

**BEFORE THE
ZONING COMMISSION
FOR THE DISTRICT OF COLUMBIA**

**APPLICATION FOR
A CONSOLIDATED PUD
AND ZONING MAP AMENDMENT**

**4611-4615 41st Street, NW
Washington, DC
Square 1769, Lots 1 & 2**

March 26, 2018

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LIST OF EXHIBITS

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I. INTRODUCTION

This statement and attached documents are submitted by Dancing Crab Properties, LLC (the “Applicant”) in support of its application to the Zoning Commission for the District of Columbia for approval of a consolidated planned unit development (“PUD”) and a related Zoning Map amendment from the MU-4 District to the MU-5-B District for property located at with (Square 1769, Lots 1 and 2) (the “Site”). This application is submitted in accordance with Subtitle Z, Chapter 3 of District of Columbia Municipal Regulations, Title 11 (“11 DCMR” or the “Zoning Regulations”).

A. The Site

The Site is located at 4611-4615 41st Street, NW (Square 1769, Lots 1 and 2) and is presently improved with two two-story buildings most recently operated as The Dancing Crab restaurant and bar and the Tenley Bar and Grill. As shown on the Zoning Map and Surveyor’s Plat attached hereto as Exhibits A and B, respectively, the Site is presently zoned MU-4 and has a total land area of approximately 6,855 square feet. The Site is bounded by private property to the north and south, a 15-foot wide public alley to the east, and Wisconsin Avenue and 41st Street, NW to the west.

The Applicant requests a PUD and Zoning Map amendment to rezone the Site from the MU-4 District to the MU-5-B District, which is consistent with the policies set forth in the Comprehensive Plan for the Site. The Site is designated as mixed use Medium Density Residential and Moderate Density Commercial on the Comprehensive Plan Future Land Use Map, and designated as a Main Street Mixed Use Corridor on the Comprehensive Plan Generalized Policy Map. The proposed MU-5-B District is consistent with those designations. A detailed discussion of the project’s compliance with the Comprehensive Plan can be found in the analysis attached as Exhibit H.

B. Project Summary

The Applicant proposes to raze the existing buildings and redevelop the Site with a seven-story apartment house with approximately 41 residential units, approximately 4,971 square feet of ground floor retail and service uses, including eating and drinking establishments, and a rooftop bar/restaurant in the penthouse (the “Project”). The Project will contain a total of approximately 34,535 square feet of gross floor area (5.04 FAR) and a maximum building height of 80 feet.

The building’s primary residential and retail entrances are located along 41st Street, NW. The ground floor, which is partially below grade due to the steep slope of the Site, will contain a restaurant and the residential lobby. A cellar level will contain bicycle parking, storage, and mechanical equipment. The second floor will contain three residential units fronting on 41st Street and five interior parking spaces accessed from the alley at the rear of the Site. An additional four parking spaces are located in the building’s rear yard, perpendicular to the alley. Of the nine total parking spaces, two will be reserved for a car share company and available for use by the public, and two will have EV charging stations. Loading is not required for the Project (*see* 11-C DCMR §§ 901.1 and 902.4), however one service/delivery space at 10 feet x 20 feet will be provided at the rear of the Site and accessed from the public alley.

Floors 3-7 will contain residential units. The penthouse will contain a restaurant/bar open to the public. The penthouse complies with all of the height, setback, and bulk requirements set forth in 11-C DCMR Chapter 15. The Applicant is seeking zoning relief to locate the proposed bar/restaurant use in the penthouse, pursuant to 11-C DCMR § 1500.3(c). The Project will dedicate a minimum of 12% of the residential gross floor area to on-site Inclusionary Zoning (“IZ”) units, which results in two two-bedroom units. The Project will also dedicate a minimum of 12% of the penthouse habitable space, which results in one one-bedroom unit. The two two-bedroom units

will be reserved for households earning up to 60% of the Median Family Income (“MFI”), and the one one-bedroom unit will be reserved for households earning up to 50% of the MFI.

C. Description of the Surrounding Area

The Site is located in the Tenleytown neighborhood in Ward 3, directly adjacent to the commercial corridor of upper Wisconsin Avenue, NW. The Site is located on the east side of 41st Street, NW, just north of Brandywine Street, NW, and is generally surrounded by commercial office, retail, and service uses. To the south of the Site is a mixed-use retail district surrounding the Tenleytown Metrorail station, which is home to a variety of retail, service, and dining establishments, including stores such as Best Buy, CVS, The Container Store, and Whole Foods; fast-casual and full-service restaurants and bars; the Tenley-Friendship Neighborhood Library; The Citizen Heights Church; and various beauty salons, among others. To the south of the Tenleytown Metrorail station is American University. To the north of the Site is the Fort Reno Park and Deal Middle School. To the east of the Site is the Woodrow Wilson High School, and to the west of the Site are additional neighborhood-serving restaurants and bars along Wisconsin Avenue. Farther to the east and west of the Site are low-density residential neighborhoods.

Immediately to the north of the Site is an existing four-story commercial building that is constructed to its southern property line. Immediately to the south of the Site is a parking lot at the corner of Wisconsin Avenue and Brandywine Street, NW. Across Wisconsin Avenue from the Site is a seven-story mixed-use building developed as a PUD pursuant to Z.C. Order No. 10-23, and an existing four-story building that is presently under review as a PUD by the Zoning Commission in Z.C. Case No. 16-26, which will be converted to an eight-floor mixed use building.¹

¹ Although an Order has not yet been issued, the Zoning Commission took final action to approve Z.C. Case No. 16-26 on October 30, 2017.

The neighborhood is well-served by multiple transportation options. The Tenleytown Metrorail station, which services the red line, is located approximately 0.1 mile to the south of the Site. At least ten different bus lines are located along Wisconsin Avenue, with bus stops adjacent to the Site. Multiple permanent carshare spaces are located within a half mile of the Site, serviced by Zipcar and Hertz on Demand, and a Capitol Bikeshare station is located approximately 0.2 miles from the Site. Public sidewalks, crosswalks, and bicycle lanes are also well established in the area.

D. Zoning

As shown on the Zoning Map (Exhibit A), the Site is presently zoned MU-4. This application requests a Zoning Map amendment to rezone the Site to the MU-5-B District. Properties on the east and west sides of Wisconsin Avenue, NW near the Site are primarily designated in the MU Districts. The PUDs across Wisconsin Avenue from the Site are/will be zoned MU-7. The Tenleytown mixed-use retail district is zoned MU-7, properties to the north are zoned MU-4, and properties to the south are zoned MU-3, MU-4, and MU-5-A. Properties near the Site but not located along Wisconsin Avenue are primarily zoned R-1-B and R-2.

1. Development Under Existing Zoning

The MU-4 District is intended to permit moderate-density mixed-use development; provide facilities for shipping and business needs, housing, and mixed uses; and be located in low- and moderate-density residential areas with access to main roadways or rapid transit stops and include office employment centers, shopping centers, and moderate bulk mixed-use centers. 11-G DCMR § 400.3.

The MU-4 District permits a maximum density of 2.5 FAR (1.5 FAR maximum non-residential), 3.0 FAR with IZ, 3.6 FAR as a PUD, and 2.01 FAR maximum non-residential as a PUD. 11-G DCMR § 402.1 and 11-X DCMR § 303.3 and 303.4. The MU-4 District permits a

maximum building height of 50 feet with no limit on the number of stories, 65 feet for a PUD, and a maximum penthouse height of 12 feet (15 feet for penthouse mechanical space) and one story (second story permitted for penthouse mechanical space). 11-G DCMR §§ 403.1 and 403.3 and 11-X DCMR § 303.7. The MU-4 District permits a maximum lot occupancy of 60% and 75% with IZ. 11-G DCMR § 404.1.

2. Development Under Proposed Zoning

The Applicant proposes to rezone the Site to the MU-5-B District to allow for the development of a mixed-use apartment house with ground floor retail. The MU-5 Districts are intended to permit medium-density, compact mixed-use development with an emphasis on residential use. 11-G DCMR § 400.4(a). The MU-5 Districts provide for areas with facilities for shopping and business needs, housing, and mixed uses for large segments of the District of Columbia outside of the central core. 11-G DCMR § 400.4(b). The MU-5 Districts are located on arterial streets, in uptown and regional centers, and at rapid transit stops. 11-G DCMR § 400.4(c).

The MU-5-B District permits a maximum density of 3.5 FAR (1.5 FAR maximum for non-residential uses) and 4.2 FAR with IZ. 11-G DCMR § 402.1. The MU-5-B District permits a maximum building height of 75 feet with no limit on the number of stories and a maximum penthouse height of 20 feet and one story, with a second story permitted for penthouse mechanical space. 11-G DCMR §§ 403.1 and 403.3. The MU-5-B District permits a maximum lot occupancy of 80%. 11-G DCMR § 404.1.

A PUD in the MU-5-B District is permitted a maximum density of 5.04 FAR (2.01 FAR maximum for non-residential uses) and a maximum building height of 90 feet. 11-X DCMR §§ 303.3, 303.4, 303.7.

II. PROJECT DESCRIPTION

As shown on the Architectural Plans and Elevations (the “Plans”) attached hereto as Exhibit C, the Applicant proposes to raze the existing building on the Site and redevelop the Site with a mixed-use residential building with ground floor retail and service uses, including eating and drinking establishments, and a restaurant/bar in the penthouse. The Project has been designed to fit within the surrounding mixed-use context and be a positive addition to the neighborhood.

A. Design Approach

The building’s form is an expression of the interior programs. The partially below-grade ground floor emerges from the hillside with an elegant limestone cladding. The use of limestone in the Project is inspired by the presence of this material on buildings along Wisconsin Avenue, NW and Connecticut Avenue, NW in this neighborhood, including one of the existing buildings on the Site. Expansive storefront windows and glass entry doors create a strong relationship between inside and outside and activate the street level. A folding glass window wall in the ground floor restaurant creates an opportunity for physical connection between interior and exterior dining areas. The façade is organized into three glassy volumes separated by brick piers that celebrate the building’s verticality and identify the three apartment units fronting 41st Street on each residential floor.

Above the first floor the building is clad in red brick. Limestone detailing creates strong horizontal elements at regular intervals on the 41st Street façade to articulate the building’s scale. The second floor windows on the 41st Street façade do not project and are surrounded by limestone frames, indicating the transitional quality of the second floor which has residential units one level above grade along 41st Street, and which is nearly at grade along the alley providing access to interior parking and building services.

Above the second floor, the typical residential floor condition is identified by the uniform treatment of the aluminum-clad, sawtooth bays on 41st Street and the closed court, visible as the building is approached from the south. The shape and angle of the bays provide a greater range of views up and down 41st Street and Wisconsin Avenue. The longer side of the bay window favors the north for more even and advantageous daylighting than a completely west-facing bay. The units facing the courtyard look out over a bioretention garden at the base of the courtyard.

The penthouse and roof terrace serve as an extension of the ground floor restaurant. The penthouse is clad in light-colored fiber cement panels that correspond with the building's limestone base. The penthouse has floor to ceiling glazing along much of the south and west walls that provides stunning, panoramic views of the city from inside, as well as connections to the exterior roof deck. A smaller room and separate roof deck are located on the south east corner of the penthouse and are separated from the main roof deck by the courtyard.

B. Circulation, Parking and Loading

The primary pedestrian access to the building is located on 41st Street, with direct access to the residential lobby and ground floor restaurant. All parking and loading will be accessed from the 15-foot wide public alley at the rear, with five interior and four exterior parking spaces and a 20 foot service/delivery space located at grade in the rear yard (uncovered), perpendicular to the alley. Two of the four uncovered parking spaces will be reserved as carshare spaces. Two of the interior parking spaces will have EV charging stations.

The service/delivery loading space will abut a loading platform, which will have direct access to the building's trash room, service area, and service elevator. Although not required, the service/delivery space is being provided to serve the retail/restaurant loading needs. Residential loading facilities are not required for the Project. Long-term interior bicycle parking will be located in the cellar accessed via the alley entrance and service corridor.

The four streets surrounding Square 1769 (Chesapeake Street to the north, 40th Street to the west, Brandywine Street to the south, and 41st Street to the east) all provide two-way vehicular traffic, such that access to the Site via the public alley will not disrupt existing traffic patterns. Bicycle routes and lanes surround the Site, with facilities located on 40th Street, 41st Street, 42nd Street, 43rd Street, Chesapeake Street, Brandywine Street, and River Road, all surrounding the Site and connecting into the District's larger bicycle network.

C. Streetscape and Landscape

The public space streetscape and landscape design for the Project fosters an active and pedestrian-friendly environment along the Site's one street frontage (41st Street). Large planted areas in public space provide greening of the public space between the sidewalk and the face of the building, capture stormwater, and define the residential entry and outdoor restaurant seating areas. The existing red brick pavers in the strip between the curb and the sidewalk will be removed and converted to a bioretention planting area and a concrete area for short term bicycle parking. The new concrete sidewalk in front of the Site will be widened to eight feet to provide a comfortable and safe pedestrian environment. The existing built –in planter in public space north of the Site will be maintained and integrated into the planting area in front of the Project. The area between the sidewalk and the property line will be paved with granite pavers.

D. Sustainable Design Elements

The Project is designed to integrate a host of sustainable features and will be designed to achieve a minimum certification of LEED Gold v.4. The Site is located in a mixed-use, walkable neighborhood, with extremely convenient access to public transportation options and existing infrastructure and services.

The Project includes a variety of strategies to satisfy the GAR and stormwater management requirements, such as intensive and extensive green roof areas, a bioretention area at the third floor

courtyard, permeable paving in the outdoor parking area accessed from the alley, and in-ground planters in public space. The Project also includes sustainable design features such as low-flow plumbing fixtures, energy efficient light fixtures and mechanical systems, Energy Star rated appliances, interior bicycle storage, continuous insulation of exterior walls, and low VOC materials and finishes. Convenient opportunities for recycling are provided with a trash/recycling room on each residential floor. Parking areas include two electric vehicle charging stations and locations for car-share vehicles. The Project will also incorporate solar photovoltaic panels on the penthouse roof.

E. Flexibility Under PUD Guidelines

The PUD process was created to allow greater flexibility in planning and design than may be possible under conventional zoning procedures. In this application, the Applicant has attempted to comply with all aspects of the Zoning Regulations for the MU-5-B District. However, the Applicant seeks flexibility from the requirements of the Zoning Regulations, as described below. As permitted by 11-X DCMR § 303.1, the Commission may grant such flexibility in its discretion.

1. Flexibility to Provide a Restaurant/Bar Use in the Penthouse (11-C DCMR § 1500.3)

Pursuant to 11-C DCMR § 1500.3, a penthouse may house a nightclub, bar, cocktail lounge, or restaurant if approved as a special exception pursuant to 11-X DCMR Chapter 9. No additional special exception standards are set forth in the Zoning Regulations. In this case, and in accordance with 11-X DCMR Chapter 9, the proposed restaurant use in the penthouse will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Map. The restaurant will provide a unique and enjoyable dining option for neighborhood residents, including residents of the proposed building on the Site, and will not create any adverse effects. The restaurant use is consistent with the goals of the penthouse regulations to provide IZ units within

the building generated by the penthouse habitable space. The penthouse structure itself will comply with all height, bulk, and setback standards set forth in 11-C DCMR § 1500.

In addition, the proposed restaurant use will not tend to affect adversely the use of neighboring property. The Site is surrounded by commercial uses in all directions. Directly to the north is a commercial building and directly to the south is a parking lot. Across Wisconsin Avenue to the west are other mixed-use residential and commercial buildings with ground floor retail, with the closest residential use being the apartment house approved in Z.C. Order No. 10-23, which is approximately 150 feet away. To the east of the Site, across the alley, are commercial uses. Therefore, the proposed penthouse restaurant use will have little or no impact on surrounding residential uses. Therefore, the proposed use of the penthouse will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Map and will not tend to adversely affect the use of neighboring property.

2. Flexibility from the Minimum PUD Land Area Requirement

Pursuant to 11-X DCMR § 301.1, the minimum land area for a PUD in the MU-5-B District is 15,000 square feet. Pursuant to 11-X DCMR § 301.3, the Zoning Commission may waive the minimum PUD land area requirement to no less than 5,000 square feet for applications in Zone Groups 2, 5, and 6,² provided the Zoning Commission finds that the development is of exceptional merit and is in the best interests of the District of Columbia or the country and achieves one of the standards set forth in 11-X DCMR § 301.3(a)-(c). The criteria of 11-X DCMR § 301.3(c) is that the development is located outside of the Central Employment Area (“CEA”) and at least 80% of the gross floor area of the development is used exclusively for dwelling units and uses accessory thereto.

² Per 11-X DCMR § 301.1, the MU-5-B District is within Zone Group 6 for “any other zone.”

In this case, the Project meets the requirements of 11-X DCMR § 301.3(c) because the Site is located outside of the CEA and approximately 82% of the Project's gross floor area is dedicated to dwelling units and accessory uses thereto. Moreover, reducing the minimum PUD land area requirement for the Project is in the best interests of the District because it will allow for development of a PUD that includes new housing and affordable housing in an amount greater than the minimum required by the Zoning Regulations, will include larger-sized affordable units, and is located in a mixed-use, walkable, and transit-oriented location that will have a minimal impact on the environment. The Project is also one of exceptional merit due to its associated public benefits and amenities, architectural design, proposed ground floor and penthouse commercial uses that will benefit the neighborhood and increase economic development in the area, and improvements to the surrounding public space. Therefore, flexibility from the minimum PUD land area requirements is appropriate in this case.

3. Design Flexibility

In addition, the Applicant has made every effort to provide a level of detail that conveys the architectural significance of the Project and only requires minimal flexibility from the requirements of the Zoning Regulations. Nonetheless, some flexibility is necessary to address potential issues that arise during construction and minor modifications that cannot be anticipated at this time. Thus, the Applicant requests flexibility in the following areas:

1. To vary the location and design of all interior components, including partitions, structural slabs, doors, hallways, columns, stairways, atria and mechanical rooms, provided that the variations do not change the exterior configuration of the building;
2. To vary the final selection of the exterior materials within the color ranges and material types as proposed, based on availability at the time of construction;
3. To provide a range in the number of residential dwelling units of plus or minus 10% from the number depicted on the approved Plans;

4. To vary the parking layout, and the number, location, and arrangement of vehicular parking spaces, provided the total number of parking spaces is not reduced below the number of spaces required by 11-C DCMR Chapter 7;
5. To vary the location, attributes and general design of the streetscape incorporated in the Project to comply with the requirements of and the approval by the DDOT Public Space Division;
6. To make refinements to exterior materials, details and dimensions, including belt courses, sills, bases, cornices, railings, roof, skylight, architectural embellishments and trim, venting, window mullions and spacing, or any other changes to comply with the District of Columbia Building Code or that are necessary to obtain a final building permit or any other applicable approvals;
7. To locate retail entrances in accordance with the needs of the retail tenant(s) and to vary the façades as necessary within the general design parameters proposed for the Project and to vary the types of uses designated as “retail” use on the PUD Plans to include the following use categories: (i) Retail (11-B DCMR § 200.2(cc)); (ii) Services, General (11-B DCMR § 200.2(dd)); (iii) Services, Financial (11-B DCMR § 200.2(ee)); and (iv) Eating and Drinking Establishments (11-B DCMR § 200.2(j)), and to vary the size of the ground floor retail space;
8. To vary the font, message, logo, and color of the proposed signage, provided that the maximum overall dimensions and signage materials do not change from those shown on the approved Plans; and
9. To vary the sustainable features of the Project, provided the total number of LEED points achievable for the Project does not decrease below LEED Gold v.4.

F. Tabulation of Development Data

The Tabulation of Development Data for the Consolidated PUD is located on Sheets A0.2-A0.3 of the Plans.

III.
THE PROJECT MEETS THE STANDARDS OF THE
ZONING REGULATIONS AND THE PUD REQUIREMENTS

A. PUD Requirements Under 11-X Chapter 3 of the Zoning Regulations

1. Minimum Land Area Requirements Under 11-X DCMR § 301.1

The Site is approximately 6,855 square feet in land area, or 0.15 acres. For a PUD in the MU-5-B District, the Zoning Regulations require a minimum land area of 15,000 square feet. 11-X DCMR § 303.1. Pursuant to 11-X DCMR § 301.3, the Zoning Commission may waive the minimum PUD land area requirement to no less than 5,000 square feet for PUDs located in the MU-5-B District (among others), and so long as the Zoning Commission finds that the development is of exceptional merit and is in the best interests of the District of Columbia or the country and achieves one of the standards set forth in 11-X DCMR § 301.3(a)-(c). As described above, the Applicant requests flexibility from the PUD land area requirements of 11-X DCMR § 303.1, which should be granted since the Project achieves the applicable standards set forth in 11-X DCMR § 301.3.

2. Height and FAR Requirements Under 11-X DCMR §§ 303.3 and 303.7

The Project has been evaluated under the PUD guidelines for MU-5-B District. A PUD in the MU-5-B District permits development of up to 5.04 FAR, of which no more than 2.01 FAR may be devoted to non-residential use, and a maximum height of 90 feet. The Project will have a total density of 5.04 FAR (approximately 34,535 square feet of gross floor area), of which approximately 0.37 FAR (approximately 2,450 square feet of gross floor area) will be devoted to non-residential uses. The maximum height of the building will be 80 feet to the highest point of the parapet in accordance with 11-B DCMR § 307. Accordingly, the Project complies with the height and FAR guidelines for a PUD in the MU-5-B District.

3. Not Inconsistent with Comprehensive Plan Under 11-X DCMR § 304.4(a)

The proposed PUD advances the purposes of the Comprehensive Plan, is consistent with the Future Land Use Map and Generalized Policy Map, complies with the guiding principles in the Comprehensive Plan, and furthers a number of the major elements of the Comprehensive Plan.

The Future Land Use Map designates the Site as mixed use Medium Density Residential and Moderate Density Commercial. The Medium Density Residential designation is used to define neighborhoods or areas where mid-rise (4-7 stories) apartment buildings are the predominant use. 10A DCMR § 225.5. The Moderate Density Commercial 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. 10A DCMR § 225.9. The Project is consistent with these designations as the building will be 7 stories with apartment and ground floor retail use.

The Generalized Policy Map designates the Site as a Main Street Mixed Use Corridor, which have a pedestrian-oriented environment with traditional storefronts, with many having upper story residential or office uses. 10A DCMR § 223.14. The Project is consistent with this designation since it will provide a welcoming storefront facing 41st Street and will significantly upgrade the public space in front of the Site to enhance the pedestrian experience.

A detailed discussion of the Project's compliance with the Comprehensive Plan can be found in the analysis attached as Exhibit H.

4. Impacts of Project Under Subtitle X § 304.4(b)

The Project will have a favorable impact on the surrounding area. Overall, the Project will benefit the area with the addition of new residential units, including affordable housing units, in an area designated for Medium Density Residential use. The Project will also provide new retail space to provide for surrounding residents. The architectural design carefully considers the varied

nearby uses, open spaces, and overall urban context, and creates an improved pedestrian experience at the street level. Moreover, the Site is well-served by public transportation, with close proximity to Metrorail, Metrobus, and Capitol Bikeshare options.

In accordance with 11-Z DCMR § 401.8, the Applicant will submit a Comprehensive transportation review (“CTR”), including proposed transportation demand management (“TDM”) measures, no later than 30 days prior to the date of the public hearing and will serve a copy of the report on the District Department of Transportation (“DDOT”). Finally, the District’s existing water and sewer services are adequate to serve this facility.

B. Public Benefits and Project Amenities

The PUD guidelines require the evaluation of specific public benefits and project amenities for a proposed project. Public benefits are defined as “superior features of a proposed PUD that benefit the surrounding neighborhood or the public in general to a significantly greater extent than would likely result from development of the site under the matter-of-right provisions.” 11-X DCMR § 305.2. A project amenity is further defined as “one (1) type of public benefit, specifically a functional or aesthetic feature of the proposed development that adds to the attractiveness, convenience, or comfort of the project for occupants and immediate neighbors.” 11-X DCMR § 305.10. When deliberating the merits of a PUD application, the Zoning Commission is also required to “judge, balance, and reconcile the relative value of the public benefits and project amenities offered, the degree of development incentives requested, and any potential adverse effects according to the specific circumstances of the case.” 11-X DCMR § 304.3. Public benefits and project amenities may be exhibited in a variety of ways and may overlap with a furthering of the policies and goals of the Comprehensive Plan.

The Project will help achieve a number of the goals of the PUD process by creating a mixed-use, mixed-income, transit-oriented development with a thoughtful, high-quality, design

that relates to and is compatible with the surrounding neighborhood. These and the other significant public benefits and amenities, described in more detail below, reflect and implement the goals of the PUD process, enhance the surrounding community, and benefit the District.

1. Superior Urban Design, Architecture, and Landscaping (11-X DCMR § 305.5(a) and (b)) and Site Planning and Efficient Economical Land Utilization (11-X DCMR § 305.5(c))

The Project is designed to address and activate the street with inviting landscaping and tall storefront glazing at the ground floor. An elegant steel and glass canopy is provided above the entries. Metal-clad bays with large glass openings contribute to the dynamic façade. Exterior lighting elements create a safe and inviting streetscape. The Project uses high quality materials throughout including a limestone or similar base and brick above the ground floor. Limestone and brick detailing at regular floor intervals enhances the design and articulates the scale of the building. The restaurant lounge roof deck provides the public with stunning views of the neighborhood and the city.

Extensive landscaping in the public space defines the residential entry and restaurant outdoor seating area. Replacing the existing red brick paved area between the sidewalk and the public space with plantings and increasing the sidewalk width to eight feet creates a protected, safe and more comfortable pedestrian experience.

The courtyard is landscaped with a bioretention garden providing enhanced views to rooms and units facing the courtyard and offering habitat for butterflies, bees and other insects. Areas of intensive and extensive green roof surround the penthouse roof decks and movable planters invigorate the outdoor space with lush, seasonal plantings. The penthouse roof is also planted with a green roof

2. Commemorative Works or Public Art (11-X DCMR § 305.5(d))

The Applicant proposes to commission a mural for the portion of the building's south façade closest to 41st Street. The approximate size and location for the mural are shown on the South Elevation drawing included in the Plans. The Applicant will work with the ANC to determine the exact artist and subject matter for the mural. The Applicant notes that although the mural will be located on an at-risk wall, the ANC has indicated its support for the mural and its agreement that it should be considered a public benefit as part of the PUD package.

3. Streetscape Plans (11-X DCMR § 305.5(l))

The Applicant has focused on creating a pedestrian-friendly streetscape, especially along 41st Street. The design proposal includes new public space improvements including (i) a bioretention and planted area; (ii) granite pavers between the building face and the sidewalk; (iii) a widened sidewalk from six feet to eight feet in front of the Site made of new concrete; (iv) a new concrete area with new short-term bicycle parking spaces for eight bicycles; (v) building exterior light fixtures and in-ground light fixtures in public space; (vi) bar-height seating facing the sidewalk and movable tables and chairs for café seating; and (vii) bench seating at the residential entry for residents, visitors, and guests. All public space improvements are subject to approval by DDOT and the Public Space Committee.

4. Housing and Affordable Housing (11-X DCMR § 305.5 (f) and (g))

The Project results in the creation of new housing consistent with the goals of the Zoning Regulations, the Comprehensive Plan, and the Future Land Use Map. Overall, the Project will replace an underutilized commercial site with approximately 41 new residential units. The proposed housing and affordable housing exceed the amount that would have been required through matter-of-right development under existing zoning. Specifically, the Applicant proposes to provide 12% of the residential gross floor area to households earning up to 60% of the median

family income (“MFI”) and 12% of the penthouse habitable space to households earning up to 50% of the MFI. The 12% of residential and penthouse floor area proposed results in three IZ units within the building. The locations of the proposed IZ units are shown in the Plans.

5. Uses of special value to the neighborhood or the District of Columbia as a whole (11-X DCMR § 305.5(q))

The Applicant has worked with ANC 3E, the ANC in which the Site is located, to incorporate additional public benefits and project amenities that are of special value to the neighborhood and to the District of Columbia. In addition to the affordable housing, the public benefits and amenities currently under review by the Applicant include: a \$25,000 payment to Friendship Place for improvements to the Welcome Center (enclosing front porch and rear of building, replacing front and side doors, re-siding entire building); installation of a mural on the building’s south façade; potential traffic calming measures on 41st Street, subject to feasibility and as approved by DDOT; two on-site carsharing spaces available to the public and two on-site EV charging stations; LEED Gold certification; solar installation; and a rooftop lounge for the public and building residents with an outdoor deck, tables and chairs, and technology-ready co-working space (outlets, USB ports, etc.). The Applicant will continue to work with ANC 3E and the applicable District agencies to confirm these proposed public benefits prior to the public hearing on this case.

**IV.
COMMUNITY AND OFFICE OF PLANNING OUTREACH**

Pursuant to 11-Z DCMR § 300.7, the Applicant mailed a Notice of Intent to file the subject application to the owners of all property located within 200 feet of the perimeter of the Site and to Advisory Neighborhood Commission (“ANC”) 3E on November 2, 2017, more than 45 days prior to the date of this application. Since then, the Applicant has been working closely with ANC 3E to ensure that the Project has a positive impact to the immediate neighborhood and is designed to

be consistent with community goals. The Applicant presented the application to ANC 3E at its October 12, 2017, December 14, 2017, and February 8, 2018, public meetings, where the Applicant received feedback on the Project's design, program, and benefits package, among others, and has been working to incorporate those suggestions into the overall application.


The Applicant also met with the Office of Planning several times prior to filing the application in order to review the proposed Project, the proposed areas of zoning relief, and the public benefits and amenities. The Applicant has also met with DDOT and DOEE to review relevant project attributes applicable to each agency. The Applicant will continue to work with those agencies as necessary throughout the development review process.

V. CONCLUSION

For the foregoing reasons, the Applicant submits that the PUD meets the standards of 11-X DCMR Chapter 3 of the Zoning Regulations; is consistent with the purposes and intent of the Zoning Regulations and Zoning Map; is consistent with the land use objectives of the District of Columbia; will enhance the health, welfare, safety and convenience of the citizens of the District of Columbia; satisfies the requirements for approval of a consolidated PUD; provides significant public benefits and project amenities; advances important goals and policies of the District of Columbia and, therefore, should be approved by the Zoning Commission. Accordingly, the Applicant requests that the Zoning Commission approve the application for a consolidated PUD and related Zoning Map amendment.

Respectfully submitted,

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