidewalks that is functionally efficient and

visually coherent, enhances the pedestrian environment, and provides for the orderly movement of goods and services. (10 DCMR § 709.1). The Project provides efficient pedestrian connections both within and outside of the Subject Property.

5. Land Use Element

The Land Use element encourages a substantial amount of new housing primarily in housing opportunity areas and near Metrorail Stations in order for the District to perform its role as the region's urban center providing the greatest density of jobs and housing. 10 DCMR § 1100.2(b). The Site furthers this goal because the Site is adjacent to the Fort Totten Metrorail and Metrobus stations and is designated as a housing opportunity area.

The Land Use element includes the Subject Property within a housing opportunity area. Housing opportunity areas are areas where the District expects and encourages either new housing or rehabilitated housing. Housing opportunity areas are not the only areas where new housing units will become available, but represent locations of significant concentrations. The conversion to residential uses of land in a housing opportunity area and which is currently zoned industrial and commercial-light manufacturing is consistent with this policy.

E. Compliance with Ward 5 Elements of the Comprehensive Plan

In addition to the overall planning considerations of the Comprehensive Plan, the proposed PUD advances many of the specific objectives and policies for the Ward 5 Plan, as set forth below

1. Ward 5 Economic Development

Development is sought in Ward 5 which will enhance and expand existing businesses, create new ownership opportunities, increase retail services and opportunities for ward residents, and promote the vitality of ward neighborhoods. Economic development potential in Ward 5 is perceived as particularly high in and around Ward 5's three metrorail stations. The Project herein proposed goes far to address and capitalize on these various issues.

2. Ward 5 Housing Element

Primary housing objectives in Ward 5 include the protection and preservation of the Ward's housing stock, the production of new housing, and the provision of incentives for housing at desired locations such as the Fort Totten Metrorail Station Special Treatment Area. (10 DCMR §§ 1608.1(a)(b)(c)). The Project, which is adjacent to the Fort Totten Metrorail Special Treatment Area, responds to these important objectives through its significant contribution to the housing stock.

3. Ward 5 Transportation Element

Two of the primary objectives for transportation in Ward 5 are to increase the use of mass transit and to improve the pedestrian environment on major streets and roadways (10 DCMR §§ 1614.1(a)(e)). The residents of the proposed PUD will be able to take advantage of the PUD Site's close proximity to the Fort Totten Metrorail and Metrobus stations.

As recommended in the Ward 5 Transportation element (10 DCMR § 1615.1(a)(2), the Applicant has prepared an analysis of potential traffic impacts on the surrounding streets and neighborhoods that concludes the Project will create no significant impact. (Exhibit G).

4. Ward 5 Urban Design Element

The PUD Project specifically and substantially addresses the objectives in the Ward 5 Urban Design element, including: the promotion of a physical environment that upgrades the ward's aesthetic qualities, enhances neighborhood stability, emphasizes neighborhood identity and function, and physically enhances the gateways and entrance ways into the District (10 DCMR § 1620.1(a)); and the provision of special design attention to those areas in the ward that maintain a poor physical image, where new development can improve the neighborhood's visual qualities while providing needed services (10 DCMR § 1620.1(b)). The PUD Project provides an

exceptionally designed residential development that will help to physically revitalize the Fort Totten area while creating a sense of community through its design.

5. Ward 5 Land Use/Zoning Element

Important among the Ward 5 actions in support of land use and zoning is determining the appropriate mix of uses, scale, density and design of development in the Fort Totten Special Treatment Area in order to fully realize the area's potential for development and to serve the Ward 5 community and District, and to protect and preserve the surrounding residential areas. (10 DCMR § 1630.1(b)). The Project provides much needed residential development that will significantly revitalize the neighborhood surrounding the Fort Totten Special Treatment Area. The Applicant also continues to work closely with the Advisory Neighborhood Commission – another recommended action of this element.

As discussed in detail above, the Project conforms to the goals, objectives, and policies of the Comprehensive Plan, including the ward plan

IX. AREAS OF FLEXIBILITY

The PUD process was created to allow greater flexibility in planning and design than may be possible under conventional zoning procedures.

Under §2405.7 of the Zoning Regulations, the Zoning Commission may approve any use that is permitted as a special exception or that would otherwise require the approval of the Board of Zoning Adjustment. Further, §2405.8 provides that the Zoning Commission is not required to apply the special exception standards normally applied by the Board. Similarly, per §2405.5, the Commission is granted the option to approve yards or courts greater or lesser than the normal requirements.

Consistent with §2516 of the Zoning Regulations, the Project involves the siting of multiple buildings on a single record lot. Because most of the buildings in the Project have no street frontage, the Applicant must divide the lots into theoretical building sites (Exhibit B at Page 7). As such, §2516.5 requires that the building sites maintain a front yard equivalent to that of the rear yard. The Applicant is unable to provide totally compliant front yards for a small number of the theoretical lots and still maintain the pedestrian-focused neo-traditional site planning for the Project. For this reason, the Applicant requests flexibility pursuant to the Commission's authority under §2405.5 to provide certain front yards that are not completely compliant with the dimensional requirements of the Zoning Regulations.

The Applicant has made every effort to provide a significant level of detail in the drawings. Nonetheless, some additional flexibility is necessary

that cannot be anticipated at this time Specifically, the Applicant requests additional flexibility in the following areas:

(1) To vary the location and design of all interior components, including partitions, structural slabs, doors, hallways, columns, stairways, and mechanical rooms, provided that the variations do not change the exterior configuration of the buildings;

(2) To vary the final selection of the exterior materials within the color ranges and material types as proposed, based on availability at the time of construction without reducing the quality of materials; and

(3) To make minor refinements to exterior details and dimensions, including belt courses, sills, bases, cornices, railings and trim, or any other changes to comply with the District of Columbia Building Code or that are otherwise necessary to obtain a final building permit.

X. CONCLUSION

For all the foregoing reasons, Rocky Gorge at Fort Totten, LLC, submits that the consolidated PUD and Zoning Map amendment application meets the standards set forth in Chapter 24 of the Zoning Regulations, is consistent with the purposes and intent of the Zoning Regulations and Zoning Map; will enhance the health, welfare, safety and convenience of the citizens of the District of Columbia; satisfies the requirements for approval of a consolidated PUD and Zoning Map amendment; provides significant public benefits and project amenities; and advances important goals and policies of the District of Columbia.

Accordingly, the Applicant requests that the Zoning Commission set down the PUD and Map Amendment application for public hearing at its earliest opportunity.

Respectfully submitted,

HOLLAND & KNIGHT LLP

By: _____
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