

MEMORANDUM**TO:** Roland Driest, DC Surveyor**FROM:**  Arthur Jackson, Development Review Specialist
Office of Planning**DATE:** July 21, 2008**SUBJECT:** Office of Planning Action on the Large Tract Review for 4414 Benning Road NE
(Square 5139 Lots 25, 803 & 807)

The attached report summarizes the Large Tract Review of a development proposed for the majority of this square.

Attachment**Cc:** Christopher Collins/Holland & Knight LLP
Abdulah Bah/DDOT
Gary Palmer/FEMS

4414 Benning Road NE
Mixed Use Office Building with Ground Floor Retail
(Square 5139 Lots 25, 803 and 807)
Large Tract Review
Final Report

DESCRIPTION

Location

Benning Station Development c/o DBT Development Group LLC submitted a Large Tract Review application for a six-story office building with ground floor retail planned for two lots generally located at 4414 Benning Road NE. A future residential component would add a four-story addition. The lots total 58,123 square feet (1.33 acres) and account for three of the five lots on this square. The site is bounded by Blaine Street to the north, Benning Road to the southwest, 45th Street to the east, and to the northwest by a gasoline station/convenience store. Site properties are developed with two vacant one-story buildings previously occupied by a child care center and the Chef's Table Restaurant. Except for these buildings and relatively tall trees along the Blaine and 45th Street frontages, both properties are largely cleared. There is also a significant difference in grade from the Benning Road frontage up to the Blaine Street frontage.

Development surrounding the square consists of one-family dwellings (and a one-story utility building designed to look like a dwelling) across Blaine Street to the north; three fast-food restaurants to the southwest across Benning Road; and a bank, child care and community service center, and the underground Metropolitan Transit Authority (WMATA) Benning Road rail station to the east and southeast across 45th Street NW. The entire square and commercial properties to the south, east and west are in a C-3-A district. Dwellings to the north across Blaine Street are in an R-5-A district (Attachment 1).

Proposed Project

This project would be constructed in two phases:

- Phase 1 includes the construction of a six-story office building with approximately 123,300 square feet of office space, 22,000 square feet of ground floor retail space, 13,000 square feet of "ancillary" space for the residential rental/sales office for the Phase II addition, and a shared four-level garage below-grade. The ground level retail space and entrance lobby for the offices above would front Benning Road. Vehicular access to the below-grade garage and the loading and service areas would be from 54th Street on the second floor level. Access to parking spaces serving the residential sales and rental office on the second floor level would be provided from Blaine Street.
- In Phase 2, the ancillary residential space along the Blaine Street frontage would be replaced with a four-story, 40-unit residential addition.

Information provided by the applicant and project architect indicates this development would be consistent with the following provisions of the Zoning Regulations.

C-3-A District	Regulation	Proposed¹	Relief Required?
Height (ft.) § 770.1	65 feet	65 ft./office & retail, 4 stories/ residential	No
Lot Area	N/A	58,123 sq.ft.	No
Floor Area Ratio § 771.2	Maximum 4.0 residential, 2.5 nonresidential, 4.0 overall	1.03 residential (60,000 sq.ft.) and 2.5 nonresidential, (123,000 sq.ft. office and 22,000 sq.ft. retail) 3.53 FAR overall	No
Affordable Housing § 2603.2 ²	8% of residential floor area	4,800 sq.ft.	No
Lot Occupancy § 2604.2	80%	76%	No
Rear Yard (ft.) §§ 774.1, 774.11	2.5 in./vertical ft., 12 ft. minimum (13.5 feet)	25-30 ft. ³ + 15 ft. building restriction line	No
Side Yard (ft.) § 775.5	0 ft.	0 ft.	No
Open Court (ft.) § 776.3	4 inches/height ft., min. 15 ft.	Court A = 21 feet Court B = 71 feet	No
Closed Court (sq. ft.) § 776.4	Area = 2 x (court width) ² , min. 350 sq.ft.	Unknown ⁴	No
Parking spaces § 2101.1	1/600 sq.ft.>2,000 sq.ft (office) 1/300 sq.ft.>3,000 sq.ft. (retail) 1/2 dwellings (residential)	202 spaces (office) 63 spaces (retail) 20 spaces (residential ⁵) 285 spaces total (265 provided)	No ⁶
Loading § 2101.1	Office- 2 loading berths 30 feet deep, 2 loading platforms, 1 service/delivery space Retail – 1 loading berth 1 loading platform	3 loading berths 30 feet deep, 3 loading platforms, 1 service/delivery space	No

¹ based on the submitted plans and tabulations
² regulations approved by the Zoning Commission but not enacted
³ respective distances from the site to the centerlines of 45th Street (50 feet wide) and Blaine Street (60 feet wide)
⁴ zoning analysis provided by the architect indicates closed court area meet the zoning requirement
⁵ an estimated 40 dwellings
⁶ the estimated overall requirement is 286, however the architect indicated the ancillary residential space would be reconfigured to provide the additional parking required to serve dwelling units in the future residential component

The applicant indicates that the 4,800 square feet of the residential units would be affordable to households earning no more than 80% of the Average Median Income (AMI).

Based on this information, this project would not require relief from the current regulations.

Comprehensive Plan/Zoning Status

The 2006 Comprehensive Plan Generalized Land Use Map designates this area for a mixture of Moderate Density commercial development including employment, retail, office, cultural and entertainment centers, and Moderate Density residential development with low-rise apartment buildings as predominant uses (refer to Exhibit 2). The proposed development would not be inconsistent with this designation.

The Generalized Land Use Policy Map of the Plan includes the subject property both in a Neighborhood Commercial Center and Neighborhood Enhancement Area. Policies referenced in the application as being supported by this project include:

- Under the Land Use Element, one of the critical land use issues listed is:
 - *Enhancing neighborhood commercial districts and centers; ...*
 - *Directing growth and new development to achieve economic vitality while minimizing adverse impacts on residential areas and open space; ...*
- Development Around Metrorail Stations (Policy LU-1.3.2): *“Concentrate redevelopment efforts on those Metrorail station areas which offer the greatest opportunities for infill development and growth, particularly stations in areas with weak market demand, or with large amounts of vacant or poorly utilized land in the vicinity of the station entrance [306.11].”*
- Housing Around Metrorail Stations (Policy LU-1.3.3): potential developers to, *“Recognize the opportunity to build senior housing and more affordable ‘starter’ housing for first-time homebuyers adjacent to Metrorail stations, given the reduced necessity of auto ownership (and related reduction in household expenses) in such locations [306.12].”*
- Balanced Growth (Policy H-1.1.3): *“Strongly encourage the development of new housing on surplus, vacant and underutilized land in all parts of the city. Ensure that a sufficient supply of land is planned and zoned to enable the city to meet its long-term housing needs, including the need for low- and moderate-density single family homes as well as the need for higher-density housing [503.4].”*
- Mixed Use Development (Policy H-1.1.4): *“Promote mixed use development, including housing, on commercially zoned land, particularly in neighborhood commercial centers ... around appropriate Metrorail stations [503.5].”*

- Mixed Income Housing (Policy H-1.2.3): “Focus investment strategies and affordable housing programs to distribute mixed income housing more equitably across the entire city, taking steps to avoid further concentration of poverty within areas of the city that already have substantial affordable housing [504.8].”
- District economic development policy: “Strengthen the District’s economy by sustaining its core industries, attracting new and diverse industries, accommodating future job growth, fostering the success of small businesses, *revitalizing neighborhood commercial centers*, improving resident job skills, and helping a greater number of District residents find and keep jobs in the Washington regional economy [701.1].”
- Street Tree Planting and Maintenance (Policy E-1.1.1): “*Plant and maintain street trees in all parts of the city*, particularly in areas where existing tree cover has been reduced over the last 30 years. Recognize the importance of trees in providing shade, reducing energy costs, improving air and water quality, providing urban habitat, absorbing noise, and creating economic and aesthetic value in the District’s neighborhoods [603.4].”
- Landscaping (Policy E-1.1.3): “*Encourage the use of landscaping to beautify the city, enhance streets and public spaces, reduce stormwater runoff*, and create a stronger sense of character and identity [603.6].”
- Using Landscaping and Green Roofs to Reduce Runoff (Policy E-3.1.2): “*Promote an increase in tree planting and landscaping to reduce stormwater runoff, including the expanded use of green roofs in new construction* and adaptive reuse, and the application of tree and landscaping standards for parking lots and other large paved surfaces [613.3].”
- Directing Growth (Policy FNS-1.1.3): “*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 [1708.4].”
- The Benning Road Metro Station Focus Area (Policy FNS-2.4.1) envisions, “... development of the Benning Road Metro Station area as a pedestrian-oriented mixed use area, *including moderate density housing, retail, service uses, and public spaces and amenities that serve adjacent neighborhoods*.” It also notes that, “Future development must recognize and be consistent with the low-density, residential character of the adjacent neighborhoods [1714.3].”

This proposal supports all of these themes and policies by:

- Providing a mix and scale development that is not inconsistent with Comprehensive Plan designations;
- Introducing continuous street-side retail frontage with below grade-parking that is more consistent with an urban setting in contrast to the surrounding suburban strip development sites dominated by open parking areas;
- Establishing an infill development that is transit-oriented on underutilized lots in close proximity to a Metro station along a underserved commercial corridor that is part of the Great Streets Initiative;
- Providing an 8,800 square-foot green roof, and significant landscaping along Benning Road, 45th Street and Blaine Street that will enhance the public space and reduce storm water run-off;
- Providing nearly 60,000 square feet of residential opportunities including 4,800 square feet of affordable housing opportunities;
- Locating the (future) moderate-density residential component of this project along Blaine Street, and the shared loading and service areas, and entrance to the below-grade garage entrance along 54th Street which mitigates the potential impact of this mixed-use development and its six-story office/retail component on the single-family neighborhood north of Blaine Street;
- Enhancing this underutilized neighborhood commercial center; and
- Increasing the economic vitality of this commercial corridor with minimal adverse impacts on the neighboring residential area.

Based on this information, this project is not inconsistent with map, goals and recommended policies in the 2006 Comprehensive Plan.

REVIEW PROCESS

Section 2300.1 (a) of Title 10 of the District of Columbia Municipal Regulations (DCMR) directs the Office of Planning to “Review, prior to the filing of applications for building permits or construction permits, (for) any commercial or mixed-use commercial development of fifty-thousand square feet (50,000 ft²) or more gross floor area (above grade) and cellar area (below grade); ...” This proposal is subject to Large Tract Review because it involves a mixed-use office and retail development with over 50,000 gross square feet of gross floor area above grade.

Application materials were distributed to the Departments of Consumer and Regulatory Affairs (DCRA), Environment (DDOE), Public Works (DPW), Transportation (DDOT), the Fire and Emergency Medical Service (FEMS) and Police Departments, and the Office of Corporation Counsel on May 5, 2008. The June 6, 2008 deadline for comments was extended until June 13, 2008 at DDOT’s request.

Written comments provided by the FEMS and dated May 28, 2008 expressed no objection. In a letter dated June 18, 2008, DDOT indicated:

- Agreement with the applicant's traffic trip generation rates and capacity analysis of the surrounding intersections;
- Agency analysis found these intersections would continue to operate at an adequate level of service as a result of this development;
- That the proposed on-site parking supply could be reduced because of the proximity of the site to transit bus routes and rail facilities;
- A recommendation that ten or more secured bike racks be provided in the project garage to encourage bicycle use and reduce the number of vehicle trips from this project; and
- No objection for the proposed vehicle ingress/egress arrangements.

The letter indicated that DDOT will issue a final recommendation regarding the treatment of adjacent public space based on its Preliminary Design Review Meeting, and that the agency supports this Large Tract Review application subject to the applicant meeting the requirements of the Public Space Permitting Office.

No additional agency comments were received although additional reviews by various agencies including DCRA, DDOE, DPW and DDOT Public Space Committee will occur at the building permit stage.

OP notes that any reduction in the required parking would require variance approval by the Board of Zoning Adjustment. DDOT comments also made reference to the project providing two truck loading berths and platforms although three-of-each are required under the Zoning Regulations. OP subsequently confirmed with the project architects confirmed that the submitted plans include three 30-foot long loading berths with platforms.

While OP finds that this project to be very supportive of current Comprehensive Plan themes and policies, its is recommended that the development site plan be modified as necessary to preserve and otherwise supplement existing large trees along Blaine Street. This natural landscaping would help shield the single-family neighborhood across the street from six- and four- story buildings in the Phases I and II. It would be some time before landscape materials planted along this frontage would form as effective a visual screen.

Advisory Neighborhood Commission (ANC) 7D and owners of surrounding properties within 200 feet were notified about this application. No written comments were received.

RECOMMENDATION

The Office of Planning generally supports this request as consistent with the Comprehensive Plan policies and objectives, and supportive of the Great Streets Initiative.

Attachments

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| Attachment 1 | Aerial with Zoning Map |
| Attachment 2 | Comprehensive Plan Land Use Map |
| Attachment 3 | Memorandum to Arthur Jackson, Development Review Specialist from Gary L. Palmer, Jr., Fire Marshall dated May 28, 2008 |

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Attachment 4 Memorandum to Arthur Jackson from Karina Ricks, Associate Director, District Department
of Transportation dated June 18, 2008

JS/afj .



LTR 2008-3 4414 Benning Road NE



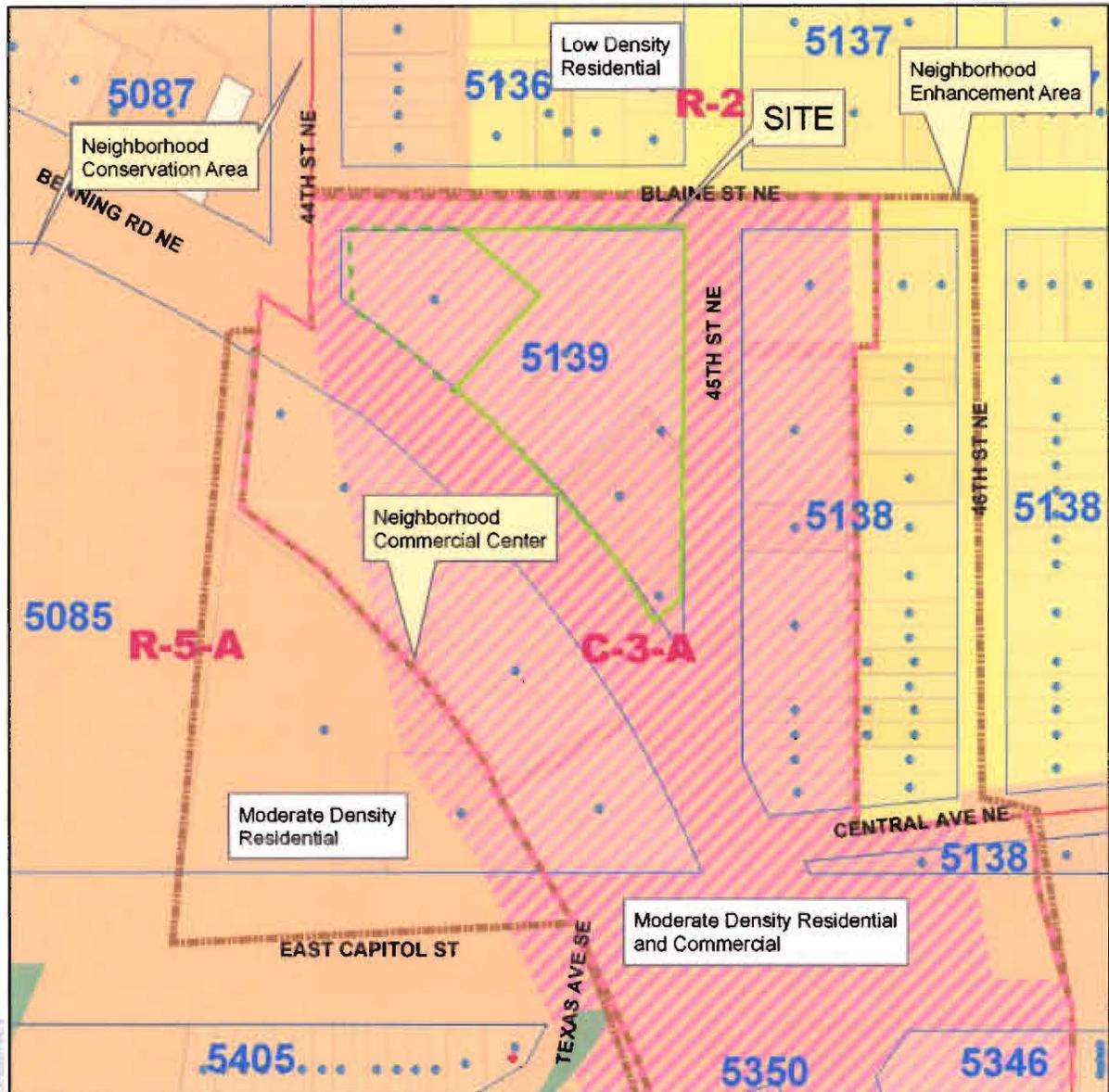
*** Government of the District of Columbia
 Adrian M. Fenty, Mayor

Office of Planning - December 13, 2007

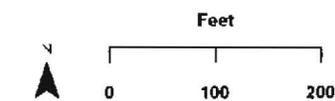
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LEGEND

- Metro Station Entrances
- Metro Bus Routes
- Owner Points (Lite)
- Street Centerlines



414 Benning Road NE Comprehensive Plan Designations



*** Government of the District of Columbia
Adrian M. Fenty, Mayor

Office of Planning ~ June 16, 2008

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LEGEND

- Property Squares
- Owner Points (Lite)
- Street Centerlines
- Water
- Parks

GOVERNMENT OF THE DISTRICT OF COLUMBIA
FIRE AND EMERGENCY MEDICAL SERVICES DEPARTMENT
WASHINGTON, D.C. 20001



MEMORANDUM

TO: Arthur Jackson
Development Review Specialist
D.C. Office of Planning

FROM: Gary L. Palmer, Jr. 
Fire Marshal
D.C. Fire and EMS Department

DATE: May 28, 2008

SUBJECT: Large Tract Review Application for Proposed Project at 4414 Benning Road, NE
(Square 5139, Lots 25, 803 and 807)

The D.C. Fire and EMS Department has reviewed the above request.

Based on the site plans submitted, the D.C. Fire and EMS Department has no objection to this request as long as construction is in compliance with the International Fire Code (2000 Edition) and all applicable D.C. Laws.

If you have questions concerning this review, please contact Captain Lawrence DiPietro at 727-1614.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DISTRICT DEPARTMENT OF TRANSPORTATION



Transportation Policy and Planning Administration

Memorandum

TO: Arthur Jackson Development Review Specialist
Office of Zoning

FROM: Karina Ricks *KR*
Associate Director

DATE: June 18, 2008

SUBJECT: Large Tract Review located at 4441 Benning Road NE

The District department of Transportation (DDOT) has reviewed the application and other materials submitted with regard to the Large Tract Review (LTR) procedure. This memorandum addresses the transportation elements of the proposal.

The applicant, The Benning Road Station LLC proposes to construct a mixed-use development, consisting of two phases:

- Phase one first phase would include approximately 123,300 square feet of office space, 22,000 square feet of retail space and 13,000 square feet of space that would be ancillary for future residential component with an underground garage along the Benning Road frontage
- Phase two includes 40 unit residential towers with approximately 60,000 square feet of gross floor area along Blaine Street.

The property is located in Square 5139 and is bounded by Blaine Street on the north, 45th Street on the east and Benning Road on the southwest. It is noted that Benning Road is principal arterial and is designated as a Great Street adjacent to the site. This arterial provides two traffic lanes in each direction during the a.m. and p.m. rush hours. DDOT notes that the site is well served by several bus routes along Benning road and East Capitol Street. It is further noted that the Benning Road Metro rail Station is located less than 200 feet from the site. Therefore, this project is ideally located with respect to the existing transit system.

To determine the effect of the subject project on the area road network, we have assessed the proposal with regard to trip generation, parking loading and access.

With regard to trip generation, the applicant's transportation assessment indicates that the first phase of the development which is the subject of the LTR will generate approximately 40 vehicle trips inbound and 5 outbound for a total of 45 vehicles trips during a typical morning peak hour. During the typical evening peak hour, there will be 18 inbound and 41 outbound for a total of 59 vehicle trips.

A 50 percent non auto trips was used to calculate these trip generation. DDOT agrees with the applicant's trip generation rates and the capacity analysis at the surrounding intersections leading to and from the project. The result of the analysis indicates that all intersections adjacent to the site currently operate at a level of service C or better and will continue to operate at an adequate level of service with the addition of this proposal.

With regard to parking and loading, the applicant will provide 265 parking spaces in compliance with the Zoning Regulations requirements. In our judgment, this level of parking supply could be reduced in view of the location of the project in close proximity to the transit system (Buses and Rail facilities). DDOT recommends that the applicant provide at least 10 secured bicycle racks in the garage to encourage this mode of transportation and reduce vehicle trips to and from the site.

The project will provide two loading berths and one service delivery area compared to three loading berths and three service delivery areas required by the Zoning regulations. The applicant should be required to demonstrate that the proposed loading facility can accommodate the project demand for delivery service. Both loading and parking are accessed off 45th Street. There is an 8-foot separator island between the two entrances. We have no objection to this circulation arrangement.

In conclusion, this project has undergone a Preliminary Design Review Meeting and the Department will issue a final recommendation regarding the treatment of public space adjacent to the project. Accordingly, DDOT supports the LTR provided the applicant meets all the requirements of the Public Space Permitting Office.

Ab/