

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission



ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
ZONING COMMISSION ORDER NO. 06-08A

Z.C. Case No. 06-08A

Minor Modification of an Approved Planned Unit Development
(Square 4325, Parcel 173/145)

November 19, 2007

Pursuant to notice, the Zoning Commission for the District of Columbia (the “Commission”) held a public meeting on November 19, 2007. At the public meeting, the Commission approved an application from Fort Lincoln/Gateway Village, LLC (the “Applicant”) for a minor modification to an approved planned unit development (“PUD”) to approve minor modifications to the original PUD application.

FINDINGS OF FACT

The original PUD application, Z.C. Case No. 06-08, approved a 357-unit townhouse and townhouse condominium development consisting of three sizes of single-family townhouses (16-foot, 20-foot, and 24-foot-wide models) and “2 over 2” townhouse condominiums on approximately 23 acres of vacant land in Ward 5 and in the Fort Lincoln Urban Renewal Plan Area. The site plan in the original PUD application included a tot lot, a Mews Green, and a central Community Green that consisted of 1.18 acres of open space that is intended for non-organized, passive, and active recreational use. The original PUD application also required that 30 workforce affordable housing units be targeted for sale to District of Columbia Public School (“DCPS”) employees. Z.C. Order No. 06-08 became effective on November 23, 2007.

On October 29, 2007, the Applicant filed an application to obtain approval of certain minor modifications to:

- the footprints of the various unit sizes;
- provide the flexibility of a “loft” option in the 16-foot, 20-foot, and 24-foot-wide townhomes;
- provide the flexibility for the interior 24-foot-wide units to have the option of a detached garage, or a larger rear yard and a parking pad instead of the detached garage;
- provide the flexibility for the 20-foot-wide units to have the option to convert the interior parking garage to living space; and
- to increase the maximum height of the 16-foot-wide unit from 43 to 47 feet, to increase the maximum height of the 20-foot-wide unit from 42 to 47 feet, and to increase the maximum height of the 24-foot-wide unit from 40 to 42 feet.

In addition, the modification application modified the overall site plan to include differing townhome widths in the various strings of townhomes throughout the site. The modification application did not request any change in the approved PUD's amenities package (including the amount of workforce housing), lot configuration, Low-Impact Development ("LID") components, Community Green and Mews Green, tot lot, or the total number of residential units.

On November 9, 2007, the Office of Planning ("OP") submitted a report to the Commission that concluded the proposed modifications to the approved PUD project are not significant and are not inconsistent with the intent of the original application and Zoning Commission approval. OP had no objection to the proposed modifications being processed as a minor modification.

ANC 5A did not take a formal position on the modification application. The ANC 5A Single Member District Commissioner (ANC/SMD 5A12) submitted a letter in support of the modification application.

At the November 19, 2007, public meeting, the Commission voted 4-0-1 to approve the modification application as a minor modification.

CONCLUSIONS OF LAW

The Commission notes that the previous calculation of the gross floor area for each townhome and townhome condominium inadvertently did not include the interior garages. Therefore, the total gross floor area in the original PUD application was 864,550 square feet and density of 0.86 FAR. The Commission notes that if all of the townhome purchasers exercise the option to include lofts, the total square footage of the project will be 820,575 square feet, for a total density of 0.82 FAR. The Commission finds that the proposed increase in height and the inclusion of the lofts within certain units will have no appreciable visual impact on the surrounding properties.

The Commission notes that the reduction in the footprint of these buildings has allowed the amount of green space in the front and/or backyards to increase. Approximately 80% of the additional green space will be added to the front yards of the units and approximately 20% of the additional green space will be provided in the rear yards. The total amount of greenspace on the property has increased from 331,690 square feet (33%) to 399,330 square feet (40%) as a result of the decreased building footprints. The overall average lot occupancy of the project has decreased from 58.64% to 47.31%.

Upon consideration of the record of this application, the Commission concludes that the Applicant's proposed modifications are minor and consistent with the intent of the previous PUD approval made in Z.C. Order No. 06-08. The Commission concludes that the proposed modifications are in the best interest of the District of Columbia and are consistent with the intent and purpose of the Zoning Regulations and Zoning Act. The approval of the modifications

are not inconsistent with the Comprehensive Plan. The modifications are of such a minor nature that their consideration as a consent calendar item without public hearing is appropriate.

DECISION

In consideration of the above Findings of Fact and Conclusions of Law contained in this Order, the Zoning Commission for the District of Columbia orders **APPROVAL** of this application for minor modification of the approved PUD project in Z.C. Order No. 06-08. The approval of this minor modification application is subject to the following guidelines, conditions, and standards:

1. The PUD project shall be developed in accordance with the plans and materials submitted by the Applicant and marked as Exhibits 22, 35, and 42 of the record in Z.C. Case No. 06-08, as modified by the plans and materials submitted by the Applicant and marked as Exhibit 1 of Z.C. Case No. 06-08A.
2. The interior 24-foot-wide units will have the option of a detached garage or a larger rear yard and a parking pad. The 20-foot-wide townhome unit purchasers will have the option to convert the interior parking garage to living space.
3. The 16-foot, 20-foot, and 24-foot-wide townhomes will have the option of providing a "loft" option.
4. All other provisions and conditions of Z.C. Order No. 06-08 remain in effect.

Vote of the Zoning Commission taken at its public meeting on November 19, 2007: **4-0-1** (Anthony J. Hood, Michael G. Turnbull, Curtis L. Etherly, Jr., and John G. Parsons to approve; Gregory N. Jeffries, having recused himself, not voting).

In accordance with the provisions of 11 DCMR 3028.29, this Order shall become final and effective upon publication in the *D.C. Register* on **MAY 16 2008**



ANTHONY J. HOOD
CHAIRMAN
ZONING COMMISSION



JERRILY R. KRESS, FAIA
DIRECTOR
OFFICE OF ZONING

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of Zoning



Z.C. CASE NO.: 06-08A

MAY 12 2008

As Secretary to the Commission, I hereby certify that on _____ copies of this Z.C. Order No. were mailed first class, postage prepaid or sent by inter-office government mail to the following:

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ATTESTED BY: _____

A handwritten signature in cursive script that reads "S. Schellin".

Sharon S. Schellin
Secretary to the Zoning Commission
Office of Zoning