

**OUTLINE OF TESTIMONY
BEFORE THE ZONING COMMISSION**

**CASE NO. 08-26
GEORGIA AVENUE AND LAMONT STREET, N.W.**

**STEVEN E. SHER,
DIRECTOR OF ZONING AND LAND USE SERVICES
HOLLAND & KNIGHT LLP**

MARCH 12, 2009

- I. Introduction
- II. Nature of application:
 - A. Consolidated review of planned unit development
 - B. Map amendment from GA/C-2-A and R-4 to GA/C-2-B
- III. Site location
 - A. Southwest corner of the intersection of Georgia Avenue and Lamont Street, NW
 - B. Park View area
- IV. Site description
 - A. Rectangular shaped property with an extension on the southwest corner (Square 1892, Lots 98, 903, 904, 908, 911 and portions of a public alley to be closed)
 - B. Contains 19,191 square feet of land area
 - C. Has frontage of 100 feet on Georgia Avenue and approximately 175 feet on Lamont Street
 - D. Also abuts 15 foot public alleys at the southwest side
 - E. Existing conditions:
 - 1. One story buildings on the Georgia Avenue frontage

ZONING COMMISSION
CASE No. 08-26
EXHIBIT No. 32

2. Small surface parking area on the corner of Georgia Avenue and Lamont Street

3. Unimproved area on west side of lot facing Lamont Street

F. Abutting streets:

1. Georgia Avenue – 90 feet wide

2. Lamont Street – 60 feet wide

V. Description of the surrounding area

A. General area: Georgia Avenue Corridor between Howard University and Petworth

1. Mixed commercial and residential uses at varying heights and densities along Georgia Avenue

2. Mixed single and multi-family residential uses on the east-west cross streets

B. Remainder of Square 2892:

1. To the west:

- a. Mixed single and multi-family buildings (2 to 4 stories) on the south side of Lamont Street

- b. Church at the southeast corner of Lamont Street and Sherman Avenue

- c. Residential buildings (2 stories on a terrace) on the east side of Sherman Avenue

- d. Residential buildings (mostly 2 stories) on the north side of Kenyon Street

2. To the south: one and two story commercial buildings (some vacant) on the west side of Georgia Avenue

C. To the north:

1. Mix of 1 and 2 story retail buildings fronting on Georgia Avenue, many vacant, some with surface parking

2. Apartment house known as Lamont Lofts (5 stories) on the north side of Lamont Street, west of Georgia Avenue

3. Commercial laundry (1 story) occupying most of the north side of Lamont Street between Georgia and Sherman Avenues
 4. Mixed residential uses mostly in 2 story buildings, but interspersed with higher multi-family buildings
 5. Park Morton public housing complex (east of Georgia Avenue)
 6. Georgia Avenue-Petworth Metrorail Station at New Hampshire Avenue
- D. To the east:
1. Two story retail buildings fronting on Georgia Avenue
 2. Low-rise residential buildings fronting on Lamont Street
- E. To the south:
1. Mix of 1, 2 and 3 story commercial buildings fronting on Georgia Avenue, many vacant, some with surface parking
 2. Site of Bruce-Monroe Elementary School (west side of Georgia Avenue between Columbia Road and Irving Street)
 3. Howard University buildings
- F. To the west: predominantly moderate density residential buildings, with some institutional uses mixed in

VI. Zoning

- A. Subject site
1. Existing zoning: GA/C-2-A
 - a) General commercial district, permitting a broad range of retail, service and office uses, hotels, residential uses (single and multi-family) and many institutional uses
 - b) Maximum height: 50 feet
 - c) Maximum FAR: 2.5, of which no more than 1.5 may be for other than residential purposes
 - d) Maximum percentage of lot occupancy for residential use: 60%
 - e) Side yards: not required

- f) Minimum rear yard: 15 feet
- g) Off-street parking:
 - (1) For retail or service use: 1 space for each 750 square feet of gross floor area in excess of 3,000 square feet
 - (2) For residential use: 1 space for each 3 dwelling units
- h) PUD guidelines
 - (1) Height: 65 feet
 - (2) FAR: 3.0, of which no more than 2.0 may be for commercial uses
 - (3) Yards and courts: as otherwise provided, subject to the Zoning Commission's discretion to approve greater or lesser
 - (4) Parking and loading: as otherwise provided, subject to the Zoning Commission's discretion to approve greater or lesser
- i) Georgia Avenue (GA) Overlay
 - (1) No drive-throughs and limitations on other automobile – related uses
 - (2) Design requirements applicable to the streetwall, glass, entrances and clear height on the ground level
 - (3) Buildings with 14 foot clear height on the ground floor are permitted an additional 5 feet in overall height
 - (4) Lot occupancy allowed up to 70% for residential buildings
 - (5) Special exception required for:
 - (a) Fast food establishments
 - (b) A new building on a lot of 12,000 square feet or more
 - (c) Enlargement of an existing building by 50% or more on a lot of 12,000 square feet or more

- (6) Special provisions for PUDs
 - (a) Additional height and FAR may only be used for housing
 - (b) Minimum land area of 10,000 square feet
- 2. Existing zoning: R-4
 - a) Uses:
 - (1) Single family detached, semi-detached and row dwellings
 - (2) Two family dwellings (flats)
 - (3) Conversion of buildings existing prior to 1958 to apartments
 - (4) Other institutional uses (churches, hospitals, museums, etc.)
 - b) Minimum lot size:
 - (1) Area:
 - (a) Semi-detached dwellings: 3,000 square feet
 - (b) Row dwellings and flats: 1,800 square feet
 - (c) Conversion to apartments: 900 square feet per unit
 - (d) Detached dwellings and all other uses: 4,000 square feet
 - (2) Width:
 - (a) Semi-detached dwellings: 30 feet
 - (b) Row dwellings and flats: 18 feet
 - (c) Conversion to apartments: not prescribed
 - (d) Detached dwellings and all other uses: 40 feet
 - c) Maximum percentage of lot occupancy:
 - (1) Row dwellings and flats: 60%
 - (2) Conversion to apartments: not prescribed

- (3) Detached and semi-detached dwellings and all other structures: 40%
 - d) Minimum rear yard: 20 feet
 - e) Minimum side yard: none required in most circumstances
 - f) Minimum required parking: one space for each dwelling unit
 - g) PUD guidelines
 - (1) Height: 60 feet
 - (2) FAR: 1.0
 - (3) Yards and courts: as otherwise provided, subject to the Zoning Commission's discretion to approve greater or lesser
 - (4) Parking and loading: as otherwise provided, subject to the Zoning Commission's discretion to approve greater or lesser
3. Proposed zoning: GA/C-2-B
- a) General commercial district, permitting a broad range of retail, service and office uses, hotels, residential uses (single and multi-family) and many institutional uses
 - b) Maximum height: 65 feet
 - c) Maximum FAR: 3.5, of which no more than 1.5 may be for other than residential purposes
 - d) Maximum percentage of lot occupancy: 80%
 - e) Side yards: not required
 - f) Minimum rear yard: 15 feet
 - g) Off-street parking:
 - (1) For retail or service use: 1 space for each 750 square feet of gross floor area in excess of 3,000 square feet
 - (2) For residential use: 1 space for each 3 dwelling units

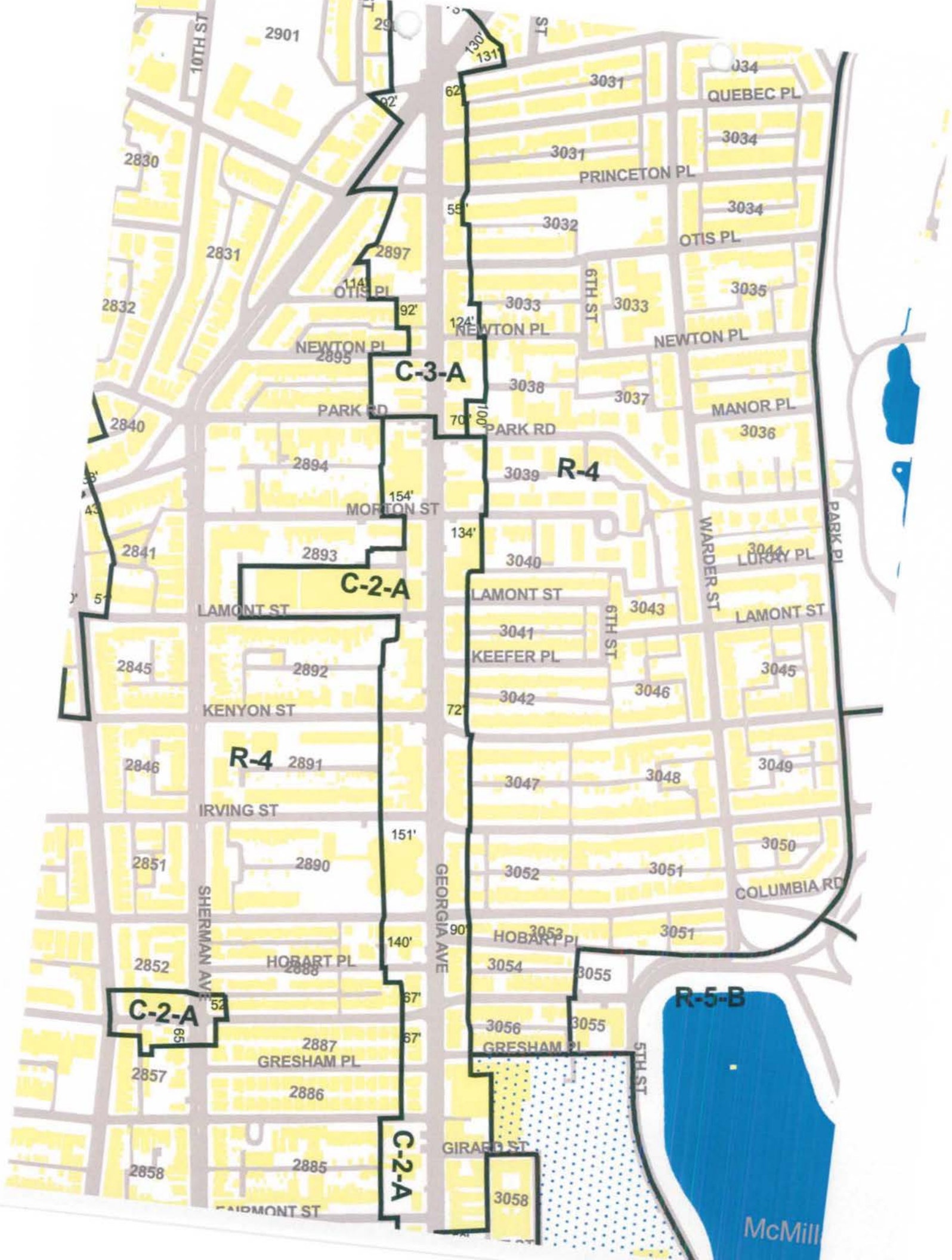
- h) PUD guidelines
 - (1) Height: 90 feet
 - (2) FAR: 6.0, of which no more than 2.0 may be for commercial uses
 - (3) Yards and courts: as otherwise provided, subject to the Zoning Commission's discretion to approve greater or lesser
 - (4) Parking and loading: as otherwise provided, subject to the Zoning Commission's discretion to approve greater or lesser

B. Area (see following map, excerpt from 2003 published map, Sheet 6)

- 1. Commercial zoning along Georgia Avenue
 - a) GA/C-2-A south of Park Road to Fairmont and Euclid Streets
 - b) GA/C-3-A north of Park Road to Shepherd Street
- 2. Residential zoning – R-4 east and west of the Georgia Avenue commercial corridor

C. History

- 1. 1958 zoning: C-2 for the entire commercial strip
- 2. Redesignated to C-2-A in 1967
- 3. Georgia Avenue frontage from Park Road to Shepherd Street changed to C-3-A in 1995
- 4. Planned unit developments in the area
 - a) Consolidated PUD and map amendment from C-2-A to C-3-A for a 72 unit apartment house with ground floor retail, with a height of 72 feet and an FAR of approximately 4.5, at 4100 Georgia Avenue, NW (north side of Taylor Street between Georgia and Kansas Avenues) (Case No. 05-19, Order No. 05-19, April 20, 2006)



- b) Consolidated PUD and map amendment from C-2-A to C-3-A for a 57 unit apartment house with ground floor retail, with a height of 75 feet and an FAR of approximately 4.25, at 4136 Georgia Avenue, NW (corner of Georgia Avenue, Upshur Street and Kansas Avenue) (Case No. 06-02, Order No. 06-02, April 9, 2007)
- c) Consolidated PUD for a 130 unit apartment building with ground floor retail, service or medical uses, with a height of 78 feet and an FAR of approximately 4.7, in the project known as Georgia Commons at 3910-3912 Georgia Avenue, NW (west side of Georgia Avenue between Randolph and Shepherd Streets) (Case No. 08-08, Order No. 08-08, July 14, 2008)

VII. Description of the proposed project

- A. Mixed use building
 - 1. First floor retail and service uses
 - 2. Apartment house with 69 units above
- B. Height: maximum of 80 feet to the top of the parapet rail
- C. Floor area ratio: 4.54 (87,055 square feet of gross floor area)
 - 1. 76,100 square feet of residential
 - 2. 10,955 square feet of retail and service uses
- D. Parking: total provided: 29 spaces
- E. Loading: 1 berth @ 30 feet and 1 service delivery loading space accessed from private service drive (extension of the 15 foot wide public alley) at the west end of the site
- F. Comparison to matter-of-right and PUD standards for C-2-B
 - 1. Uses: residential and retail and service permitted as a matter-of-right
 - 2. Height:
 - a) Matter-of-right: 65 feet
 - b) PUD guideline: 90 feet

- c) Proposed: 80 feet
- 3. FAR:
 - a) Matter-of-right: 3.5, of which no more than 1.5 may be for nonresidential use
 - b) PUD guideline: 6.0, of which no more than 2.0 may be for nonresidential use
 - c) Proposed: 4.54, of which 0.57 is for nonresidential use
- 4. Proposed total gross floor area of 87,055 square feet is increase in total GFA of approximately 19,887 square feet (less than 1.0 FAR, all devoted to residential use)

VIII. Compliance with PUD evaluation standards of §2403

- A. Impact of project shall be favorable, capable of being mitigated or acceptable (§2403.3)
 - 1. Project is new residential construction in a main transit corridor, less than one-half mile from a Metrorail station and on a main street mixed use corridor
 - 2. Traffic will have no unacceptable impact on levels of service at build-out, per report by Symmetra Design and concurrence of DDOT
 - 3. Additional density is all residential
 - 4. Proposed height is consistent with heights approved for other PUDs in the vicinity
- B. Project is not inconsistent with the Comprehensive Plan (§2403.4): see section IX, below
- C. Commission shall “judge, balance, and reconcile the relative value of project amenities and public benefits offered, the degree of development incentives requested and any potential adverse effects” (§2403.8)

D. Public benefits and project amenities:

1. On-site

- a) New residential development of 76,100 square feet (approximately 39,077 square feet more than the existing matter-of-right and approximately 19,887 square feet more than matter-of-right under C-2-B)
- b) Affordable housing – reservation of 50% of the residential gross floor area in the building for households making 60% to 80% of the Area Median Income
- c) Rooftop gardens and open space available to building residents
- d) Sustainable design – compliance with Green Communities Criteria
- e) LSDBE and DOES agreements

balanced against

E. Development incentives:

- 1. 15 foot increase in height over proposed matter-of-right
- 2. Increase in total density of approximately 19,887 square feet over proposed matter-of-right
- 3. Proposed commercial gross floor area is decrease of c. 17,832 square feet below matter-of-right of both existing and proposed zoning

F. Areas of flexibility from GA/C-2-B standards:

1. Parking:

a) Required:

- (1) Residential: 1 space for each 3 units = 23 spaces
- (2) Retail: 1 space for each 750 square feet of gross floor area in excess of 3,000 square feet = 10.61 spaces = 11 spaces
- (3) Total: 34 spaces

b) Provided – total of 29 spaces

c) Flexibility: reduction of 5 spaces

2. Loading

- a) Required: 1 berth @ 55 feet, 1 berth @ 30 feet and 1 service/delivery loading space
- b) Provided: 1 berth @ 30 feet and 1 service/delivery loading space
- c) Bigger truck not needed to service the development
- d) Building manager will oversee use of the loading berth in accordance with the Loading Management Plan

3. Roof structures:

- a) Required: single enclosure, setback 1:1 from exterior walls
- b) Provided:
 - (1) Three enclosures and four separate mechanical units
 - (2) Elevator enclosure does not meet the 1:1 setback along its east wall facing the court

4. Substitution of PUD review for BZA review under §1330

IX. Consistency with the Comprehensive Plan – The District Elements – The Comprehensive Plan Amendment Act of 2006 (D.C. Law 16-300, March 8, 2007)

A. Framework element – guiding principles

1. Managing growth and change

- a) "Change in the District 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)
- b) "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)
- c) "The District needs both residential and non-residential growth to survive. Non-residential growth benefits residents by creating jobs and opportunities for less affluent households to increase their income." (§217.4)

- d) "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)
 - e) "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)
2. Creating successful neighborhoods
- a) "The residential character of neighborhoods must be protected, maintained and improved. Many District neighborhoods possess social, economic, historic, and physical qualities that make them unique and desirable places in which to live. These qualities can lead to development and redevelopment pressures that threaten the very qualities that make the neighborhoods attractive. These pressures must be controlled through zoning and other means to ensure that neighborhood character is preserved and enhanced." (§218.1)
 - b) "Many neighborhoods include commercial and institutional uses that contribute to their character. Neighborhood businesses, retail districts, schools, park and recreational facilities, houses of worship, and other public facilities all make our communities more livable. These uses provide strong centers that reinforce neighborhood identity and provide destinations and services for residents. They too must be protected and stabilized." (§218.2)
 - c) "The preservation of existing affordable housing and the production of new affordable housing both are essential to avoid 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)

3. Increasing access to education and employment

"An economically strong and viable District of Columbia is essential to the economic health and well being of the region. Thus, a broad spectrum of private and public growth (with an appropriate level of supporting infrastructure) should be encouraged. The District's economic development strategies must capitalize on the city's location at the center of the region's transportation and communication systems." (§219.2)

4. Connecting the city

"Washington's wide avenues are a lasting legacy of the 1791 L'Enfant Plan and are still one of the city's most distinctive features. The "great streets" of the city should be reinforced as an element of Washington's design through transportation, streetscape, and economic development programs." (§220.3)

5. Building green and healthy communities

a) "As the nation's capital, the District should be a role model for environmental sustainability. Building construction and renovation should minimize the use of non-renewable resources, promote energy and water conservation, and reduce harmful effects on the natural environment." (§221.3)

b) "Planning decisions should improve the health of District residents by reducing exposure to hazardous materials, improving the quality of surface and groundwater, and encouraging land use patterns and land uses that reduce air pollution and facilitate pedestrian and bicycle travel." (§221.4)

B. Framework element – the Land Use Maps

1. The Generalized Policy Map purpose "is to categorize how different parts of the District may change between 2005 and 2025" (§223) (see excerpt, following)

2. Includes subject property in Main Street Mixed Use Corridor, described as follows:

"These are traditional commercial business corridors with a concentration of older storefronts along the street. The service area for Main Streets can vary from one neighborhood (e.g., 14th Street Heights or Barracks Row) to multiple neighborhoods (e.g., Dupont Circle, H Street or Adams Morgan). Their common feature is that they have a pedestrian-oriented environment with traditional storefronts. Many have upper story residential or office

Georgia Av

Park
View

PARK RD

MORTON ST NW

LAMONT ST NW

WARDER ST NW

Pleasant
Plains

HOBART PL NW

NW

LEGEN

This map identifies the following four different types of areas: Neighborhood Conservation Areas, Neighborhood Enhancement Areas, Land Use Change Areas, and Commercial/ Mixed Use Areas.

Neighborhood Conservation Areas

Areas with very little vacant or underutilized land. They are primarily residential in character. Maintenance of existing land uses and community character is anticipated over the next 20 years. Where change occurs, it will be modest in scale and will consist primarily of scattered site infill housing, public facilities, and institutional uses. Major changes in density are not expected but some new development and reuse opportunities are anticipated.

The guiding philosophy in Neighborhood Conservation Areas is to conserve and enhance established neighborhoods. Limited development and redevelopment opportunities do exist within these areas but they are small in scale. The diversity of land uses and building types in these areas should be maintained and new development and alterations should be compatible with the existing scale and architectural character of each area. Densities in Neighborhood Conservation Areas are guided by the Future Land Use Map.

Neighborhood Enhancement Areas

Neighborhoods with substantial amounts of vacant residentially zoned land. They are primarily residential in character. Many of these areas are characterized by a patchwork of existing homes and individual vacant lots, some privately owned and others owned by the public sector or non-profit developers. These areas present opportunities for compatible small-scale infill development including new single family homes, town homes, and other density types of housing. Land uses that reflect the historical mixture and diversity of each community should be encouraged.

The guiding philosophy in Neighborhood Enhancement Areas is to ensure that new development "fits in" and responds to the existing character, natural features, and existing planned infrastructure capacity. New housing should be encouraged to improve the neighborhood and must be consistent with the land use designation on the Future Land Use Map. The unique and special qualities of each area should be maintained and conserved, and overall neighborhood character should be protected as development takes place. Publicly-owned open space within these areas should be preserved and enhanced to make these communities more attractive and desirable.

Land Use Change Areas

Land Use Change Areas (Federal)

Areas where change to a different land use is anticipated. The guiding philosophy in the Land Use Change Areas is to encourage and facilitate new development and to promote the adaptive reuse of existing structures. Many of these areas have the capacity to become mixed-use communities containing housing, retail shops, services, workplaces, parks and civic facilities. The Comprehensive Plan's Area Elements provide additional policies to guide development and redevelopment within the Land Use Change Areas, including the desired mix of uses in each area. Land Use Change Areas include:

Anacostia Metro	Howard University Town Center	Rhode Island Avenue Metro
Armed Forces Retirement Home-East	McMillan Sand Filtration Site	South Capitol Corridor
Armed Forces Retirement Home-West	Near Southeast	Southwest Waterfront
Brookland Metro	New York Avenue / Bladensburg Triangle	St Elizabeths Campus
Buzzard Point	NOMAN New York Avenue Metro	Upper Bladensburg
Camp Simms	Old Convention Center / Hotel Site	Water Reed Hospital
DC Village	Poplar Point	Waterside Mall
Fort Lincoln New Town	Reservation 13 / Hill East	
Fort Totten Metro	RFK Stadium and Environs	

As Land Use Change Areas are redeveloped, the District aspires to create high quality environments that include exemplary site and architectural design and that are compatible with and do not negatively impact nearby neighborhoods. Programs to avoid and mitigate any undesirable impacts of development of the Land Use Change Areas upon adjacent neighborhoods should be required as necessary.

Federal lands where a change of land use or ownership is possible by 2025 are shown with a striped pattern. In some cases a specific mix of expected uses is shown on the Future Land Use Map. In others, the Future Land Use Map depicts these sites as "Federal", indicating that although the District expects a change it does not yet have a basis for projecting specific land uses. The District has no jurisdiction over Federal lands. This information is provided to advise District residents that changes may occur and that the District intends to plan proactively for new uses in the event the lands are transferred.

Commercial/ Mixed Use Areas

These areas correspond to the city's business districts, many of which form the heart of its neighborhoods. Five categories are used, defining the physical and economic character of each area along with generalized long-range conservation and development objectives. The commercial areas defined are: "Main Street Mixed Use Corridors," "Neighborhood Commercial Centers," "Multi-Neighborhood Commercial Centers," "Regional Commercial Centers," and the "Central Employment Area."

Main Street Mixed Use Corridors

Traditional commercial business corridors with a concentration of older storefronts along the street. The service area for Main Streets can vary from one neighborhood (e.g., 14th Street Heights or Barracks Row) to multiple neighborhoods (e.g., Dupont Circle, H Street, or Adams Morgan). Their common feature is that they have a pedestrian-oriented environment with traditional storefronts. Many have upper story residential or office uses. Conservation and enhancement of these corridors is desired to foster economic and housing opportunities and serve neighborhood needs. Any development or redevelopment that occurs should support transit use and enhance the pedestrian environment.

Neighborhood Commercial Centers

Enhanced/New Neighborhood Centers

Neighborhood Commercial Centers meet the day-to-day needs of residents and workers in the adjacent neighborhoods. Their service area is usually less than one mile. Typical uses include convenience stores, sundries, small food markets, supermarkets, branch banks, restaurants, and basic services such as dry cleaners, hair cutting, and child care. Office space for small businesses, such as local real estate and insurance offices, doctors and dentists, and similar uses, also may be found in such locations. New development and redevelopment within Neighborhood Commercial Areas must be managed to conserve the economic viability of these areas while allowing additional development that complements existing uses.

Multi-Neighborhood Centers

Enhanced/New Multi-Neighborhood Centers

Multi-neighborhood centers contain many of the same activities as neighborhood centers but in greater depth and variety. Their service area is typically one to three miles. These centers are generally found at major intersections and along key transit routes. These centers might include supermarkets, general merchandise stores, drug stores, restaurants, specialty shops, apparel stores, and a variety of service-oriented businesses. These centers also may include office space for small businesses, although their primary function remains retail trade. Mixed-use infill development at these centers should be encouraged to provide new retail and service uses, and additional housing and job opportunities. Transit improvements to these centers are also desirable.

Regional Centers

Regional centers have the largest range of commercial functions outside the Central Employment Area and are likely to have major department stores, many specialty shops, concentrations of restaurants, movies and other leisure or entertainment facilities. They typically draw patrons from across the city, as well as patrons from nearby suburban areas. A large office component is also associated with regional centers. As with Multi-Neighborhood Centers, infill development at Regional Centers should provide new retail, entertainment, service uses, additional housing, and employment opportunities where feasible. These centers are generally located along major arterials and are served by transit, and typically generate significant demand for parking. Heights and densities in regional centers should be appropriate to the scale and function of development in adjoining communities, and should be further guided by policies in the Land Use Element and the Area Elements.

Central Employment Area

The Central Employment Area is the business and retail heart of the District and the metropolitan area. It has the widest variety of commercial uses, including but not limited to major government and corporate offices, retail, cultural, and entertainment uses, and hotels, restaurants, and other hospitality uses. The Central Employment Area draws patrons, workers, and visitors from across the region. The Comprehensive Plan's Land Use and Economic Development Elements, and the Central Washington Area Element and Anacostia Waterfront Element provide additional guidance, policies and actions related to the Central Employment Area.

Other Map Elements

This map also identifies parks and open space, federal lands, Downtown Washington, and major institutional land uses. The fact that these areas are not designated as Conservation, Enhancement, or Change does not mean they are exempt from the policies of the Comprehensive Plan or will remain static.

Federal Lands

Central Washington

Because of its unique characteristics, Central Washington is shown as a feature on the map rather than with the categories above. Detailed policies for this area are included in the Central Washington Area Element.

Institutional Uses

Includes colleges and universities, large private schools, hospitals, religious organizations, and similar institutions.

Parks - Federal and District-owned

Water Bodies

M Metro Stations

uses. Conservation and enhancement of these corridors is desired to foster economic and housing opportunities and serve neighborhood needs. Any development or redevelopment that occurs should support transit use and enhance the pedestrian environment." (§223.14)

3. The Future Land Use Map – includes property in mixed-use medium density residential/moderate density commercial category

a) Medium density residential:

"This designation is used to defined neighborhoods or areas where mid-rise (4-7 stories) apartment buildings are the predominant use." (§225.5)

b) Moderate density commercial:

This designation is used to define shopping and service areas that are somewhat more intense in scale and character than the low-density commercial areas. Retail, office, and service businesses are the predominant uses. 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. Buildings are larger and/or taller than those in low density commercial areas but generally do not exceed five stories in height. The corresponding Zone districts are generally C-2-A, C-2-B, and C-3-A, although other districts may apply. (§225.9)

c) Mixed use categories (see excerpt of Future Land Use Map, following):

- (1) Areas where the mixing of two or more land uses is encouraged
- (2) Generally applied to "commercial corridors or districts which may not contain substantial amounts of housing today, but where more housing is desired in the future. The pattern envisioned for such areas is typically one of pedestrian-oriented streets, with ground floor retail or office uses and upper story housing." (§225.18)
- (3) "Residential uses are permitted in all of the commercial zones, however, so many Mixed Use areas may have commercial zoning." (§225.21)



RANDOLPH

GEORGIA

ST

NW

NW

ST

NW

NW

NW

M

Georgia Ave-Petv

ROCK

PRINCETON PL

OTIS PL

NW

NW

WARDER

NW

MORTON

PARK RD NW

ST NW

LAMONT

AVE

ST

NW

ST

PARK PL

ST

NW

NW

ST

NW

SHERMAN

Comprehensive Plan Future Land Use

Map 8



- d) Zoning Commission has approved projects in the medium density residential/mixed use category ranging from 4.01 FAR to 8.4 FAR (proposed FAR is 4.54)
 - e) Proposed height is 6 stories
4. Maps are intended to provide generalized guides for development and conservation decisions (§226)
- a) Future Land Use Map does not follow parcel boundaries and its categories do not specify allowable uses or dimensional standards
 - b) By definition, Map is to be interpreted broadly
 - c) Future Land Use Map is generalized depiction of intended uses in the 20 year horizon
 - d) Densities within any given area are across-the-board; individual buildings may be higher or lower
 - e) Density bonuses through PUDs may result in heights that exceed typical ranges
 - f) Zoning is guided by the Future Land Use, Map, interpreted in conjunction with the text of the Plan, including citywide elements, area elements and approved small area plans

C. Land Use element

1. Overall goal:

"Ensure the efficient use of land resources to meet long-term neighborhood, city-wide, and regional needs; to help foster other District goals: to protect the health, safety, and welfare of District residents and businesses; to sustain, restore, or improve the character and stability of neighborhoods in all parts of the city; and to effectively balance the competing demands for land to support the many activities that take place within District boundaries." (§302.1)

2. Policies and Actions – Transit-Oriented and Corridor Development

- a) "Fully capitalizing on the investment made in Metrorail requires better use of land around transit stations and along transit corridors. While many of the District's 40 Metrorail stations epitomize the concept of a "transit village," with pedestrian-oriented commercial and residential development of varying

scales, others do not. Some stations continue to be surrounded by large surface parking lots and auto-oriented commercial uses. The same is true for those corridors where light rail or bus rapid transit service has been proposed. Some pass through fairly dense, walkable neighborhoods. Others consist of long, undifferentiated commercial strips with many vacant storefronts, little or no housing, and few amenities for pedestrians." (§306.2)

- b) "Much of the city's planning during the last five years has focused on making better use of transit station areas. Plans have been developed for Columbia Heights, Takoma, Anacostia, Georgia Avenue/Petworth, and Shaw/ Howard University. In each case, the objective was not to apply a "cookie-cutter" model for transit-oriented development, but rather to identify ways to better capitalize on Metrorail and more efficiently use land in the station vicinity. One objective of these initiatives has been to strengthen transit stations as neighborhood centers and attract new investment to struggling business districts. Another important objective has been to accommodate the growth of the city in a way that minimizes the number and length of auto trips generated, and to reduce household expense on transportation by providing options for "car-free" (or one car) living." (§306.3)
- c) Principles in the management of land around Metrorail stations (§306.4):
 - (1) A preference for mixed residential and commercial uses rather than single purpose uses, particularly a preference for housing above ground floor retail uses;
 - (2) A preference for diverse housing types, including both market-rate and affordable units and housing for seniors and others with mobility impairments;
 - (3) A preference for attractive, pedestrian-friendly design and a de-emphasis on auto-oriented uses and surface parking;
 - (4) Provision of well-designed, well-programmed, and well-maintained public open spaces;
 - (5) A "stepping down" of densities with distance away from each station, protecting lower density uses in the vicinity;
 - (6) Convenient and comfortable connections to the bus system, thereby expanding access to the stations and increasing Metro's ability to serve all parts of the city; and

- (7) A high level of pedestrian and bicycle connectivity between the stations and the neighborhoods around them
- d) "Station area development policies must respond to the unique needs of each community and the unique setting of each station. Some station areas wrestle with concerns over too much development, while others struggle to attract development. Moreover, the District's role in facilitating transit-oriented development must vary from station to station. In some parts of the city, weak demand may require public investment and zoning incentives to catalyze development or achieve the desired mix of uses. " (§306.5)
- e) "The reach of transit-oriented development around any given station or along a high volume transit corridor should vary depending on neighborhood context. While 1/4 to 1/2 mile is generally used across the country to define the walkable radius around each station, and therefore the area in which higher densities may accommodate growth without increased traffic congestion, applying a uniform radius is not appropriate in the District. The established character and scale of the neighborhood surrounding the station should be considered, as should factors such as topography, demographics, and the station's capacity to support new transit riders. Many stations abut historic or stable low density neighborhoods. Similarly, many of the city's priority transit corridors transition to single family homes or row houses just one-half block to less off the street itself." (§306.8)
- f) "To avoid adverse effects on low and moderate density neighborhoods, most transit-oriented development should be accommodated on commercially zoned land. Possible rezoning of such land in a manner that is consistent with the Future Land Use Map and related corridor plans should be considered. Current zoning already expresses a preference for the use of such land for housing by permitting more density for mixed use projects than for projects with commercial use alone." (§306.9)
- g) Policy LU-1.3.6 Parking Near Metro Stations
"Encourage the creative management of parking around transit stations, ensuring that automobile needs are balanced with transit, pedestrian, and bicycle travel needs. New parking should generally be set behind or underneath buildings and geared toward short-term users rather than all-day commuters." (§306.15)

h) Policy 1.4.1 Infill Development

"Encourage infill development on vacant land within the city, particularly in areas where there are vacant lots that create "gaps" in the urban fabric and detract from the character of a commercial or residential street. Such development should complement the established character of the area and should not create sharp changes in the physical development pattern." (§307.4)

i) Policy LU-1.4.2: Long-Term Vacant Sites

"Facilitate the reuse of vacant lots that have historically been difficult to develop due to infrastructure or access problems, inadequate lot dimensions, fragmented or absentee ownership, or other constraints. Explore lot consolidation, acquisition, and other measures which would address these constraints." (§18307.5)

j) Policy LU-1.4.3: Zoning of Infill Sites

"Ensure that the zoning of vacant infill sites is compatible with the prevailing development pattern in surrounding neighborhoods. This is particularly important in single family and row house neighborhoods that are currently zoned for multi-family development." (§307.6)

3. Creating and Maintaining Successful Neighborhoods

a) Policy LU-2.1.1 Variety of Neighborhood Types

Maintain a variety of neighborhood types in the District, ranging from low-density, single family neighborhoods to high-density, multi-family mixed use neighborhoods. The positive elements that create the identity and character of each neighborhood should be preserved and enhanced in the future." (§309.6)

b) Policy LU-2.1.3 Conserving, Enhancing and Revitalizing Neighborhoods

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." (§309.8)

c) Policy LU-2.1.11: Residential Parking Requirements

"Ensure that parking requirements for residential buildings are responsive to the varying levels of demand associated with different unit types, unit sizes, and unit locations (including proximity to transit). Parking should be accommodated in a manner that maintains an attractive environment at the street level and minimizes interference with traffic flow." (§309.16)

D. Transportation element

1. Overall goal:

- a) "Create a safe, sustainable efficient multi-modal transportation system that meets the access and mobility needs of District residents, the regional workforce, and visitors; supports local and regional economic prosperity; and enhances the quality of life for District residents." (§401.1)

2. Policies and Actions – Linking Land Use and Transportation

- a) "Coordinating transportation and land use decisions is critical to making the best use of infrastructure and finite land resources as these gains occur. The balance between housing and jobs plays a clear role in travel patterns. In general, the demands on our transportation system are reduced when homes are located close to places of employment and shopping. People spend less time traveling and overall quality of life may be improved. The transportation system as a whole benefits when more compact residential and employment areas are situated along major transit routes. Travel times are reduced and there is better use of public transportation investments." (403.1)
- b) "Although the District has already developed walkable, transit-oriented neighborhoods, future opportunities will arise to strengthen the linkage between land use and transportation as new development takes place." (§403.2)
- c) "Closer coordination between transportation and land use planning can result in better congestion management, more efficient use of transit and parking, and transportation infrastructure that is sensitive and complementary to its surrounding context." (§403.4)

- d) "Assessing and measuring the transportation impacts of land use decisions is also an important part of integrated land use and transportation planning. New development generates new trips—be they auto trips, transit trips, or pedestrian and bicycle trips. Major land use changes such as the development of large housing complexes or office buildings must be evaluated for their impacts on existing and planned transportation infrastructure to ensure that the network can function adequately when the projects are completed." (§403.5)
 - e) Policy T-1.1.4 Transit-Oriented development

"Support transit oriented development by investing in pedestrian-oriented transportation improvements at or around transit stations, major bus corridors, and transfer points." (§403.10)
3. Transforming Corridors
- a) Policy T-1.2.1: Boulevard Improvements

"Continue to work across District agencies to beautify and stabilize selected boulevards by implementing coordinated transportation, economic development, and urban design improvements." (§404.6)
 - b) Policy T-1.2.2: Targeted Investment

"Target planning and public investment toward the specific corridors with the greatest potential to foster neighborhood improvements and enhance connectivity across the city." (§404.7)
 - c) Policy T-1.2.3: Discouraging Auto-Oriented Uses

"Discourage certain uses, like “drive-through” businesses or stores with large surface parking lots, along key boulevards and pedestrian streets, and minimize the number of curb cuts in new developments. Curb cuts and multiple vehicle access points break-up the sidewalk, reduce pedestrian safety, and detract from pedestrian-oriented retail and residential areas." (§404.8)

4. Policies and actions – Multi-modal transportation choices

a) Action T-2.3-A Bicycle Facilities

"Wherever possible, require large new commercial and residential buildings to be designed with features such as secure bicycle parking and lockers, bike racks, shower facilities, and other amenities that accommodate bicycle users." (§409.11)

b) Policy T-2.4.1 Pedestrian Network

"Develop, maintain, and improve pedestrian facilities. Improve the city's sidewalk system to form a network that links residents across the city." (§410.5)

5. Policies and Actions – Transportation System Efficiency and Management

Policy T-3.1.1 Transportation Demand Management (TDM) Programs

"Provide support, and promote programs and strategies aimed at reducing the number of car trips and miles driven (for work and non-work purposes) to increase the efficiency of the transportation system." (§414.8)

E. Housing element

1. Overall goal

"Develop and maintain a safe, decent, and affordable supply of housing for all current and future residents of the District of Columbia." (§501.1)

2. Homes for an Inclusive City - Expanding Housing Supply

a) "Expanding the housing supply is a key part of the District's vision to create successful neighborhoods. Along with improved transportation and shopping, better neighborhood schools and parks, preservation of historic resources, and improved design and identity, the production of housing is essential to the future of our neighborhoods. It is also a key to improving the city's fiscal health. The District will work to facilitate housing construction and rehabilitation through its planning, building, and housing programs, recognizing and responding to the needs of all segments of the community. The first step toward meeting this goal is to ensure that an adequate supply of appropriately zoned land is available to meet expected housing needs." (§503.1)

b) Policy H-1.1.1 Private Sector Support

"Encourage the private sector to provide new housing to meet the needs of present and future District residents at locations consistent with District land use policies and objectives." (§503.2)

c) Policy H-1.1.2 Production Incentives

"Provide suitable regulatory, tax, and financing incentives to meet housing production goals. These incentives should continue to include zoning regulations that permit greater building area for commercial projects that include housing than for commercial projects that do not include housing. (§503.3)

d) Policy H-1.1.3 Balanced Growth

"Strongly encourage the development of new housing on surplus, vacant and underutilized land in all parts of the city. Ensure that a sufficient supply of land is planned and zoned to enable the city to meet its long-term housing needs, including the need for low- and moderate-density single family homes as well as the need for higher-density housing." (§503.4)

e) Policy H-1.1.4 Mixed Use Development

"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)

f) Policy H-1.1.5 Housing Quality

"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)

g) Policy H-1.2.5 Workforce Housing

"In addition to programs targeting persons of very low and extremely low incomes, develop and implement programs that meet the housing needs of teachers, firefighters, police officers, nurses, city workers, and others in the public service professions with wages insufficient to afford market-rate housing in the city. 10 DCMR (§504.12)

h) Policy H-1.2.7: Density Bonuses for Affordable Housing

"Provide zoning incentives to developers proposing to build low- and moderate-income housing. Affordable housing shall be considered a public benefit for the purposes of granting density bonuses when new development is proposed. Density bonuses should be granted in historic districts only when the effect of such increased density does not significantly undermine the character of the neighborhood." (§504.14)

F. Environmental Protection element

1. Policies and Actions – Protecting Natural Green Areas

Policy E-1.1.1 Street Tree Planting and Maintenance

"Plant and maintain street trees in all parts of the city, particularly in areas where existing tree cover has been reduced over the last 30 years. Recognize the importance of trees in providing shade, reducing energy costs, improving air and water quality, providing urban habitat, absorbing noise, and creating economic and aesthetic value in the District's neighborhoods." (§603.4)

2. Policy E-2.2.1: Energy Efficiency

"Promote the efficient use of energy, additional use of renewable energy, and a reduction of unnecessary energy expenses. The overarching objective should be to achieve reductions in per capita energy consumption by DC residents and employees." (§610.3)

3. Policy E-2.2.3: Reducing Home Heating and Cooling Costs

"Encourage the use of energy-efficient systems and methods for home insulation, heating, and cooling, both to conserve natural resources and also to reduce energy costs for those members of the community who are least able to afford them." (§610.5)

4. Policies and Actions – Promoting Environmental Sustainability

a) Policy E-3.1.2 Using Landscaping and Green Roofs to Reduce Runoff

- (1) "Promote an increase in tree planting and landscaping to reduce stormwater runoff, including the expanded use of green roofs in new construction and adaptive reuse, and the application of tree and landscaping standards for parking lots and other large paved surfaces." (§613.3)

b) Policy E-3.2.1 Support for Green Building

- (1) "Encourage the use of green building methods in new construction and rehabilitation projects, and develop green building methods for operation and maintenance activities." (§614.2)

5. Policies and Actions- Reducing Environmental Hazards

Policy E-4.1.5 Improving Air Quality through Transportation Efficiency

"Promote strategies that reduce motor vehicle emissions in the District and surrounding region. As outlined in the Land Use and Transportation Elements of this Comprehensive Plan, this includes the development of a fully integrated regional system of buses, streetcars, rail transit, bicycles, taxis, and pedestrian facilities to make it easier and more convenient to travel without an automobile." (§618.10)

G. Economic Development element

1. Overall goal

"Strengthen the District's economy by sustaining its core industries, attracting new and diverse industries, accommodating future job growth, fostering the success of small businesses, revitalizing neighborhood commercial centers, improving resident job skills, and helping a greater number of District residents find and keep jobs in the Washington regional economy." (§701.1)

2. Policies and Actions – The Spatial Impacts of the Job Market

a) Policy ED-2.2.1 Expanding the Retail Sector

"Pursue a retail strategy that will allow the District to fully capitalize on the spending power of residents, workers and visitors, and that will meet the retail needs of underserved areas." (§708.4)

b) Policy ED-2.2.3 Neighborhood Shopping

"Create additional shopping opportunities in Washington's neighborhood commercial districts to better meet the demand for basic goods and services." (§708.7)

3. Policies and Actions - Supporting the Neighborhood Business Environment

a) Policy ED-3.1.1 Neighborhood Commercial Vitality

"Promote the vitality and diversity of Washington's neighborhood commercial areas by retaining existing businesses, attracting new businesses, and improving the mix of goods and services available to residents." (§713.5)

b) Policy E-3.1.2: Using Landscaping and Green Roofs to Reduce Runoff

"Promote an increase in tree planting and landscaping to reduce stormwater runoff, including the expanded use of green roofs in new construction and adaptive reuse, and the application of tree and landscaping standards for parking lots and other large paved surfaces." (§613.3)

H. Urban Design element

1. Overall goal:

2. "Enhance the beauty and livability of the city by protecting its historic design legacy, reinforcing the identity of its neighborhoods, harmoniously integrating new construction with existing buildings and the natural environment, and improving the vitality, appearance, and security of streets and public spaces." (§901.1)

3. Policies and Actions – Toward a Stronger Civic Identity (§902)

Reinforcing Boulevards and Gateways

a) Policy UD-1.4.1 Avenues Boulevards and Urban Form

"Use Washington's major avenues/boulevards as a way to reinforce the form and identity of the city, connect its neighborhoods, and improve its aesthetic and visual character. Focus improvement efforts on avenues/boulevards in emerging neighborhoods, particularly those that provide important gateways or view corridors within the city." (§906.6)

b) Policy UD-1.4.3 Avenue/Boulevard Vistas and View Corridors

"Protect views and view corridors along avenues/boulevards, particularly along streets that terminate at important civic monuments or that frame distant landmarks. Vistas along such streets should be accentuated by creating more well-defined street walls, improving landscaping, and requiring the highest architectural quality as development takes place." (§906.9)

4. Policies and Actions – Designing for Successful Neighborhoods

a) Policy UD-2.2.1 Neighborhood Character and Identity

"Strengthen the defining visual qualities of Washington's neighborhoods. This should be achieved in part by relating the scale of infill development, alterations, renovations, and additions to existing neighborhood context." (§910.6)

b) Policy UD-2.2.5 Creating Attractive Facades

"Create visual interest through well-designed building facades, storefront windows, and attractive signage and lighting. Avoid monolithic or box-like building forms, or long blank walls which detract from the human quality of the street." (§910.12)

c) Policy UD-2.2.6 Maintaining Façade Lines

"Generally maintain the established façade lines of neighborhood streets by aligning the front walls of new construction with the prevailing facades of adjacent buildings. Avoid violating this pattern by placing new construction in front of the historic façade line, or by placing buildings at odd angles to the street, unless the streetscape is already characterized by such variations. Where

existing façades are characterized by recurring placement of windows and doors, new construction should complement the established rhythm." (§910.14)

d) Policy UD-2.2.7 Infill Development

"Regardless of neighborhood identity, avoid overpowering contrasts of scale, height and density as infill development occurs." (§910.15)

5. Policies and Actions – Improving the Public Realm

a) "Activating the street is another important objective, especially on neighborhood shopping streets." (§913.5)

b) Policy UD-3.1.6 Enhanced Streetwalls

"Promote a higher standard of storefront design and architectural detail along the District's commercial streets. Along walkable shopping streets, create street walls with relatively continuous facades built to the front lot line in order to provide a sense of enclosure and improve pedestrian comfort." (§913.13)

c) Policy UD-3.1.7 Improving the Street Environment

"Create attractive and interesting commercial streetscapes by promoting ground level retail and desirable street activities, making walking more comfortable and convenient, ensuring that sidewalks are wide enough to accommodate pedestrian traffic, minimizing curb cuts and driveways, and avoiding windowless facades and gaps in the street wall." (§913.14)

I. Mid-City Area element

1. Policies and Actions

a) Policy MC-1.1.2: Directing Growth

"Stimulate high-quality transit-oriented development ... along the Georgia Avenue corridor ... Opportunities for new mixed income housing, neighborhood retail, local-serving offices, and community services should be supported in these areas, as shown on the Comprehensive Plan Policy Map and Future Land Use Map." (§2008.3)

b) Policy MC-1.1.3: Infill and Rehabilitation

"Encourage redevelopment of vacant lots and the rehabilitation of abandoned structures within the community ... Infill development should be compatible in scale and character with adjacent uses." (§2008.4)

c) Policy MC-1.1.6: Mixed Use Districts

"Encourage preservation of the housing located within the Mid-City's commercially zoned areas. Within mixed use (commercial/residential) areas, such as Mount Pleasant Street and Columbia Road, encourage commercial uses that do not adversely impact the established residential uses." (§2008.7)

d) Policy MC-1.1.7: Protection of Affordable Housing

"Strive to retain the character of Mid-City as a mixed income community by protecting the area's existing stock of affordable housing units and promoting the construction of new affordable units." (§2008.8)

e) Policy MC-1.1.8: Traffic and Parking Management

"Improve traffic circulation along major Mid-City arterial streets, with a priority on 14th Street, Georgia Avenue, U Street, 18th Street, Columbia Road, and Connecticut Avenue. Implement programs in these areas to improve bus circulation, improve pedestrian and bicyclist safety and ease of travel, and mitigate the effects of increased traffic on residential streets. Consistent with the Transportation Element of the Comprehensive Plan, provide alternatives to automobile use—including improved transit and innovative personal transportation options—for existing and new residents to reduce the necessity of auto ownership, particularly where parking and traffic problems exist." (§2008.9)

2. Conserving and Enhancing Community Resources

"Maintain the cultural diversity of the Mid-City by encouraging housing and business opportunities for all residents, sustaining a strong network of social services for immigrant groups, and retaining affordable housing within the Planning Area." (§2009.1)

3. Policy Focus Areas – Georgia Avenue Corridor

"Encourage continued revitalization of the Lower Georgia Avenue corridor. Georgia Avenue should be an attractive, pedestrian-oriented "Main Street" with retail uses, local-serving offices, mixed income housing, civic and cultural facilities, and well-maintained public space."
(¶2011.5)

X. Georgia Avenue – Petworth Metro Station Area and Corridor Plan

A. Adopted by the Council in December, 2006

B. Provides supplemental guidance to the Comprehensive Plan

C. Neighborhood areas: Park View/Park Morton

1. Recommendations:

- a) Apply TOD principles to generate a dynamic place within walking distance of the metro station
- b) Acquire and assemble existing vacant properties for redevelopment
- c) Improve sidewalks and public space

2. Identifies entire blockface of the west side of Georgia Avenue between Kenyon and Lamont Streets as redevelopment opportunity

3. Options for redevelopment include mixed use projects for entire block

4. Implementation: opportunity for a mixed use development (ground floor commercial and housing above)

XI. Compatibility with the area

A. Medium density residential use with ground floor commercial located on major arterial transit corridor is consistent with general planning principles of concentrating densities on the radial streets

B. Use

1. Apartment house with ground floor retail replacing existing retail uses in outdated buildings

2. New residential uses are needed as part of the mix

C. Density:

1. Commercial FAR is about one-third of the density now permitted as a matter-of-right
2. Increase in density is all devoted to residential

XII. Conclusions

- A. Project is not inconsistent with the Comprehensive Plan
- B. Project is within the applicable height and bulk standards of the Zoning Regulations
- C. Project provides an appropriate balance between the development proposed, the flexibility requested and the benefits and amenities provided
- D. PUD allows the Zoning Commission to condition approval to what is specifically proposed
- E. Project should be approved