

Supplemental Statement

ZONING COMMISSION  
District of Columbia

CASE NO. 08-08

EXHIBIT NO. 40

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**SUPPLEMENTAL STATEMENT IN SUPPORT OF APPLICATION FOR A  
CONSOLIDATED PLANNED UNIT DEVELOPMENT**

**Zoning Commission Application 08-08  
of the District of Columbia for a Consolidated Planned Unit Development  
at 3910-3912 Georgia Avenue, N.W.**

May 22, 2008

This Supplemental Statement in Support of Application for a Consolidated Planned Unit Development ("Statement") is submitted on behalf of the District of Columbia, owner of the subject property, by and through 3910 Georgia Avenue Associates Limited Partnerships I and II (collectively referred to herein as "Applicant"), by 3910 Georgia Avenue Associates Limited Partnerships I and II's attorneys, Greenstein DeLorme & Luchs, P.C., by Jacques B. DePuy, Esquire and Lyle M. Blanchard, Esquire.

**I. PROJECT BACKGROUND AND  
PRIOR BOARD OF ZONING ADJUSTMENT APPROVAL**

Summary of PUD Application. The Applicant filed the application with the Office of Zoning on April 9, 2008 for consideration by the Zoning Commission. The application seeks approval of a consolidated Planned Unit Development ("PUD") for a site containing approximately 31,000 square feet located on the west side of the 3900 block of Georgia Avenue, N.W. in the Petworth neighborhood of Ward 4, between Randolph Street and Shepherd Street, N.W. (Square 2906, Lots 848 and 849) (the "Property" or "PUD site"). Pursuant to the PUD Application, the Applicant proposes the development of a mixed-use building to include first floor retail, service and/or medical uses and 130 dwelling units, to be known as Georgia Commons (the "Project" or "Georgia Commons").

Prior Approval of Proposed Development Project by the Board of Zoning Adjustment and the Effect on Project of Delay in Implementation of Inclusionary Zoning Regulations. In Application No. 17636A and its Order dated July 12, 2007, the Board of Zoning Adjustment ("BZA") approved the proposed project – a mixed-use building with ground floor retail, 115 residential units located on floors two through six, with structured and surface parking – based on the "Interim Plans" (as described in greater detail below). The BZA also considered "Final Plans," which included 130 residential units (also described in greater detail below).

Unfortunately, the Applicant had based its plans for development of the building on the Inclusionary Zoning ("IZ") regulations and assumed that the IZ regulations would be in effect at the time of the BZA action and designed the development project to include the density bonuses that are an integral part of the IZ regulations.<sup>1</sup> However, as of the date of the BZA public

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<sup>1</sup> The Inclusionary Zoning ("IZ") regulations were adopted by the Zoning Commission in August, 2006 but were not legally effective.

hearing and the issuance of the BZA Order, the IZ regulations were not yet legally effective. As a result of the delay in the implementation of the IZ program, the Applicant's proposed project, while it would have been in compliance with the FAR and lot occupancy requirements provided as a matter-of-right under IZ, exceeded the allowable FAR and lot occupancy provisions at the time of the BZA public hearing. Because the Applicant was advised by the Office of Planning ("OP") that it would not support the FAR and lot occupancy variances required by the proposed project, the Applicant withdrew its request for such relief and modified its plans.

The following includes a brief description of the application submitted to the BZA, including the initial proposal for a building that would contain 130 residential units, and the revised application, which depicted a building of 115 residential units. We include this information in order to provide the Commission with a clear explanation of the situation in which the Applicant currently finds itself due to the delayed legal effectiveness of the IZ regulations.

#### *BZA Application*

The BZA Application was initially filed on March 2, 2007 ("Initial BZA Application"). The Initial BZA Application sought area variances from the floor area ratio, lot occupancy, parking and loading requirements. A revised BZA Application was filed on June 21, 2007 ("Revised BZA Application"). The Revised BZA Application continued to seek area variances from the parking and loading requirements. However, in response to OP's opposition discussed above, the Revised BZA Application eliminated the variance relief from the floor area ratio (FAR) and lot occupancy requirements. It also added a special exception to permit the construction of a building on a lot that has twelve thousand square feet (12,000 sq. ft.) or more in land area located in the *then-proposed* Georgia Avenue Commercial Overlay District.<sup>2</sup>

In its Pre-Hearing Submission to the BZA, the Applicant set forth the background for and an explanation of the elimination of FAR and lot occupancy relief under the Revised BZA Application and submitted both "Interim Plans," which reflect the requests under the Revised BZA Application and eliminated the FAR and lot occupancy variances, and "Final Plans," which reflect the requests of the Initial BZA Application. [The "Final Plans" proposed a building with 130 units and the "Interim Plans" depicted a building with 115 units.] The background and explanation was as follows:

- Upon adoption by the Zoning Commission in August, 2006 of the Inclusionary Zoning (IZ) requirements, Applicant determined to develop a project that complied with and is fully consistent with the IZ program.
- Applicant caused its architects and engineers to prepare plans and drawings of a

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<sup>2</sup> At the time of the BZA public hearing on the Applicant's proposal for a mixed use development at 3910 Georgia Avenue, N.W., the Georgia Avenue Commercial Overlay District was the subject of a Text and Map Amendment Application that had been "set down" by the Zoning Commission for a public hearing Commission. The Applicant's proposed project is located within the proposed Overlay District. However, at such time, no public hearing had been held, nor had any proposed or final action had been taken by the Zoning Commission.

residential building that would satisfy the affordability requirements of the IZ program and which, as a quid pro quo for complying with such requirements, would achieve “bonus density” in the form of increased residential FAR and lot occupancy.

- After plans and drawings were prepared that were based on the IZ program and numerous meetings were held with Advisory Neighborhood Commission (“ANC”) 4C and other community organizations, Applicant learned in early 2007 that the IZ program was being delayed.
- Based on the foregoing, Applicant filed an application with the BZA, submitted plans and drawings that depicted a project that was in compliance with the IZ program (at 130 residential units) and sought variances from the FAR and lot occupancy provisions because the IZ “bonus density” was not then legally effective *even though the FAR and lot occupancy requested would be allowed as a matter-of-right when the IZ regulations became effective.*
- After its review of the Application, Applicant was advised by the Office of Planning that it would not support the requested FAR and lot occupancy variances. OP further opined that a recent *sua sponte* review by the Zoning Commission of a similar case made it unlikely that the BZA would approve variances based on IZ “bonus density.”
- Applicant choose to withdraw such FAR and lot occupancy variance requests and opted to delay the prosecution of an application for a building permit until the IZ regulations become effective.
- As a result of the above, the Applicant prepared and submitted to the BZA two sets of plans and drawings. The first set of plans – referred to in the BZA proceeding as “*Interim Plans*” -- depicted a building that contains 115 units and complies with the FAR and lot occupancy in effect as of the date of the BZA proceeding. The second set of plans – referred to in the BZA proceeding as “*Final Plans*” -- depicted a building that contains 130 units and that will comply with the FAR and lot occupancy provisions that will be in effect when the IZ regulations are fully and lawfully effective.

The Applicant then set forth in the Pre-Hearing Submission its intention, given the unusual situation described above, to (i) seek BZA approval of the *Interim Plans* and, as soon as the IZ regulations become effective, (ii) seek BZA approval of the *Final Plans* pursuant to Section 3129 of the Zoning Regulations (“Modification of Approved Plans”). At the public hearing held by the BZA, the Applicant summarized the facts and circumstances above and requested that the Board approve the project as represented by the *Interim Plans*. In its final

Order in Application No. 17636A, the BZA approved the Application and the *Interim Plans* without condition in a Summary Order. The Board's vote was unanimous.<sup>3</sup>

#### *Delay of Implementation of IZ Regulations*

However, because of on-going uncertainty (i) about the date that the IZ regulations will be legally effective and (ii) with respect to the administrative and other requirements of the IZ program which are still unresolved, the Applicant has chosen to file this PUD Application in order to obtain approval for the building with 130 residential units.

## **II. SUBJECT PROPERTY AND PROPOSED DEVELOPMENT PROJECT**

Property and Area Description. The Property is located between Randolph Street and Shepherd Street, N.W., and is bounded by Georgia Avenue on the east, a fifteen foot (15 ft.) wide public alley to the west and the north, and a commercially developed property to the south. The Property is zoned C-3-A and is located within the Georgia Avenue Commercial Overlay District ("GA Overlay" or "GA Overlay District").<sup>4</sup> Commercial structures are located across Georgia Avenue from the Property, and north and south of the Property along Georgia Avenue. A mix of single family homes and multi-family buildings are located within the same block as the Property to the west, along both Randolph and Shepherd Streets. The Georgia Avenue/Petworth Metrorail Station is located two (2) blocks to the south on Georgia Avenue between Quincy Street and New Hampshire Avenue, N.W., approximately 690 feet from the Property. (See attached Exhibit "A".)

Existing and Intended Use of Property. The Property is currently improved with a vacant commercial building which will be razed. Pursuant to the plans submitted with this Statement to the Zoning Commission, the Applicant seeks to construct a mixed-use building to include first floor retail, service and/or medical uses and 130 dwelling units. The proposed building will have the following characteristics and features:

- six (6) floors;
- shared outdoor rooftop space, a resident community room and exercise room on the rooftop;
- green roof landscaping within the courtyard and on the rooftop and a green screen on the building's front façade and within the courtyard;
- a dwelling unit mix that will include studios, studios with a loft, one-, two-, and three-bedrooms, and one-, two-, and, three-bedrooms with loft;
- ground floor retail, service and/or medical uses; and

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<sup>3</sup> The vote was 4-0-1 with Curtis L. Etherly, Jr., Marc D. Loud, Ruthanne G. Miller and John A. Mann II to approve. The Zoning Commission member did not vote, not having participated in the case.

<sup>4</sup> The GA Overlay District was adopted and became effective on January 25, 2008.

- forty-eight percent (48%) of the dwelling units of the proposed building (62 of 130 total units) will be provided as affordable housing.

Residents will be able to walk along the rooftop walkway adjacent to the rooftop's green space. However, residents will not be able to walk within the courtyard (the walkway shown in the plans is for maintenance purposes only). [See the "Courtyard Plans" attached hereto as Exhibit "B", for images of the proposed courtyard.] Both of the green roofs will be planted with sedum.

Additionally, it should be noted that if the ground floor space is occupied by Mary's Center, a health care center with family medical care and supportive services (further described in Section IV below), an additional lower level mezzanine will also be constructed and dedicated to its use. This results in approximately 28,418 gross floor area potentially dedicated to the medical clinic use. However, if the ground floor space is to be dedicated to neighborhood retail and service uses, the lower level mezzanine will not be constructed, resulting in approximately 21,838 gross floor area of ground floor retail space.

### **III. COMMUNITY PARTICIPATION AND SUPPORT FOR PROJECT BY PUBLIC AGENCIES**

In conjunction with its application to the BZA, the Applicant worked closely and cooperatively in the design and development of the Project with ANC 4C, OP, the District Department of Transportation ("DDOT"), and other governmental agencies and stakeholders. As a result, the following reports or other submissions – all of which are supportive of the Applicant's Project – by community organizations and governmental agencies were submitted to the BZA and included in the official file of Application No. 17636A:

- Letter dated June 26, 2007 of ANC 4C in support of the Project which stated, *inter alia*, that the developer made several presentations of the plans and the ANC indicated its support for both the interim (115 units) and final (130 units) plans. [*The ANC's letter is attached to the PUD Application as Exhibit "B".*]
- Report of the Office of Planning dated July 3, 2007 recommending approval of the application and stating that OP supports the redevelopment of the subject Property with a mixed use development that is generally consistent with the requirements of the proposed Georgia Avenue Commercial Overlay District. OP also supported the granting of the requested variances from the parking and loading requirements since they would not be detrimental to the surrounding residents and businesses. The redevelopment would help to continue the revitalization of the Georgia Avenue corridor and would provide affordable housing. [*The OP Report is attached to the PUD Application as Exhibit "C".*]
- Report of the District Department of Transportation dated July 6, 2007 that recommended approval of the application with the inclusion of an additional 30' loading berth in place of one parking space. [Note: The BZA approved the

Project without this additional berth]. [*The DDOT Report is attached to the PUD Application as Exhibit "D".*]

After filing the PUD Application, the Applicant returned to the ANC, and met with the Office of Planning and the District Department of Transportation to present and discuss the PUD Application. The following is a summary of those presentations and meetings:

- The Applicant presented the plans for the PUD Application to ANC 4C at its monthly meeting on May 13, 2008. At the meeting, a quorum of ANC Commissioners voted to support the Project, 6-1.
- On May 15, 2008, the Applicant met with the Office of Planning to discuss the Application and plans.
- The Applicant has provided revised circulation drawings to the District Department of Transportation and is awaiting a response from DDOT to discuss the circulation of the Project and the use of the alleyways adjacent to the Property.

#### IV. PROJECT BENEFITS

Housing and Affordable Housing. The Applicant had committed to the former NCRC, and has committed to the Deputy Mayor for Planning and Economic Development (as successor to the NCRC), that forty-eight percent (48%) of the housing units in the proposed development will be dedicated to affordable housing.

This amount of affordable housing is in excess of the affordability requirement under Inclusionary Zoning. The Applicant is providing forty-eight percent (48%) of the 130 dwelling units (or sixty-two (62) dwellings units) as opposed to the eight percent (8%) set aside required under the Inclusionary Zoning regulations (which would equal only ten (10) units for a 130-unit project). The proposed residential element of the development will help to increase the supply of decent, affordable rental housing in the District.

The affordable dwelling units are to be targeted to households with incomes between 30% to 60% of area median income (while the IZ regulations only require a less stringent 50% to 80% of the area median income for moderate income households). Specifically, six (6) units will be held for rental to households with incomes which do not exceed fifty percent (50%) of the area median income; fourteen (14) of the affordable dwelling units will be held for rental to households with incomes which do not exceed thirty percent (30%) of the area median income; and forty-two (42) units will be held for rental to households with incomes which do not exceed sixty percent (60%) of the area median income.<sup>5</sup> Furthermore, the majority of the “market-rate”

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<sup>5</sup> As a part of the New Communities Initiative, the fourteen (14) dwelling units held for rental for households with a thirty percent (30%) area median income will be held for rental by the District of Columbia Housing Authority (“DCHA”) on a first right of refusal basis to provide a relocation resource for DCHA in connection with its changing program needs. If these units are not leased by DCHA with vouchers as they become available, the units will then be leased to households with incomes which do not exceed sixty percent (60%) of the area median income.

units will be affordable at “workforce housing” level rents, which is between eighty percent (80%) and one hundred twenty percent (120%) of the area median income. The proposed development will also qualify for tax credit financing.

The location and distribution of the affordable units throughout the proposed six-floor development is as follows:

| UNIT TYPE    | 2ND FL.   | 3RD FL.   | 4TH FL.   | 5TH FL.   | 6TH FL.  | TOTAL     |
|--------------|-----------|-----------|-----------|-----------|----------|-----------|
| STUDIO A     | 1         | 1         | 1         | 1         | 1        | 5         |
| STUDIO B     | 2         | 2         | 2         | 2         | 0        | 8         |
| STUDIO C     | 3         | 3         | 3         | 3         | 0        | 12        |
|              |           |           |           |           |          |           |
| 1-BEDROOM A  | 2         | 2         | 2         | 2         | 1        | 9         |
| 1-BEDROOM B  | 6         | 3         | 3         | 3         | 2        | 17        |
| 1-BEDROOM C  | 1         | 1         | 1         | 1         | 0        | 4         |
|              |           |           |           |           |          |           |
| 2-BEDROOM A  | 1         | 1         | 1         | 1         | 1        | 5         |
| 2-BEDROOM C  | 1         | 0         | 0         | 0         | 0        | 1         |
|              |           |           |           |           |          |           |
| 3-BEDROOM A  | 1         | 0         | 0         | 0         | 0        | 1         |
|              |           |           |           |           |          |           |
| <b>TOTAL</b> | <b>18</b> | <b>13</b> | <b>13</b> | <b>13</b> | <b>5</b> | <b>62</b> |

Neighborhood Serving Ground Floor Uses. Georgia Commons will also include ground floor retail and services uses which will benefit the Petworth community. Mary's Center is a likely occupant for the majority of the ground floor space (and lower mezzanine) with a medical clinic and supportive family services as the primary use. The Mary's Center would function as a community health center using a model proposed by the D.C. Primary Health Care Association. Medical services would include primary health care on an out-patient basis including family practice, women's health services, dental services, pharmacy services and associated programs such as WIC programs and Even Start programs. These programs would provide essential family-oriented medical services at a neighborhood level including health care practices for women, families and children.

In the event that the transaction with Mary's Center is not finalized, the Applicant will seek to locate neighborhood serving retail at Georgia Commons, such as a Pharmacy, convenience market or dry cleaner. In the event that the ground floor space is dedicated to neighborhood retail and services, the Applicant will not construct the lower mezzanine floor.

Effective and Safe Vehicular and Pedestrian Access; Transportation Management Measures; Connections to Public Transit Service; Other Measures to Mitigate Adverse Traffic Impacts. With regard to public transit, several Metrobus routes are located in the vicinity of the Property, with bus stops near the intersections of Georgia Avenue and both Shepherd and Randolph Streets, N.W. There are several Metrobus routes which run along Georgia Avenue, N.W., in addition to many along nearby New Hampshire Avenue, N.W. Furthermore, the Georgia Avenue/Petworth Metrorail Station is located just two (2) blocks south of the Project. As such, excellent public transit options exist near the Project. Further information concerning the proposed Project and its impact on the adjacent road network from the perspective of trip generation, parking or access is provided in the *Updated* Traffic Impact Analysis Memorandum [included with this Statement].

Environmental Benefits; Stormwater Runoff Controls. The Project has been selected as a demonstration site for the new LEED Neighborhood Development (ND) certification, which is currently in its pilot period. Specifically, the Applicant is pursuing a LEED ND Gold certification level. LEED ND focuses on smart growth, transit oriented, mixed use, pedestrian friendly urban infill developments such as Georgia Commons. Certification of the Project by the U.S. Green Building Council will occur at completion of construction of the Project. [See the “LEED for Neighborhood Development Pilot Project Checklist,” attached hereto as Exhibit “C”].

Sustainable design features of Georgia Commons include a “green roof” that will help reduce stormwater run-off from the PUD site and reduce heat island effect of the building as well as providing a site-amenity for the residents. As well, an energy model is being used to help design an energy efficient building envelope and to optimize natural day-lighting. In addition, the Project will require recycling of on-site construction waste and will feature low-VOC (volatile organic compound) adhesives, paints and other construction materials in order to promote indoor air quality. Finally, many of the building materials for construction will include recycled contents.

## **V. PLANNING ANALYSIS**

Land Use Impact. The development of Georgia Commons as proposed under this PUD application is consistent with the existing land uses in the area and with the objectives of the Rock Creek East Area Element of the Comprehensive Plan as discussed below. Specifically, the PUD Project will increase neighborhood livability and economic development along the Georgia Avenue corridor. The construction of the mixed-use building will help to promote the revitalization of the area and create an inviting addition to the Petworth neighborhood.

Zoning Impact. The proposed development is consistent with the existing C-3-A zoning, the GA Overlay District and the Inclusionary Zoning provisions. The height of the Project is consistent with the PUD guidelines for the C-3-A zone district and the GA Overlay. The 4.7 FAR density slightly exceeds the PUD standard of 4.5, but the proposed density is within the five percent (5%) allowance under Section 2405.3 and is well within the 4.8 FAR which would be allowed as a matter-of-right pursuant to Inclusionary Zoning. See further discussion of zoning

issues in Section “VIII” below (“Zoning Analysis and Relief Requested”).

Environmental Impact. The Applicant seeks to construct a LEED ND Gold certification level building under the LEED ND pilot program, which will reduce the building’s impacts on occupants’ health and the environment. The Applicant seeks to reduce the amount of impervious surface area within the Property through a “green roof” in order to reduce the peak stormwater discharge from the site. Stormwater and runoff will be directed into and collected in an internal stormwater management system. Final and formal approval of the stormwater management facility will be made by the D.C. Department of the Environment. All of the proposed connections for storm drainage will be coordinated with DC WASA and the D.C. Department of the Environment. [See the Stormwater Management Plan, included with this Statement].

Traffic Impact. The Applicant will mitigate the impacts of traffic from the development by providing one hundred twenty (120) parking spaces on PUD site. The impact from the retail/service element of the development is expected to be reduced due to the neighborhood-serving aspect of the intended retail and service uses. Furthermore, with the close proximity of the Georgia Avenue/Petworth Metrorail Station and numerous Metrobus lines along Georgia and nearby New Hampshire Avenues, it is anticipated that many residents will utilize Metro for transportation.

## **VI. COMPREHENSIVE AND AREA PLANS**

This Project is consistent with the 2006 revised District of Columbia Comprehensive Plan and with adopted policies and programs. Moreover, the PUD is consistent with and fosters a number of goals and policies stated in the revised Comprehensive Plan.

Citywide Elements of the Comprehensive Plan. The proposed PUD complies with the following policies of the *Citywide Elements* of the revised Comprehensive Plan:

### **1. Land Use Elements.**

*“Facilitate orderly neighborhood revitalization and stabilization by focusing District grants, loans, housing rehabilitation efforts, commercial investment programs, capital improvements, and other government actions in those areas that are most in need. Use social economic, and physical indicators such as the poverty rate, the number of abandoned or substandard buildings, the crime rate, and the unemployment rate as key indicators of need. §309.7” (Policy LU-2.1.2: Neighborhood Revitalization).*

*“Recognize the importance of balancing goals to increase the housing supply and expand neighborhood commerce with parallel goals to protect neighborhood character, preserve historic resources, and restore the environment. The overarching goal to ‘create successful neighborhoods’ in all parts of the city requires an emphasis on conservation in some neighborhoods and revitalization in others. §309.8” (Policy LU-2.1.3: Conserving, Enhancing, and Revitalizing*

*Neighborhoods).*

*“Reduce the number of vacant and abandoned buildings in the city through renovation, rehabilitation, and where necessary, demolition. Implement programs that encourage the owners of such buildings to sell or renovate them, and apply liens, fines, and other penalties for non-compliant properties. §310.4” (Policy LU-2.2.3: Restoration or Removal of Vacant and Abandoned Buildings).*

*“Encourage projects which improve the visual quality of the District’s neighborhoods, including landscaping and tree planting, façade improvement, anti-litter campaigns, graffiti removal, improvement or removal of abandoned buildings, street and sidewalk repair, and park improvements. §310.5” (Policy LU-2.2.4: Neighborhood Beautification).*

The Applicant seeks to construct a new building in a commercial corridor which is planned for revitalization by the District government. The Property contains a vacant retail store and parking lot. The new development will help to prompt revitalization in the block, enhancing the vibrancy of the Georgia Avenue, N.W. corridor. The proposed design of the building will utilize modern “greenscreen” façade features and fenestration to give the building a distinct presence on Georgia Avenue. Furthermore, the new building will also bring much desired retail or service uses to the neighborhood. Finally, the building will introduce 130 needed new dwelling units in the community, of which forty-eight percent (48%) will be affordable.

## **2. Housing Element.**

*“Promote mixed use development, including housing, on commercially zoned land, particularly in neighborhood commercial centers, along Main Street mixed use corridors, and around appropriate Metrorail stations. §503.5” (Policy H-1.1.4: Mixed Use Development).*

*“Require the design of affordable housing to meet the same high-quality architectural standards required of market-rate housing. Regardless of its affordability level, new or renovated housing should be indistinguishable from market rate housing in its exterior appearance and should address the need for open space and recreational amenities, and respect the design integrity of adjacent properties and the surrounding neighborhood. §503.6” (Policy H-1.1.5: Housing Quality).*

The proposed project will introduce a new concentration of both retail/service and residential uses along the Georgia Avenue, N.W., bringing energy to the neighborhood. The modern design of the building is oriented on Georgia Avenue and will help to stimulate subsequent housing development in Petworth. The residential portion of the Project will provide amenities such as a roof level community room, exercise room and green roof for its occupants.

## **3. Community Services and Facilities.**

*“Ensure that high quality, affordable primary health centers are available and*

*accessible to all District residents. Emergency medical facilities should be geographically distributed so that all residents have safe, convenient access to such services. New or rehabilitated health care facilities should be developed in medically underserved and/or high poverty neighborhoods, and in areas with high populations of senior citizens, the physically disabled, the homeless, and others with unmet health care needs. § 1106.12" (Policy CSF-2.1.1: Primary and Emergency Care).*

*"Develop public-private partnerships to build and operate a strong, cohesive network of community health centers in areas with few providers or health programs. § 1106.13" (Policy CSF-2.1.2: Public-Private Partnerships).*

The proposed Project which includes Marty's center will provide primary health care services at an accessible and convenient location.

#### **4. Economic Development Element.**

*"Create additional shopping opportunities in Washington's neighborhood commercial districts to better meet the demand for basic goods and services. Reuse of vacant buildings in these districts should be encouraged, along with appropriately-scaled retail infill development on vacant and underutilized sites. Promote the creation of locally-owned, non-chain establishments because of their role in creating unique shopping experiences. §708.7 (Policy ED-2.2.3: Neighborhood Shopping).*

If Mary's Center is not an occupant, the proposed Project will establish new neighborhood-serving retail and service uses for the area along Georgia Avenue, near the Georgia Avenue/Petworth Metrorail Station, as sought after by the community. As well, new retail is anticipated pursuant to the Georgia Avenue/Petworth Metrorail Station Area and Corridor Plan, in order to increase neighborhood livability and economic development along the corridor.

Rock Creek East Area Element of the Comprehensive Plan. The PUD also complies with the *Rock Creek East Area Element* (Chapter 22) of the revised Comprehensive Plan.

According to the Planning and Development Priorities under Section 2207.2 of the Comprehensive Plan, the neighborhoods of Rock Creek East seek to protect their established neighborhoods while also recognizing the need to provide a variety of housing choices which are "economically integrated." (§ 2207.2(b)). The community also noted the importance of upgrading and expanding neighborhood-serving commercial facilities, and "enhancing neighborhood identity through façade improvements, landscaping, signage, and lighting." (§ 2207.2(c)).

Furthermore, the "General Policies" of the Rock Creek East Area Elements specifically seek economic development around the Georgia Avenue/Petworth Metrorail Station area, particularly providing improved "visual and urban design qualities in order to create a unique destination for the local community to enjoy." (§ 2208.4). Another "General Policy" for the

community is to "[m]aintain and encourage the development of multi-use neighborhood shopping and services in those areas designated for commercial or mixed uses on the Future Land Use Map" (§ 2208.5), and to "improve housing affordability ... [with] the production of new mixed income housing along Georgia Avenue ... ." (§ 2208.7). As well, the Area Element provides a "General Policy" to "[p]rovide additional facilities to meet the mental and physical health needs of Rock Creek East residents ... ." The proposed Project will encourage this revitalization process, by promoting a return to neighborhood-serving commercial/service corridor and aiding the re-establishment of the community's identity.

Generalized Land Use Map. The proposed Project also complies with the Generalized Land Use Map (Map 4), which designates the Property as moderate density commercial and medium density residential.

## **VII. ZONING ANALYSIS AND RELIEF REQUESTED**

The Application seeks approval of a consolidated Planned Unit Development pursuant to Chapter 24 of the Zoning Regulations. No amendment to the zoning map is sought in conjunction with the PUD Application.

The Property is zoned GA/C-3-A. The C-3-A zone district is a medium bulk major business and employment center. The Georgia Avenue Commercial Overlay District is intended, among other purposes, to implement the objectives of the Georgia Avenue/Petworth Metrorail Station Area and Corridor Plan, encourage residential uses along the Georgia Avenue corridor and establish guidelines for development review through the PUD and special exception proceedings.

Requested Height, FAR & Lot Occupancy Pursuant to the PUD Guidelines. As a matter-of-right development, a Project in the C-3-A zone district may be developed to a height of sixty-five feet (65 ft.), a FAR of 4.0 and a lot occupancy of seventy-five percent (75%). Under the PUD guidelines, a Project in the C-3-A zone district may be developed to a height of ninety (90) feet and a density of 4.5 FAR. However, according to Section 1331.1 of the GA Overlay regulations, any additional height and floor area allowed under the PUD guidelines above matter-of-right standards may only be dedicated to residential use. The Applicant proposes to construct a mixed use building at a height of approximately seventy-eight feet (78 ft.), a FAR of 4.7 and a lot occupancy of eighty percent (80%).

### *Height*

The plans accompanying this Statement show a maximum proposed height of seventy-eight feet (78 ft.). A maximum height of sixty-five feet (65 ft.) is allowed as a matter-of-right in the C-3-A District, and an additional five feet (5 ft.) of height is allowed pursuant to Section 1328.10 of the GA Overlay regulations if the ground floor level of the building has a minimum clear floor-to-ceiling height of fourteen feet (14 ft.). The Applicant has added an additional eight feet (8 ft.) of height to allow for a sufficient floor to ceiling height for the residential community room and exercise room located on the building's rooftop, and to allow the residential floors to

achieve greater flexibility in the proportions of each floor (e.g., nine foot (9 ft.) ceiling heights). Thus, the additional height above that which is permitted as a matter-of-right is dedicated to residential uses. Furthermore, the additional height being requested by the Applicant is well within the ninety foot (90 ft.) maximum height allowed for a PUD in the C-3-A zone district under a PUD.

#### *FAR*

Pursuant to Section 2405.3, the Applicant requests a five percent (5%) increase above the standard of 4.5 FAR provided for the C-3-A zone district. According to Section 2405.3, the Commission may authorize such an increase in the FAR, provided that the increase is “essential to the successful functioning of the project” and meets PUD evaluation standards.

The requested increase of 0.2 FAR will provide additional light and air to residential units, including the affordable units. These affordable housing and other residential units advance the purpose of the PUD regulations to promote public welfare (Section 2400.3) and meet the PUD evaluation standards (Section 2403.6) by providing a level and quality of affordable and other housing that is superior to that which could be provided as a matter-of-right. Moreover, this request for increased density is also consistent with Section 1331.1(a) in that the additional density will be for the residential portion of the Project. Based on the foregoing, the Applicant submits that the requested increase in FAR is “essential to the successful functioning of the project” and “consistent with the purpose and evaluation standards of this [PUD] chapter” as required by § 2405.3.

#### *Lot Occupancy*

According to Section 2405.4, the Commission has the option to approve a percentage of lot occupancy greater (or lesser) than the normal requirement, “depending upon the exact circumstances of the particular project.”

The requested five percent (5%) increase in percentage of lot occupancy is a small amount and is necessary to provide a substantial amount of the affordable dwelling units. As discussed above, the affordable units (as well as the other residential units) advance the purpose of the PUD regulations to promote public welfare and meet the PUD evaluation standards by providing a level and quality of affordable and other housing that is superior to that which could be provided as a matter-of-right. In addition, because this Project was originally designed in accordance with the requirements of the IZ regulations, the proposed lot occupancy of eighty percent (80%) meets the “bonus density” lot occupancy requirements of the IZ regulations. Furthermore, because of the courtyard, rear yard and rooftop terraces, adequate light and air, as well as open space, will be provided even at eighty percent (80%) lot occupancy. Thus, the circumstances of the Project justify the requested lot occupancy of eighty percent (80%).

Special Exception and Variance Relief. The Applicant submits that, based upon (i) its PUD Application and the materials submitted in conjunction therewith, (ii) the evidence to be presented at the public hearing and (iii) other evidence to be submitted subsequent hereto, it will satisfy and comply with the applicable legal standards and burdens of proof for the planned unit

development and the following special exception and area variances (which are typically referred to in the context of a PUD application as zoning relief or deviations from zoning requirements).

### *Special Exception Relief*

*Development on Large Lots in Georgia Avenue Commercial Overlay District.* Under Section 1330.1(b) of the Zoning Regulations, the construction of a building on a lot that has twelve thousand square feet (12,000 sq. ft.) or more of land area within the Georgia Avenue Overlay District is permitted only by special exception pursuant to Sections 1304, 1330.2 and 3104. Such special exception approval can be granted by the Zoning Commission in conjunction with a PUD and, in fact, PUD review accomplishes the objectives of such special exception review.

*Uniform and Clear Height Requirements for the Ground Floor Level.* The Applicant also requests a special exception (pursuant to Section 1330.2) from the strict interpretation of Section 1328.9 with regard to both the "uniform" floor to ceiling height and "clear" height requirements for the building's ground floor level.

The topography of the Property along the front of the proposed building on Georgia Avenue, slopes down from a high point at the south to a low point at the north. The ceiling height at the residential lobby entrance is twelve and one-half feet (12.5 ft.) and has a ramp down to the floor plate in order to achieve the minimum fourteen feet (14 ft.) height. The entrance in the center of the building to the lobby that will serve the Mary's Center use is at a height of fourteen feet (14 ft.). Thus, while the ceiling height is fourteen feet or more for the most part throughout the ground floor along Georgia Avenue, it is not "uniform" due to the slope of the Property, the need to provide access to the various uses within the building at grade along Georgia Avenue, and the Applicant's desire to avoid awkward ramps within the building should an additional door be required for retail use on the north end of the building frontage on Georgia Avenue (see Plan A4-1 filed with the PUD Application).

Given this practical difficulty imposed by the Property's topography, the Applicant requests special exception relief from the "uniform" height requirement. Additionally, the Applicant seeks relief from the "clear" height requirement. The Applicant has measured the fourteen feet clear height from the floor slab to the underside of structural slab, not the underside of the finished ceiling. There are structural drops at beams and column caps throughout the ground floor level, dropping ceiling heights in various locations which will result in a floor to finished ceiling height of twelve feet (12 ft.). However, the Applicant will meet the spirit and intent of Section 1328.9 since the ground floor level will meet or exceed (at the northern end of the building) the minimum fourteen feet floor height requirement which is geared toward ensuring a more attractive and marketable ground floor space to retail, service or medical tenants and their patrons. Thus, the impact of this special exception will not adversely affect the use of neighboring property.

The PUD Application will satisfy the requirements of Section 3104.1 of the Zoning Regulations which require all special exceptions to be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and to not tend to affect adversely the use of

neighboring property in accordance with the Zoning Regulations and Zoning Maps... ." In addition, the Application will comply with the requirements of Section 1330.2 of the Zoning Regulations which are set forth and discussed below.

The proposed building will not cause objectionable conditions or adversely affect neighboring or nearby property. The new construction will redevelop Property which is currently occupied by a deteriorating vacant commercial building. The mixed-use building will bring a significant number of new residential units and neighborhood-serving retail to the Petworth area, as envisioned by the *Georgia Avenue/Petworth Metrorail Station Area and Corridor Plan*. Furthermore, because the PUD site is located near a Metrorail Station, the new construction will encourage transit use and the construction of other transit oriented development in the neighborhood along Georgia Avenue. In addition, the Project will promote improved development in the neighborhood and help establish a strong neighborhood center.

The PUD Application also complies with the special exception requirements of Section 1330.2, as set forth below.

*The architectural design of the project shall enhance the urban design features of the immediate vicinity in which it is located. (§ 1330.2(a)).*

The proposed building will feature architectural design details that will enliven the street features of Georgia Avenue, a major north-south thoroughfare. Utilization of distinct vertical elements, streamlined horizontal fenestration patterns and judicious use of a "greenscreen" façade to soften the architecture with landscape elements will break down the overall massing to give the building a distinct presence at the corner of Georgia Avenue and Randolph Street. In addition, as a LEED Neighborhood Development, the building will have a reduced impact on the surrounding infrastructure, specifically with the green roof which will mitigate the demands on the stormwater management system. The building will also be a recognizable landmark in an area lacking distinctive urban features, especially given the gentle topography of the street and the building's prominent placement in the established streetscape.

*Vehicular access and egress shall be located and designed so as to encourage safe and efficient pedestrian movement, minimize conflict with principal pedestrian ways, function efficiently, and create no dangerous or otherwise objectionable traffic conditions (§ 1330.2(b)).*

The new development Project will include parking spaces in the rear of the Property as well as in several half levels of a parking garage. Access to both the parking surface in the rear yard (consistent with Section 1328.11) and the parking garage will be available via the existing alleyways located adjacent to the Property to the north and to the west. These alleyways may be accessed from Georgia Avenue, Randolph Street or Shepherd Street, N.W. By using existing alleyways for vehicular access and egress, any potential conflict with pedestrian walkways are minimized and no dangerous or otherwise objectionable traffic conditions are created.

*Parking and traffic conditions associated with the operations of a proposed use shall not significantly affect adjacent nearby residences. (§1330.2(c)).*

The Applicant will provide sufficient parking for the residents of the apartments and patrons of the retail, service and/or medical establishments. Furthermore, such uses planned for the Property are neighborhood-oriented and will seek their users from the occupants of the building and from the surrounding neighborhood. As a result, it is expected that some parking spaces required for the service, retail and/or medical component of the building will not be necessary even though Georgia Commons will provide 120 parking spaces, which is eleven (11) more than required if Mary's Center occupies the ground floor space. These additional spaces may be needed to accommodate an electrical vault or will be utilized for flex-car, zip-car or additional bicycle spaces or could be made available to the community. Furthermore, with the close proximity of the Georgia Avenue/Petworth Metrorail Station and multiple Metrobus lines along Georgia and nearby New Hampshire Avenues, it is anticipated that many residents will utilize Metro for transportation.

*Noise associated with the operation of a proposed use shall not significantly affect adjacent or nearby residences. (§ 1330.2(d)).*

The proposed mixed-use building will not generate objectionable amounts of noise which would significantly affect adjacent or nearby residences. None of the proposed retail/service or residential uses will generate inappropriate or significant levels of noise. Furthermore, since the courtyard is surrounded by the building and the rooftop is seventy-eight feet (78 ft.) above the adjacent grade, noise will not spill over onto adjacent properties from the courtyard or the rooftop terraces.

Thus, the use of construction of a mixed-use building on the Property is in harmony with the surrounding neighborhood and the general purposes and intent of the Zoning Regulations and Zoning Map, and will not have any adverse impacts on surrounding properties nor the present or future character of the neighborhood.

#### *Variance Relief: Parking*

With regard to the Applicant's request for a variance from the requirement for off-street parking, the PUD Application satisfies the requirements of Section 3103.2 of the Zoning Regulations.

Although the Applicant anticipates the Mary's Center to be located in the ground floor (and lower mezzanine level) space in the proposed development, the Purchase and Sale Agreement for the Mary's Center has not been finalized and in the event that it is not finalized, the ground floor (without lower mezzanine level) will be dedicated to neighborhood-serving retail. As such, because the number of parking spaces required for such alternatives retail use is greater than that which would be required for the medical center use, the Applicant seeks a variance from the parking requirements for a retail use.

Pursuant to Section 2101.1, within the C-3-A zone district one (1) parking space must be provided for each two (2) dwelling units in a residential building; one (1) parking space must be provided for every three hundred square feet (300 ft.<sup>2</sup>) of gross floor area and cellar floor area devoted to retail (less 3,000 square feet of gross floor area and cellar floor area devoted to retail); and one (1) parking space must be provided for every six hundred square feet (600 ft.<sup>2</sup>) of gross floor area and cellar floor area devoted to a medical clinic (less 2,000 square feet of gross floor area and cellar floor area devoted to the clinic).

The plans for the proposed development will provide one hundred thirty (130) dwelling units. Thus, the parking requirement for the residential portion of the building is sixty-five (65) parking spaces. The plans for the proposed development provide 21,838 gross square feet of ground floor space. If the ground floor is dedicated to neighborhood retail and service uses, the Applicant is required to provide sixty-three (63) parking spaces for such use [(21,838 ft.<sup>2</sup> – 3,000 ft.<sup>2</sup>) / 300 ft.<sup>2</sup> = 63 parking spaces]. Thus, if the ground floor is dedicated to retail uses, the total number of parking spaces required for the proposed development is one hundred twenty-eight (128) parking spaces. The Applicant is able to provide one hundred twenty (120) parking spaces and thus seeks a variance from the requirement of eight (8) parking spaces.

However, if the Mary's Center occupies the ground floor and lower mezzanine space of the proposed development, the Applicant is required to provide only forty-four (44) parking spaces for the medical clinic use. The plans for the proposed development will include 6,580 gross square feet of space on the lower mezzanine level for the medical clinic use [(21,283 ft.<sup>2</sup> + 6,580 ft.<sup>2</sup> = 28,235 ft.<sup>2</sup>) - 2,000 ft.<sup>2</sup>] / 600 ft.<sup>2</sup> = 44 parking spaces]. Accordingly, if the Applicant dedicates the ground floor use to the medical clinic, only one hundred nine (109) parking spaces are required, which provides a surplus of eleven (11) parking spaces for the proposed development.

Additionally, the Applicant seeks a variance from the requirement under Section 2115.4 that compact parking spaces shall be placed in groups of at least five (5) contiguous spaces with access from the same aisle. Strict application of the Zoning Regulations would result in a peculiar and exceptional practical difficulty. Although it could theoretically be possible to locate additional parking spaces by expanding the proposed underground parking deck beneath the rear yard, the rear yard is a potential ground source heat pump site required for heating and cooling of the building's common spaces. If the underground parking deck was built under the rear yard to meet the parking requirement, it would interfere with the field of deep geothermal wells. As well, for those compact parking spaces which can only be placed in groups of two or three, strict application of the Zoning Regulations would also result in a practical difficulty. The Applicant seeks to fit as many parking spaces within the parking garage as possible while coping with a significant change in grade. However, due to necessary stair and elevator core and ramps, the parking garage on levels P1 and P3 are "chopped up" into spaces which are not large enough to fit a group of the requisite five (5) compact spaces.

No substantial adverse impacts or detriment to the public good will result if the variance from the parking requirements is granted. First, the proposed retail is neighborhood-oriented and

will seek its customer base from occupants of the building, as well as from neighboring properties. Second, the close proximity of the Metrorail station (see "Metro Vicinity Map", attached hereto as Exhibit "A") and the numerous Metrobus routes located along Georgia Avenue and nearby New Hampshire Avenue substantially reduce the demand for retail parking and negate any detriment to the public good that might result from the Commission granting the parking variance. Finally, it is also anticipated that with the Metrorail station and the Metrobus routes located in such close proximity to the Property, a percentage of occupants of the building will utilize Metro for transportation.

#### *Variance Relief: Loading*

With regard to the Applicant's request for relief from loading requirement for the Project, the PUD Application satisfies the requirements for a variance pursuant to the Zoning Regulations.

As indicated above, the PUD plans will have one hundred thirty (130) dwelling units. In accordance with Section 2201.1, an apartment house or multiple dwelling with fifty (50) or more dwelling units in any zone district is required to provide one (1) loading berth of a depth of fifty-five feet (55 ft.), one (1) two hundred square foot (200 ft<sup>2</sup>) loading platform and one (1) service delivery loading space of a depth of twenty feet (20 ft.).

The proposed building will provide approximately 28,838 gross square feet of ground floor retail/service space. A retail or service establishment in the C-3-A zone district with more than 20,000 square feet of gross floor area as provided pursuant to the PUD plans is required to provide two (2) loading berths of a depth of thirty feet (30 ft.), two (2) one hundred square foot (100 ft<sup>2</sup>) loading platforms and one (1) service delivery loading space of a depth of twenty feet (20 ft.).

The Applicant's proposal is to provide two (2) loading berths of a depth of thirty feet (30 ft.), two (2) one hundred square foot (100 ft<sup>2</sup>) loading platforms and one (1) service delivery loading space of a depth of twenty feet (20 ft.). Thus, the Applicant seeks relief from the requirements for one (1) fifty-five foot (55 ft.) loading berth, one (1) two hundred square foot (200 ft<sup>2</sup>) loading platform and one (1) twenty foot (20 ft.) service/delivery loading space.

If the loading requirements were strictly applied, the building would be required to provide a total of three (3) loading berths, two (2) service/delivery spaces and three (3) loading platforms, an amount more typical for large downtown office building three or four times the size of the proposed building.

The loading berths and spaces to be provided by the Applicant are sufficient for both the residential and retail/service users and adequate to service the public. The loading berth and delivery areas will be used by residents when they move in. However, subsequent use of the loading facilities by residents will only be very occasional and, as such, can be restricted to times which pose the least amount of conflict with retail/service users. Likewise, retail and service users can be restricted to the use of loading facilities during times which cause the least amount of conflict with the loading needs of the residents. However, the Applicant will work with

DDOT once the building is constructed to remove the two (2) curb cuts in front of the building on Georgia Avenue, thus freeing up curbside space for parking and loading for retail uses. The Applicant also intends to ask DDOT for metered parking and a twenty-foot loading zone in lieu of the forty-foot loading zone area on Georgia Avenue that was sought for the previously proposed retail uses. Furthermore, it is likely that the timing of build-outs for retail or service tenants will be different from move-in dates of the residential tenants because such build-outs will generally occur after the residents have moved in. Thus, through contractual restrictions, any conflict between the loading needs of residents and retail and service tenants will be minimized.

The Applicant submits, in support of the requested relief from loading requirements, that providing the additional berths and service/delivery spaces would be impractical and would adversely impact the amount of parking spaces provided, the preferred residential and retail components, the building footprint and the design of the building. Zoning relief from the loading requirements will not result in substantial detriment to the public good or the zone plan. The proposed building will provide substantial benefits to the community, including affordable housing, underground parking, ground floor retail and quality residential space. There will also be a lack of adverse impacts from the zoning relief requested.

## **VIII. ESTIMATED WATER AND SEWER DEMAND**

The average daily demand for both water and sanitary sewer flow to be generated by the proposed mixed-use building is estimated to be approximately 1,326 gallons per minute. Storm sewer usage is estimated to be 1.28 cubic feet per second ("cfs"). The methods used to determine the quantity of stormwater generated was the calculation of the allowable release from the predevelopment condition for a fifteen (15) year storm event. Estimated quantities of potable water were derived from the water meter calculations on WASA's Meter Sizing Worksheet, and the sanitary sewage calculation was derived from the maximum capacity of the outflow pipe as designed by the plumbing engineer. Please note that this pipe was sized by calculations of the drainage fixture units as required by WASA. Final and formal determination of water and sewer availability will be made by the D.C. Water and Sewer Authority ("DC WASA") and will include tests to determine adequacy. All of the proposed connections for sanitary sewer will be coordinated with the DC WASA.

## IX. CONCLUSION

Conclusion. For the reasons set forth above, the Applicant, by and through counsel, submits that its PUD Application will satisfy all applicable zoning requirements and the burden of proof for the requested zoning relief and, therefore, should be granted.

Respectfully submitted,

GREENSTEIN DELORME & LUCHS, P.C.

By:

Jacques B. DePuy

By:

Lyle M. Blanchard

337869v1

Exhibit "A"

Metro Vicinity Map

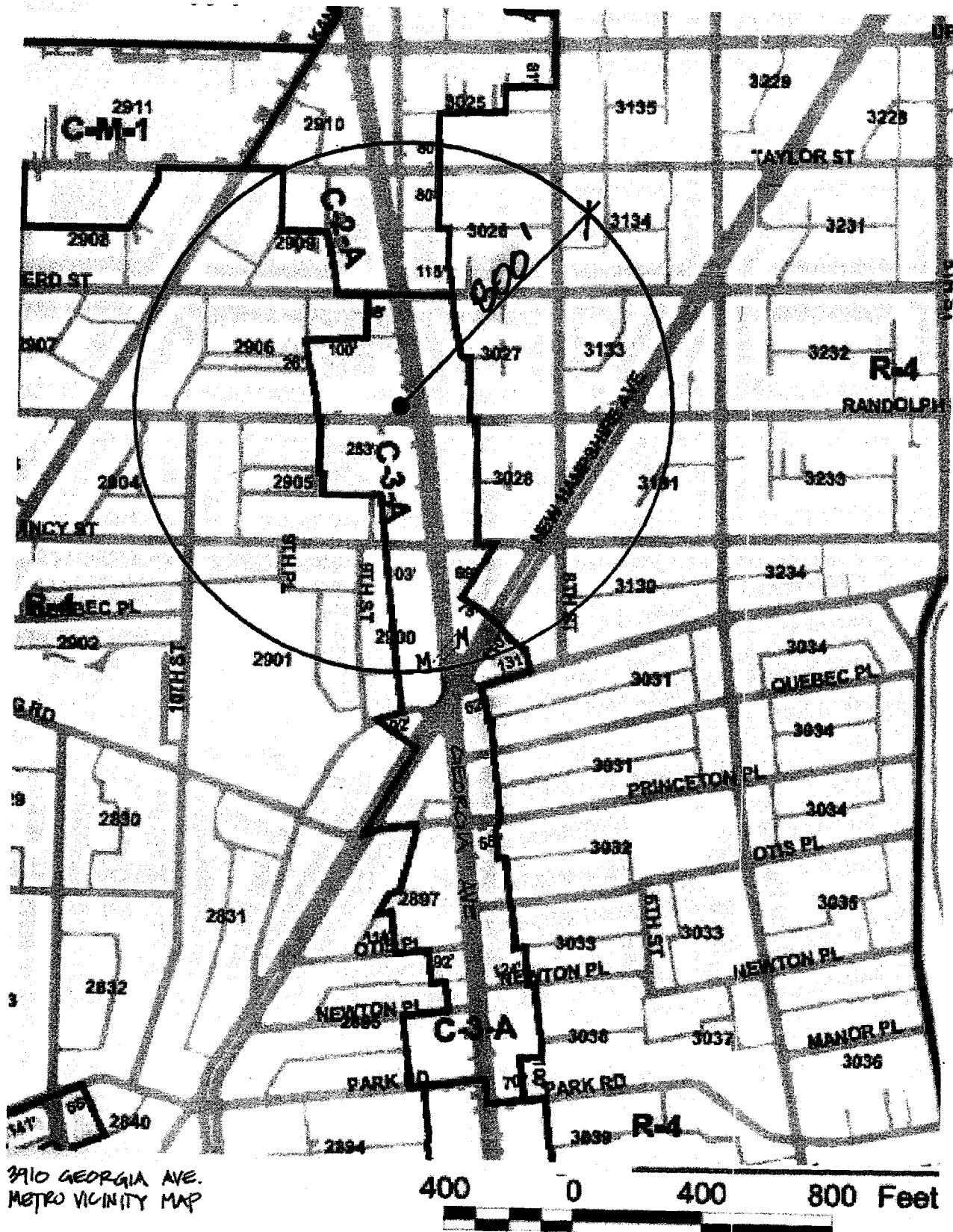
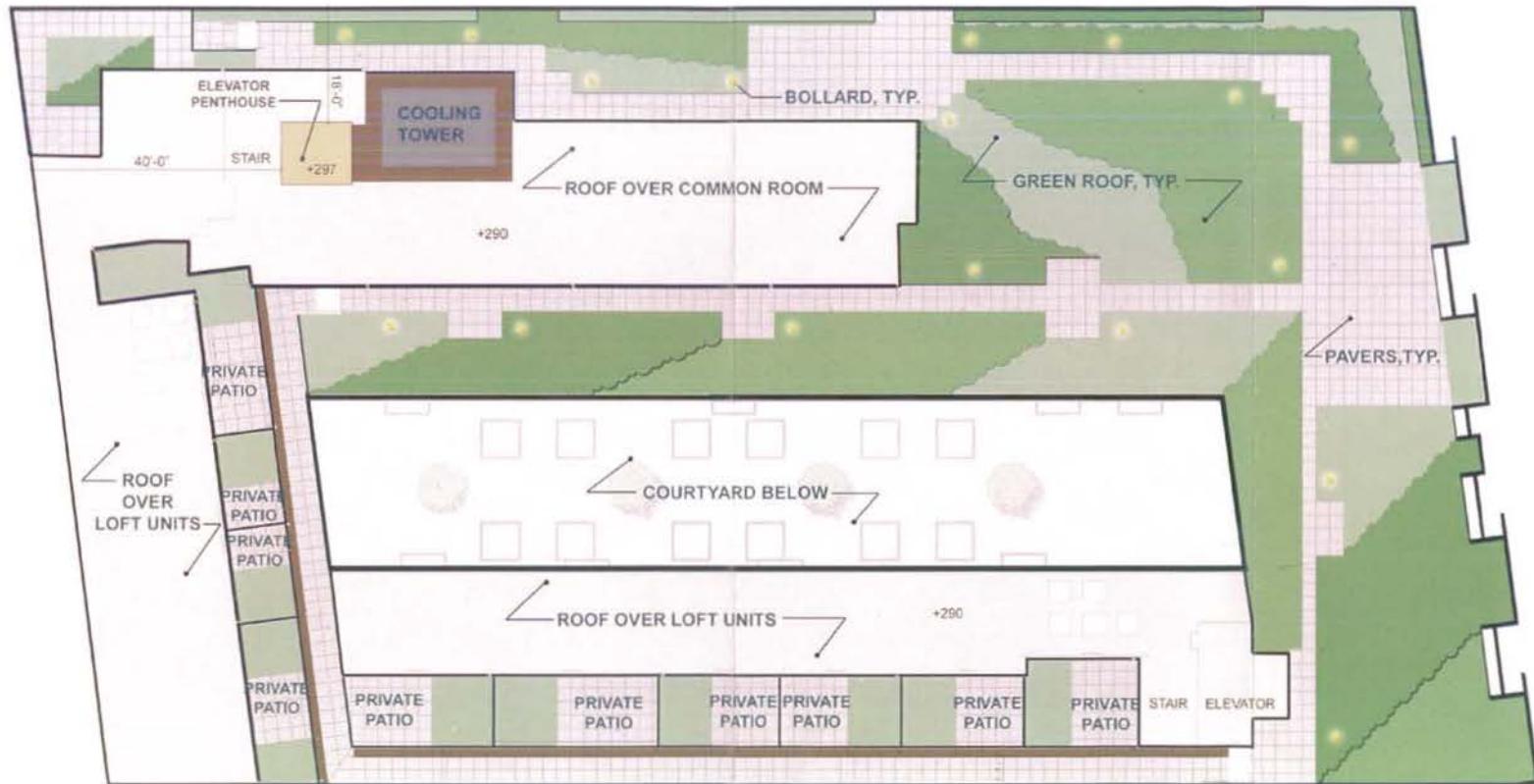


Exhibit "B"

Courtyard Plans



NOTE: Courtyard is inaccessible to pedestrians.  
Green Roof plant material is drought-resistant sedum.  
Clematis vines at greenscreen planter boxes.



NOTE: All of Green Roof is inaccessible to pedestrians.  
All Paved walkways and patios are accessible to pedestrians.  
Green Roof plant material is drought-resistant sedum.

Exhibit "C"

LEED for Neighborhood Development Pilot Project Checklist



## LEED for Neighborhood Development Pilot Project Checklist

Project Name: Georgia Commons

Primary Contact: Kaleena E. Frances, Assistant Project Manager

*Instructions: In the Points Earned column, enter "Yes," "No," or "Maybe" for prerequisites and the expected number of points earned for credits. For prerequisites with more than one compliance path, enter the compliance path option # in column E, in the row under the prerequisite's name.*

Points Earned

19

### Smart Location & Linkage

30 Points Possible

|     |           |   |          |
|-----|-----------|---|----------|
| Yes | Prereq 1  | Smart Location<br>Option #: 1                                   | Required |
| Yes | Prereq 2  | Proximity to Water and Wastewater Infrastructure<br>Option #: 1 | Required |
| Yes | Prereq 3  | Imperiled Species and Ecological Communities<br>Option #: 1     | Required |
| Yes | Prereq 4  | Wetland and Water Body Conservation<br>Option #: 1              | Required |
| Yes | Prereq 5  | Farmland Conservation<br>Option #: 1                            | Required |
| Yes | Prereq 6  | Floodplain Avoidance<br>Option #: 1                             | Required |
|     | Credit 1  | Brownfield Redevelopment  | 2        |
|     | Credit 2  | High Priority Brownfields Redevelopment                         | 1        |
| 6   | Credit 3  | Preferred Location  | 10       |
| 8   | Credit 4  | Reduced Automobile Dependence                                   | 8        |
| 1   | Credit 5  | Bicycle Network   | 1        |
| 3   | Credit 6  | Housing and Jobs Proximity                                      | 3        |
| 1   | Credit 7  | School Proximity  | 1        |
|     | Credit 8  | Steep Slope Protection  | 1        |
|     | Credit 9  | Site Design for Habitat or Wetlands Conservation                | 1        |
|     | Credit 10 | Restoration of Habitat or Wetlands                              | 1        |
|     | Credit 11 | Conservation Management of Habitat or Wetlands                  | 1        |

28

### Neighborhood Pattern & Design

39 Points Possible

|     |           |                                    |          |
|-----|-----------|------------------------------------|----------|
| Yes | Prereq 1  | Open Community                     | Required |
| Yes | Prereq 2  | Compact Development                | Required |
| 7   | Credit 1  | Compact Development                | 7        |
| 4   | Credit 2  | Diversity of Uses                  | 4        |
| 2   | Credit 3  | Diversity of Housing Types         | 3        |
| 2   | Credit 4  | Affordable Rental Housing          | 2        |
| 2   | Credit 5  | Affordable For-Sale Housing        | 2        |
| 6   | Credit 6  | Reduced Parking Footprint          | 2        |
| 2   | Credit 7  | Walkable Streets                   | 8        |
| 1   | Credit 8  | Street Network                     | 2        |
| 1   | Credit 9  | Transit Facilities                 | 1        |
| 1   | Credit 10 | Transportation Demand Management   | 2        |
| 1   | Credit 11 | Access to Surrounding Vicinity     | 1        |
| 1   | Credit 12 | Access to Public Spaces            | 1        |
| 1   | Credit 13 | Access to Active Public Spaces     | 1        |
| 1   | Credit 14 | Universal Accessibility            | 1        |
| 1   | Credit 15 | Community Outreach and Involvement | 1        |
|     | Credit 16 | Local Food Production              | 1        |

15

### Green Construction & Technology

31 Points Possible

|     |          |  |          |
|-----|----------|--|----------|
| Yes | Prereq 1 | Construction Activity Pollution Prevention | Required |
| 1   | Credit 1 | LEED Certified Green Buildings             | 3        |
| 2   | Credit 2 | Energy Efficiency in Buildings             | 3        |

|   |  |   |
|---|--|---|
| 1 | Credit 3 <b>Reduced Water Use</b>                                | 3 |
|   | Credit 4 <b>Building Reuse and Adaptive Reuse</b>                | 2 |
|   | Credit 5 <b>Reuse of Historic Buildings</b>                      | 1 |
| 1 | Credit 6 <b>Minimize Site Disturbance through Site Design</b>    | 1 |
| 1 | Credit 7 <b>Minimize Site Disturbance during Construction</b>    | 1 |
|   | Credit 8 <b>Contaminant Reduction in Brownfields Remediation</b> | 1 |
| 3 | Credit 9 <b>Stormwater Management</b>                            | 5 |
| 1 | Credit 10 <b>Heat Island Reduction</b>                           | 1 |
|   | Credit 11 <b>Solar Orientation</b>                               | 1 |
| 1 | Credit 12 <b>On-Site Energy Generation</b>                       | 1 |
| 1 | Credit 13 <b>On-Site Renewable Energy Sources</b>                | 1 |
|   | Credit 14 <b>District Heating &amp; Cooling</b>                  | 1 |
| 1 | Credit 15 <b>Infrastructure Energy Efficiency</b>                | 1 |
| 1 | Credit 16 <b>Wastewater Management</b>                           | 1 |
| 1 | Credit 17 <b>Recycled Content for Infrastructure</b>             | 1 |
|   | Credit 18 <b>Construction Waste Management</b>                   | 1 |
|   | Credit 19 <b>Comprehensive Waste Management</b>                  | 1 |
|   | Credit 20 <b>Light Pollution Reduction</b>                       | 1 |

|   |  |          |
|---|--|----------|
| 1 | <b>Innovation &amp; Design Process</b> | 6 Points |
|---|--|----------|

|   |  |   |
|---|--|---|
| 1 | Credit 1.1 <b>Innovation in Design: Provide Specific Title</b> | 1 |
|   | Credit 1.2 <b>Innovation in Design: Provide Specific Title</b> | 1 |
|   | Credit 1.3 <b>Innovation in Design: Provide Specific Title</b> | 1 |
|   | Credit 1.4 <b>Innovation in Design: Provide Specific Title</b> | 1 |
|   | Credit 1.5 <b>Innovation in Design: Provide Specific Title</b> | 1 |
| 1 | Credit 2 <b>LEED® Accredited Professional</b>                  | 1 |

|    |   |            |
|----|---|------------|
| 63 | <b>Project Totals (pre-certification estimates)</b> | 106 Points |
|----|---|------------|

Certified: 40-49 points, Silver: 50-59 points, Gold: 60-79 points, Platinum: 80-106 points