GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

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Office of the Director

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MEMORANDUM

TO: D.C. Zoning Commission

FROM: Andrew Altman, Director

DATE: June 3, 2002

SUBJECT: Waiver of Rules for Late Submission of Office of Planning Preliminary Report For Case No. 02-17

The attached preliminary report is being submitted later than Friday May 31, 2002. The Office of Planning (OP) requests that the Commission waive its rules to receive the OP report into the record.

Attachments

aa/sc

ZONING COMMISSION
District of Columbia
Case 02-17
Exhibit 18

ZONING COMMISSION
District of Columbia
CASE NO.02-17
EXHIBIT NO.18

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

M E M O R A N D U M

TO: D.C. Zoning Commission

FROM: Andrew Altman, Director

SUBJECT: Preliminary Report – Zoning Commission Case No. 02- 17
A Proposed One-Stage Planned Unit Development (PUD) With Related Map Amendment at 5401 Western Avenue, NW --Square 1663, Lot 805 and a Portion of Lot 7

DATE: May 31, 2002

I. APPLICATION-IN-BRIEF

Stonebridge Associates (the applicant) is requesting consolidated approval of a one-stage Planned Unit Development (PUD) and related zoning map amendment for the site of the Washington Clinic, and a portion of the Lisner Home property, located at the intersection of Military Road and Western Avenue in the Friendship Heights neighborhood of Northwest Washington. The applicant wishes to develop a 235,000 square foot building on 58,220 square feet of land. The project would contain 200 – 225 apartments, 218-250 parking spaces, and 7200 square feet of convenience retail space, of which 2000 SF would count towards FAR. The project would be located in a Comprehensive Plan-designated Housing Opportunity Area approximately 250 feet east of the Metro station at the intersection of Wisconsin and Western Avenues. The application requests PUD-related zoning changes from R-5-B to R-5-D for all of Lot 805 in Square 1663, and from R-2 to R-5-D for a 14,380 portion of Lot 7, which is on the eastern edge of Lot 805. In addition to the discretionary approval requested for the convenience retail, the applicant is also requesting flexibility on the set-back for the mechanical penthouse, and from a side yard set-back requirement.

II. OFFICE OF PLANNING SUMMARY RECOMMENDATION

The Office of Planning (OP) recommends the Zoning Commission (the Commission) schedule the application for a public hearing. Development of housing on this site, at a density greater than would be allowed under matter-of-right zoning, appears to be a sound planning objective. The applicant has given the proposed project's design considerable attention, has engaged in an extensive public consultation process, and has attempted to respond to a number of community concerns.

However, there are several issues that remain. These will need to be additional consideration in order to determine what, if any, density increase or physical design might be appropriate. These matters include:

- Traffic generation, parking and traffic mitigation, both specific to the site, and cumulative for projected development in Friendship Heights on both sides of the District/ Maryland border;
- Building height, massing, configuration, and design of the southeastern wing;
- Retention/loss of trees and open space;
- The public benefits of the project and the proposed public amenities package;
- The balance between neighborhood impacts and city-wide planning objectives and benefits.

These questions will be discussed in more detail later in this report, and have already been raised during the applicant's discussions with members of the ANC, with the general public, and with OP. They deserve the additional study and consideration that the public hearing process can bring.

II. SITE AND AREA DESCRIPTION; ZONING AND HISTORIC PRESERVATION CONTEXT *(Attachment 1)*

The site is in the mixed-use Friendship Heights neighborhood of northwest Washington. It is on the edge of the District, and abuts the border with the State of Maryland. The site is just east of the intersection of Wisconsin and Western Avenues, both major arterial roads. It is bordered by Western Avenue on the north, Military Road (also a heavily traveled street) on the south, and property belonging to the Lisner Home (a community residence facility for the elderly) on the east. The site is located approximately 250 feet east of the Friendship Heights Metro stop.

Friendship Heights is a rapidly growing regional center that straddles the District/ Maryland border. (*See Table 1 for a list of major projects*). The Maryland side of the area has experienced, and will continue to experience, far more large-scale residential, retail and commercial development than the District side. Consequently, it essential to view the proposed development in the context of pending development in both jurisdictions.

In Maryland, the newer, denser development extends for several blocks back from the intersection of Wisconsin and Western Avenues, and has been accompanied by the construction of many additional lanes of local roads. Development has included or will include several office buildings, rising as high as 19 stories; two department/specialty stores, one of which is slated for redevelopment and expansion; a hotel; specialty retail shops; restaurants; a grocery store; many high-rise apartment buildings; and several thousand structured parking spaces. Approximately 2 million square feet of development, including approximately 800 apartments, are planned.

The District portion of the neighborhood retains a traditional development pattern, where single-family houses are located one block back from the higher-density development in the squares that have frontage on Wisconsin Avenue. Within the District's portion of Friendship Heights, there is only one major development that is not within a square having frontage on Wisconsin Avenue. This is the Lord & Taylor department store, two blocks west of the intersection of Wisconsin and Western Avenues.

In order to retain the existing, healthy neighborhood, the new development in the District has been accompanied by the construction of no new roads, and by the widening of only one block of existing roadway. Traffic calming measures have been installed. While the existing neighborhood has been partially protected, the District has accommodated significant new residential, retail and commercial development. This includes the recently renovated Mazza Gallerie retail mall; the Chevy Chase

Pavilion retail mall; the Embassy Suites hotel; retail development including Border's Books, Maggiano's Restaurant, Linens and Things, Roche Bobois, commercial space and professional offices, and new townhouses along 43rd Street. Presently, the project being considered in this case is the only pending development on the District side of Friendship Heights. However, the Washington Metropolitan Area Transit Authority (WMATA) may be moving closer to development on its Western Bus Garage site.

Table 1: Larger existing and planned developments in Friendship Heights, DC and MD.

DEVELOPMENT OR PROJECT	DC OR MD	EXIST. SF (# APTS.)	PROPOSED SF (# APTS.)	HEIGHT	FAR
Mazza Gallerie	DC	325,000[290,000 retail; 35,000 cinema]	n/a	65''	3.0
Chevy Chase Pavillion PUD (hotel, office, retail)	DC	490,237 sf	N/a	100 feet	5.175
Chevy Chase Plaza PUD, I (Office/Retail)	DC	174,218 SF (31,676 retail; 129,872 office; 10,140 [5 units] res.; 2530 sf child care)	N/a	90 feet	5.15
Friendship Center (Chevy Chase Plaza PUD II) (retail/residential)	DC	177,400 sf (94,400sf retail; 83,000 sf res. in 29 townhouses	N/a	54', Wisc. 45', 43rd St.	1.86
Washington Clinic PUD (retail/ apts.)	*DC*	N/a	*7200 sf (200-225 apts)*	*90', 73',43'*	*4.0 – 4.1*
WMATA Bus Garage	*DC*	*N/a*	*60,000 sf retail plus 400 apts*		
Metro Building	MD	228,000 SF office, minor retail	N/a	143 feet	
Chevy Chase Ctr	MD	98,000 SF retail and office	N/a		
New Chevy Chase Ctr.	*MD*	*N/a*	*300,000 SF office; 112,000 retail*	*90'. 40 feet*	
Wisconsin Place (Hecht's)	*MD*	Not known	*450,000 SF office; 300,000 retail; 300,000 SF apts (275 units) [1.05 M SF total]*	*143'; 54'' 120'*	2.7
GEICO	*MD*	Not known	*810,000 SF commercial; 500 apt. and townhouse units*	*Approx. 100' & 50'*	tbd

With respect to current zoning (*Attachment 1*) and historic sites, the existing Washington Clinic portion of the site is zoned R-5-B. The Lisner Home portion of the site is zoned R-2. To the southwest, the underlying zoning for Square 1661 is split between C-2 and R-5-B. However, the entire square has been developed as a PUD with related C-3-C zoning. Directly south of the applicant's site, and for most of the surrounding residential areas in the District, the zoning is R-2. On the west side of Wisconsin Avenue, the Mazza Gallerie site is zoned C-3-A. There are no historic sites or districts nearby.

III. APPLICATION SUMMARY

The applicant has purchased the 3-story building used by the Washington Clinic for outpatient medical services. It has also purchased an approximately 14,000 square foot piece of undeveloped land from the adjacent Lisner Louise Hurt Dixon Home. The Clinic will move – most likely across Western Avenue to a new development on the Maryland side of the street. The Lisner Home will remain in place, and has publicly stated it has no plans to move in the foreseeable future.

The applicant wishes to demolish the Washington Clinic building, clear its site and the 14,000 square foot portion of Lisner Home property under contract, and construct a 234,750 square foot building containing:

- 200 – 225 apartments;
- 7,200 square feet of convenience retail accessed from Western Avenue, of which 2,000 square feet would count towards FAR;
- 218 – 250 parking spaces on three below-grade levels, to be entered from Western Avenue, at a reconfigured signalized intersection with Wisconsin Circle in Maryland.

The building would have a FAR of between 4.0 and 4.1. In plan, as currently proposed, it would be "L" shaped, with the longer, higher wing paralleling Western Avenue, and the shorter, lower wing, being perpendicular to both Western Avenue and Military Road. It maximum height would be 90 feet, plus 18'6" penthouse. The shorter side of the L, referred to as the Lisner Wing, would stepdown to approximately 53 feet for most of its length, and, would lower to approximately 43 feet for the last twenty feet closest to Military Road.

The building would be constructed primarily of red brick that would match the Lisner Home and many of the nearby houses. The site plan includes a landscaped triangular plaza between the Western Avenue and "Lisner" wings. A publicly accessible walkway is planned for the eastern side of the Lisner wing, to line up with 43rd Street to the South, and allow for passage from Military Road to Western Avenue.

The southeast corner of the site will be devoted to a "tot lot" play area for the exclusive use of the Chevy Chase Plaza Children's Center, which is a day care center located one block south of the proposed project, that was constructed as part of a previously-approved PUD.

To build the project, the applicant is requesting Commission approval of the following:

- Approval of a one-step PUD (11 DCMR, Section 2406.11;
- Related zoning map amendments from R-5-B to R-5-D for all of Lot 805 (43,840 SF), and from R-2 to R-5-D for14,380 square feet of Lot 7; (11 DCMR, Section 2406.2)
- Approximately 7,200 SF of convenience retail, of which 2,000 SF would count towards FAR (11 DCMR, Section 2405.7)

- Relief from 1:1 roof structure setback requirement (Sections 400.7 and 411) for the portion of the penthouse flush with the southern edge of the Western Avenue wing of the building;
- Relief from the 3" per foot of building height side yard setback requirement (Section 405) along the eastern edge of the property, where the applicant has proposed a 13'7" side yard where a 22' 6" side yard would be required.

The applicant describes the following as elements of its amenities package:

- Provision of a substantial number of housing units in a housing opportunity area at a Metrorail station;
- Superior architectural design that steps-down the height of the project to a residential scale along Military Road;
- A private tot-lot to serve clients of a nearby day care center that caters to the neighborhood, and that was built as an amenity for a PUD previously approved by the Zoning Commission;
- A new running track and some upgraded equipment for the nearby Chevy Chase Public Park at Western Avenue, Livingston Street and 41st Street;
- A lit pedestrian connection between Military Road and Western Avenue, activated by duplex townhouse units with stoops;
- A south-facing, unwalled, soft-landscaped courtyard with benches, that will be open to the neighborhood;
- A generous set-back and extra landscaping along the Military Road frontage;
- A wider-than normal sidewalk on Military Road
- A neighborhood-serving convenience store;
- A special traffic mitigation study for the 43rd Street vicinity, that is more focused than, and in addition to, the overall traffic study required by the zoning regulations;
- Traffic mitigation measures, including the limitation of parking and loading entrances to Western Avenue, and the alignment of access to the parking garage with Wisconsin Circle, in Maryland;
- Additional parking above that required by the Zoning Regulations or the marketplace, to satisfy virtually all parking demand on-site; inclusion of a validation system for retail parking and residential visitors;
- A construction management plan.

OP emphasizes that these are the elements of the benefits and amenities as described by the applicant. OP views several of these elements to be simply aspects of the development or design. Others that the application considers to be amenities in the traditional PUD sense of the term appear, to OP, to be considered more appropriately as public benefits. This is discussed in detail later, in Section VI D of this report.

The right-hand column of the following table summarizes the quantitative aspects, and zoning flexibility requests of the application. These aspects are compared with three other possible development scenarios:

1. Matter of Right (essentially R-5-B)[1]

[1] For comparitive purposes the table's matter of right scenario considers only the R-5-B zoned Washington Clinic portion of the site. The 15, 000 SF Lisner Home portion of the site could be developed with approximately 5 dwelling units under matter-of- right zoning.

2. Existing Zoning With PUD
3. R-5-C Zoning With PUD

	R-5-B M-O-R	R-5-B w/ PUD	R-5-C w/ PUD	APPLICATION: R-5-D with PUD
GSF	78,912 SF	131,520 gsf	(+1.5%)	Commission could permit up to 261,990 GSF ***235,000 is proposed***
FAR	1.8	3.0	4.0	Commission could permit up to 4.5 ***approximately 4.0 requested***
Lot Occ.	60%	60%	75%	Commission could permit 75% ***55% requested***
#du. @, 900 SF/each	88 - 93	138		**200-225**
Height	50'	60'	75'	Commission could permit up to 90' 90', 73', 43' requested
Parking	1 space/2du	1 space/ 2du		1 space/ 3 du required = 67 - 75 ***1 space/1 du proposed (218 spaces)***
Rear Yard				4"/foot = 29.33feet ***at least 75' proposed***
Side Yard				3"/foot = 22 feet ***13'10" proposed; Requires Relief***
Court				3"/foot of height or 27' 6" ***at least 75' proposed***
Loading				1 @ 55'; 1 @ 20' ***1 @ 55'; 1 @ 20' proposed***
Other	No retail	No retail	Accessory Retail, if Permitted by BZA	***7200 SF retail proposed (2000 of which counts towards FAR)***

VI. PLANNING AND ZONING ISSUES

A. Consistency with the Comprehensive Plan *(Attachments 2 and 3)*

There are several elements of the Comprehensive Plan that must be considered in evaluating the proposed project. They include policies that encourage the attraction of new residents, the promotion of development leading to a return that justifies the City's investment in Metrorail, Transit-Oriented-Development (TOD)-type policies emphasizing concentration of mixed-use development around Metro stations; and other policies that emphasize the protection of stable neighborhoods and the minimization of development impact on the physical character of a community.

Specific, relevant goals within some of the major elements of the Comprehensive Plan include:

- The Economic Development element 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. .
- The Land Use element encourages a substantial amount of new housing primarily in housing opportunity areas and near Metrorail Stations. The site is included in a housing opportunity area.
- The Housing element notes that housing in the District is viewed as a key part of a wholistic system that includes access to transportation, shopping, employment, schools, libraries, recreational facilities, playgrounds, and other public amenities;
- The Comprehensive Plan further designates housing opportunity areas as locations where significant housing development can appropriately occur, and encourages multi-unit housing development near selected Metrorail stations, at locations adjacent to Downtown and adjacent to other employment centers and office areas.
- The Ward 3 element focuses on development of new housing on underutilized land in the ward which has been designated as part of housing opportunity areas. However, the Ward 3 element also notes that development proposals, even in housing opportunity areas, must be evaluated to avoid adverse impacts on neighborhood stability, traffic, parking, and environmental quality.
- The Transportation element includes support for land use arrangements that rationalize transportation services. The location of the project 250 feet from the Friendship Heights Metro station adjacent to numerous bus lines in a significant mixed-use area furthers this Transit Oriented Development (TOD) – type goal.

B. The Site as a Housing Opportunity Area *(Attachment 3)*

The Comprehensive Plan's Generalized Land Use Map designates the site as being appropriate for institutional usage – essentially reflecting the existing uses. However, the Comprehensive Plan's Generalized Land Use Policies Map clearly identifies the site as a Housing Opportunity Area, because of its adjacency to a Metro stop, in an area of the District designated as a regional center. Increased residential density is also consistent with several of the written policies, objectives and proposed actions of the Comprehensive Plan, as well as with the emerging policies of the Mayor's Task Force on Transit Oriented Development.

Unfortunately, neither the Comprehensive Plan nor any other District report identifies a method for determining the *appropriate* increase in density for housing opportunity areas. There is little guidance how much housing should be built on this site. It is 250 feet from a Metro station, in an area designated as a regional center. It is also 150 feet or less from a neighborhood of single family houses, that is already experiencing traffic and parking congestion, and can expect considerably more from the approximately 2 million square feet of new development that will be built in the Maryland section of Friendship Heights.

The applicant has made a case for this site's being appropriate for relatively dense housing. However, the applicant has not justified why such density should be the 200 – 225 units (approximately 180 – 200 units/acre) that could be built under the requested R-5-D rezoning with a PUD, rather than the 110 units (approximately 80 – 100 units/ per acre) that could be built under the existing R-5-B and R-2 zoning with a PUD.

Consequently, OP asked the applicant to undertake a comparison of densities at somewhat comparable housing opportunity areas within the District, and at Metro-oriented TOD-type development in Bethesda, MD and in the Rosslyn – Ballston corridor of Virginia. The preliminary results of the applicant's study (included as Attachment 4) show two somewhat comparable areas within the District:

- 4725 Wisconsin Avenue PUD in the Tenleytown Housing Opportunity Area, which has an FAR of 4.5 and a height ranging from 65' to approximately 90'. This development is across the street from single-family houses, and is in an area where additional development is anticipated, although not on the scale of that projected for Friendship Heights, MD. It is, however, in a commercial zone district.
- 3133 Connecticut Avenue (Kennedy-Warren Apartments Addition PUD), which is not in a Housing Opportunity Area, but is within a six to ten minute walk of two metro stations on a major arterial also served by buses. The Commission permitted a 90-foot building with an FAR of 6.29. However, this development is not adjacent to single-family houses, and is buffered from most nearby development by institutional open space, or by the separation of Connecticut Avenue.

OP notes that when making any comparisons to development in Bethesda and the Rosslyn-Ballston corridor, two very important caveats apply:

1. These areas have been designated as CBDs. Friendship Heights, DC has not been so designated;
2. The recent increase in development in Bethesda and Rosslyn-Ballston was preceded by extensive planning processes with considerable public participation. Before new developments were considered, the public knew what the accepted growth/development plan was, and had a clear sense of where future growth would *not* occur. The planning process for the Friendship Heights area will be getting under-way this summer, and will be finished late in 2003.

In the Bethesda area, the applicant identified the following comparable projects:

- The Bethesda Theatre Café development is under construction on Wisconsin Avenue, two blocks from the next Metro stop on the Red Line from Friendship Heights. The 300,000 SF project will have 257 apartments and 21,00 SF of retail space. The heights will range from 94' along Wisconsin Avenue, to 65' at the rear, where it abuts a single-family neighborhood. The FAR will be 5.0.

- The Air Rights Building addition, located approximately three blocks south of the Bethesda Metro station, will contain 165 apartments, have a 90' height towards Wisconsin Avenue, and will step down to 65' adjacent to the single family neighborhood behind the apartments.

- The former O'Donnell's Restaurant site is at the northern edge of the Bethesda CBD. It has been approved for FAR ranging from 2.0 to 3.0 and heights ranging from 60 feet to 75 feet. Its 164 apartments and 18,500 SF of retail space are under construction adjacent to a single-family neighborhood.

In the Rosslyn-Ballston corridor, apartment densities range from 143 units per acre, to 289 units per acre at the seven projects identified by the applicant. (This compares with approximately 180 units per acre in the applicant's proposal). Heights range from 11 stories to 19 stories. Most of the projects include some commercial space. Arlington County required three of the seven projects to include affordable housing units. The applicant did not identify how close these projects were to the single-family houses that surround the higher-density development around the Metro stations. However, OP notes that the Arlington Planning Commission purposely planned significant rings of transition, containing townhouses, as buffers between the taller buildings in each of the Corridor's centers, and the remaining single-family houses.

C. Consistency with the PUD Evaluation Standards of Section 2400

The objectives of a PUD are to permit flexibility of development in return for the provision of superior public benefits, provided the PUD process is not used to circumvent the intent and purposes of the Zoning Regulations or result in an action inconsistent with the Comprehensive Plan. The proposal appears to be generally consistent with the objectives and evaluation standards of a Planned Unit Development, as defined in 11 DCMR Section 2400. It will, however, require additional consideration in some areas before a public hearing.

1. Quantitative Standards

- In the existing R-5-B zone, and in the proposed R-5-D zone, a PUD has a 15,000 square foot minimum lot area. This project meets that standard [Section 2401.1(c)].

- The maximum Floor Area Ratio may not exceed 3.0 for a PUD under the existing R-5-B zoning for the Washington Clinic. The Lisner Home portion of the site is zoned R-2, which limits a PUD to .4 FAR. The FAR may not exceed 4.5 under the proposed PUD with associated R-5-D zoning. At an FAR of just over 4.0, the proposal would comply with the R-5-D standards for a PUD and would exceed the R-5-B PUD standard by slightly over 1 FAR.

- The maximum height may not exceed 50 feet for a PUD in the R-5-B zone, and may not exceed 40 feet in the R-2- zoned Lisner Home portion of the applicant's site, which is also the portion of the site closest to existing single-family homes. The height may not exceed 90 feet for a PUD in the requested R-5-D zone. The proposed development would comply with the R-5-D PUD height limitations, and would exceed R-5-B limitations by 40 feet

2. Discretionary Standards

Other regulations, from which the PUD may vary, subject to a public hearing and Zoning Commission approval, include:

- Greater or lesser requirements for yards or courts (Section 2406.5), "depending on the exact circumstances of the project". For the purposes of setdown consideration, the applicant provides adequate justification for requesting relief from the side yard requirements of Section 405.6. The side yard would be 13'7" from the property line, rather than the required 22'6". However, the

32' distance between the applicant's proposed building and the Lisner Home (as opposed to the property line) exceeds the total required for both buildings. This request can be discussed further, should the application be set-down.

- Relief from the mechanical penthouse setback requirements of Section 400.7 and 411. The proposed elevator penthouse on the Western Avenue wing would be flush with the edge of the top floor on the south side and would therefore not meet the 1:1 setback requirements on that one side. OP does not view this as a problem, since the roof structure would be set back approximately 100 feet from the nearest road to the south. It can be discussed further, should the application be set-down

- Inclusion of convenience retail use on a portion of the first floor. Section 4207.7 permits the Commission to approve such a use, which could be permitted as a special exception in the requested R-5 zone district. OP finds the limited amount of space (7200 square feet) to be consistent with surrounding uses, and notes that it would be entered only from Western Avenue, where it would face other commercial uses, and not from the more residentially-oriented Military Road.

D. PUD Amenities

The objectives of a PUD are:

- to permit flexibility of development in return for
- the provision of superior public benefits,
  - provided the PUD process is not used to circumvent the intent and purposes of the Zoning Regulations,
  - or results in an action inconsistent with the Comprehensive Plan.

Public benefits are defined in Section 2403.5 as "superior features...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...matter or right..." Amenities are defined in Section 2403.7 as including "one type of public benefit, specifically a functional or aesthetic feature of the proposed development, that adds to the attractiveness, convenience or comfort of the project for occupants and immediate neighbors".

The applicant states the project will provide several public benefits and amenities. These are listed below. OP's comments are *in italics.*

- Provision of a substantial number of housing units in a housing opportunity area at a Metrorail station.
  - *While the provision of a number of housing units greater than that allowed under matter of right development clearly constitutes a public benefit, the case application requires additional consideration of the upper limit to such an increase. Consideration must be given to whether the greater number impact the surrounding neighborhood in a way that outweighs their benefits. At this point, OP is not prepared to agree that 200 – 225 units constitutes a clear public benefit.*

- Superior architectural design that steps-down the height of the project to a residential scale along Military Road.
    - *The applicant has not adequately explained why the proposed massing is superior to, for instance, a design that further increases the mass along Western Avenue, and reduces or even eliminates the mass on the proposed "Lisner wing", that projects south towards Military Avenue and single family houses. The proposal does step down to the residential scale for the last twenty feet of the Lisner wing, but the façade and roofline of the Lisner wing do not read as elements supporting the appearance of the adjacent neighborhood. OP is inclined to view the design as a logical response to its physical context, rather than as superior design rising to the level of an amenity.*
- A private "tot-lot" to serve clients of a nearby day care center that caters to the neighborhood.
    - *There is considerable division in the community over whether this constitutes a public benefit. OP notes that the day care center the proposed tot-lot would serve was built as an amenity under for a previous PUD, and that there is a certain logic to extending the same consideration as an amenity to the tot-lot in the proposed PUD. However, OP understands that the tot-lot is more visible to the general public that the day care center; that it would be especially attractive to all children; and that it could generate the awkward situation of having to explain to youngsters why this "amenity" cannot be used by the public because of insurance restrictions.*
- A new running track and some upgraded equipment for the nearby public park/recreation center at Western Avenue, Livingston Street and 41st Street.
    - *This constitutes a clear public benefit.*
- A lit pedestrian connection between Military Road and Western Avenue, activated by duplex townhouse units with stoops.
    - *This is a project amenity, because it formalizes and preserves the presently informal neighborhood shortcut between Military Road and Western Avenue, a shortcut that the applicant is not required to maintain, and that would be difficult to provide under matter of right development.*
- A south-facing, un-walled, soft-landscaped courtyard, with benches, that will be open to the neighborhood.
    - *OP has some difficulty considering this as anything other than a design feature that results from the choice of site plan and from marketing considerations. It appears likely from the design that the public will not feel free to use it, since it will probably be perceived as the private domain of the apartment complex.*
- A generous setback and extra landscaping along the Military Road frontage.
    - *Depending on further refinement, this may be a project amenity.*
- A wider-than normal sidewalk on Military Road.
    - *OP does not know if pedestrian traffic warrants a sidewalk widening, and, therefore, whether it would be a public benefit.*
- A neighborhood-serving convenience store.
    - *OP does not see this as an amenity, and is not inclined to see it as a public benefit that helps justify the PUD, since Friendship Heights already has a small supermarket and a large drug store, both of which have extended hours. . However, OP has no objection to such a store.*

- A special traffic mitigation study for the 43rd Street vicinity, that is more focused than, and in addition to, the overall traffic study required by the zoning regulations.
    - *This study has provided a public benefit, by speeding up the process the District Department of Transportation can use to implement signage changes, etc. for overall traffic mitigation in the neighborhood.*
- Traffic mitigation measures, including the limitation of parking and loading entrances to Western Avenue, and the alignment of access to the parking garage with Wisconsin Circle, in Maryland.
    - *This strikes OP as sensible, even laudable project design. While on the one hand, it could appear more as the avoidance of negative consequences than a positive public benefit, OP acknowledges that the placement of the entrance/exit of the project at this precise location does cause circulation problems internally, thus making its provision by the developer more related to public than private benefit. .*
- Additional parking above that required by the Zoning Regulations or the marketplace, to satisfy virtually all parking demand on-site; inclusion of a validation system for retain parking and residential visitors.
    - *OP's sense of the neighborhood reaction is that this does constitute a project amenity.*
- Construction management plan.
    - *Depending on details, this may be a public benefit, due to neighborhood concerns about traffic and parking, as well as impacts of excavation and possible blasting.*

E. Amenities and Benefits in Relation to the Degree of Flexibility Requested

The lack of policy guidance on appropriate densities in housing opportunity areas makes consideration of the relationship between the zoning flexibility requested and the amenities and benefits provided particularly important in this case. The applicant is requesting a rezoning in conjunction with the PUD application that would enable a doubling of the density permitted under the existing zoning *without a PUD.* The benefits/amenities package outlined by the applicant does not yet seem to OP to sufficiently balance out the relatively high degree of flexibility requested. It will require further examination should the Commission set the case down for a hearing. OP has advised the applicant of this. Since the application was filed, the applicant has indicated a willingness to consider providing assistance to the Tenley-Friendship branch of the D.C. Public Library.

VIII. AGENCY REFERRALS

This application will be referred to the following District government agencies for review and comment, should the Commission decide to set it down for consideration:

1. Department of Public Works;
2. Department of Transportation;
3. Metropolitan Police Department;
4. Fire and Emergency Medical Services Department;
5. Department of Consumer and Regulatory Affairs (DCRA).
6. Department of Housing and Community Development.

IX. COMMUNITY COMMENTS

The applicant has met extensively with a working group of community representatives for about seven months and has presented the plans for the project at an open community meeting. There is both support for and opposition to the application in the community. Members of Advisory Neighborhood Commission 3E have been involved in the discussions, but the ANC has not taken a formal position on the application.

The chief neighborhood concerns are:

- Perception of an Insufficient Justification for the Requested Rezoning Portion of the Application: This concern is similar to that discussed above under the Housing Opportunity Area consideration. There appears to be considerably less opposition to a PUD under the existing zoning.
- Density, Traffic and Parking. Studies completed by the applicant's transportation consultant indicate a diminution of levels of service at some intersections to a Level of Service D. While this is due far more to the planned 2 million square feet of development in Friendship Heights, Maryland than to the direct impact of the applicant's proposed project, there is considerable concern about the impact of any project on the cumulative condition. Neighbors are especially concerned about traffic impacts on Military Road and 43rd Streets, and about parking impacts if tenants of the proposed apartments own an average of more than one car per unit.
- Height, both of the 9 story Western Avenue block, and of the nearness of the 53' and 43'-high Lisner wing to single family houses;
- Construction Impacts: Some neighbors experienced damage to their homes during the construction of previous PUDs in the neighborhood. Some of these neighbors are concerned that possible bedrock conditions may require blasting for the construction of the underground parking garage, and that this could have negative impacts on their houses.
- Loss of Trees and Open Space: There are several mature trees on the site and many more "background" trees. There is concern that the construction of the underground parking garage would require the clearing of these trees, and prevent the future growth of trees of substantial stature. This concern is acute with respect to the trees and other plantings on the portion of the proposed development now owned by the Lisner Home. The portion of this site that would be developed for the tot-lot is also nearest to existing residences. That part of the site would have to be cleared completely if the underground garage extends that far to the southeast.
- Precedent for Future Parcels Along Western Avenue. Both the Washington Clinic and the Lisner Home now provide low density, well-landscaped buffers between the single-family homes, and the extensive, dense, high-rise development in Friendship Heights, Maryland. Neighbors are generally concerned that, absent a small area plan, dense high-rise development of the Washington Clinic site could set a precedent for more eastward parcels on Western Avenue. The small area plan is slated for completion in late 2003.
- Lack of Balance Between the Requested Zoning Flexibility/ Perceived Project Impacts and the Public Benefits/Project Amenities. There seems to be only one proposed element that all neighbors agree is actually an amenity: the proposed track at the public park and recreation center at Livingston Street.

X. PRELIMINARY OP RECOMMENDATION

OP recommends the Commission set down the application for a public hearing. OP is encouraged that the Applicant and the community have had a continuing dialogue about appropriate development of the

site. The conversation with the community and City agencies should continue, with the Applicant addressing the following issues prior to or at the public hearing:

1. Traffic impacts on critical intersections and on neighborhood streets, with the primary issue being whether the traffic from this development can be accommodated with all of the other potential development planned to occur in the area;
2. The massing of the building, with an emphasis on shifting mass to the Western Avenue portion, and minimizing mass on any wing that may project towards Military Road, particularly with respect to the height of the portion of the building closest to existing homes.
3. The façade design, in particular the front and roofline that the Lisner/Military Road wing presents to the street and the adjacent homes;
4. Tree preservation, to determine the condition of the existing trees, especially in the area of the proposed "tot-lot", and what measures can be taken to preserve trees on or near the site that are worthy of being kept. This should be considered in the context of potential trade-offs among the amount of parking provided, the excavation necessary for that parking, and the impacts of excavation on the trees on the site, as well as the condition of nearby houses;
5. The relationship between the extra density requested and the amenities and benefits that the project provides for the neighborhood and the city, with emphasis on raising the level of benefits which flow from the project.

AA/slc

Attachments (4)

Feature Key

Zoning Boundaries
Square Index

Zoning Commission
Case No. # 02-17, 5401 Western Ave., NW
Area Context

DC Office of Planning
June 3, 2002

Scale 1:3933

N

250 255075 Feet

Attachment 1

Zoning Commission
Case No. # 02-17, 5401 Western Ave., NW
Site

Feature Key

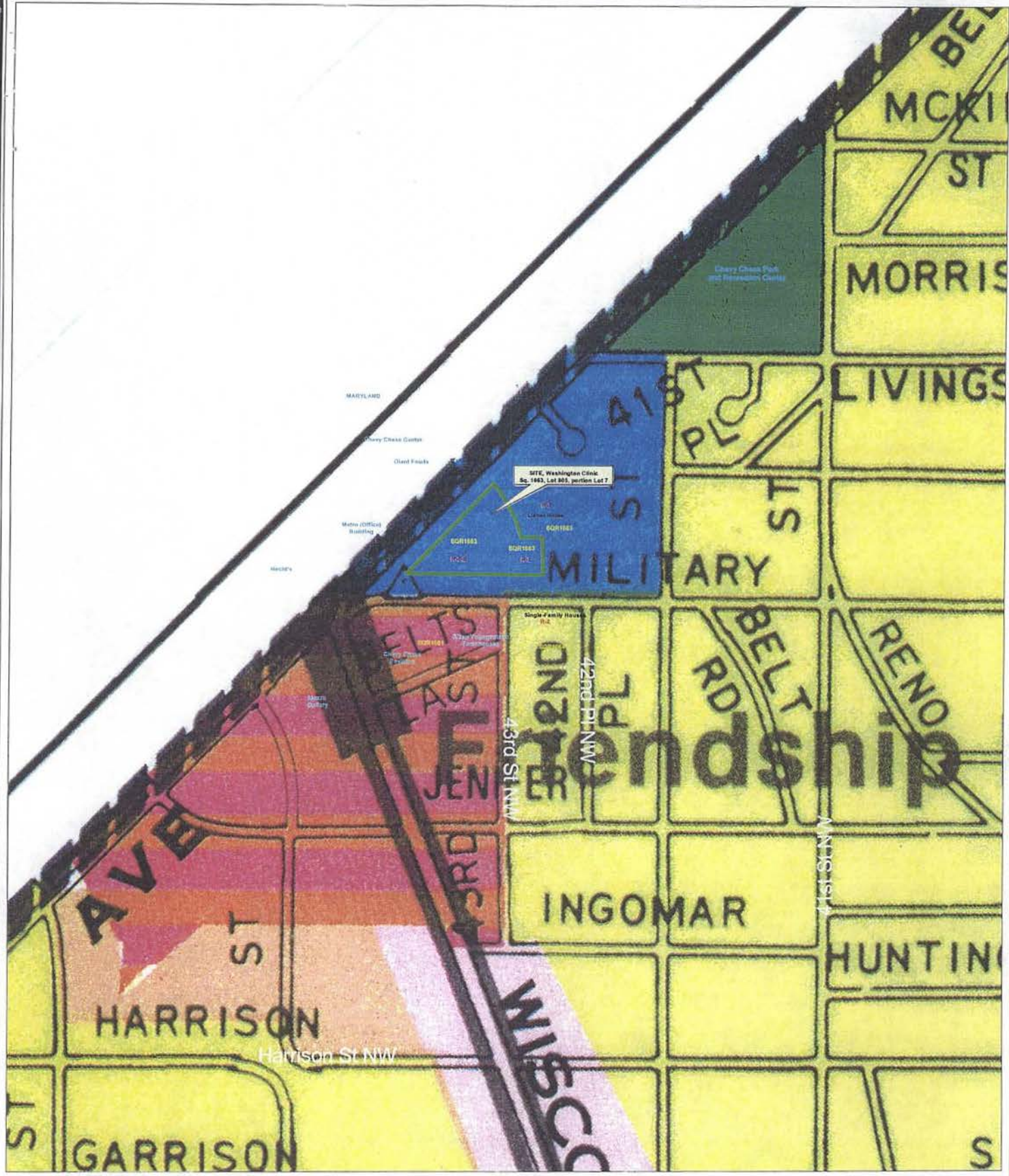
Zoning Boundaries
Square Index

DC Office of Planning
June 3, 2002

Scale 1:1104

25 0 25 50 75 Feet

Attachment 2



Generalized Land Use Key

- Residential Low Density
- Residential Moderate Density
- Residential Medium Density
- Residential High Density
- Water
- Commercial Low Density
- Commercial Moderate Density
- Commercial Medium Density
- Commercial Med.-high Density
- Commercial High Density
- Federal
- Institutional
- Local Public
- Parks, Recreation and Open Space
- Production and Technical Employment

Comprehensive Plan Landuse

DC Office of Planning
June 3, 2002

Scale 1:4916

N

0 150 Feet

Attachment 3

Attachment 4

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April 24, 2002

STEVEN E. SHER
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VIA HAND DELIVERY

MEMORANDUM

To: Stephen Cochran
D.C. Office of Planning

From: Steven E. Sher
Director of Zoning and Land Use Services

Subject: High Density Residential Development Adjacent to Metro Stations

We have undertaken some further research and analysis regarding residential development in and near Metrorail stations, to support the proposition that it is appropriate to increase the permitted density on the property at 5401 Western Avenue, N.W., currently occupied by the Washington Clinic. That property is within 250 feet of the entrances to the Friendship Heights Metrorail and bus station and is currently zoned R-5-B, which permits a maximum height of fifty feet and a maximum FAR of 1.8. The development proposed for the site would be an apartment house with 200 to 225 units (150 to 170 units per acre) with just over 4.0 FAR. The maximum height proposed is ninety feet at its highest point, stepping down to a height in the range of forty feet on the side where it faces lower density single family housing.

In reviewing this matter we considered:

1. The housing opportunity area designations on the District of Columbia Generalized Land Use Policies Map adopted as part of the Comprehensive Plan;

2. Zoning Commission approval of text amendments and planned unit developments allowing for greater residential density in areas where housing is desired, particularly near Metrorail stations; and

3. Policies and approvals of other surrounding jurisdictions, most notably Arlington County in Virginia and Montgomery County in Maryland, which encourage housing near Metrorail stations.

Housing Opportunity Areas

The Comprehensive Plan (§1118.6) describes housing opportunity areas as places "where the District expects and encourages either new housing or rehabilitated housing. These housing opportunity areas are not the only areas where new housing units will become available, but represent locations of significant concentrations. Most Metrorail stations outside the Central Employment Area, and some within, will support additional housing units. The conversion of existing nonresidential buildings for housing and the return of vacant units to the housing market are two (2) additional devices which will result in additional housing units."

The current Generalized Land Use Policies Map identifies twenty-nine housing opportunity areas. Sixteen of those areas are identified by name to mean specific development proposals on specific properties:

Miller Tract (#1)
Whitehaven Woods (#3)
Kelly Miller (#7)
Ellen Wilson Dwellings (#11)
Greenleaf Gardens (#12)
James Creek (#13)
Arthur Capper (#14)
Kenilworth/Parkside (#15)
East Capitol Dwellings (#17)
Fort Dupont Dwellings (#18)
Blitz Properties (#20)
Knox Hill (#21)
Barry Farms (#22)
Camp Simms (#23)
Wheeler Hills Estate (#25)
Upshur Street Clinic Area (#27)

Thirteen of the areas are more general descriptions of areas where housing is to be encouraged. Seven of these areas are directly at Metrorail stations:

Tenleytown Metrorail Station Area (#2)
Columbia Heights (#4)

Howard Gateway (#5)
Fort Totten (#6)
Mount Vernon Square (#8)
Pennsylvania Quarter (#9)
Wisconsin and Western Avenues, N.W. (#29)

The remaining six areas are not in the direct vicinity of Metrorail stations:

Pennsylvania Avenue, S.E. (#10)
Lincoln Heights (#16)
Benning Terrace (#19)
Congress Park (#24)
Washington Highlands (#26)
Fort Lincoln (#28)

Given the very general nature of the policies for housing priority areas and the wide diversity in the locations of these areas, the nature and character of the surrounding vicinity are the greatest influences in determining appropriate ranges for types and densities of housing to be accommodated.

Approval of Increased Residential Density

The Zoning Commission has taken both across-the-board action and action approving specific projects to increase density for residential development in areas where housing is to be encouraged, particularly in areas having proximity to transit and other locations with strong accessibility characteristics.

The most recent example of a policy change to encourage housing was the amendments to the Downtown Development District to eliminate the restriction on FAR for residential developments in housing priority areas. See, Zoning Commission Orders No. 943 and 943-A. Those amendments allow increased residential density over the maximum FAR normally prescribed in the DD/C-2-C, DD/C-3-C and DD/C-4 zones, subject to the height and lot occupancy limitations. This would allow residential buildings of fourteen stories with FARs exceeding 10.0 or 11.0. The housing priority areas include two housing opportunity areas (Pennsylvania Quarter and Mount Vernon Square) and include Metrorail stations at Archives, Gallery Place and Mount Vernon Square.

The Zoning Commission has also approved planned unit developments with significant residential densities on sites located in housing opportunity areas or

close to Metrorail stations and which were deemed to be areas where housing was to be encouraged.

- **4725 Wisconsin Avenue at Davenport Street, N.W.** – This PUD involved the rezoning of the subject property from C-2-A to C-2-B for the construction of an apartment building with first floor retail, service and office uses. The site slopes steeply down from 41st Street to Wisconsin Avenue, so measuring the permitted sixty-five foot height from the uphill side resulted in a significantly higher building on Wisconsin Avenue. The project included five townhouse type units in the portion of the building closest to the adjacent single family neighborhood. The project was allowed a maximum FAR of 4.5 and is within the Tenleytown Housing Opportunity Area. (*Zoning Commission Order No. 904, September 13, 1999*)

- **Kennedy-Warren addition at 3133 Connecticut Avenue, N.W.** – This PUD involved the rezoning of the subject property from R-5-D to R-5-E for the construction of an addition to an apartment house with commercial uses on the first floor. The R-5-D District permitted a maximum FAR of 3.5 for apartment house use as a matter-of-right. The PUD approved an overall maximum FAR of 6.29 for the addition and the existing building. The project is located within walking distance of both the Cleveland Park and Woodley Park Metrorail stations and near Metrobus routes. (*Zoning Commission Order Nos. 831, October 15, 1997, and 831-A, December 11, 2000)*

- **The Westbrook Place apartments at 2201 N Street, N.W.** – This PUD involved the rezoning of the subject property from R-5-B to R-5-D for the construction of an apartment house with non-residential uses and the redevelopment of the historic Wardman Building with residential uses. The PUD approved a maximum FAR of 5.66, with not less than 5.16 FAR devoted to residential uses and not more than 0.5 FAR devoted to non-residential uses. The R-5-B District permitted a maximum FAR of 1.8 as a matter-of-right. The project is located approximately four blocks from the Dupont Circle Metrorail station and near numerous Metrobus routes. (*Zoning Commission Order Nos. 690, May 13, 1991, 690-A, September 10, 1991, 690-B, May 11, 1992, and 690-C, August 3, 1992)*

- **The Residences at the Ritz Carlton at 2200 M Street, N.W.** – This PUD involved the rezoning of the subject property from C-2-C to CR for the construction of a hotel, retail and residential project. The C-2-C District permitted a maximum FAR of 6.0 for apartment houses and 2.0 for other structures as a matter-of-right. The PUD approved a maximum FAR of 6.81

for the project. The project is located within walking distance to both the Foggy Bottom (approximately four blocks) and Dupont Circle (approximately five blocks) Metrorail stations and near numerous Metrobus routes. *(Zoning Commission Order Nos. 833, January 12, 1998, and 855 (September 14, 1998*

- **Mayfair House at 21st and L Streets, N.W.** – This PUD involved the rezoning of the subject property from R-5-D to C-3-C for the construction of a mixed-use, high-rise building containing up to 160 rental apartments with commercial uses on the first floor. At that time, the R-5-D District permitted a maximum FAR of 6.0 for apartment houses and 5.0 for other structures as a matter-of-right. The PUD approved a maximum FAR of 6.97 for the project. The project is located near four Metrorail stations, with the closest being approximately four blocks from the site, and near numerous Metrobus routes. *(Zoning Commission Order Nos. 483, September 8, 1986, and 553, December 3, 1987)*

Surrounding Jurisdictions

We have also reviewed the policies and regulations of other jurisdictions which have Metrorail station areas which are generally programmed for high density development including residential uses

Arlington County has maintained a policy of concentrating higher density development along the Metrorail corridors, particularly the Rosslyn-Ballston corridor, for many years. The Rosslyn-Ballston corridor includes five Metrorail stations: Rosslyn, Court House, Clarendon, Virginia Square and Ballston. The County defines a "metro station area" as the area within approximately a one-quarter mile radius (or 1,320 feet) from the Metrorail station itself, taking into account existing delineations such as streets and blocks. The boundaries of each "metro station area" are shown on the attached maps.

Arlington County has established several mixed use districts that include the Rosslyn-Ballston corridor and allow for higher residential densities than in other areas of the County. The C-O Districts (as detailed on the attached Zoning Ordinance provisions), including C-O-2.5, C-O-A, and C-O Rosslyn, generally permit residential densities up to 6.0 FAR and heights up to 170 feet, depending on the area of the property.

To further increase redevelopment opportunities in the Rosslyn area, the County Board adopted the C-O Rosslyn Zoning District in 1996 as an amendment to the Zoning Ordinance. The Board also adopted a compatible amendment to the

General Land Use Plan that created a Rosslyn Coordinated Redevelopment District. Properties within the new plan district were eligible for rezoning to the C-O District, and most of Rosslyn is in fact currently zoned C-O. The C-O District permits an FAR of up to 4.8 for multi-family dwellings and a maximum height of 180 feet. The C-O District permits additional density to be obtained, up to a 10.0 FAR and 300 feet, when the County Board finds that the development proposal provides for "important community benefits identified in approved plans for the area." Past improvements that have been considered community benefits include park improvements, public art, landscaping of public areas, and improvement to pedestrian access at metro stations.

The Rosslyn-Ballston corridor continues to be slated for higher levels of development; there are currently 20,692 residential units constructed and approved in the corridor, an overwhelming increase from the 378 units that existed in the corridor during the 1970s. In each of the metro station area General Land Use Plans, the areas surrounding the Metrorail stations are largely planned for high density residential or mixed use development. The Ballston station is the eighth station from Metro Center on the Orange line (Friendship Heights is the seventh station on the Red line from Metro Center) and is approximately the same distance from Downtown as is the subject property.

Many developers have taken advantage of Arlington's increased density opportunities within metro station areas, particularly in the last several years.

- **Liberty Center** – Liberty Center is located on a site bounded by Wilson Boulevard and 9th, North Quincy and Randolph Streets in close proximity to the Ballston Metrorail station. The development consists of 497,054 square feet of office space, 13,600 square feet of retail space, and 513 apartment units at a density of 143 units per acre for the residential portion. The site area is approximately 3.6 acres and the property is zoned C-O-A. The development will replace three 1960s vintage office buildings and a ten-unit apartment building.

- **The Odyssey** – Also recently approved by the County Board is The Odyssey, an almost 320,000 square foot project located two blocks east of the Courthouse Metrorail station. The project will include a 305 to 320 unit, fifteen story apartment building (approximately 179 units per acre) with approximately 6,800 square feet of ground floor retail. This development is also slated to include affordable housing units on-site, and in this case, a density bonus was provided through the County's new affordable housing ordinance, which allowed a twenty-five percent density increase from the

underlying zoning. The site consists of approximately 1.7 acres and is zoned RA4.8.

- **Jefferson at Clarendon Center** – This site at Washington Boulevard at 10th Street was approved by the County Board for 257 residential units and 14,000 square feet of first floor retail space (approximately 289 units per acre). The site consists of approximately 0.89 acres and is zoned CR. The building will include eleven stories and reach 110 feet in height. The project is currently under construction and is scheduled for delivery in 2003.

- **The Hudson** – This site is located at Hudson Street and Wilson Boulevard, in close proximity to the Clarendon Metrorail station and consists of 309 residential units (approximately 170 units per acre) in a twelve story building. The project will also include 2,287 square feet of retail space. The site consists of approximately 1.82 acres and is zoned CR.

- **Randolph Towers** – Completed in 1986, Randolph Towers is a 510-unit (approximately 221 units per acre), twenty-one story apartment building that is 204 feet in height. It is located at 901 North Randolph Street on a site of approximately 2.3 acres and is in the Ballston Metrorail station area. The property is zoned C-O-A. The General Land Use Plan designates this site as Coordinated Mixed Use Development.

- **The Gallery at Rosslyn** – In May of 2000, the County Board approved the development of a nineteen story, 314 unit rental apartment building approximately one and a half blocks away from the Rosslyn Metrorail station. The site, at the corner of Key Boulevard and Oak Street, also includes 4,200 square feet of commercial space. Because the site was designated in the Rosslyn Station Area Plan as a Special Affordable Housing Preservation District, the applicant was required to replace the affordable units that had been included in the previous garden apartment complex. The new apartments will therefore include thirty-eight affordable housing units. The applicant's "community benefits" will be provided in the form of a $500,000 contribution to the County's Housing Reserve Fund. The site consists of approximately 1.5 acres and is zoned RA-H-3.2. The apartment building will be seventeen stories, or 180 feet, in height and will have a density of approximately 209 units per acre.

- **Courthouse Plaza** – Courthouse Plaza is a mixed-use development consisting of two office buildings, two residential buildings, a 324 room hotel and a movie theater on a large site across the street from the Courthouse

Metrorail station. There is a total of 584,315 square feet of office and 38,842 square feet of retail (theater). There are 396 residential units in two eighteen story buildings at a density of approximately 191 units per acre for the residential portion. The apartment buildings are located at 2250 North Courthouse Boulevard on sites that are approximately 1.3 acres and 0.77 acres. The entire site is zoned C-O and the General Land Use Plan designates it as High Residential/High Office-Apartment-Hotel/Government and Community.

Montgomery County, consistent with the State of Maryland's "Smart Growth" legislation and program, has endorsed a policy of concentrating higher density projects along the Red Line Metrorail corridor, especially inside the Beltway. Montgomery has provided for its most intense development at Friendship Heights and Bethesda. For each of these areas, the County has defined a Central Business District (CBD) in the general proximity of the Metrorail stations and approximately every twenty years has undertaken a detailed Sector Plan study to guide development.

The Friendship Heights Sector Plan, completed in 1998, provided for increased density for three projects – Chevy Chase Center (directly across Western Avenue from the subject property), the Hecht's project (which is across Wisconsin Avenue from the subject property) and the GEICO site (which is to the west of the Hecht's project). In each of these three cases, the approved Sector Plan called for increased density and the ability to gain further additional density under the County's Optional Method of Development in exchange for public use space and amenities. It is important to note that the County's Optional Method for its CBDs encourages residential land use over commercial by allowing a higher density for a project which is all, or partially, residential as opposed to all non-residential. The following projects demonstrate the height and density of other projects in the direct vicinity of 5401 Western Avenue:

- **Chevy Chase Center** – The CBD-1 portion of the project will include 300,000 square feet of commercial space in an eight-story, ninety foot tall structure. The density is a 2.0 FAR which reflects a doubling of the by-right development in exchange for public use space and amenities such as parks, streetscape improvements, landscaping and public art.

- **Hecht's Project** - This CBD-2 zoned site has been approved for 1,050,000 square feet of commercial space (of which 150,000 square feet may be residential) in several buildings on the site which have a maximum height of 143 feet. The approved density for the site is 2.7 FAR which reflects an

increase from the by-right development of a 2.0 FAR in exchange for public use space and amenities such as a community center, streetscape improvements, landscaping and public art.

- **GEICO Site** - This site is partially zoned for Transit Station Mixed-Use (TS-M) development and approved for 810,000 square feet of commercial space in three buildings (ranging from five to nine stories). The remainder of the site is zoned R-60/TDR and approved for 500 multi-family and townhouse units.

As these sites are essentially commercial projects they do not reflect the County's policy towards specifically encouraging high density housing at Metrorail locations but do demonstrate the support of high density projects as well as the ability to construct high-rise structures in close proximity to Metro stations.

A more directly relevant example of Montgomery County's inducement to develop high-rise residential projects is the 1994 Sector Plan for Bethesda. During this Sector Plan process, the County approved a significant increase in zoning of the Metro Core Corridor (the approximate ten block long area along Wisconsin Avenue from Woodmont Road to Cheltenham) as well as significant new density in the Woodmont Triangle District (bounded by Old Georgetown Road to the south and Woodmont Road to the east). In these areas, the County approved a mix of zones with the predominant zones being CBD-1, CBD-2 and CBD-R2. In each of these zones the County permits significant additional density and height under its Optional Method of Development as summarized below:

Zone Characteristics	CBD 3	CBD - 2	CBD - 1	CBD – R2
Land Use	Office/Retail	Office/Retail	Retail/Office	Residential/Retail
FAR				
Standard	3.0	2.0	1.0	1.0
Standard with Residential	4.0	3.0	2.0	1.0
Optional	6.0	4.0	2.0	5.0
Optional with Residential	8.0	5.0	3.0	
Dwelling Units Per Acre				
Standard	120	80	43	80
Optional	200	200	125	200
Maximum Height				
Standard	72 feet	60 feet	60 feet	60 feet
Optional	143 – 200 feet	143 – 200 feet	90 feet	143 – 200 feet

We have attached the sections of the Sector Plan for the Metro Core Corridor and the Woodmont Triangle Area District which describes in great detail the general thought process supporting the plan as well as specific areas for individual sites.

Of the five most recently approved residential projects in Bethesda, each project pursued the Optional Method of Development and essentially achieved the maximum density and height proposed in the Sector Plan:

- **The Bethesda Triangle project** – This project, located in the Woodmont Triangle District, is zoned CBD-R2 and has been approved with a 5.0 FAR with a maximum height of 135 feet. Importantly, building height in excess of the 110 foot height limit set forth in the Sector Plan was allowed in recognition of the benefits of having more residential in this urban area. The 371,000 square foot project with 314 apartment units and 33,000 square feet of first floor retail and office is currently under construction.

- **The Bethesda Theatre Café** - This project, located on Wisconsin Avenue two blocks north of the Metro Station, is zoned CBD-2. Even though envisioned at the time of the Sector Plan to be an office building with a 4.0 FAR, it has been approved with a 5.0 FAR with a maximum height of ninety-four feet on Wisconsin Avenue stepping down to sixty-five feet at the rear of site adjacent to a single family neighborhood. The more than 300,000 square foot project with 257 apartment units and 21,000 square feet of first floor retail is currently under construction.

- **The Air Rights Building** - This multi-building office complex, located on Wisconsin Avenue two blocks south of the Metro Station, is zoned CBD-2 with unused density. At the time of the Sector Plan, it was not expected that the unused density would be pursued by the owner. Approval was granted for an addition to the project which would include 165 apartment units with a maximum height of ninety feet stepping down to sixty-five feet at the rear of the site adjacent to a single family neighborhood.

- **Crescent Place** – The recently completed project is five blocks from the Metro Station and is zoned CBD-R2 but the Sector Plan called for a limitation of a 3.0 FAR and seventy-five feet in height. The project was approved at these maximum amounts and includes 149 apartments with no other uses.

- **The former O'Donnell's Restaurant** – This site, located seven blocks from the Metro Station on Wisconsin Avenue on both sides of Rosedale Avenue is

zoned CBD-1. Development was approved with the maximum standard method FAR of 2.0 and sixty feet in height on the northern portion of the site and the maximum FAR of 3.0 and seventy-eight feet in height on the southern portion of the site. The 189,000 square foot project with 164 apartment units and 18,500 square feet of first floor retail is currently under construction.

As highlighted by these five projects, Bethesda is going to realize a key goal of the Sector Plan to create "a place to live and to work". Further, the incentives provided by the County for higher density projects to incorporate significant residential components has been especially successful as illustrated by the approval of the Bethesda Theatre Café as a predominantly residential project (in lieu of the expected commercial building), the addition of a residential tower to the Air Rights office complex and the additional height allowed for Bethesda Triangle.

Conclusion

The totality of planning and zoning policies applicable to sites near Metrorail stations which are in areas where local governments have determined to encourage housing suggests that increases in height and density are appropriate at such locations. Other jurisdictions have in fact allowed greater height and FAR than proposed in the application for 5401 Western Avenue, but all the policies seem to point to the proposition that multi-family high rise residential is the right use and density for properties such as the subject site.

Attachments