

MEMORANDUM

TO: District of Columbia Zoning Commission

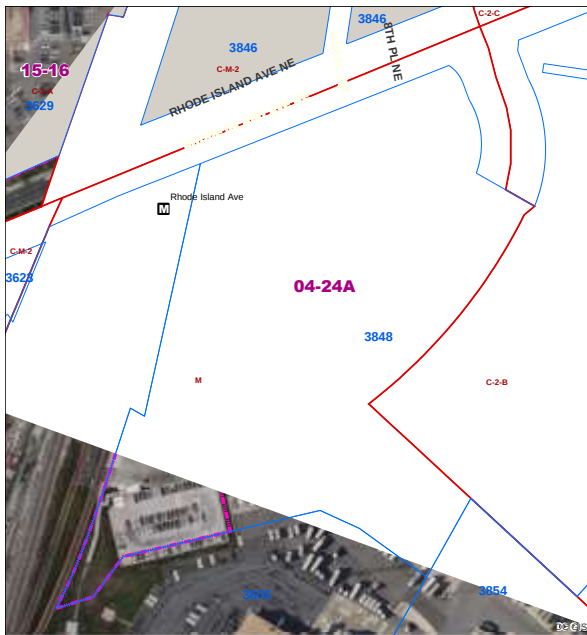
FROM: *JL for* Jennifer Steingasser, Deputy Director Development Review & Historic Preservation

DATE: May 13, 2016

SUBJECT: OP Report - Modification Request to approved PUD - ZC 04-24C
(Rhode Island Avenue NE Metro – Square 3848)

I. RECOMMENDATION

The Office of Planning (OP) has reviewed the applicant's request for a Minor Modification to the PUD 04-24A Order, specifically to Condition 3 which establishes the use mix for this large development. OP is not opposed to this request to further increase the amount of the required retail space that could be used for customer-service oriented office space, from 14,000 square feet, as approved in ZC Case 04-24B, to 21,000 sq.ft., and to refine the type of service uses that would be permitted.



II. BACKGROUND

The subject site is located on the south side of Rhode Island Avenue, at the RI Ave Metro Station. Directly to the east is a large format retail center. To the west are the metro and rail lines.

By Z.C. Order No. 04-24 (October 7, 2005), the Commission approved a first-stage PUD and related map amendment from the M (high density industrial) zone to the C-2-B (medium density mixed use) zone. Subsequently, in ZC Order 04-24A (September 28, 2007), the Commission approved the second stage PUD for the site. The development is now constructed.

Condition 3 of the approved PUD stated that

“The Project shall be a mixed-use town center as depicted in the final plans approved in the second-stage application. The project will consist of approximately 270 rental apartments totaling approximately 322,000 square feet of gross floor area; 70,000 gross square feet of retail use; additional ground floor uses for community businesses; and approximately 531 garage and on-street parking spaces.” (p.9).

In ZC Order 04-24B (May 13, 2011), approved a minor modification to condition 3 of the approved Order, to allow a portion of the required retail to be used for office use, so that it now reads:

*“The Project shall be a mixed-use town center as depicted in the final plans approved in the second-stage application. The project will consist of approximately 270 rental apartments totaling approximately 322,000 square feet of gross floor area; 70,000 gross square feet of retail use; additional ground floor uses for community businesses; and approximately 531 garage and on-street parking spaces”. **Up to 14,000 gross square feet of the gross floor area reserved for retail uses may be used for office use.**”*

The Commission found this modification to be minor and consistent with the intent of the original PUD approval.

III. MODIFICATION REQUEST

In this proposal, the applicant is requesting a further modification to Condition 3 to:

- Increase the amount of required retail that could be used for other use from 14,000 sq.ft. to 21,000 sq.ft.; and
- Refine the form of use permitted within this space, from “office” to a defined list of customer service-oriented office uses.

The revised provision would read:

*“The Project shall be a mixed-use town center as depicted in the final plans approved in the second-stage application. The project will consist of approximately 270 rental apartments totaling approximately 322,000 square feet of gross floor area; 70,000 gross square feet of retail use; additional ground floor uses for community businesses; and approximately 531 garage and on-street parking spaces”. **Up to 21,000 gross square feet of the gross floor area reserved for retail uses may be used for customer service oriented office use, such as tax professional, a medical or dental office, an insurance provider, a local real estate office, or other similar use.**”*

The result would be a minimum requirement for 70,000 sq.ft. of retail ground floor space, of which 21,000 sq.ft. maximum could be devoted to the customer-service oriented office uses, so a minimum of 49,000 sq.ft. would be required to be retail. The requested modification would be consistent with the intent of the original approval by maintaining the desired retail focus for the ground floor, while allowing some additional customer-service oriented retail to ensure daytime activation and provide a broader range of uses normally associated with a neighborhood retail area, to serve residents and metro users. The change would provide greater certainty regarding the kinds of uses, while not diminishing the benefits and amenities associated with the original approval.

IV. ANC/ COMMUNITY COMMENTS

To date, no ANC or community comments have been submitted to the record.