

1. Consistency with Generalized Policy Map (“GPM”)

According to the GPM, the Project Site is identified within the “Neighborhood Commercial Centers” category, a type of commercial / mixed use area that is generally described in the Framework Element as an area that meets the day-to-day needs of residents and workers in adjacent neighborhoods with a service area of approximately one mile. Typical uses within a Neighborhood Commercial Center include, among others, convenience stores, supermarkets, branch banks, restaurants, basic services, and office space for small businesses. Unlike the “Main Street Retail Corridors” category, a Neighborhood Commercial Center includes both auto-oriented centers and pedestrian-oriented shopping areas. According to the Framework Element, 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.

The Project is consistent with the GPM in that it will provide a new mixed-use development that includes a new full-service grocery store and additional retail that will make it easier for existing and new residents to meet their day-to-day needs within an environment that is pedestrian-oriented, as well as designed to effectively manage and mitigate vehicle trips to the Project Site. In addition, the Project will redevelop the underutilized Valor Lot in a context-sensitive way that complements the existing service and retail uses along Massachusetts Avenue, included those at the SVSC, and provides new, larger-sized residential dwelling units, including more affordable housing than is currently required under the Zoning Regulations. These new dwelling units will not only provide housing opportunities to younger families striving to establish themselves in the

highly sought after Upper Northwest quadrant of Washington, DC, but will also provide opportunities for longtime residents that wish to downsize while remaining in their neighborhood and close to amenities.

2. Consistency with Future Land Use Map (“FLUM”)

Generally, according to the Framework Element the FLUM is not a zoning map, and the densities within any given area on the FLUM are intended to reflect all contiguous properties on a block. Thus, the FLUM is intended to be interpreted broadly. In addition, because of the scale of the FLUM, many of the areas shown purely as “Commercial” may also contain other uses, including housing, while other areas shown as purely “Residential” may contain existing incidental commercial uses.

The FLUM designates the Project Site as Low Density Commercial. According to the Framework Element, the Low Density Commercial land use designation is used to define shopping and service areas that are generally low in scale and character, with retail, office, and service businesses being the predominate uses. Areas that have the low-density commercial designation can range from small business districts that draw primarily from the surrounding neighborhoods to larger business districts that draw from a broader market area.

According to the current definition of the Low Density Commercial land use designation, which predates ZR16 and thus includes references to zone district classifications from the 1958 Zoning Regulations (“ZR58”), the zone districts that typically correspond to the Low Density Commercial land use designation include C-1 and C-2-A, although other districts may apply. Under ZR58, the Project Site was zoned

C-2-A, and became zoned MU-4 under ZR16. Despite the change in zone classification name, no changes were made to the primary development standards that control matter-of-right density on the Project Site, namely building and penthouse height, FAR, and lot occupancy. Specifically, as a matter-of-right under both ZR58 (C-2-A) and ZR16 (MU-4), the maximum permitted building height is 50 feet; the maximum penthouse height is 12 feet (habitable) and 15 feet (mechanical), the maximum FAR (IZ) is 3.0 (1.5 nonresidential max); and the maximum lot occupancy is 75% (IZ). As shown in the tabulation of development data included on Exhibit B, Sheet G05, the subject application complies with each of these development standards, and thus is consistent with the Low Density Commercial land use designation assigned to the Project Site, and the development density considered appropriate within the Low Density Commercial land use category.

3. Consistency with Comprehensive Plan Guiding Principles

The Project is consistent with many of the guiding principles of the Comprehensive Plan for managing growth and change, creating successful neighborhoods, connecting the city, and building green and healthy communities.

a. Managing Growth

The Project is consistent with several of the principles related to managing growth which focus on overcoming physical, social, and economic obstacles to ensure that the benefits and opportunities available to District residents are equitably distributed. Specifically, the Project will expand the range of housing types within Upper Northwest by providing an array of dwelling units that can

accommodate households of different sizes, with the majority consisting of two- and three-bedroom units that can accommodate a diverse range of residents including, among others, young professionals, new families, and longtime residents that wish to downsize while remaining in the neighborhood and close to amenities. In addition, the Project will substantially advance the District's affordable housing goals within an area of the city where opportunities to provide affordable housing are few, and the inventory of affordable dwellings units is severely lacking. In fact, the Applicant will far exceed the amount of affordable housing that would be required for any matter-of-right project, and the amount that it is required under the subject application.

As shown on Exhibit B, Sheets G05 & G06, under the current IZ regulations the Applicant would be required to provide approximately 18,989 GFA of affordable housing for a matter-of-right project, and approximately 21,694 GFA of affordable housing for the subject application. The Applicant will far exceed both of these requirements by devoting approximately 27,116 GFA to affordable housing, which is approximately 8,127 GFA above the matter-of-right project requirement, and approximately 5,422 GFA more than would be required under the subject application.

The Project also exhibits many of the characteristics that are typical of a successful infill project. The Project Site is in a very walkable and bike-friendly neighborhood, is less than one mile from the Tenleytown Metrorail Station, and is in close proximity the N4 and N6 Metrobus routes that operate along Massachusetts Avenue and provide service to nearby Metrorail stations and

downtown Washington. The Project Site is also within close proximity to public and private schools, American University, parks, and several neighborhood-serving amenities that will allow residents to fulfill most daily errands on foot. Finally, the Project has been thoughtfully designed in a manner that respects the surrounding context with input provided by OP, DDOT, the affected ANC, and the community.

b. Creating Successful Neighborhoods

The guiding principles for creating successful neighborhoods include protecting, maintaining, and improving the residential character of neighborhoods through zoning, historic preservation, and other means. These principles also recognize the important role that businesses, retail and service uses, parks, schools and other institutional facilities play in the strength, character, and livability of a neighborhood, and the impact that occurs on housing affordability in highly sought after neighborhoods that possess these amenities, such as the neighborhood surrounding the Project Site.

The Project advances the principles stated above. First, the Project will improve the character of the neighborhood by replacing the vacant grocery store building and expansive surface parking lot with a new mixed-use development containing residential and retail uses that has been designed in a context-sensitive manner, and is compatible with the height, scale, massing, materials, and architectural styles of the surroundings. The Project will also help protect the historic SVSC from future development pressure by allocating unused density from the SVSC to the Valor Lot. Finally, the Project also furthers the guiding

principles related to the need for growing an inclusive city and addressing ongoing challenges to housing affordability through the construction of both market-rate and substantially more affordable housing than is required under the existing IZ regulations.

c. Connecting the City

The Project is consistent with the guiding principles that pertain to connecting the city. As discussed above, the Project is located in a walkable, bike-friendly, and transit accessible location, which residents will be able to take advantage of to get to where they need. In order for residents to take full advantage of this wide range of travel options, the streets, sidewalks, and alleys around the Project Site must be constructed, improved, and maintained to a satisfactory condition. The Project includes several streetscape improvements that improve mobility and circulation around the Project Site and the overall neighborhood, including the elimination of two very large curb cuts and improvements to circulation along the north-south alley between Building 1 and the SVSC. In addition, the Applicant will improve pedestrian circulation through the Project Site by constructing Windom Walk, a new publicly accessible linear park between 48th Street and the SVSC and Massachusetts Avenue.

d. Building Green and Healthy Communities

The Project is fully consistent with the Comprehensive Plan's guiding principles pertaining to building green and healthy communities. Currently, the Valor Lot is improved with a vacant grocery store building and vast surface parking lot, both of which are completely impervious and lack any form of

sustainable storm water management. The Project will replace this environmentally insensitive condition with a substantial number of new landscaped areas, shade trees, and green roof areas that will provide numerous environmental benefits. In addition, the two buildings proposed for the Valor Lot will be designed to a minimum LEED Gold level.

4. Consistency with Citywide Elements

a. Land Use Element

The Land Use Element of the Comprehensive Plan establishes the basic policies guiding the physical form of the city, and provides direction on a range of development, conservation, and land use compatibility issues. The goal of the Land Use Element is to: “[e]nsure the efficient use of land resources to meet long-term neighborhood, citywide, 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.”

The Project is not inconsistent with the those policies of the Land Use Element that are applicable to the proposed development, including:

- **LU-1.4.1: Infill Development** – As promoted by this policy, the Project will encourage infill development, and will be carried out in a manner that complements the established character of the surroundings and provides an

appropriate transition between the lower-scale residential neighborhood to the north and east and the larger-scale AU Building. The lower initial heights, large upper-level setbacks, façade articulation, and high-quality design proposed for Building 1 will result in a design that successfully responds to the immediate surroundings, especially along 48th and Yuma Streets, and will provide an appropriate backdrop to the historic SVSC. The smaller scale and design of Building 2, and the proposal for Windom Walk, will break down the scale and massing of the Project along 48th Street, and add variety along the streetscape.

· LU-2.1.3: Conserving, Enhancing, and Revitalizing Neighborhoods – This policy promotes increasing housing supply and expanding neighborhood commerce in all parts of the city while at the same time protecting neighborhood character, preserving historic resources, and restoring the environment. The Project will advance this policy by redeveloping the underutilized Valor Lot with a new full-service grocery store, additional retail, and expanded housing opportunities, including substantially more affordable housing than any matter-of-right project, and more than the Applicant would be required to provide based on the residential area proposed. In addition, the Project will help protect the historic SVSC from future development pressure, and help restore the environment by replacing the substantially impervious condition that exists on the Valor Lot with a sustainably designed project that will meet GAR requirements and be designed to the LEED Gold level.

- LU-2.3.3: Buffering Requirements – This particular policy strives to ensure that new commercial development adjacent to lower-density residential areas provides effective physical buffers such as, among others, larger setbacks, landscaping, height step downs, and other architectural and site planning measures. In order to be compatible with the surrounding context, while the Project is primarily a residential development the Applicant has successfully incorporated each of the buffering measures stated above into the design of Buildings 1 and 2.

- LU-2.4.1: Promotion of Commercial Centers – This policy promotes the vitality of the District’s commercial centers in order to meet the needs of District residents, and expand employment opportunities for District residents. The Project will reestablish a full-service grocery store use in this location of the city, a use that has a long history on the Project Site and is highly desired by the community, especially considering the recent closure of the Tenleytown Safeway. The open spaces and plazas that have been integrated into the Project design will provide inviting and attractive places for residents and neighbors to enjoy. In addition, the Project has been designed to provide easy vehicular access from Massachusetts Avenue and existing alleys which will minimize impacts to neighborhood streets and the amount of retail shopper activity along Yuma Street.

- LU-2.4.2: Hierarchy of Commercial Centers – This policy promotes maintaining and reinforcement of the District’s hierarchy of neighborhood, multi-neighborhood, regional, and main street commercial centers. The

Project reinforces the GPM “Neighborhood Commercial Center” designation of the Project Site by reestablishing a grocery store use in this area of the neighborhood, a use that has a long history at the Project Site and is highly desired by the community especially since the recent closure of the nearby Tenleytown Safeway grocery store.

- LU-2.4.5: Encouraging Nodal Development – This policy is focused on promoting pedestrian-oriented “nodes” of development at key locations along major corridors, and ensuring that such development is consistent with applicable zoning and design standards, and respects the integrity and character of surrounding residential areas. The Project is identified as a Neighborhood Commercial Center on the GPM, will expand the range of neighborhood-serving retail and service uses at the Spring Valley commercial node located along the Massachusetts Avenue corridor, and will improve pedestrian circulation through and around the Project Site. Furthermore, the height, mass, and scale of the Project, especially along 48th and Yuma Streets, have been carefully designed to relate to the residential neighborhood to the north and east through lower initial building heights, large upper-level setbacks, and reductions in mass using courtyards and terraces.

b. Housing Element

The overarching goal of the Housing Element is to “[d]evelop and maintain a safe, decent, and affordable supply of housing for all current and future residents of the District of Columbia.” The Project will help achieve this goal by advancing the policies discussed below.

- H-1.1.4: Mixed Use Development – This policy promotes mixed-use development, including housing, on commercially zoned land, and particularly in neighborhood commercial centers and other areas. As discussed above, the Project Site is within an area identified on the GPM as a “Neighborhood Commercial Center,” and the Project includes mixed-use development consisting of a new grocery store, additional retail space, and residential uses.

- H-1.2.3: Mixed Income Housing – The focus of this policy is to facilitate the distribution of mixed income housing more equitably across the entire city. Opportunities to provide affordable housing in the Upper Northwest quadrant of the District are few, and the inventory of affordable dwellings units is severely lacking. The Project presents an ideal opportunity to increase the inventory of affordable housing in a highly-desired neighborhood that is safe; walkable; and close to neighborhood-serving amenities, parks, medical facilities, and high-quality public and private schools.

- H-1.3.1: Housing for Families – This policy encourages production of a greater number of larger-sized dwelling units that can accommodate families. The majority of the dwelling units within the Project will consist of two-, two-bedroom plus den, and three-bedroom dwelling units, many of which will be affordable, that can accommodate families wanting to get established in the highly sought after Upper Northwest quadrant of Washington, DC.

- H-4.2.3: Neighborhood-Based Senior Housing – The Housing Element of the Comprehensive Plan recognizes the need for providing a wide variety of housing choices for seniors, including in those neighborhoods characterized by large numbers of seniors living along in single family homes. The Project supports this neighborhood-based approach to senior housing by providing new housing opportunities to seniors, and even non-senior empty-nesters, that will reduce home maintenance costs and obligations for populations that may either be burdened by the continued escalation of property values, and/or wish to downsize while remaining close to amenities in the neighborhood they have lived in for many years.

c. Environmental Protection Element

The Environmental Protection Element addresses the protection, restoration, and management of the District’s land, air, water, energy, and biological resources. The element provides policies and actions on important issues such as restoring the city’s tree canopy, energy conservation, and air quality. As discussed above, the Project will substantially improve the environmental quality of the Project Site by redeveloping the Valor Lot, which is almost entirely impervious and lacks any kind of sustainable stormwater management, with a sustainably designed mixed-use development. In particular, the Project advances the following policy of the Environmental Elements:

- E-3.2.1: Support for Green Building – As shown on the preliminary LEED scorecard included in Exhibit B, Sheet G10, Buildings 1 and 2 have been

designed to achieve a minimum LEED BD+C Multifamily Midrise Gold level.

d. Economic Development Element

The Economic Development Element addresses the future of the District's economy and the creation of economic opportunity for current and future residents. As it pertains to the subject application, the overarching goal of the element is to strengthen the District's economy through, among other things, revitalizing neighborhood commercial centers. As demonstrated through the discussion below, the Project is not inconsistent with the objectives and policies of the Economic Element.

- ED-2.2.3: Neighborhood Shopping – This policy promotes the creation of additional shopping opportunities in Washington's neighborhood commercial districts to better meet the demand for basic goods and services. The Project will advance this policy through the construction of a new full-service grocery store that has been very effectively integrated into the proposed development. A grocery store use has long existed in this location until the most recent operation closed in late-2013, and continues to be a highly desired use by the community especially since the recent closure of the nearby Tenleytown Safeway grocery store.
- ED-2.2.6: Grocery Stores and Supermarkets – This policy promotes the development of new grocery stores and supermarkets, particularly in neighborhoods where residents currently travel long distances for food and

other shopping services. As part of the Project, the Applicant will construct a new full-service grocery store, a use that existed on the Valor Lot for many years and continues to be highly desired by the community.

- ED-3.1.1: Neighborhood Commercial Vitality – This particular policy promotes the vitality and diversity of neighborhood commercial areas by retaining existing businesses, attracting new businesses, and improving the mix of goods and services available to residents. The Project will advance this policy by providing a new grocery store that will increase the mix of goods and services available to residents, and complement the existing businesses in operation at the SVSC and across Massachusetts Avenue.

e. Urban Design Element

The goal of the Comprehensive Plan’s Urban Design Element is to “[e]nhance 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.” The Project will greatly assist in achieving this Comprehensive Plan goal. The Urban Design Element specifically promotes thoughtful infill development that avoids overpowering contrasts in scale, height, and density. In addition, the Element stipulates that commercial and mixed-use development should be harmonious with its surroundings, but not necessarily duplicate adjacent buildings. Rather, it states that new construction should “respect the basic block characteristics like

building alignment, access, proportion of openings, exterior architectural details, and heights.”

In designing the Project, the Applicant has taken great care to ensure compatibility with the surrounding residential neighborhood. The height, mass, and architectural design of the proposed buildings have all been informed by the context that exists around the Project Site. As a result, the Project will provide an appropriate transition between the residential area to the north and east, and the AU Building and commercial uses to the south and west. In addition, the Project will contribute positively to the established architectural character of the surrounding neighborhood. The specific Urban Design Element policies that informed development of the Project design include the following:

- UD-2.2.1: Neighborhood Character and Identity – This policy promotes strengthening the defining visual qualities of Washington’s neighborhoods “in part by relating the scale of infill development...to existing neighborhood context.” The Project successfully advances this policy by replacing an unsightly and underutilized vacant grocery store and expansive surface parking lot with a new mixed-use development that has been designed to relate to the surrounding context through the use of variations in building height, massing, setbacks, and architectural design.

- UD-2.2.4: Transitions in Building Intensity – In designing Buildings 1 and 2, the Applicant gave substantial consideration to this particular policy given the context surrounding the Project Site to the north and east. As a result, the Project design establishes an appropriate transition between the existing smaller-scale residences and the proposed buildings. The massing and scale of the proposed buildings have been markedly reduced through the use of lower-level pavilions separated by landscaped courtyards, and considerable upper-level setbacks. Along Yuma Street, further reductions in mass and scale have been achieved through building setbacks, variations in architectural style, and removal of a portion of the penthouse.
- UD-2.2.5: Creating Attractive Facades – This policy promotes visual interest through well-designed building facades that do not contain monolithic building forms and long blank walls that detract from the streetscape. As shown in the Plans, the architectural design of the proposed buildings is anything but monolithic and blank. Rather, the careful sculpting of the building massing, and the detailed façade design that takes cues from the surrounding context, will add a great degree of visual interest to the neighborhood and to the quality of the streetscape.
- UD-2.2.7: Infill Development – This policy seeks to avoid overpowering contrasts in scale, height, and density as infill development occurs. Through reductions in height and penthouse footprint, providing substantial upper-level setbacks, proposing multiple buildings, and providing substantial landscaping, the Project will not result in overpowering contrasts in scale in relation to the

surrounding context. Rather, the Project will establish an appropriate transition between the lower-scale residential development to the north and east, and the commercial center and larger-scale AU Building to the south and west.

- UD-2.2.8: Large Site Development – This policy promotes the integration of larger development sites with adjacent sites by breaking development on such sites into multiple buildings and more varied forms. The Project is effective at integrating the redevelopment of the Valor Lot into the surrounding context by proposing multiple buildings that are designed in a context-sensitive manner using separate but complementary architectural styles, and by improving circulation through the Project Site by proposing Window Walk and pedestrian improvements along the north-south alley.

f. Historic Preservation Element

The goal of the Comprehensive Plan’s Historic Preservation Element is to “[p]reserve and enhance the unique cultural heritage, beauty, and identity of the District of Columbia by respecting the historic physical form of the city and the enduring value of its historic structures and places, recognizing their importance to citizens of the District and the nation, and sharing mutual responsibilities for their protection and stewardship.” As one tool to achieve the preservation of historic properties, the Comprehensive Plan contains policies that promote the development and maintenance of “preservation incentives.” The Project is consistent with these policies, and specifically the following:

- HP-3.1.2: Incentives for Special Property Types – This policy promotes the development of specialized incentives to support preservation of historic properties that have exceptional communal value through a variety of tools that can reduce development pressure on these resources and/or help with unusually high cost of maintenance. To advance this policy, the Comprehensive Plan includes an action strategy that promotes revisions to transfer of development rights (“TDR”) programs to enhance their utility for preservation. The ZR16 voluntary design review process is another example of a specialized incentive that can be used by property owners to help protect historic resources through the flexibility afforded in building bulk control, and by allowing the area included in a design review application to include properties that are separated by a public street, alley, or right-of-way. The Project is consistent with this policy as it will allow the Applicant to shift the unused density from the SVSC (Lots 802 and 803) to the Valor Lot (Lot 807) which will protect the historic SVSC from future development pressure.

5. Consistency with Rock Creek West Area Element

The Rock Creek West Area Element encompasses 13 square miles in the northwest quadrant of the Washington, DC, and is generally bounded by Rock Creek on the east, Maryland on the north and west, and the Potomac River and Whitehaven Parkway on the south. The Rock Creek West area contains some of the District’s most highly sought after neighborhoods, public schools, and most important natural and cultural resources. It also contains some of the most vibrant retail areas. The Project is

consistent with, and will help implement, the policies and goals of the Rock Creek West Area Element that pertain to infill development and promotion of neighborhood-serving retail, including those specifically discussed below.

Policy RCW-1.1.3, Conserving Neighborhood Commercial Centers, supports local-serving retail uses and protection of neighborhood commercial centers from large office buildings and other non-neighborhood serving uses. The policy also promotes compatible new uses such as multi-family housing “to meet affordable housing needs, sustain neighborhood-serving retail and small businesses, and bring families back to the District.” The Project will advance this policy by providing a new mixed-use development consisting of a new full-service grocery store that will address the community’s desire to have this type of use in close proximity, and will complement the existing retail and service uses in the neighborhood. In addition, the Project will provide approximately 230 new residential dwelling units, a majority of which will include larger-sized units, that will help families move into the neighborhood, allow long-term residents to remain in the neighborhood, and help address the growing demand for affordable housing in an area of the city that has very few affordable dwelling units.

In addition, the Project is not inconsistent with Policy RCW-1.1.4, Infill Development, which recognizes the opportunity for infill development within the areas designated for commercial land use on the FLUM. For these types of sites, the policy encourages coordination with the ANCs, residents, and community organizations to develop projects that combine housing and commercial uses rather than only containing a single use. In addition, the policy promotes heights and densities that are informed by, and relate to, the scale and character of the surroundings. The proposed development

program is exactly the type of mixed-use development that is promoted by this particular policy. In addition, as clearly demonstrated in Exhibit G, the Applicant has undertaken extensive consultation with the affected ANC, residents, community organizations, and the Office of Planning and District Department of Transportation while developing the proposed Project. As a result of the Applicant's efforts, the scale and character of the Project relates to, and is compatible with, the surrounding context.