

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

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ZONING COMMISSION
District of Columbia

Office of the Director

MEMORANDUM

CASE NO. 06-15

EXHIBIT NO. 15

TO: District of Columbia Zoning Commission

FROM:  Ellen McCarthy, Director

SUBJECT: Supplement TO Preliminary Report – Zoning Commission Case No.06- 15
Consolidated Planned Unit Development and Map Amendment
Land in Square 4268, New York Avenue / Arboretum

DATE: June 1, 2006

I. REVISED APPLICATION AND OP RECOMMENDATIONS

This application by Abdo New York LLC, contract purchaser, has been revised in response to concerns raised by the Zoning Commission at the Public Meeting on May 8, 2006 and by the Office of Planning (OP) in its preliminary report of April 28, 1006. The applicant had been requesting approval of a 3.5 to 3.7 million square foot development, with 130 foot buildings fronting on New York Avenue, 110 foot buildings fronting on Montana Avenue, and associated C-3-C zoning. The applicant is now requesting:

- Consolidated review and approval of a 3,787,075 square foot residential/retail PUD for 13 lots and 8 parcels in Square 4268 in Northeast Washington;
- 110 foot buildings throughout the project. None of the buildings would rise to 130 feet;
- Relief to provide 10% rather than required 15% of the residential gross floor area as recreation space.
- An associated amendment of the site's zoning district designation from C-M-1 to CR rather than from C-M-1 to C-3-C.

The Office of Planning continues to strongly support this project. OP believes the change to CR zoning and the height reduction on New York Avenue have made the project stronger and recommends that the Zoning Commission schedule a public hearing for Case No. 06-15.

The applicant has submitted additional written information, new architectural plans, and computer simulations putting the proposed development of the context of a build-out of nearby land under the existing zoning. OP believes that this supplemental material answers the concerns and questions raised by the Zoning Commission, and the issues noted by OP, to a level of detail appropriate for a setdown.

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II. REVISED PROJECT APPLICATION SUMMARY

The site's C-M-1 zoning precludes residential development. The applicant is requesting a PUD-related rezoning to CR, to permit development of a new mixed-use neighborhood of five residential towers, three of which would be atop retail bases, and all of which would ring a 3.1 acre private park in the center. The development would have the following elements:

- **Residential:** Approximately 3.5 million gross square feet of residential space, comprising 3,800 – 4,100 units in eight buildings that, for zoning purposes, are counted as five.
- **Affordable Housing:** The reservation of 8% of the total residential gsf – i.e., approximately 280,000 gsf for housing affordable to households earning up to 80% of the Area Median Income (AMI).
- **Retail:** 143,510 net square feet of retail space, of which 65,000 net square feet is designed to accommodate a grocery store. The retail space would be on the ground floor of the residential buildings fronting on New York Avenue.
- **Open Space:** A private approximately 3.1 acre “park” atop a below-grade parking structure.
- **Recreation Space:** There would be a 40,000 square foot recreation center/health club and child care center for the project's residents and, possibly, for residents of nearby neighborhoods. The 18,000 square foot (FAR countable) above-ground portion would open directly onto the central park.
- **Parking & Loading:** Underground parking in a 1.1:1 ratio for residential units and at 4 spaces per 1,000 square feet of retail space. There would be at least 4.415 spaces, but the exact number of parking spaces would be determined by the applicant's decision on how many residential units to build.
- **Exemplary Design:**
 - ***Architecture:*** Three buildings would rise 110 feet along New York Avenue; five would rise 110 feet along Bladensburg Road and Montana Avenue. The skyline would vary, as there is a twenty-foot grade change between New York Avenue and the intersection of Bladensburg Road and Montana Avenue. The applicant has also lightened the appearance of the Montana Avenue
 - ***Landscape Architecture and Sustainable Design:*** The total pervious surfaces are 2.5 acres. This includes portions of the 3.1 acre central park, the landscaped portions or the 28-35 foot setbacks along Bladensburg Road and the 3 – 8 foot setbacks along Montana Avenue. In addition, portions of each building's roof are “green.”

III. REVISED ZONING SUMMARY

		Existing Zoning	Prior Proposed Development	Current Proposed Zoning	Current Proposed Development
Zoning		C-M-1	C-3-C PUD	CR PUD	CR PUD
Area:	sq. ft.	697,873	697,873	697,873	697,873
	acres	16.02	16.02	16.02	16.02
Use:		Low bulk commercial, light industrial	High bulk major business employment &/or retail	Mix of residential, office, retail, and recreational uses	Mix of residential, office, retail, and recreational uses
Height:		60	20' – 110' – 130'	110	20' – 110'
Stories:		3	2, 11, 12	Not regulated	2, 11
FAR		3	5.3	8	5.43
Square Footage	Res	Not permitted	3,452,575 s.f.	xx	3,510,435 s.f.
	Retail	xx	143,510	xx	145,850
	Rec	xx	18,000	xx	18,000
	Service/ Loading	xx	114,915	xx	112,790
	TOTAL	2,093,619 s.f.	3,729,000 s.f.	5,582,984 s.f.	3,787,075 s.f.
Unit Count		Not permitted	3,000-4,000	Not regulated	3,800-4,100
Lot Occupancy	Res	100%	50%	75%	61.50%
	Nonres			100%	
Roof Structure		xx	Variance for multiple and varied height structures	xx	Variance for multiple and varied height structures
Parking	Res / Unit	Not permitted	3,378 res	1 space / 3 units	3,795 res
	Retail / s.f.	1/300 s.f. over 3K	620 retail	1/750 s.f over 3K	597 ret
	Rec / s.f.	1 per 2K s.f.	xx	1 per 2K s.f.	23 rec
	TOTAL		3,998 spaces		4,415 spaces
Loading Berths		Grocery: 1@30' & 1@ 55'. Other Retail or Commercial: 1 @ 30' * 1 @ 55'.	Grocery: 1@30' & 1@ 55'. Other Retail / Commercial: 1 @ 30' & 1 @ 55'. Residential: 1@ 55'	Grocery: 1@30' & 1@ 55'. Other Retail / Commercial: 1 @ 30' & 1 @ 55'. Residential: 1@ 55'	Grocery: 1@30' & 1@ 55'. Other Retail / Commercial: 1 @ 30' & 1 @ 55'. Residential: 1@ 55'
Loading Platforms		Grocery: 1 @ 100sf & 1 @ 200sf. Other retail.: 1@100sf & 1@ 200sf.	Grocery: 1 @ 100sf & 1 @ 200sf. Other retail.: 1@100sf & 1@ 200sf. Residential:1 @ 200sf	Grocery: 1 @ 100sf & 1 @ 200sf. Other retail.: 1@100sf & 1@ 200sf. Residential:1 @ 200sf	Grocery: 1 @ 100sf & 1 @ 200sf. Other retail.: 1@100sf & 1@ 200sf. Residential:1 @ 200sf

NEW TABLE 1: DEVELOPMENT COMPARISON – EXISTING ZONING, PREVIOUSLY PROPOSED PUD AND CURRENTLY PROPOSED PUD

The application requests that CR be associated with the PUD. The CR zone is intended to "encourage a diversity of compatible land uses that may include a mixture of residential, office, retail, recreational, light industrial, and other miscellaneous uses" (§600.1). "Development shall be guided by an approved public policy or plan and through the use of the planned unit development, special exception, or other site plan review process" (§600.2). The proposed project would provide such mixed residential and retail development through a PUD process.

The applicant is requesting relief to reduce the amount of recreation space provided from the required 15% of residential gfa to a proposed 10% of residential gfa and relief from the prohibition on multiple roof structures and roof structures of varying heights (Section 411.3).

OP supports all of the above requests.

IV. NEWLY PROPOSED OR CONFIRMED PUBLIC BENEFITS

The following proffered benefits are different than in the original application:

- The provision of 8 % of the project's total residential GSF as workforce housing;
- The provision of an approximately 60' by 70' public park with a fountain at the intersection of Bladensburg Road and Montana Avenue;
- The provision of a service road and a landscaped 21' wide sidewalk on New York Avenue;
- The provision of a public "vest pocket" park along New York Avenue, overlooking the proposed development's central green;
- The allowance for Ward 5 residents to join as paying members of the 40,000 square foot Arbor Club amenity;
- LSDBE and First Source Employment Program Participation;
- A contribution to improvements and renovations of the Arboretum Recreation Center at 24th and Rand Place,, N.E.;
- A contribution to improvements and renovations of the Washington Humane Society's Animal Shelter at 1201 New York Avenue, NE;
- A contribution to the support and promotion of the Friends of the (U.S. National) Arboretum, located ¼ mile from the proposed PUD;
- Support for physical improvements or equipment at the Langdon Elementary School, which is the in-bound school for residents of the proposed PUD;
- A commitment to the provision of shuttle bus service to Metrorail.

Should the case be set down, the applicant would need to provide, by the public hearing, specific amounts and/or detailed outlines of agreements for the last five of these proposed public benefits. All amenities and public benefits would need to be finalized by the time of a decision meeting.

**IX. UPDATE ON PREVIOUSLY OUTSTANDING ISSUES> SUMMARY
RECOMMENDATION**

1. ~~A recalculation of the retail and recreation facility parking spaces and ratios, based on gross square footage rather than net square footage;~~ DONE
2. ~~A commitment to the affordable housing's comprising no less than 8% of the total residential gsf;~~ DONE
3. The duration of the commitment to providing affordable housing units; DONE for for-sale units. Unclear for rental units. Can be clarified in pre-hearing statement.
4. A commitment to the provision of additional amenities/public benefits; PARTIALLY DONE. Concepts presented need to be detailed and finalized in pre-hearing statement.
5. Commitment to a LSDBE Agreement and First Source Employment Program; ESSENTIALLY DONE. Documents will need to be presented at decision meeting.
6. A detailed traffic analysis including existing and projected Levels of Service for intersections at a radius from the site to be determined by the District Department of Transportation (DDOT); ESSENTIALLY DONE. Requires DDOT review, and any necessary changes by pre-hearing statement..
7. A Transportation Management Plan and mitigation measures; IDEAS PRESENTED, but no commitments made. Also awaiting review by DDOT and necessary changes by pre-hearing statement.
8. Clarification of the commitment to operation of a shuttle-bus to the Rhode Island Avenue Metro; COMMITMENT FIRMLY MADE. Details need to be worked out by pre-hearing statement.
9. ~~Clarification of the application's gross and net square footages for the residential, retail, and recreational uses in the project;~~ DONE
10. ~~Provision of a significantly narrower range of the number of residential units proposed;~~ DONE
11. ~~A list of potential retailers with which the applicant is having ongoing discussion and the status of those discussions;~~ DONE
12. ~~The calculation of the affordable housing as a percentage of the residential gsf;~~ DONE
13. The location/distribution of the affordable housing units; COMMITMENT MADE to "even distribution." Actual location not needed before hearing or decision meeting.

14. ~~Perspective and view shed studies from the National Arboretum, New York Avenue and Bladensburg Road, both in-bound and out-bound, and from the Arboretum, Ivy City and Trinidad neighborhoods; DONE~~
15. An estimation of the project's impact on nearby schools; DONE, but will require review by DCPS.
16. A water and sewer impact-assessment from WASA; DONE BY APPLICANT. Requires review by WASA.
17. An estimation of the number of jobs that would be created on the site versus the number of existing jobs on the site; CONSULTANT HIRED to complete before public hearing.
18. ~~Exploration of secure pedestrian ways through the site, giving "short-cut(s)" from neighborhoods to south and west to the retail uses on New York Avenue; DONE for the south. Not practical for the west.~~
19. A comparison of the District tax revenues generated by the site, and an estimation of the revenues that would be generated by the site's redevelopment under matter of right zoning; CONSULTANT HIRED to complete before public hearing.
20. ~~Exploration of secure pedestrian ways through the site, giving "short-cut(s)" from neighborhoods to the south and west to the retail uses proposed on New York Avenue; This item is the same as Number 18 was repeated in error in April 28 OP report.~~
21. ~~Continued exploration of architectural refinements that would increase the visual permeability of the project, lighten the apparent mass of the New York Avenue residential façade and its retail base, provide variations in materials, massing, rooflines and overall design to create the impression of a more "organic" project developed over time; DONE~~
22. Specification of what additional amenities would be, such as contributions to a neighborhood community center, a neighborhood park, and/or the nearby Humane Society facility. PARTIALLY DONE. Concepts presented, but firm dollar amounts, methods, etc. need to be completed by pre-hearing statement.

X. RECOMMENDATION

OP believes these concerns have been sufficiently addressed for the public meeting stage in the applicant's supplemental filings. OP recommends the Zoning Commission set down the requested application for a public hearing.

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