

MEMORANDUM

TO: District of Columbia Zoning Commission

FROM: *JL for* Jennifer Steingasser, Deputy Director
Development Review and Historic Preservation

DATE: June 6, 2016

SUBJECT: ZC Case No. 15-29: Final Report- Consolidated Planned Unit Development (PUD) for 7828 Georgia Avenue, N.W. and PUD Related Map Amendment from C-2-A and R-1-B to C-2-B.

I. APPLICATION

At its public meeting on February 8, 2016, the Commission set down the subject application for a consolidated PUD for a six-story, 273,308 square-foot mixed-use building with:

- 199 apartment units (189,099 square feet);
- 58,814 square feet of ground-floor retail;
- 56,079 square feet of community space, and
- 141 off-street parking spaces

and related flexibility as described in this report.

The application also includes a request for a PUD-related map amendment to rezone the site from R-1-B and C-2-A to C-2-B.

A summary of the Zoning Commission comments from the setdown meeting with the applicant's responses can be found on pages 4 and 5 of this report.

II. SUMMARY RECOMMENDATION

The Office of Planning (OP) recommends that the Commission **APPROVE** the subject application, subject to the following conditions brought forward by OP and DDOT:

1. Provision of assurances in the Order that the supermarket windows adjacent to the outdoor café along the Alaska Avenue frontage remain transparent to the interior of the retail space.
2. Resolution of Transportation Demand Management (TDM) issues DDOT.

3. Unbundling of parking costs from the apartment leases, with the cost of parking set at no less than the lowest fee garage located within a quarter-mile of the site.
4. Dedication of two parking spaces within public space adjacent to the development for car sharing services to use with the right of first refusal.
5. Provision of additional long-term bicycle parking within the garages and short-term bicycle parking along the interior and perimeter of the site.
6. Provision of specific information regarding the proposed locations of the electric car charging stations, including whether inside or outside of the building.
7. Management of the building shall employ a Transportation Demand Manager responsible for coordinating use of the service/delivery space and implementing the as recommended in the Comprehensive Transportation Review Report submitted by the applicant.

III. SITE AND AREA DESCRIPTION

Address	7828 Georgia Avenue, N.W.
Legal Description	Square 2960, Lot 17
Ward and ANC	Ward 4, ANC 4A02
Lot Characteristics	Unusually-shaped lot with frontage on four streets and side alley access
Lot Area	87,522 square feet (2.01 acres)
Existing Development	One-story commercial buildings with surface parking
PUD-Related Zoning	C-2-A and R-1-B to C-2-B
Adjacent Properties	North: A five-story retail/office building with surface parking. Across Eastern Avenue are two-story commercial buildings. South: One-family detached and triple-attached dwellings. Across Kalmia Road is a church. East: Across Georgia Avenue, auto repair and one and two-story commercial buildings. West: One-family detached dwellings.
Surrounding Neighborhood Character	Residential and commercial uses along Georgia and Eastern avenues, with one-family dwellings to the west of Georgia Avenue and multi-family dwellings to the east

The area of the PUD is shown within the solid black line.



The site is currently developed with one-story retail store-fronts with surface parking to the rear. A dead-end public alley accessible from Kalmia Road was closed pursuant to S.O. Case No. 15-53893.

The site is located approximately 0.7 miles from the Silver Spring Metrorail station on the Red Line, and 0.9 miles from the Takoma Metrorail station. Two Metrobus lines, the 70 and the 79, provide service on Georgia Avenue, and two additional lines, the S2 and the S9, provide service on Eastern and Alaska avenues.

IV. PROJECT DESCRIPTION – CHANGES SINCE SETDOWN

A complete discussion of the proposed building can be found in the OP Setdown Report dated January 15, 2016 (Case 15-29, Exhibit 12, Section IV, Project Description and Analysis). Since setdown the applicant has revised the exterior of the building to respond to comments from the Commission and the Office of Planning. Those revisions include adding a horizontal theme to the façade and providing a better visual separation between the commercial uses on the ground floor and the residential uses above. A second horizontal band along the top floor of the building would provide a more consistent roofline, unifying the building facade. The addition of balconies that are an integral part of the design aids in the residential appearance, and the use of additional materials, colors and patterns contribute to the improved appearance of the building.

The courtyard façade has been modified to include patio enclosures on the first residential level. In addition, the applicant has added accent colors within the courtyard, added metal mesh guardrail panels for the balconies. Shading was added to the drawings to better depict the articulation of the proposed facades.

The application now requires flexibility from the penthouse setback regulations for two of the rooftop access penthouses. OP analysis of all relief requested is provided in Section V of this report.

IV. COMMISSION CONCERNS AND OFFICE OF PLANNING SETDOWN COMMENTS

On March 24, 2016 the applicant filed revised plans (Exhibit 14A) in response to comments received at the Commission's public hearing on February 8, 2016. A pre-hearing statement was filed May 27, 2016 (Exhibit 22). A summary of the Commission's comments with the applicant's responses is listed below.

Commission / OP Comment	Applicant Response	OP Analysis
1. Provide additional detail on courtyard finishes.	Additional materials and colors were added to the courtyard drawings, giving them more depth. Enclosures were added to the first residential level patios, as were trees and shrubs.	The addition of colors, landscaping and balcony and patio enclosures soften the appearance of the courtyard, eliminating the flat gray appearance of the façade.
2. Provide architectural refinement of the rooftops.	The drawings provide additional details for the roof line, articulating a horizontal metal band across the top.	The revised drawings provide for a consistent roofline along the top of the building, including design, color and materials.
3. Provide better drawings and better views along the alley, including how the building meets existing residential uses.	The portion of the building abutting the alley would be mostly one-story in height, except on the northern end of the alley where it abuts Eastern Avenue. It would consist of red brick, similar to dwellings abutting the alley, especially south end of the alley where it intersects with Kalmia Road where the alley	The new perspective looking north along the public alley gives a better impression of how the two sides of this would interact.
4. Clarity on drawings needed.	The applicant provided additional detail to the drawings, better identifying materials used and the better use of three-dimensional techniques to understand the building.	The addition of details to the drawings, such as balconies, landscaping and the use of shading on the drawings better define proposal.

Commission / OP Comment	Applicant Response	OP Analysis
<p>5. Building needs to read more residential, and not as office or commercial. Make building read more horizontally.</p>	<p>The façade of the building has been revised to give it a more residential feel as the commercial windows no longer read straight up into the apartment windows. A metallic horizontal band has been added to separate the retail on the ground floor from the residential units above, providing for a visual separation of the uses.</p>	<p>The revised plans depict a building with toned-down color scheme, visual separation of the commercial and residential sections of the building and the more prominent use of balconies aid in the more residential appearance of the structure.</p>
<p>6. Add pizzazz, balconies and use lighter materials.</p>	<p>Residential balconies were added or redesigned to a more integral aspect of the façade, especially along the Eastern and Alaska Ave frontages, resulting in a more residential feel to the building. Patio enclosures were added to the units facing the courtyard on the first residential floor. A description of the materials proposed for the balconies was added, as were three-dimensional drawings of the balconies.</p>	<p>OP supports the addition of balconies and the use of lighter colors. The applicant should further refine the proposed banding added around the windows facing the street every two floors, to appear more congruous.</p>
<p>7. What will happen to the existing retail?</p>	<p>The application makes no provisions for the relocation of any of existing retail on the subject property.</p>	<p>A PUD typically does not need to provide for the relocation of existing retail on the site; OP would support the retention of retail that the neighborhood has indicated as being of particular value.</p>
<p>8. Set aside more units for seniors. Include some units for seniors at 50% AMI.</p>	<p>The application proposes to dedicate 16% of the residential gross floor area for IZ, in excess of the required 8%. Of the IZ GFA provided, 8% would be devoted to senior citizens at 80 percent AMI, in excess of that required. The applicant declined to provide half of the GFA for senior citizens at 50% AMI.</p>	<p>OP supports the dedication of sixteen percent of the residential GFA as affordable, including eight percent for senior citizens at 80 percent AMI.</p>

V. FLEXIBILITY

The applicant is requesting a PUD-related map-amendment from:

- C-2-A to C-2-B for the Eastern, Georgia and Alaska Avenue frontages and the eastern portion of Kalmia Road; and
- R-1-B to C-2-B for the remainder of the site.

The following table is a comparison of the R-1-B, C-2-A, C-2-B and C-2-B PUD for the PUD.

	R-1-B	C-2-A	C-2-B	C-2-B PUD	Proposal
PUD Area (min.)	2 acres	15,000 SF	15,000 SF	15,000 SF	88,483 SF
Height (max.)	40 feet	50 feet	65 feet	90 feet	75 feet
FAR (max.)					
-Residential	--	2.5	3.5	6.0	2.2
-Commercial	--	1.5	1.5	2.0	1.0
-TOTAL	--	2.5	3.5	6.0	3.2
Lot Occupancy (max.)					
-Residential	60%	60%	80%	80%	53%
-Commercial	--	100%	100%	100%	94%
Open Court (min.)	6 feet	15 feet	15 feet	15 feet	6 feet, 11 inches*
Rear Yard (min.)	25 feet	15 feet	15 feet	15 feet	45 feet
Parking (min.)					
-Residential	--	1/2 du's=100	1/3 du's=66	1/3 du's=66	141
-Retail	--	177	71	71	130
Loading (min.)					
-Residential					
-Berth	--	1@55 feet	1@55 feet	1@55 feet	1@55 feet
-Platform	--	1@200 feet	1@200 feet	1@200 feet	1@200 feet
-Delivery	--	1@20 feet	1@20 feet	1@20 feet	None*
-Retail					
-Berth	--	1@30 feet & 1@55 feet	1@30 feet & 1@55 feet	1@30 feet & 1@55 feet	1@30 feet & 1@55 feet
-Platform	--	1@100 SF & 1@200 SF	1@100 SF & 1@200 SF	1@100 SF & 1@200 SF	1@100 SF & 1@200 SF
-Delivery	--	1@20 feet	1@20 feet	1@20 feet	1@20 feet
GAR		0.30	0.30	0.30	0.30

* Flexibility requested

Flexibility:

- Open Courts:** Regulations require a minimum width of 15 feet and the applicant proposes a width of 6 feet, 11 inches for an open court facing Kalmia Road adjacent to the parking garage entrance. This court, located along the edge of the building, abuts the west side of the building and the side yard of the adjoining residential property facing

Kalmia Road. It would facilitate the provision of light and air into the larger open court yard toward the center of the building.

- b. **Compact Parking Spaces:** Regulations require compact parking spaces in groups of no less than five and the applicant proposes to provide some of these spaces in groups of one and two. Provision of compact parking spaces in groups of less than five allows the applicant to more efficiently design the garage and maximize the amount of on-site parking provided without requiring the construction of additional garage space while providing a minimum drive aisle width of twenty feet.
- c. **Loading:** Regulations require one service/delivery space for the apartment building and the applicant proposes that the retail and residential uses share one service/delivery space. Loading for the residential portion of the building would largely be restricted to move-in and move-outs, for which a 55-foot deep loading berth would be available, and the use of this space could be coordinated by a TDM leader.
- d. **Additional Areas of Flexibility:** The applicant requests flexibility to vary the number of residential units by up to 10 percent; vary the location and design of all interior components; number, vary the location and arrangement of vehicular and bicycle parking, but not below the minimum required; vary the sustainable design features without reducing the LEED points below 60; vary the final design features based on availability and to conform with all District laws and regulations; and vary the location and design of ground floor components to ensure conformance with all District laws and regulations.

New penthouse regulations went into effect on January 8, 2016 following the filing of the setback application on November 4, 2015. Therefore the applicant now requests additional flexibility to the penthouse regulations as follows:

- e. **Penthouse Setbacks:** Regulations require a minimum 1:1 setback for all penthouse structures. Two nonconforming penthouses are proposed. One would contain a ten-foot high stair tower with a five-foot elevator overrun on the west side of the residential tower, set back from the property line, and a second would contain a five-foot elevator overrun, adjacent to the open court. These two penthouses would be largely not visible from the street due to their locations toward the center of the property, and their heights, especially the five-foot stair tower.

The larger of the two would be most visible from the rear parking lot of the existing office building on Eastern Avenue around which the subject property surrounds. The other penthouse would be located interior to the large courtyard in the center of the building, with the exterior walls of the building restricting visibility and resulting in a penthouse that would appear to be more central to the structure.

VI. COMPREHENSIVE PLAN

As fully discussed in the OP setdown report dated January 15, 2016 (Exhibit 12), the application would further major policies from various elements of the Comprehensive Plan, including the Land Use, Transportation, Housing, Environmental Protection, Economic Development and Urban Design Citywide elements, and the Rock Creek East Area Element.

The proposal is not inconsistent with the Generalized Policy Map, which designates the site as Main Street Mixed Use Corridor, with the exception of the portion of the site fronting on Kalmia Road, which is designated as Neighborhood Conservation Area. Main Street Mixed Use, while the Future Land Use Map designates the site for Mixed Low Density Commercial and Moderate Density Residential.

Upper Georgia Avenue Great Streets Redevelopment Plan

As discussed in the OP setdown report (Exhibit 12), the proposal would further policy direction of the Upper Georgia Avenue Great Streets Redevelopment Plan, approved by Council in 2008. The proposed building addresses the grocery store, new dwelling unit and off-street parking needs of Zone 1 of that plan.

VII. PUBLIC BENEFITS AND AMENITIES

Section 2403.9 outlines *“Public benefits and project amenities of the proposed PUD may be exhibited and documented in any of the following or additional categories:*

- (a) *Urban design, architecture, landscaping, or creation or preservation of open spaces;*
- (b) *Site planning, and efficient and economical land utilization;*
- (c) *Effective and safe vehicular and pedestrian access, transportation management measures, connections to public transit service, and other measures to mitigate adverse traffic impacts;*
- (f) *Housing and affordable housing;*
- (h) *Environmental benefits, such as stormwater runoff controls and preservation of open space or trees;*
- (i) *Uses of special value to the neighborhood or the District of Columbia as a whole;*

Urban Design, Architecture, Landscaping and Open Space

On top of the commercial floor, the building would include five levels of residential use that would surround a courtyard in the center of the building, on the east side of the property where the lot is at its widest. A solid brick wall would separate the public alley serving the one-family dwellings on 12th Street, including the provision of plantings on the wall to soften the appearance. An outdoor café would be provided facing Alaska Avenue, adjacent to windows facing into the supermarket, activating the street.

Site Planning and Efficient and Economical Land Utilization

The subject property proposes the replacement of one-story commercial buildings and accessory surface parking with a multi-story mixed use building that would provide for a full-service supermarket. The tallest portion of the building would face the intersection of Georgia and Eastern, with the building stepping down from east to west, toward the one-family dwellings of Shepherd Park.

Transportation Features

The application proposes that all truck turning movement would be accommodated on-site within the building, and garage spaces that would be unbundled from the residential units. The Office of Planning is supportive of this design. The applicant would provide for a Transportation Demand Manager to distribute alternates to driving, including walking, cycling and transit, and make available a marketing strategy. Two garage spaces would be dedicated to car sharing, indoor and outdoor bicycle parking would be provided. DDOT has requested additional refinement of the TDM package.

Housing and Affordable Housing

The application proposes to set aside four percent of the gross residential floor area to families earning up to fifty percent of the area median income (AMI), and four percent to families earning up to eight percent AMI, in excess of the requirement to provide eight percent at eighty percent. However, the base zone (C-2-A) requires units at 50% AMI. Therefore, the benefit is in the additional affordable units gained through the PUD. The application also proposes to set aside an additional eight percent of the gross floor area to be made available to those earning up to eighty percent of AMI. Those units would be designed to accommodate the elderly, with improvements such as grab bars, lower sinks, walk-in showers and higher toilets. In all, sixteen percent of the residential gross floor area would be affordable, in excess of the eight percent required.

Environmental Benefits

The building is designed to LEED Gold for New Construction at 61 points. Included in the design would be a green roof, bio-retention features, bicycle parking, an electric charging stations within the garage, stormwater collection and the planting of street trees.

Uses of Special Value to the Neighborhood

The applicant met with ANC 4A regarding benefits and amenities of special value to the neighborhood. In light of those meetings the applicant proposes the following:

1. Provision of a community room within the building that would be available to the ANC and the community organizations.
2. A contribution of \$25,000 to Shepherd Elementary School to be used as designated by the school.
3. Restrict the building's residents from obtaining Residential Parking Permits (RPP) to prevent the tenants of the building from parking on the existing low density residential streets within the adjacent neighborhood.

Overall, the Applicant's benefits and amenities package is commensurate with the flexibility requested. The proposed development would include new affordable housing designed and designated for senior citizens, while also making a contribution to the local elementary school, spanning the age spectrum. The proposal would also add a much need supermarket to the neighborhood. The building would be designed to LEED Gold standards, replacing one-story buildings and asphalt paved surface parking lots.

VIII. COMMUNITY COMMENTS

ANC 4A, at its regularly scheduled public meeting of September 1, 2015, adopted a resolution in support of the application.

IX. AGENCY REFERRALS

Comments were received from the following agencies, as described below.

Department of Transportation (DDOT), in an email dated May 27, 2016, stated the project would result in queuing issues. DDOT does not support restricting motorists from making right turns out of the parking garage onto Kalmia Road, as it would adversely impact the intersection of Kalmia Road, Alaska Avenue and Georgia Avenue. DDOT will submit comments separately, including mitigations to address impacts of the project.

Department of Housing and Community Development (DHCD), in an email dated May 26, 2016, stated that the department had no comments on the application, but did consider the sixteen percent residential gross floor area dedicated to affordable housing as a substantive public benefit.

No other agencies provided comments on the subject application.

X. CONCLUSION

The proposed PUD would facilitate the redevelopment of the subject property, currently an underutilized commercial property developed with one-story commercial buildings and accessory surface parking, into a mixed-use multi-story mixed-income property at this prominent gateway entrance to the District along Georgia Avenue, designated as a great street. The addition of a supermarket on the ground floor would address a need not currently available within the neighborhood. The building would step down from its maximum height of six stories on its east side facing Georgia Avenue, to one, two and three stories in height where it abuts one-family dwellings. .

The architecture of the building has been modified to evoke a more residential appearance. Additional balconies have been added. A red brick facade proposed to be incorporated into the western facade would be similar to that of many of the existing one-family dwellings. Bands have been added to provide a visual separation between the commercial ground floor and the upper five floors, all of which would be residential. An additional band has been added to the top of building.

The application is not inconsistent with the Comprehensive Plan and would further many of its policies. Therefore, OP recommends the Commission approve the application subject to the following conditions as recommended by OP and DDOT and listed at the beginning of this report.

JS/sjm^{AICP}