

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING



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2008 OCT 20 PM 4:32

MEMORANDUM

TO: District of Columbia Zoning Commission
FROM: Jennifer Steingasser, Deputy Director *JS*
DATE: October 20, 2008
SUBJECT: Public Hearing Report for Kelsey Gardens - ZC #08-14
Consolidated Planned Unit Development and Related Map Amendment

I. SUMMARY RECOMMENDATION

Kelsey Gardens Property Company, LLC has petitioned the Zoning Commission to approve its request for a Consolidated Planned Unit Development (PUD) and related map amendment to construct a new mixed-use building in the 1500 block of 7th Street, NW, between P and Q Streets. In addition to the PUD and map amendment, the application requires several areas of zoning relief.

The applicant proposes two designs, both of which could be accommodated with the proposed PUD-related map amendment to C-2-C. The original design consists of a 90 foot tall building with loading and parking from the alley. The alternate proposal, developed in response to community comments, consists of an 80 foot tall building with loading and parking from P Street. Both designs include seven rowhouse flats and both would have an FAR of approximately 6.0.

The Office of Planning (OP) recommends approval of the PUD and related map amendment. More specifically, OP recommends approval at the original height of 90 feet because that design maintains a greater step down to the north end of the site, more closely matching the scale of the buildings north of Q Street and better dividing the long block into distinct visual segments. Furthermore the original design keeps the loading and parking access on the alley. This design not only maintains a safe pedestrian environment on P Street, it also allows more retail frontage for that side of the building. The proposal is not inconsistent with the Comprehensive Plan, including the Convention Center Area Strategic Development Plan.

II. APPLICATION-IN-BRIEF

Location: 1500 Block of 7th Street, NW, between P and Q Streets
Square 421, Lots 67 and 68; Ward 2, ANC 2C

Applicant: Metropolitan Development and Deliverance Church of God in Christ

CASE NO.

EXHIBIT NO.

ZONING COMMISSION
District of Columbia

ZONING COMMISSION
District of Columbia
CASE NO. 08-14
EXHIBIT NO. 44

Current Zoning: C-2-A

Property Size: 47,025 square feet (1.08 acres)

Proposal: Redevelop the Kelsey Gardens site; construct either an 80' or 90' tall, 6.0 FAR residential building with ground floor retail. Also construct seven residential or office rowhouse units separate from the main building; Related map amendment to C-2-C.

Relief and Zoning: Pursuant to 11 DCMR Chapter 24, the proposal requires:

1. PUD-related map amendment from C-2-A to C-2-C
2. Variance from rear yard requirements (§774)
3. Variance from court requirements (§776)
4. Special Exception for number and height of rooftop structures (§777)
5. Variance from setback for rooftop structures (§777)
6. Variance from loading requirements (§2201)
7. Flexibility to provide either office or residential in rowhouses

III. SITE AND AREA DESCRIPTION

The subject site encompasses the entire west side of 7th Street, NW between P and Q Streets, as well as a lot along P Street at the corner of 8th Street. Please refer to the vicinity map below. A ten foot wide public alley separates the two parts of the property and forms the western boundary of the larger record lot. The lot slopes very gradually from south down to north and loses about five feet in elevation. The Kelsey Gardens apartments currently occupy the C-2-A-zoned property. Several retail establishments front the eastern side of 7th Street, as well as Bread for the City, a non-profit providing medical care and other services for low-income residents. Most structures on the east side of the street are two to three stories tall. Rowhouses are located west of the property and front on 8th Street. Some of the rowhouses have rear garages accessed from the alley. Commercial uses are also found to the north of this site on 7th Street. To the south the Commission recently approved the O Street Market project, a mixed use PUD with a related map amendment to C-3-C and a 95 foot height. The property is about one block south of the Shaw Metro Station and about four blocks north of the Mt. Vernon Square Metro Station. The portion of the site west of the alley is part of the Shaw Historic District.

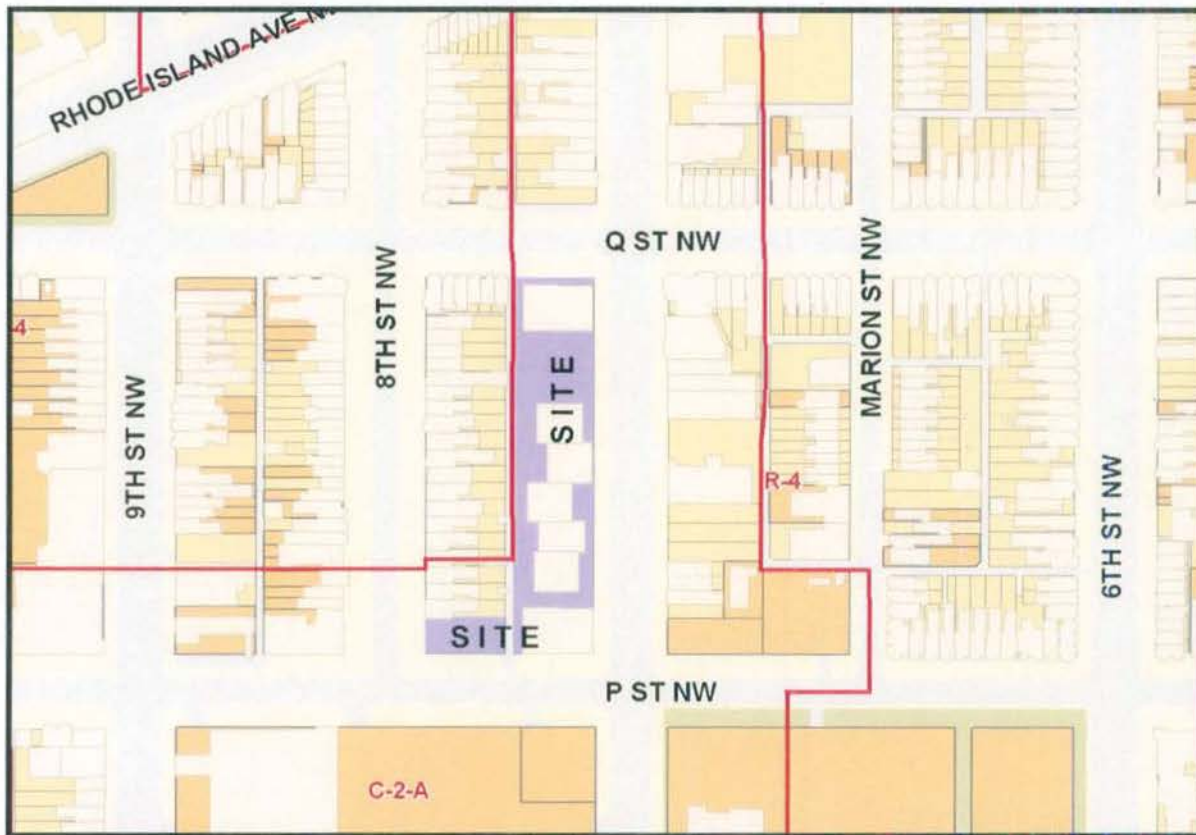
IV. PROJECT DESCRIPTION AND OP ANALYSIS

The proposal consists of two parts – a mixed use building and seven rowhouses that are proposed for either residential or office use. The applicant proposes two designs for the main building.

Original Design

The original design consists of a 90 foot tall building and 7 flats with a total project floor area of 282,150 square feet, or exactly 6.0 FAR. The design calls for 297 dwelling units. This design

also proposes loading and parking access from the alley. OP and the District Department of Transportation (DDOT), worked with the applicant prior to setdown to find a design that could allow parking and loading off of the alley rather than P Street. This design not only maintains a safe pedestrian environment on P Street, it also allows more retail frontage for that side of the building. In an urban environment, alleys are the locations where parking and loading are meant to occur. The Comprehensive Plan makes reference to parking and service as the intended functions for alleys (Policy LU-2.2.7).



The original design has five “fingers” which extend west from the main axis of the building. At OP’s suggestion, these fingers were designed to step down to the adjacent rowhouses. The heights of the fingers would be between 5 and 7 stories. The applicant also revised the design based on a Commission comment to lower the P Street finger from the full height of 90 feet. That wing of the building would now be 6 stories tall. The original design also allows a multiple step down of the height to about 42 feet tall at the northern end of the block. This feature not only more closely matches the scale of the buildings north of Q Street; it better divides the long block into distinct visual segments. The idea behind the architecture of the building is to partition the long block along 7th Street into sections that make the viewer believe they are looking at separate buildings. The step down aids in that perception.

Alternate Design

The alternate design, developed in response to community comments, consists of an 80 foot tall building and 7 flats with a total project floor area of 279,195 square feet, or 5.94 FAR. The alternate design calls for 285 dwelling units, slightly less than the original design. This design also proposes loading and parking from P Street. The applicant has maintained almost the same FAR by adding height to the building's fingers and by reducing the step down at the northern end of the building. According to the letter from the ANC indicating that body's support of the overall project, the community finds the extra height on the fingers acceptable. OP has no objection to the extra height on the fingers. OP finds, however, that the 7th Street face of the building is diminished without a more significant step down at its northern end. The advantages of the step down described above are lost, and the entire façade appears more monolithic. A compromise might be found by swapping floor area from the northern end to the southern end of the property. The 9th floor could be replaced, as in the original design, but only at the southern part of the building. While the southern end of the building would return to 90 feet tall, the rest of the building would remain at 80 feet or below.

OP strongly objects to the alternate design's access to parking and loading from P Street. It is the District's policy to encourage pedestrian travel by making sidewalks safe and convenient and by minimizing curb cuts. Placing the parking and loading access on P Street would require a curb cut of almost 60' in width, not including the alley. Creating a safe environment for pedestrians means minimizing the number of possible points of conflict. With the loading and parking accessed from the alley, there is only one point of conflict, and traffic volume would likely be split between exiting the alley at P Street and at Q Street. The alternative design presents three points of conflict with the loading dock, the parking ramp and the alley, and all traffic would be placed on P Street. In addition to safety, keeping parking and loading on the alley creates a more attractive streetscape. The original design has more retail frontage and no garage or service vehicle entrances on P Street.

Other Design Features

The entrance to the multi-family residential is at the center of the block. The area near the lobby includes leasing offices, a business center, mail room, lounge and fitness center. In addition to the residential use, the main building, in either design, would have just under 15,000 square feet of retail divided into five bays. OP has encouraged the applicant to add projecting display windows to the 7th Street retail façade to enhance the pedestrian experience and visually break up the façade. At the rear of the 7th Street lot is a 10 foot wide alley. Both designs show that the applicant has committed to widen the alley to 20 feet for its entire length between P and Q Streets. The extra width would remain on private property but the applicant would dedicate a public access easement over the land. Upper floors of the building would cantilever over the alley. Across the alley along P Street would be seven rowhouse flats. These units would total 13,704 square feet. Because these units are in the Shaw Historic District, the applicant has been working with the Historic Preservation (HP) staff and with the Historic Preservation Review Board (HPRB) to refine the design. Since setdown the units have been significantly redesigned

to better match their historic context. The applicant has asked for flexibility to determine the rowhouses' use at a later date.

Affordable Units

The applicant has committed to provide at least a 1-to-1 replacement of the 54 existing affordable units on the site. In the original design, 56 units would be affordable, while in the alternate design 54 units would be affordable. In both cases that is just under 20% of the total number of residential units. Some affordable units are also located on the first floor, though the remainder would be distributed on all levels, including the top floors.

Green Roof and LEED

According to the submitted plans, the applicant will be providing 10,609 square feet of green roof, equivalent to 33.8% of the total roof area. A significant portion of the roof will also be reflective, though as of this writing the actual area has not been calculated by the applicant. At OP's request, the applicant has submitted a LEED checklist. It indicates that the design would achieve 26 LEED points, enough for a Certified level.

V. COMPREHENSIVE PLAN

The proposal would further the following Guiding Principles of the Comprehensive Plan, as outlined and detailed in Chapter 2, the Framework Element:

- (1) Change in the District of Columbia is both inevitable and desirable. The key is to manage change in ways that protect the positive aspects of life in the city and reduce negatives such as poverty, crime, and homelessness. 217.1
- (3) Diversity also means maintaining and enhancing the District's mix of housing types. Housing should be developed for households of different sizes, including growing families as well as singles and couples. 217.3
- (6) Redevelopment and infill opportunities along corridors and near transit stations will be an important component of reinvigorating and enhancing our neighborhoods. Development on such sites must not compromise the integrity of stable neighborhoods and must be designed to respect the broader community context. Adequate infrastructure capacity should be ensured as growth occurs. 217.6
- (7) Growth in the District benefits not only District residents, but the region as well. By accommodating a larger number of jobs and residents, we can create the critical mass needed to support new services, sustain public transit, and improve regional environmental quality. 217.7

- (10) The recent housing boom has triggered a crisis of affordability in the city, creating a hardship for many District residents and changing the character of neighborhoods. The preservation of existing affordable housing and the production of new affordable housing both are essential to avoid a deepening of racial and economic divides in the city. Affordable renter- and owner-occupied housing production and preservation is central to the idea of growing more inclusively. 218.3
- (13) Enhanced public safety is one of the District's highest priorities and is vital to the health of our neighborhoods.... 218.6

As detailed in the Office of Planning report dated July 3, 2008, the application is also consistent with major policies from various elements of the Comprehensive Plan including the Land Use, Transportation, Housing and Economic Development citywide elements and the Near Northwest area element.

Convention Center Area Strategic Development Plan

The Convention Center Area Strategic Development Plan (CCAP) was completed by the Office of Planning in 2005. It includes recommendations for maintaining a mixed-income community and guiding residential and retail development around the Convention Center and in the Shaw neighborhood. The proposed development is consistent with policies of that plan and addresses some of the issues raised during the planning process. For example, the CCAP states that "Retail is scattered throughout the neighborhood and there are no continuous corridors in the neighborhood with a strong retail presence" (p. 20). This proposal would fill a gap in the 7th Street retail fabric and would reinforce that street's role as the primary retail and service corridor for the neighborhood. The CCAP also emphasizes the need to maximize mass transit use and the increased development potential for sites near metro (p. 20). Development guidelines in the plan also call for the maintenance of the neighborhood's affordable housing and the differentiation of a hierarchy of streets between residential and commercial (p. 23). The development proposal would be consistent with both of those goals.

Specifically for this site, the CCAP calls for "Primary Commercial" land uses on the southern part of the block and "Secondary Commercial" on the northern part, with a mixed-income medium-density residential use underlying the entire property (p. 24). Primary Commercial is "Identified for the highest-intensity development in the Study Area" with ground floor retail and mixed-income residential or office on upper floors (ibid.). The plan states that Secondary Commercial areas are those suitable for "medium-intensity development, ground floor retail, and mixed-income residential on upper floors" (ibid.). The CCAP goes on to say that areas along 7th Street, including the subject site, are suitable for "high and medium" residential densities (p. 35). OP concludes that the proposed development is not inconsistent with the policies and land use designations of the CCAP.

VI. COMPREHENSIVE PLAN LAND USE MAPS

The Comprehensive Plan's Generalized Policy Map describes this part of the 7th Street as a Main Street Mixed Use Corridor, a designation that encourages a pedestrian-oriented environment with traditional storefronts (§223.14) and residential units on upper floors. Any development that occurs in a Main Street corridor should support transit, and because of this project's proximity to Metro it will encourage mass transit use. The portion of the site that fronts on P Street is designated as a Neighborhood Enhancement Area. "Neighborhood Enhancement Areas are neighborhoods with substantial amounts of vacant residentially zoned land...These areas present opportunities for compatible small-scale infill development, including new single family homes, townhomes, and other density housing types. Land uses that reflect the historical mixture and diversity of each community should be encouraged" (§223.6).

The Future Land Use Map shows the southern third of the property as appropriate for a mix of medium density residential and medium density commercial uses. Please refer to the map below. The Comprehensive Plan describes Medium Density Residential neighborhoods as "neighborhoods or areas where mid-rise (4-7 stories) apartment buildings are the predominant use. Pockets of low and moderate density housing may exist within these areas. The Medium Density Residential designation also may apply to taller residential buildings surrounded by large areas of permanent open space" (§225.5). Medium Density Commercial is "used to define shopping and service areas that are somewhat more intense in scale and character than the moderate-density commercial areas. ... Areas with this designation generally draw from a citywide market area. Buildings are generally larger and/or taller than those in moderate density commercial areas but generally do not exceed eight stories in height. The corresponding Zone districts are generally C-2-B, C-2-C, C-3-A, and C-3-B, although other districts may apply" (§225.10).

The northern two thirds of the site are designated for moderate density residential and low density commercial uses. The Plan says that Moderate Density Residential areas are "the District's row house neighborhoods, as well as its low-rise garden apartment complexes. The designation also applies to areas characterized by a mix of single family homes, 2-4 unit buildings, row houses, and low-rise apartment buildings. In some of the older inner city neighborhoods with this designation, there may also be existing multi-story apartments, many built decades ago when the areas were zoned for more dense uses (or were not zoned at all)" (§225.4). Low Density Commercial is defined as "shopping and service areas that are generally low in scale and character. ... Areas with this designation range from small business districts that draw primarily from the surrounding neighborhoods to larger business districts uses that draw from a broader market area. Their common feature is that they are comprised primarily of one- to three-story commercial buildings. The corresponding Zone districts are generally C-1 and C-2-A, although other districts may apply" (§225.8).

An FAR of 6.0 would be at the top of the range that OP would consider medium density in a PUD. In this case, much of the site is clearly designated for densities lower than medium. But given the other support in the Comprehensive and the Convention Center Area Plans, the

proximity to Metro, and the evolving context of 7th Street, OP feels that the proposed development is not inconsistent with the Comprehensive Plan.



VII. ZONING

The site is currently zoned C-2-A. The applicant is requesting a PUD-related map amendment to change the zoning to C-2-C. C-2-C is a Community Business Center District similar to C-2-A but with higher density residential and mixed uses (DCMR 11 §720.9). The C-2-C district was originally created for those areas formerly zoned C-2-B where the Commission had permitted an FAR of 6.0 (§720.10). Project parameters are listed in the table below.

Item	Section	C-2-A MOR	Section	C-2-C PUD	Proposed	Relief
Site Area	n/a	n/a	2401.1	15,000 sf	47,025	Conforming
Height	770	50'	2405.1	90'	80' 10"	Conforming
FAR	771	2.5 max res. (117,563 sf) 1.5 max other (70,538 sf) 2.5 max (117,563 sf)	2405.2	6.0 max res. (282,150 sf) 2.5 max other (117,563 sf) 6.0 max (282,150 sf)	Original Design 5.68 res. (267,470 sf) 0.32 retail (14,680 sf) 6.0 tot. (282,150 sf) Alternate Design 5.62 res. (264,271 sf) 0.32 retail (14,924 sf) 5.94 tot. (279,195 sf)	Conforming
Lot Occ.	772	60% (for res. floors)	772	80% (for res. floors)	74%	Conforming
Rear Yard	774	15'	774	15'	0'	Requested
Side Yard	775	none required	775	none required	0'	Conforming
Courts	776	4" per ft. of height 15' min.	776	4" per ft. of height 15' min.	Many Courts of Various Size	Requested
Parking	2101	Multiple Dwelling 1 per 2 d.u. (271 units) 136 spaces Flats 1 per 2 d.u. (14 units) 7 spaces Retail >3,000 sf, 1 per 300 sf 40 spaces	2101	Multiple Dwelling 1 per 4 d.u. (271 units) 68 spaces Flats 1 per 2 d.u. (14 units) 7 spaces Retail >3,000 sf, 1 per 750 sf 16 spaces	25 retail 206 residential 231 total (0.72 res. spaces per res. unit)	Conforming
Loading	2201	Residential: 1 55' Berth 1 20' Space 1 200 sf platform Retail: 1 30' Berth 1 100 sf platform	2201	Residential: 1 55' Berth 1 20' Space 1 200 sf platform Retail: 1 30' Berth 1 100 sf platform	Provided: 1 55' Berth 1 30' Space 1 200 sf platform 1 100 sf platform Not Provided: 1 20' Space	Required

The applicant's proposal requires a map amendment and relief from the specific zoning regulations listed below.

1. PUD-related map amendment from C-2-A to C-2-C
2. Variance from rear yard requirements (§774)
3. Variance from court requirements (§776)
4. Special Exception for number and height of rooftop structures (§777)
5. Variance from setback for rooftop structures (§777)
6. Variance from loading requirements (§2201)
7. Flexibility to provide either office or residential in rowhouses

1. PUD-Related Map Amendment from C-2-A to C-2-C

The height and density permitted by the C-2-C PUD district is necessary if the building is to be constructed as proposed. A PUD in the C-2-C zone can have a maximum height of 90 feet and a maximum FAR of 6.0. The proposal meets those parameters exactly, and the proposed height and density is not inconsistent with the Comprehensive Plan policies for the site, including the Convention Center Area Plan. OP, therefore, does not object to the proposed PUD-related map amendment.

2. Variance from rear yard requirements (§774)

In the C-2-C district, a rear yard of 15 feet is required. For the first 20 feet of height, that distance can be measured from the centerline of the alley. The ground floor of the building will be set back from the rear property line due to the widening of the alley. However, the middle floors of the building's "fingers" would have setbacks varying from 0' to 5'5". In the original design, generally above five or six stories, the fingers step back away from the alley. In the alternative design, the fingers are taller and generally do not step back until the 7th floor. OP recommends approval of the requested relief.

3. Variance from court requirements (§776)

The proposed design of the building would result in the formation of many courts. Rather than calculate the required and provided dimensions of every court, the applicant has instead asked for a blanket relief from court requirements. The design of the building is appropriate for the neighborhood and the courts created by the building's design would not impact light or air available to the future residents of the building. OP recommends approval of the requested relief.

4. Special Exception for number and height of rooftop structures (§777)

At the time of setdown, OP requested that the applicant provide a more detailed roof plan. Sheet A.11 shows five rooftop structures, most 11 feet tall one 13 feet tall. Construction of individual mechanical penthouses results in a smaller visual impact than would one large enclosure over most of the length of the roof. Creating several smaller enclosures also makes the provision of a larger, contiguous green roof possible. OP recommends approval of the requested relief.

5. Variance from setback for rooftop structures (§777)

At the time of setdown, OP requested that the applicant provide a more detailed roof plan. Sheet A.11 shows five rooftop structures. Some of them appear not to meet the 1-to-1 setback requirement. In all cases, this seems to be a result of the space between the fingers encroaching toward the center of the building footprint. The rooftop mechanical equipment is close to the center of the property but because the building's layout it violates zoning setback restrictions. The mechanical equipment is significantly setback from the 7th Street façade, and should have

minimal visual impact from the alley side of the building. OP recommends approval of the required relief.

6. Variance from loading requirements (§2201)

In addition to the required platforms, the design includes the required 55' and 30' loading berths. A required 20' delivery space is not provided. On similar PUDs the Commission has often granted relief from loading requirements. Traffic studies for other projects have shown that a reduction in the number of bays still provides sufficient space for loading purposes, and that most small delivery trucks will simply park on the street in front of the building. While the applicant for this project has not prepared a traffic study, OP feels that the circumstances are similar to other PUDs and has no objection to the requested relief.

7. Flexibility to provide either office or residential in rowhouses

The applicant has asked for flexibility to determine the use of the rowhouses at a later date. The rowhouse units could either be residential or small professional office space. OP does not object to the requested flexibility. Both uses would be a matter-of-right in the C-2-C zone, and while residential would certainly be appropriate, office space could provide a location for neighborhood services. Also, the parking requirement would be exactly the same for either use. OP notes that the applicant has been working with both Development Review and Historic Preservation staff to refine the design of the rowhouses, including access to the rear of the units for purposes of trash removal and access to outdoor space.

VIII. PURPOSE AND EVALUATION STANDARDS OF A PUD

The purpose and standards for Planned Unit Developments are outlined in 11 DCMR, Chapter 24. The PUD process is "designed to encourage high quality developments that provide public benefits." Through the flexibility of the PUD process, a development that provides amenity to the surrounding neighborhood can be achieved.

The application exceeds the minimum site area requirements of Section 2401.1(c) to request a PUD. The applicant is requesting a consolidated PUD and a related map amendment. The PUD standards state that the "impact of the project on the surrounding area and upon the operations of city services and facilities shall not be unacceptable, but shall instead be found to be either favorable, capable of being mitigated, or acceptable given the quality of public benefits in the project" (§2403.3). Based on the information provided, OP believes that the project will have an overall positive impact on the neighborhood and the District. The project's impact on city services will not be unacceptable. The project will provide a mix of uses, provide a significant amount of affordable housing and will redevelop an underutilized site near transit. The addition of residents and daytime users will increase public safety in the area.

IX. PUBLIC BENEFITS AND AMENITIES

Sections 2403.5 – 2403.13 of the Zoning Regulations discuss the definition and evaluation of public benefits and amenities. In its review of a PUD application, §2403.8 states that “the Commission shall judge, balance, and reconcile the relative value of the project amenities and public benefits offered, the degree of development incentives requested, and any potential adverse effects according to the specific circumstances of the case.” Sections 2403.9 and 2403.10 state that a project must be acceptable in all the listed proffer categories, and must be superior in many. To assist in the evaluation, the applicant is required to describe amenities and benefits, and to “show how the public benefits offered are superior in quality and quantity to typical development of the type proposed...” (§2403.12).

Amenity package evaluation is partially based on an assessment of the additional development gained through the application process. In this case, the applicant proposes a total height and density of 80 or 90 feet and 6.0 FAR. These attributes exceed the C-2-A matter-of-right limits by 30 or 40 feet and 3.5 FAR (approximately 165,000 square feet). In order to achieve those levels of development, the applicant is requesting a PUD-related map amendment to C-2-C.

The application lists several benefits, some of which can be considered amenity items:

1. *Affordable Housing* – The applicants would provide almost 20% of the residential units as affordable housing. The 54 or 56 affordable units would all be made available to households earning less than 60% of the AMI. The applicant should confirm the duration that the affordable units will be available at below market rents. The written statement also indicates that the applicant has already contributed \$543,000 to assist in tenant relocation costs. OP notes that these relocation costs were the result of a legal settlement and OP does not recognize them as a public benefit.
2. *Environmental Design* – The written statement indicates that the building would achieve the equivalent of 26 LEED points, enough to achieve the Certified level. The design shows that about 1/3 of the roof would be green roof. A significant percentage of the roof would be reflective.
3. *Transportation* – The applicant will be widening and improving the alley between P and Q Streets. The application also states that there would be preferred parking for shared car services, and the applicant has verbally stated that the shared car parking spaces will be in a publicly accessible location in the garage.
4. *Community Organizations* – The applicant has proffered that they will contribute \$250,000 to address needs of the local neighborhood. The applicant’s written statement provides a detailed breakdown of the contributions. A summary follows.
 - A. Shaw Main Streets – \$20,000 (\$5,000/yr. over 4 years) – Contribution toward the Shaw Main Streets operating budget;

- B. Columbia Heights / Shaw Family Support Collaborative – \$52,500 – To go toward the purchase of new uniforms, maintenance equipment and to provide operational funding for the Family Support Collaborative’s Green Team;
 - C. Watha T. Daniel Library - \$40,000 – To go toward the library’s grand opening celebration and programming and for the young-adult collection;
 - D. Emmaus Services for the Aging - \$50,000 – Operational funding and funds for intergenerational activities developed by Emmaus including a recreational bowling league and the rag-baby exchange;
 - E. Shaw Middle School Marching Band - \$30,000 – For the purchase of new uniforms and equipment and for travel expenses;
 - F. Bread for the City - \$10,000 – Funds for the food and clothing banks
 - G. Thanksgiving dinners - \$20,000 (\$5,000/yr. over 4 years) – Deliver Thanksgiving dinners to 100 families, identified by the ANC, each year for 4 years;
 - H. Streetscape improvements - \$20,000 – Provide and install tree guards matching the new development’s at 15 tree boxes on the 8th and Q Street sides of the block in which the project is located;
 - I. Gibson Plaza - \$7,500 – Upgrades to computer lab for senior citizens’ center
- 5. *First Source Employment Agreement* – The applicant has proffered that they will execute a First Source Employment Agreement with the Department of Employment Services.
 - 6. *CBE* - The applicant has proffered that they will use Certified Business Enterprises to achieve a minimum percentage of contracted costs associated with the project. The applicant also states that they will encourage all contractors to implement apprenticeship programs.

The Office of Planning feels that the proposed amenities are sufficient and commensurate with the amount of relief required for this project. OP also finds that the proffered amenities are acceptable in all categories listed in §2403.9 and superior in many.

X. AGENCY REFERRALS

The Office of Planning received comments on this application from the DC Water and Sewer Authority (WASA) and the Department of Housing and Community Development (DHCD). Those comments can be found in Attachment 1. WASA notes that there is sufficient water and sewer capacity in 7th Street to serve the proposed development. They also note that the applicant

should tie into the separated sewer and stormwater lines, and that the project will be subject to further District Department of the Environment (DDOE) review at the time of building permit. DHCD recommends approval of the project and has no concerns with the proposal.

OP also sent unanswered requests for comments to the DC Public Schools (DCPS), the Department of the Environment (DDOE), the District Department of Transportation (DDOT), the Department of Parks and Recreation (DPR), the Department of Public Works (DPW), the Fire and Emergency Medical Services Department (FEMS) and the Metropolitan Police Department (MPD).

XI. COMMUNITY COMMENTS

The site is located in ANC 2C. The ANC voted to support the project as presented in the alternative design. The applicant prepared that design in direct response to community comments. Also, the original application materials included letters of support from community organizations such as the Kelsey Gardens Tenants Association and the East Central Civic Association of Shaw.

XII. RECOMMENDATION

The Office of Planning recommends that the Commission approve the original design of the PUD with the related map amendment to C-2-C. That design is superior to the alternative design for reasons described in this report. The proposal, consisting of a 90 foot tall mixed use building and seven rowhouse flats totaling 6.0 FAR is not inconsistent with the Comprehensive Plan, including the Convention Center Area Strategic Development Plan.

XIII. ATTACHMENTS

Attachment 1	Agency Comments
A.	DC Water and Sewer Authority
B.	Department of Housing and Community Development

JS/mrj

October 10, 2008

TRANSMITTAL

TO: Matthew R. Jesick
Development Review Specialist
District of Columbia Office of Planning

FROM: Rizwan Elahi, Civil Engineer III
Planning & Design Branch
DC Water and Sewer Authority

SUBJECT: Zoning Commission Case# 08-14
Kelsey Gardens

DCWASA reviewed the zoning application for this project as transmitted by the DC Office of Planning dated September 26, 2008. DC WASA comments are as follows:

Water Requirements: This site abuts an 8-inch water main in 7th Street, NW. This water main was replaced in 1992 and appears to be adequate to provide water service for the proposed medium density development.

Sewer Requirements: This site is part of combined sewer system. However, a 10-inch separate sanitary sewer exists in 7th Street, NW. The capacity of this separate sanitary sewer is adequate to handle the expected sanitary flows from the proposed development. DCWASA will require the proposed site to be connected to this separate sanitary sewer.

Storm Sewer Requirements: This site is part of combined sewer system. However, a 30-inch separate storm sewer exists in 7th Street, NW. The capacity of this storm sewer is adequate to handle the expected storm flows from the proposed development. DCWASA will require the proposed site to be connected to this separate storm sewer. It should be noted that this project will have to adhere to the DC Department of Environment requirements for storm water management and for sediment and erosion control.

Combined Sewer Precautions: This property will discharge to a separate sanitary sewer that connects to the city's combined sewer system. As such, this property is subject to sewer surcharge, and backflow prevention should be provided on the sewer lateral connecting this property to the public sewer system. The backflow prevention device must be installed on private property.

Assessment: DCWASA will review the project plans that the applicant submits for a public space permit. DCWASA will issue a water and sewer availability certificate and recommend the issuance of a building permit if the final project plans meet DCWASA requirements.

Soel

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT



Office of the Director

MEMORANDUM

TO: Harriet Tregoning
Director
Office of Planning

FROM: Leila Finucane Edmonds *LF*
Director

DATE: OCT 15 2008

SUBJECT: Zoning Commission Case No. 08-14 – Kelsey Gardens Consolidated
Planned Unit Development

The Department of Housing and Community Development (DHCD) has reviewed the above referenced Zoning Commission Case No. 08-14. Based upon our review, DHCD supports the Applicant's application for a consolidated planned unit development (PUD) and related map amendment (to change the zone from C-2-A to C-2-C) to construct a new mixed-use building in the 1500 block of 7th Street NW, between P and Q Streets. DHCD also supports the five requested zoning variances and special exceptions requested in the PUD application. DHCD's support is based upon the following understandings derived from review of the Office of Planning Set-down Report of July 3, 2008 and the site plan, floor plans, and project unit breakdown/zoning analysis cover sheet from the PUD application:

1. The proposed development is a mixed-use building (first floor retail and 8 floors of apartment units) and seven adjacent townhouses that will replace the existing Kelsey Gardens garden apartment project. The proposed building will have a total of 283 apartment units and 14,500 square feet of first floor retail in the mid-rise building and 14 additional housing units in the seven adjacent townhouses. The proposed PUD project will have a maximum building height of 90 feet and an FAR of 6.0 as permitted by a PUD in a C-2-C zone.
2. The proposed PUD project will have a one for one replacement all 54 of the existing Kelsey Gardens affordable rental apartments.
3. The PUD project is within a short walking distance of the Mt. Vernon/Convention Center Metro Station. The increased building density on the site is justified

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because it places many new market and affordable apartment units within walking distance of Metro.

4. The proposed PUD will provide a total of 184 parking spaces in an underground parking garage. This exceeds the parking requirement for the apartments (74 spaces) and the retail (16 spaces).
5. The proposed 14,500 square feet of retail will occupy the entire 7th Street first floor street frontage and create/revitalize street facing retail in the 1500 block of 7th Street.
6. The design and massing of the mid-rise building and the seven adjacent townhouses will respect and complement the materials and character of the adjoining neighborhood. The materials and three story height of the townhouses matches closely the scale and design of the immediate adjacent townhouses on 8th Street. The highest elevation of the mid-rise building (90 feet) is at the corner of 7th and P Street and steps down in a series of terraces to a height of 42 feet at Q Street. In addition, a series of five short wings that project west from the building to the alley and have shorter heights varying between 4, 5, and 6 stories. These wings cluster around a series of courtyards on the west side of the building that open to the alley. The short wings and setback terraces create many terraces for apartments in the building.
7. The design of the building will be environmentally responsible and obtain a LEED certification. This will help the project meet the design requirements of the new DC Green Building Act, now in effect.
8. The existing 10 foot wide alley will be widened to 20 feet at the south end of the block and to 16 feet at the north end of the block to make it easier for vehicles to gain access to the loading docks and parking garage entrance at the south end of the alley and to make it easier for vehicles to circulate in the north end of the alley.
9. The requirements of the Comprehensive Plan and of the Convention Center Area Strategic Plan are met by all the design elements and amenities described above. In addition, the Applicant will be providing non-building design PUD amenities consisting of \$250,000 to neighborhood community organizations, execution of a First Source Employment Agreement as part of the building construction, and use of (LSDBE) Certified Business Enterprises (CBE) on the project to achieve greater than minimum CBE contracted costs associated with the project.