

MEMORANDUM

TO: District of Columbia Zoning Commission

FROM: Maxine Brown Roberts, Development Review Specialist
JL for Jennifer Steingasser, Deputy Director Development Review & Historic Preservation

DATE: February 28, 2020

SUBJECT: ZC 09-03F – Modification of Significance for ZC Order 09-03, 09-03A to 09-03E, for Skyland Town Center

I. APPLICATION AND RECOMMENDATION

The applicant, Skyland Holdings LLC, requests a Modification of Significance to ZC Case 09-03, 00-03A to 09-03E to:

- Modify the number of Blocks within the PUD from 5 to 4;
- Modify the uses approved for the PUD site;
- Modify the Consolidated PUD to Stage 1 PUD on Block 4; and
- Modify ZC Order 09-03, Condition 17.

The PUD modifications will result in Block 1 and Block 3 proceeding as consolidated stages and Block 4 proceeding as a stage one. Block 2 is under construction.

ZC Case 09-03 and its subsequent amendments approved an urban mixed-use Town Center concept anchored by a retail-lined Main Street, with upper story residential uses, retail or active uses along Naylor Road, Good Hope Road and Alabama Avenue, and shared parking areas which were not visible from adjacent streets. The proposed modifications would result in a more auto-centric, suburban-style development on this important site.

The Office of Planning recommends the modifications be set down for a public hearing. OP will work with the applicant to refine the design and to address any comments from the Zoning Commission.

The Office of Planning (OP) recognizes the modifications represent a great opportunity for the location of a new grocery store and the arrangement of the parking lot can be easily adapted to accommodate future development. However, the buildings and parking lot along Alabama Avenue turn their back to the avenue with the location of the “retail loading and retail waste collection area” as a centerpiece of the parking lot as viewed from Alabama Avenue. OP recommends the “retail loading and retail waste collection area” be relocated and treated as part of one of the retail buildings. Screening details should be included.

Additional details about the landscape plan should be provided prior to the hearing, including the heights of trees at planting.

Additional detail is needed about the drive-through and views of the drive-through and parking lot from Alabama Avenue. Page A120 shows a plaza-type pedestrian entry into the town center. Details are needed about this plaza including materials and additional views from Alabama Avenue. If public space approval is needed, the applicant should work with the public space staff for approval.

The proposed Art Walk along Naylor Road is shown in public space with non-traditional pavement patterns and materials. OP recommends that the sidewalk be reconfigured to run parallel to Naylor Road, and that the applicant work with the public space staff and the District Department of Transportation on the permitting of the Art Walk proposal prior to the public hearing.

OP supports the use of solar panels as a canopy atop the proposed parking garage on Naylor Road. Images should be provided showing how the bottom of the panels will appear from the street

II. BACKGROUND

Z.C. Order No. 09-03 approved a Consolidated PUD and Map Amendment to the C-3-A zone which created a Town Center featuring a Main Street with mixed-use retail and residential buildings, accompanying parking facilities, and townhouses on five different Blocks. The PUD project consisted of approximately 311,000 square feet of retail and service-related uses, a large format retail store, as well as neighborhood-serving retailers with 450-500 residential units, including a number of affordable housing units, and 20 townhouses. The PUD had a total of 1,774 parking spaces.

ZC 09-03 Site Plan showing 5 blocks.



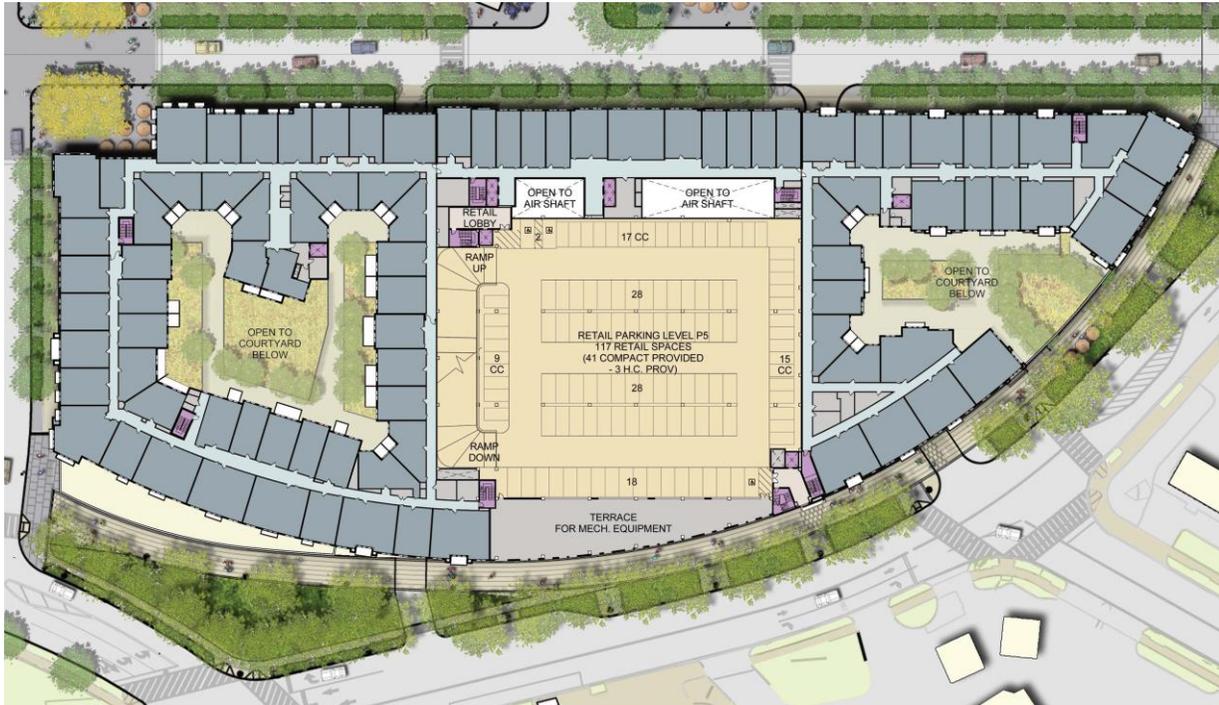
Subsequent to the approval of Z.C. 09-03, the PUD has been modified and time extensions have been granted by ZC Order 09-03B, ZC Order 09-03C and ZC Order 09-03E.

ZC Order 09-03A approved a PUD modification which created five blocks. The modifications effected all five blocks but retained the 450-500 residential units and increased the retail and service-uses to approximately 342,000 square feet. The major modifications were to Block 1 which was slated to be developed with a Walmart shopping center; Block 2 to be developed with a mixed-use residential building and consolidated retail parking for Blocks 2, 3, and 4; and removal of the above-grade parking garages in Blocks 3 and 4. The consolidation resulted in a reduction in the overall number of parking spaces but the total number of spaces allowed on the site remained at 1,774.

ZC 09-3A showing Walmart and 5 Blocks



ZC Order 09-03D approved a Modification of Consequence to Block 2 only and allowed for the removal of three levels of above-grade parking in the center of Block 2 which reduced the number of parking spaces in the development by 345 spaces.



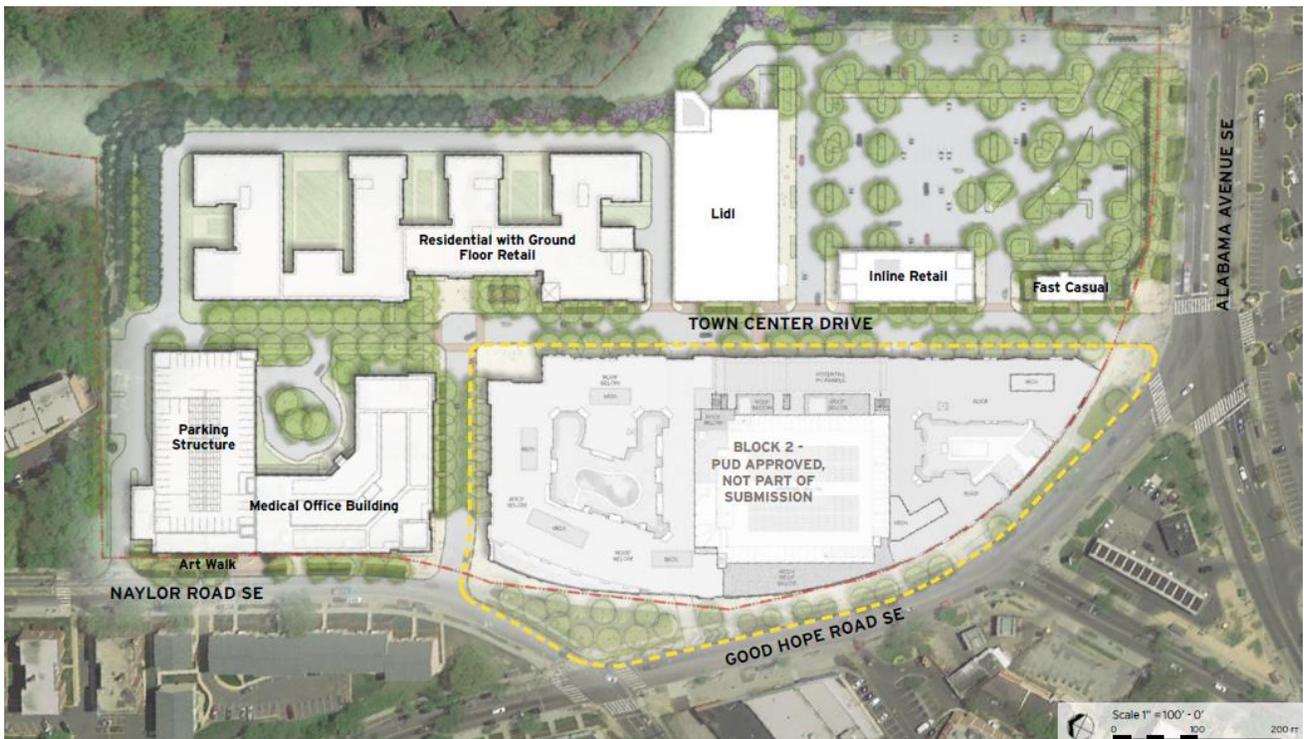
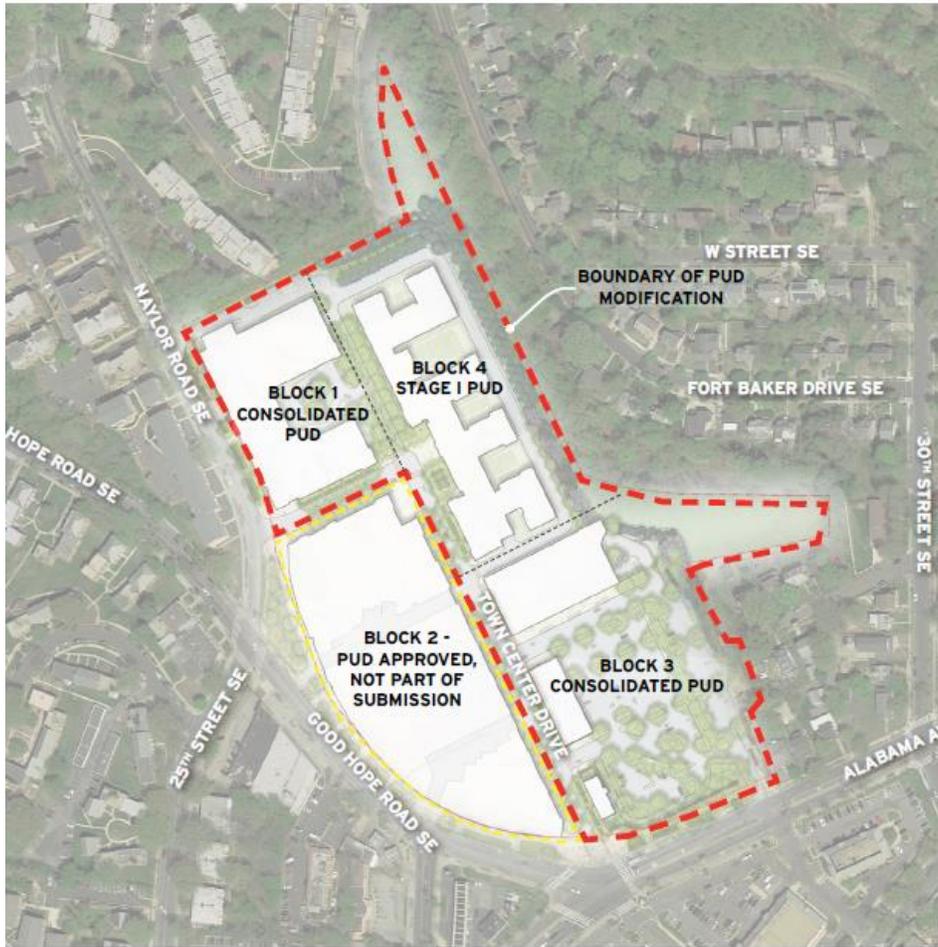
III. PROPOSAL

The Skyland Town Center development is currently under way with the construction of Block 2. With the loss of the major retail tenant and other PUD modifications in prior approved modifications, the applicant has tried to move ahead with the development of the remainder of the site. The applicant states that they have been able to gather interest for a supermarket, a medical center, a coffee shop and inline retail. To accommodate the proposed uses, the applicant has requested a Modification of Significance which would entail:

- Modifying the number of Blocks within the PUD from 5 to 4;
- Modifying the uses approved for the PUD site;
- Modifying the Consolidated PUD to Stage 1 PUD on Block 4; and
- Modifying ZC Order 09-03, Condition 17, a time extension to accommodate the new uses.

The applicant has redefined the boundaries of the blocks as shown on the maps below. Block 2 is currently under development as approved by ZC Order 09-03D and is not a part of this application. The proposed uses for the new blocks would be as follows:

- Block 1 -Medical Office building with a parking structure with about 465 spaces and a solar canopy;
- Block 3- Lidl Supermarket, In-line retail and a Fast-Casual coffee shop with a surface parking lot with 201 spaces; and
- Block 4 - Residential building (about 252 units) with ground floor retail.



V. Subtitle X § 704 - MODIFICATIONS OF SIGNIFICANCE

The applicant requests a Modification of Significance pursuant to Subtitle X § 704. Subtitle X § 704.3 states:

If the application is for the modification of a second-stage PUD, it shall meet the requirements for, and be processed as, a second-stage PUD application.

The original application was approved as a Consolidated PUD under ZR-58. The request includes evaluating Block 4 as a First Stage PUD.

VI. MODIFICATION TO BLOCKS

The following is a description and analysis of the new blocks and uses proposed. The applicant has requested areas of flexibility which are also discussed.

Block 1

In the original PUD, Block 1 was to be developed with a building height of up to 50 feet at the Main Street entry and 45 feet along Naylor Road. The new Block 1, at the corner of Naylor Road and Town Center Drive would be developed with a 131,344 square foot medical office building in four floors, at a height of 60 feet. The applicant states that the office building would provide a focal point for the community and a placemaking opportunity for the residents. The proposed height of the buildings would be within that allowed in the C-3-A zone. Pedestrian entrance would be from the Naylor Road/Town Center Drive corner while vehicular entrance would be from a circular courtyard on the north side of the building. Connected to the office building would be a six-level parking structure with approximately 465 spaces, with the side façade facing Naylor Road.

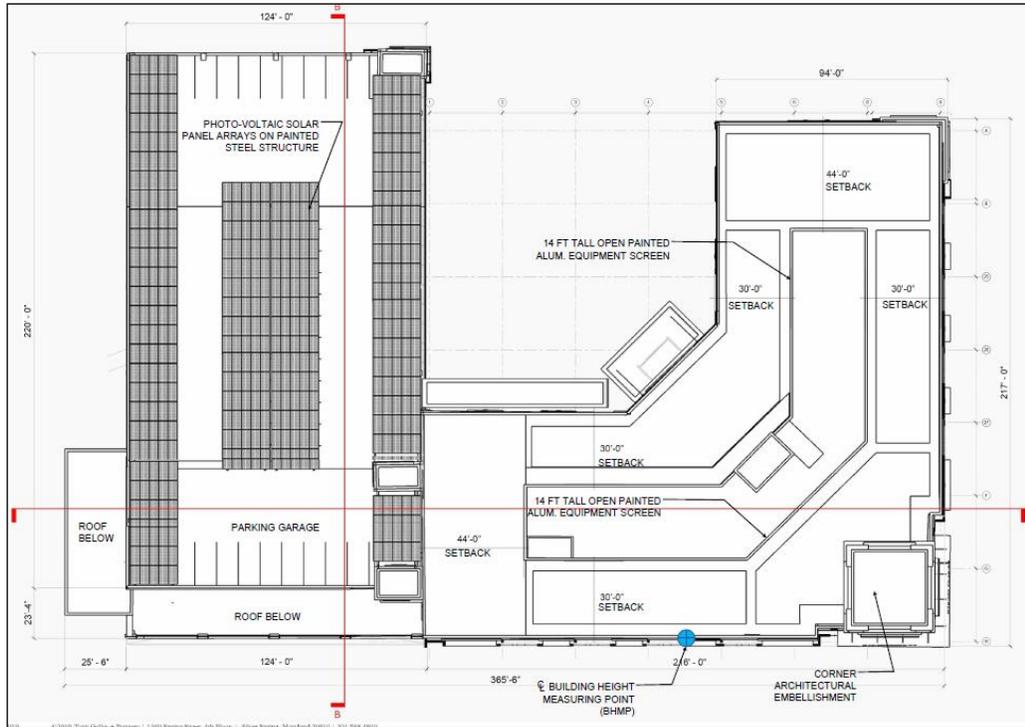
The façade of the office building and the garage would be a combination of brick, concrete masonry glass and aluminum panels. The office building would have a green roof while the parking garage would have a 12,710 square foot solar canopy.

Along Naylor Road, the upper level of the garage would be set back 24 feet from the property line. The Naylor Road elevation of the garage as submitted does not give sufficient detail to fully assess if the parked vehicles would be visible from Naylor Road. The ground level of the garage facing Naylor Road would be lined with utility rooms and although the façade pattern would be similar to the office building, openings would be blocked off with no views to the interior. To activate this portion of the building around the bus stop, the applicant has proposed an “Art Walk” around the bus stop which would include woven paving patterns and artwork, examples of which are shown on Exhibit 3H4, page 13 and 3H5 pages 1-3.

Roof Structure Setback - Flexibility Requested

Subtitle § 1502.1 requires that roof structures be set back from the edge of the roof on which they are located. On the parking garage adjacent to the Medical Office Building, the applicant is proposing a solar canopy over the parked cars (so approximately 8 feet above the roof), and the solar panels on the roof would not provide the required setback. The applicant states the solar panels line the edge of the top level of the garage and serve a dual purpose to collect renewable

energy and serve as cover for parking spaces. In order to cover parking spaces and minimize conflicts with the parking drive aisles, the solar panels would be located along the outside edge of the roof. OP is supportive of the provision of a solar canopy with a significant number of solar panels, and the provision of a 1:1 setback would limit the area available for solar panels considerably, but they would be visible from all directions (Exhibit 3H4, pages 1-3).



Block 3

Block 3, at the corner of Alabama Avenue and Town Center Drive, would be developed with three buildings:

- A 28,954 square foot supermarket;
- A 9,792 square foot of in-line retail space; and
- A 2,483 square foot coffee shop with a drive through.

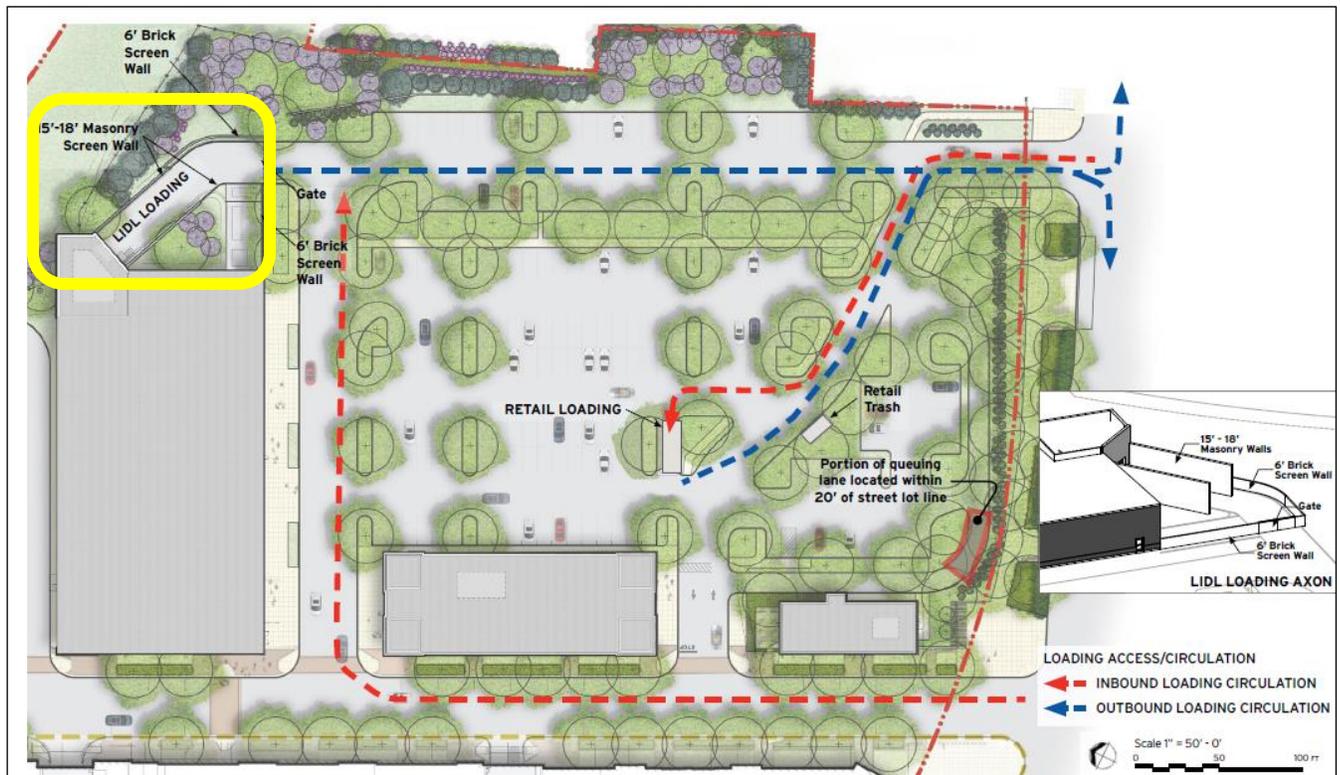
The buildings would have a maximum height of 30 feet. Consistent with the suburban-style layout, the buildings would be pulled back from Alabama Avenue to accommodate a 201-space parking lot, which would be visible from Alabama Avenue, to serve all three uses and. The grocery has “service areas” along the parking lot façade, and there is little building articulation. The applicant states that the parking lot would be landscaped to create an appropriate street view form Alabama Avenue.

In addition to the retail parking along Alabama Avenue, there is also a proposed shared loading pad and waste collection area in the center of the parking lot. In addition, the side of the coffee shop and the queuing lane for its drive-through would also be visible from Alabama Avenue. However, a portion of the queuing lane is not set back the required 20 feet from Alabama Avenue.

The applicant has requested flexibility for the drive through queuing lane, parking in the front yard of the building, and from the loading requirements.

Drive through Queuing Lane Flexibility Requested

Subtitle C § 716 states that a queuing lane cannot be located within 20 feet of a street lot line. In this case, a portion of the queuing lane to the coffee shop would be within 20 feet of the Alabama Avenue street lot line. (See below, Exhibits 3EH1, pages 18 and 19). The applicant states that a landscaped buffer between the queuing lane and Alabama Avenue would be provided to visually screen the area. The applicant should provide an elevation drawing showing the screened view from Alabama Avenue and details about the proposed trees both at the time of planting and at maturity.



Parking Flexibility Requested

The applicant requests flexibility from Subtitle C § 710.2(b)(2) which restricts surface parking spaces in a building’s “front yard.” The proposed surface parking in Block 3 would be the front yard of the supermarket. The applicant states that the location of the parking lot is a requirement of the grocery deal and would be designed and screened to minimize visual impacts along Alabama Avenue.

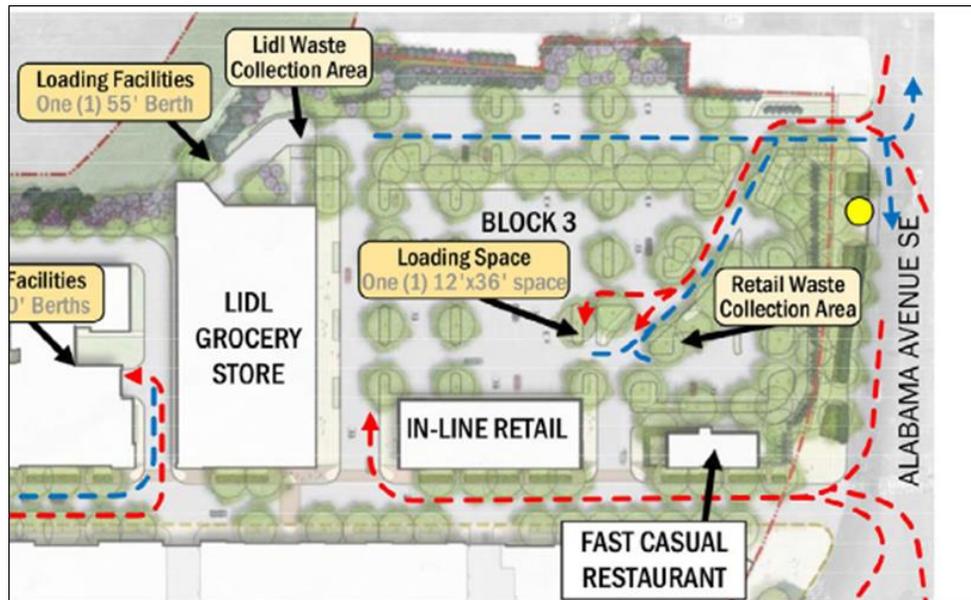
Loading Flexibility Requested

The applicant is requesting flexibility from the loading requirements for the grocery store to provide one, 55-foot berth and one, 200-foot platform instead of the required two, 30-foot berths, one, 100-foot platform and one, 20-foot service /delivery space.

Flexibility is also requested to provide a loading space within the parking lot instead of the required one, 30-foot berth and one, 100-foot platform for the retail stores. OP is concerned how this shared, open loading pad would work. It is proposed to be located some distance from the retail building which would likely discourage its use and trucks will most likely instead load from the front of the building or from the driveways on either side of the building, disrupting both vehicular and pedestrian circulation.

Retail Waste Collection Flexibility Requested

The retail waste collection area is also proposed to be located in the middle of the parking lot and is located some distance away from the retail and coffee shop buildings. This proposed location is very curious. OP is concerned about the appearance of a waste collection area as a centerpiece of the parking lot, the potential for litter, vector problems, illegal dumping after hours, conflict with parking, drive-through and loading traffic, and the general serviceability of the waste collection. It's unclear who has control of and responsibility for the waste collection area. The applicant should provide detail about how this would work, drawings to demonstrate its screening and accessibility for the buildings it would serve.



A 15-18-foot screen wall is proposed to screen the supermarket loading berth. The proposal shows landscaping behind the wall, but the applicant should provide an elevation drawing showing screening and view from the residences below in the neighborhood to the north.

The site plan for Block 3 with the surface parking lot fronting on Alabama Avenue along with the visibility of the drive-through queuing lane, the conflicts of the loading and trash collection area in the middle of the parking lot is not consistent with similar large developments across the District.

The applicant should work to create a plan for Block 3 that would eliminate the conflict of the loading and trash areas and utilize the site in a more efficient manner. The drive-through is not a desirable use for a town center, but if it remains the applicant should provide drawings showing the views from Alabama Avenue. The Trash collection area should be contained within the larger retail building, or attached to it and screened appropriately.

Block 4 Stage 1

Block 4 is to be developed with a 252-unit residential building and 7,140 square feet of retail uses and partially below grade parking. The proposed building would front on a plaza which would be part of a community gathering area at the intersection of the two portions of Town Center Drive. The building would be broken up by private landscaped amenity terraces for the residents.

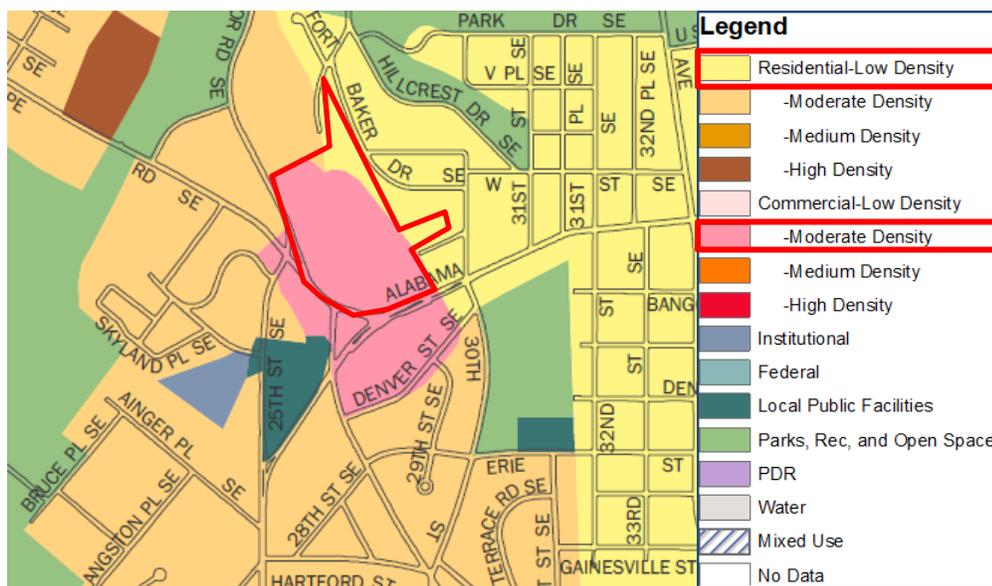
	Proposal
Building Height (ft.)	48.33 ft.
GFA (sq. ft.)	Residential 243,090 sq. ft.
	Retail 62,000 sq.ft.
	Retail 7,140 sq.ft.
	Parking 62,000 sq.ft.
	Total 312,230 sq.ft.
Residential Units	252
Parking Spaces	157

The applicant has requested that Block 4 be considered as a First Stage PUD showing its general development parameters with further details provided at the Second Stage review.

VII. PLANNING CONTEXT

A. COMPREHENSIVE PLAN MAPS

The Future Land Use Map (FLUM) indicates that the site is appropriate for moderate density commercial with small areas of the site also designated as moderate-density residential and low-density residential.

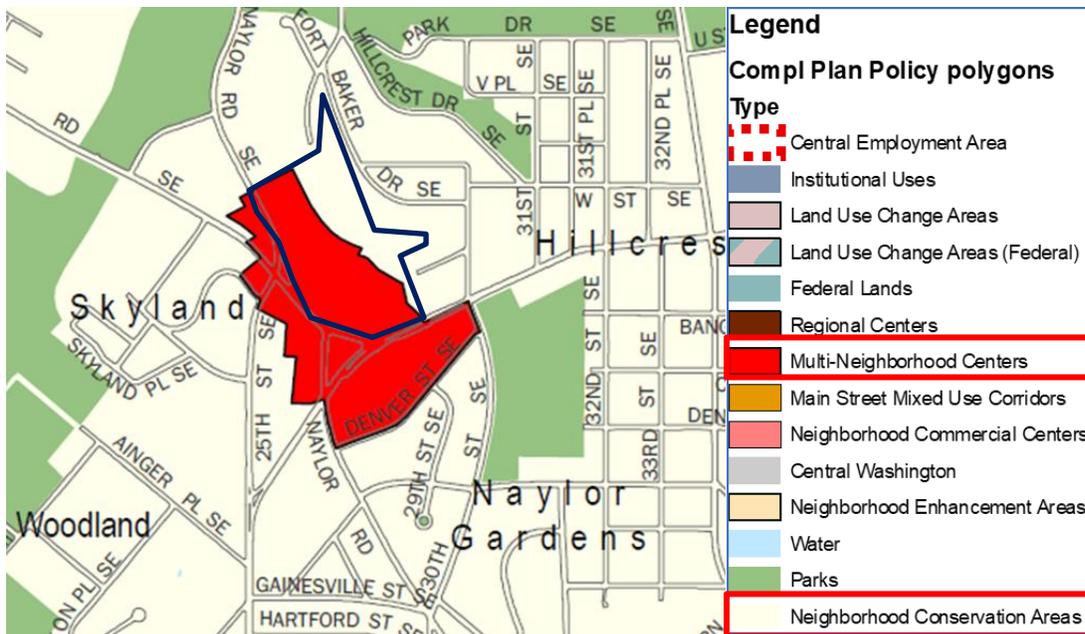


Moderate-density commercial uses are described as:

“ . . . shopping and service areas that are somewhat more intense in scale and character than the low-density commercial areas. Retail, office, and service businesses are the predominant uses. Areas with this designation range from small business districts that draw primarily from the surrounding neighborhoods to larger business districts uses that draw from a broader market area. Buildings are larger and/or taller than those in low density commercial areas but generally do not exceed five stories in height. The corresponding Zone districts are generally C-2-A, C-2-B, and C-3-A, although other districts may apply.”

The existing C-3-A/PUD zoning would be retained and in the original Order, it was established that the PUD related zoning and the proposed development are not inconsistent with the moderate density commercial designation. The proposed office building would be four stories, but the other buildings would range from one (retail) to five (parking structure) stories. The mix of retail, office and service uses would serve residents of the surrounding neighborhood as well as from a wider area.

The Generalized Land Use Map designates a majority of the property as a Multi-Neighborhood Center with the remainder as a Neighborhood Conservation Areas.



Multi-Neighborhood Centers are described as:

Multi-neighborhood centers contain many of the same activities as neighborhood centers but in greater depth and variety. Their service area is typically one to three miles. These centers are generally found at major intersections and along key transit routes. These centers might include supermarkets, general merchandise stores, drug stores, restaurants, specialty shops, apparel stores, and a variety of service-oriented businesses. These centers also may include office space for small businesses, although their primary function remains retail trade.

Examples of multi-neighborhood business centers include Hechinger Mall, Brentwood Shopping Center, and Skyland Shopping Center. Mixed-use infill development at these centers should be encouraged to provide new retail and service uses, and additional housing and job opportunities. Transit improvements to these centers are also desirable. 223.18 (emphasis added).

Neighborhood Conservation Areas are described as:

Neighborhood Conservation areas have very little vacant or underutilized land. They are primarily residential in character. Maintenance of existing land uses and community character is anticipated over the next 20 years. Where change occurs, it will be modest in scale and will consist primarily of scattered site infill housing, public facilities, and institutional uses. Major changes in density over current (2005) conditions are not expected but some new development and reuse opportunities are anticipated. Neighborhood Conservation Areas that are designated “PDR” on the Future Land Use Map are expected to be retained with the mix of industrial, office, and retail uses they have historically provided. 223.4

The majority of the subject property is designated a Multi-Neighborhood Center and the proposal continues to meet this designation as it would provide new retail, service and housing on the site as well as transit improvements both on the site and its periphery.

The proposal continues to not be inconsistent with the Citywide Elements of the Comprehensive Plan as outlined on ZC Order 09-03 (pages 12-19). In addition to the residential, grocery store and other retail uses, the proposed medical office building, not anticipated in the original PUD approval, would meet or further specific goals of the Comprehensive Plan related to medical services.

B. COMPREHENSIVE PLAN ELEMENTS

Economic Development Element

Policy ED-2.1.6: Local-Serving Office Space

Encourage the development of small local-serving offices within neighborhood commercial districts throughout the city to provide relatively affordable locations for small businesses and local services (such as real estate and insurance offices, accountants, consultants, and medical offices). 707.11

The proposed medical office building would bring in various medical services that are not currently available in this part of the City.

Community Services and Facilities Element

Policy CSF-2.1.1: Primary and Emergency Care

Ensure that high quality, affordable primary health centers are available and accessible to all District residents. Emergency medical facilities should be geographically distributed so that all residents have safe, convenient access to such services. New or rehabilitated health care facilities should be developed in medically underserved and/or high poverty

neighborhoods, and in areas with high populations of senior citizens, the physically disabled, the homeless, and others with unmet health care needs. 1106.12

Policy CSF-2.1.2: Public-Private Partnerships

Develop public-private partnerships to build and operate a strong, cohesive network of community health centers in areas with few providers or health programs. 1106.13

Policy CSF-2.1.6: Health Care Planning

Improve the coordination of health care facility planning with planning for other community services and facilities, and with broader land use and transportation planning efforts in the city. Coordinate city population and demographic forecasts with health care providers to ensure that their plans are responsive to anticipated growth and socio-economic changes. 1106.17

The town center would provide a range of retail and residential uses, and the medical building would complement these uses as well as provide needed medical services space in an underserved area.

The proposed development is within the Far Northeast and Southeast area and continues to meet and furthers many of the policies for the Far Northeast-Southeast Area Element as outlined below.

Far Northeast-Southeast Area Element

FNS-1.1 Guiding Growth and Neighborhood Conservation

Policy FNS-1.1.2: Development of New Housing

Encourage new housing for area residents on vacant lots and around Metro stations within the community, and on underutilized commercial sites along the area's major avenues. Strongly encourage the rehabilitation and renovation of existing housing in Far Northeast and Southeast, taking steps to ensure that the housing remains affordable for current and future residents.

The original PUD was approved for 450-500 residential units. Block B, which is currently under development would have 263 residential units. The proposed Block 4 would be developed with 157 units. Overall, the development would provide residences with a mix of unit sizes, at a mix of incomes and affordability.

Policy FNS-1.1.3: Directing Growth

Concentrate employment growth in Far Northeast and Southeast, including office and retail development, around the Deanwood, Minnesota Avenue and Benning Road Metrorail station areas, at the Skyland Shopping Center, and along the Nannie Helen Burroughs Avenue, Minnesota Avenue, Benning Road, and Pennsylvania Avenue SE "Great Streets" corridors. Provide improved pedestrian, bus, and automobile access to these areas, and improve their visual and urban design qualities. These areas should be safe, inviting, pedestrian-oriented places.

The overall development would provide a mix of retail, medical and service employment opportunities. A number of transportation improvements were planned and have been completed in association with the development of Skyland, including the construction of Town Center Drive, pedestrian and other striping on pavement along Naylor Road, replacement of traffic control

equipment, and intersection improvements. The proposed would continue the access and circulation improvements both for vehicles and pedestrians.

Policy FNS-1.1.4: Retail Development

Support the revitalization of the neighborhood commercial areas listed in Policy FNS-1.1.3 with new businesses and activities that provide needed retail services to the adjacent neighborhoods and that are compatible with surrounding land uses.

Retail uses would be provided on a portion of Block 4 to continue the street level retail along Town Center Drive. The overall development would have a variety of retail uses and a medical office building to serve the surrounding residents and to provide services lacking in Ward 7.

Action FNS-1.1.A: Façade Improvements

Encourage urban design and façade improvements in the established commercial districts along Naylor Road, Minnesota Avenue, Benning Road, Branch Avenue, Alabama Avenue, Nannie Helen Burroughs Avenue, Division Avenue, and Pennsylvania Avenue SE. These improvements should respect and enhance historic structures and landmarks in these areas.

The proposed development has a town center design with retail uses that would front onto the adjacent streets. The architectural design and façade of the buildings are more of a contemporary design, but incorporated many elements of the buildings surrounding the site. OP will continue to work with the applicant regarding design and materials.

Policy FNS-1.2.7: Health Care Facilities

Provide additional facilities to meet the mental and physical health needs of Far Northeast and Southeast residents, including primary care facilities, youth development centers, family counseling, drug abuse and alcohol treatment facilities. Such facilities are vital to reduce crime and promote positive youth development. Specific plans for new social service and health facilities should be developed through needs assessments, agency master plans, strategic plans, and the city’s public facility planning process. All plans should be prepared in collaboration with the community, with input from local ANCs and civic associations, residents and businesses, and local community development corporations and non-profit service providers. § 1709.7

FNS-2.7 Skyland

Skyland Shopping Center occupies 16 acres at the intersection of Naylor Road, Good Hope Road, and Alabama Road SE. When it was initially developed in the 1940s, the 170,000 square foot complex of free-standing retail buildings was one of the first auto-oriented shopping centers in Washington. Along with the adjacent 95,000 square foot Good Hope Marketplace, it is the principal commercial center serving the southern part of Far Northeast and Southeast. Plans to renovate and modernize Skyland have been evolving for many years. The center has not adapted to changing trends in retailing, and is not fully meeting the needs of the more than 80,000 residents who live in its primary market area. Its redevelopment as a “Town Center” with more than 275,000 square feet of leasable space is being pursued by the National Capital Revitalization Commission. 1717.1

Reinvestment in Skyland is an important part of the District's efforts to provide better shopping options for neighborhoods east of the Anacostia River, reduce the loss of retail dollars to the suburbs, and make the East of the River area more attractive to existing and future residents. To be most effective, planned improvements should be part of a broader strategy to enhance the Alabama/Good Hope area as a focal point for surrounding neighborhoods such as Hillcrest and Fairlawn, and to upgrade the Naylor Road corridor as a gateway to Far Northeast and Southeast and Historic Anacostia. 1717.2

Policy FNS-2.7.1: Skyland Revitalization

Revitalize Skyland Shopping Center as an essential, dynamic community scale retail center. Together with the Good Hope Marketplace, these two centers should function as the primary business district for adjacent neighborhoods, providing a diverse array of quality goods and services for area residents. 1717.3

The proposal would continue to have elements of a town center with a mix of residential and commercial uses. The introduction of the medical office building would provide much needed medical services within the neighborhood and the wider community.

VIII. PUD EVALUATION STANDARDS AND PUBLIC BENEFITS AND AMENITIES

Public Benefits and Amenities:

Chapter X Section 305.2 states that “*public benefits are superior features of a proposed PUD that benefit the surrounding neighborhood or the public in general to a significantly greater extent than would likely result from development of the site under the matter-of-right provisions of this title.*” Subtitle X § 305.5 provides a summary of categories for PUD benefits and amenities. In this case, the applicant is modifying an existing PUD. A final benefits amenities proffer is typically provided later in the PUD review process, but at this point, the applicant has proffered the following (refer to Exhibit 2, pages 31 -36):

a) Superior urban design and architecture

ZC Order 09-03 approved an urban town center design with a main street developed with ground floor retail along the Main Street, Naylor and Alabama Avenues with structured, shared parking. The proposed modifications would result in a more suburban type development with a surface parking lot and no retail fronting directly onto Alabama Avenue, and conflicts with loading and trash collection within the parking lot. The architectural design and façade of the buildings are more of a contemporary design but incorporated elements of the buildings surrounding the site. OP will continue to work with the applicant on the site and building plans, and material details.

b) Superior landscaping, or creation or preservation of open spaces

The development would have extensive landscaping consisting of grasses and groundcover, shrubs, and trees. The landscaping as shown on Exhibit 3H4, pages 10-13, would be used to define spaces; provide buffering; provide shelter and cooling; and would work in conjunction with street furniture to enhance the development. On Block 1, an Art Walk would be utilized to hide and buffer the parking lot and blank wall along Naylor Road.

c) Site planning and efficient and economical land utilization

The massing, height, and density of the proposed buildings sited would be pushed away from the residential uses to the northeast of the property. OP continues to be concerned about the suburban

layout which was not envisioned for the site in the original PUD, and the use of a large surface parking lot including shared trash and loading in Block 3.

d) Housing and Affordable housing

The applicant states that, consistent with ZC Order 09-03, twenty percent (20%) of the units would be reserved for households at 80% of MFI and ten percent (10%) for households earning up to 120% MFI across the entire project. This requirement will be maintained on Block 4.

e) Employment and training opportunities;

The applicant states that they have met and exceeded the requirement of ZC Order 09-03 by providing and training persons through their Workforce Center.

The applicant requests an amendment to ZC Order 09-03, Condition 2(g), to provide job training programs for Wards 7 and 8 residents at a cost of \$75,000. The applicant is also requesting a modification to ZC Order 09-03, Conditions 2(c) and (h) to redirect the required \$300,000 for a Contractor Loan Fund and \$75,000 for homeownership classes to the job training program. The applicant states that the Contractor Loan Fund has been otherwise funded and there will not be any homeownership units in the development.

f) Environmental and sustainable benefits

The developer states that Block 1 is to be constructed to LEED Silver standards with the parking garage designed to Green Business Certification for the parking garage, a Parksmart certification. The office building would have a green roof while the garage would have a 12,710 square foot solar canopy over the cars. The applicant should provide information of the sustainability measures to be taken on Blocks 3 and 4.

g) Transportation infrastructure beyond that needed to mitigate any potential adverse impacts;

The applicant states that they have completed required transportation improvements including the construction of Town Center Drive, replacement of traffic control fixtures, and the improved pedestrian striping. The modified project would still be required to provide a new signalized intersection at Naylor Road and Town Center Drive; pavement restriping on Naylor Road; intersection improvements in the general property vicinity, and the creation of high-visibility pedestrian crosswalks at intersections adjacent to the property. This issue will be addressed further by the Department of Transportation for the public hearing.

h) Uses of special value to the neighborhood or the District of Columbia as a whole

ZC Order 09-03, Conditions 2(a) through (h) outlines a list of financial or in-kind service contributions that would serve the neighborhood, Wards 7 and 8 and the District as a whole. The applicant states that they have fulfilled some of the conditions and have committed to fulfilling the others or have requested modifications as discussed above.

In general, OP finds that the benefits approved under ZC Order 09-03 with the requested modifications are sufficient.

VIII. MODIFICATIONS TO ZC Order 09-03, Condition 17

The applicant has requested a Modification of ZC Order 09-03, Condition 17.

Condition 17 states:

The PUD shall be valid for a period of three years from the effective date of this Order. Within such time, an application must be filed for a building permit for the construction of a building on Block 1, 2, 3, or 4 as specified in 11 DCMR § 2409.1, and construction must start within four years of the effective date of this Order to remain valid. Applications for building permits for all remaining portions of the project must be filed no later than 10 years after the effective date of this Order and construction must start no later than 11 years after the effective date of this Order.

Due to the delay in attracting a “big box retailer” to act as an anchor for the approved PUD site, the applicant is not able to meet the approved timeline. With the proposed modifications to change the mix of uses on the site, the applicant has requested a new timeline for the development to progress.

The applicant requests that Condition 17 be amended to read as follows:

1. *A building permit for the construction of the buildings on Block 3 shall be filed within one year of the Zoning Commission’s approval of the Modification Project and construction will start within two years Zoning Commission’s approval of the Modification Project;*
2. *A building permit for the construction of the building on Block 1 shall be filed within two years of the Zoning Commission’s approval of the Modification Project and construction will start within three years Zoning Commission’s approval of the Modification Project; and*
3. *A second-stage PUD application for the development of the mixed-use building on Block 4 shall be filed with the Zoning Commission within five years of the Zoning Commission’s approval of the Modification Project.*

The proposed modification to Condition 17 along with the other requested modifications in this submission would allow the project to move forward in a timely manner.

IX. ZONING ANALYSIS

The site is zoned C-3-A(MU-7). With the requested modification, the development would generally remain within the allowable development standards of that zone.

	Previous PUD approval	Proposal
FAR	1.75 total 0.97 commercial	1.63 total 0.89 commercial
GFA	Residential 540,063 sq. ft. Retail 341,671 sq. ft. Office None Parking 367,704 sq. ft. TOTAL 1,249,438 sq. ft.	Residential 533,270 sq. ft. Retail 153,349 sq. ft. Office 131,344 sq. ft. Structured Parking 351,354 sq. ft. TOTAL 1,169,317 sq. ft.
Heights	Block 1 – 45-50 ft. Block 2 – 62 ft. Block 3v- 62 ft. Block 4 - 62 ft. Block 5 – 40 ft.	Block 1 – 60 ft. Block 2 – 62 ft. Block 3 – 30 ft. Block 4 50 ft. Block 5 -N/a

	Previous PUD		Proposal	
Parking	Residential	442 spaces	Residential	442 spaces
	Retail	964 spaces	Retail	964 spaces
	Office	N/A	Office	465 spaces
	TOTAL	1,406 spaces	TOTAL	1,276 spaces
Loading			Block 1	2, 30' berths 1, 200' platform 1, 20' service/delivery
			Block 2	
			Block 3 (Grocery)	2, 30' berths 1, 100' platform 1, 20' service /delivery
			Proposed	1, 55' berth 1, 200' platform
			In-line retail	1, 30' berth 1, 100' platform
			Proposed	loading from parking lot
			Block 4	2, 30' berths 2, 100' platform 1, 20' service /delivery

The applicant has requested the following areas of flexibility:

- Roof structure setbacks on the medical office building in Block 1;
- Drive-through Queuing Lane for the coffee shop in Block 3;
- Surface Parking spaces in the front yard of the supermarket on Block 3; and
- Reduced loading requirements for the inline retail and the supermarket;

These areas of flexibility are discussed in Section VI above.

X. AGENCY REFERRALS

If this application is set down for a public hearing, the Office of Planning will refer it to the following District government agencies for review and comment:

- Department of the Environment (DDOE);
- Department of Transportation (DDOT);
- Department of Housing and Community Development (DHCD);
- Department of Employment Services (DOES);
- Fire and Emergency Medical Services Department (FEMS);
- Metropolitan Police Department (MPD); and
- DC Water and Sewer Authority (WASA).