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MEMORANDUM

TO: District of Columbia Zoning Commission

FROM: Jennifer Steingasser *JS*
Deputy Director for Development Review and Historic Preservation

DATE: October 12, 2007

SUBJECT: **Z.C. Case No. 06-48 - Text and Map Amendment – Final Report for Georgia Avenue Commercial Overlay District (Georgia Avenue – Petworth Metro Station Area and Corridor Plan)**

The Zoning Commission set down the subject application at their meeting of December 11, 2006 as a rulemaking case.

SUMMARY

Office of Planning recommends that the Zoning Commission approve a new commercial overlay district and a map amendment to establish its boundaries. This Overlay District would implement objectives of the Georgia Avenue – Petworth Metro Station Area and Corridor Plan, approved by the City Council on July 7, 2006 as Resolution No. 16-686. In that resolution the Council found that: “[t]he Georgia Avenue Corridor, a prime location for revitalization, needed strategy to attract investment, create jobs, enhance the corridor’s image and celebrate community pride.”

The Corridor Plan, under Market Economics on page 23, recommends applying “an Overlay Zone to stabilize and encourage redevelopment...” This proposed overlay district responds to that recommendation.

In addition to implementing the objectives of the Corridor Plan, the proposed commercial overlay district also seeks to:

- Implement the goals of the Great Streets Framework Plan for 7th Street – Georgia Avenue, published by the District Department of Transportation in 2006;
- Encourage additional residential uses along the Georgia Avenue corridor;
- Encourage improved commercial uses;
- Provide common design standards;

ZONING COMMISSION
District of Columbia

CASE NO. 06-48
EXHIBIT NO. 15

- Set guidelines for development review through Planned Unit Development (PUD) and special exception proceedings; and
- Establish vertical mixed use within a quarter mile of the Georgia Avenue – Petworth Metrorail Station along Georgia Avenue.

PUBLIC INVOLVEMENT

The Office of Planning views the affected Georgia Avenue community as a partner in the development of the Georgia Avenue Commercial Overlay District. A meeting with the community was held on the evening of November 15, 2006 at Park View Elementary School to present a draft of the proposed overlay district, and to receive feedback from the community regarding the proposal. Follow-up meetings with ANC 1A were held on March 19, 2007 and October 3, 2007.

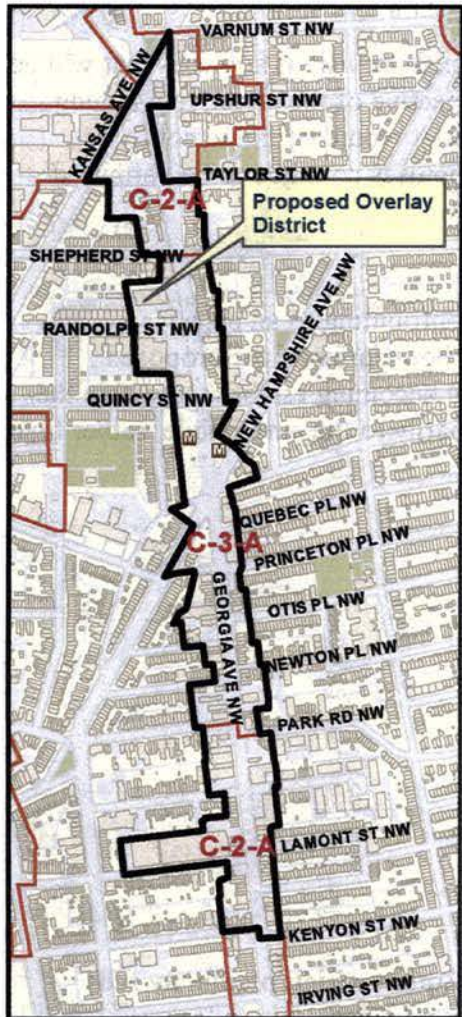
DISCUSSION

Location

The overlay district is proposed to consist of all C-2-A and C-3-A zoned properties that are located along the Georgia Avenue corridor, from Kenyon Street on the south to Varnum Street on the north, as depicted on the map to the below. Commercially zoned properties located within the following squares are included in the overlay:

2892, 2893, 2894, 2895, 2897, 2898, 2900, 2905, 2906, 2909, 2910, 2915, 3024w, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3038, 3039, 3040, 3041 and 3042.

At the center of the overlay is the Georgia Avenue – Petworth Metrorail Station on the Green Line. The existing C-3-A District extends out from this station to the north and to the south approximately one quarter of a mile, or from Park Road on the south to Shepherd Street on the north. The remainder of the overlay is currently zoned C-2-A and is divided into two parts, one from Kenyon Street to Park Road on the south and the other from Shepherd Street to Varnum Street on the north. The boundaries of the overlay extend out to the east and west only as far as the existing commercial districts. The underlying districts will not change and no residential districts are included.



The Corridor Plan describes the overlay as an area that contains a high proportion of commercial vacancies. The reasons for these vacancies are varied, and include outdated commercial spaces and an insufficient population base to support them. Therefore, one of the goals is the redevelopment of vacant and underused properties to encourage the consolidation of small lots into larger properties.

As previously stated, this overlay is intended to:

- Encourage more housing along the corridor;
- Encourage improved commercial use;
- Restrict undesirable uses;
- Provide design standards for new buildings;
- Set guidelines for Planned Unit Developments (PUDs) and special exception proceedings;
- Encourage mixed-use development within the C-3-A zoned portion of the Overlay; and
- Encourage a pedestrian friendly environment.

The proposed overlay would foster new development built to zoning maximums near the Metrorail station and create opportunities for public review of large projects.

Existing Uses and Buildings

The proposed provisions pertain only to new uses and buildings established after the adoption of the overlay. All pre-existing uses and buildings would be permitted to remain and continue to be used and would not be phased out. Although some existing business and uses would become nonconforming as a result of this petition, they would be grandfathered subject to the provisions of Chapter 20 of the Zoning Regulations, Nonconforming Uses and Structures. Although nonconforming uses may not expand, they may remain unless discontinued “for a period of more than three (3) years.” (§ 2005.1)

New Buildings and Uses

All new buildings and uses would be subject to the provisions of the overlay district if the subject petition is adopted by the Commission. These provisions come in the form of either use provisions or design requirements.

Use Provisions

The use provisions contain a list of prohibited uses, and additional provisions and uses that will be permitted by special exception within the overlay district, irrespective of the underlying zoning. Any uses that are not permitted within the underlying zone district would continue not to be permitted, as would any uses that are currently special exception uses continue to be permitted only by special exception.

Prohibited Uses

The overlay proposes to prohibit uses that are not viewed as contributing to an enhanced pedestrian environment. Although all are not found within the boundaries of the proposed overlay, their inclusion in the list is meant to prevent them from becoming established within the corridor. Generally, the uses included are those that cater primarily to the automobile, rather than the pedestrian.

The following uses are proposed to be prohibited:

1. Automobile and truck sales;
2. Automobile laundry;
3. Boat or marine sales;
4. Any use that includes a Drive-through;
5. Gasoline service station
6. **Liquor store or other similar establishment which primarily sells alcoholic drinks for off-premises consumption;**

This use was added to the list of prohibited uses, rather than specifically called out as being permitted to remain if in existence prior to December 11, 2006 with a valid Certificate of Occupancy at the suggestion of the Commission and for consistency. This is because any prohibited use in existence prior to the adoption of the overlay with a valid Certificate of Occupancy is permitted to remain. The term "liquor store or other similar establishment which primarily sells alcoholic drinks for off-premises consumption" was also substituted for "off-premises alcoholic beverage sales" in order to make it easier to understand and facilitate compliance.

7. Pawn shop;
8. Repair garage;
9. Storage facilities; and

10. Surface parking lot.

Special Exception Uses

The proposed overlay includes three additional special exceptions:

1. **Fast Food Restaurants in C-3-A/GA.** Fast food restaurants are currently permitted by special exception within the C-2-A, subject to a list of criteria. They are currently permitted as a matter of right within the C-3-A District, subject to similar but less restrictive criteria than that required by the C-2-A District. One major difference is that a fast food restaurant is permitted to have a drive-through in the C-3-A District, but not within the C-2-A. As one of the goals of the overlay is to enhance the pedestrian environment, the addition of a drive-through is not desired anywhere within the overlay, including the portion zoned C-3-A. Fast food restaurants also have the potential to have a greater impact on the surrounding neighborhood than other permitted uses. By permitting these uses only by special exception within the overlay these impacts can be controlled.

The first three criteria listed below (a, b, and c) are required of fast food restaurants within the C-2-A District, but not the C-3-A District. It is these three criteria that Office of Planning proposes to permit by special exception only within the overlay and to make the criteria for a fast food restaurant consistent throughout the entire overlay district. Therefore, it is recommended that all fast food restaurants within the GA Overlay be permitted by special exception only, and subject to the provisions of § 733, the specific criteria for the C-2-A District, as follows:

- a. No part of the lot on which the use is located shall be within twenty-five feet (25 ft.) of a Residence District unless separated therefrom by a street or alley.
- b. If any lot line of the lot abuts an alley containing a zone boundary line for a Residence District, a continuous brick wall at least six feet (6 ft.) high and twelve inches (12 in.) thick shall be constructed and maintained on the lot along the length of that lot line. The brick wall shall not be required in the case of a building that extends for the full width of its lot.
- c. The use shall not include a drive-through.
- d. Any refuse dumpsters shall be housed in a three (3) sided brick enclosure equal in height to the dumpster or six feet (6 ft.) high, whichever is greater. The entrance to the enclosure shall include an opaque gate. The dumpster enclosure entrance shall not face a Residence District.
- e. There shall be no customer entrance in the side or rear of a building that faces a Residence District.

- f. The use shall be designed and operated so as not to become objectionable to neighboring properties because of noise, sounds, odors, lights, hours of operation, or other conditions.
 - g. The use shall provide sufficient off-street parking, but not less than that required by § 2101.1, to accommodate the needs of patrons and employees.
 - h. The use shall be located and designed so as to create no dangerous or other objectionable traffic conditions.
 - i. There shall be adequate facilities to allow deliveries to be made and trash to be collected without obstructing public rights-of-way or unreasonably obstructing parking spaces, aisles, or driveways on the site.
 - j. The Board may impose conditions pertaining to design, screening, lighting, soundproofing, off-street parking spaces, method and hours of trash collection, or any other matter necessary to protect adjacent or nearby property.
2. Development of property consisting of 12,000 square feet or more. The second special exception proposed for the overlay district would be applicable to the development of any property consisting of 12,000 square feet or more. Lots consisting of 12,000 square feet constitute the larger properties within the corridor. As the larger properties, these are the most likely to result in larger buildings, and would have the greatest impact on how the corridor is perceived, viewed and used. Larger lots, especially within parts of the overlay developed with shallow lots directly abutting residential uses to the rear have a greater potential to adversely affect those residential uses. Special exception review can help to ameliorate any adverse impacts. Therefore, these larger lots, which could also result from the consolidation of smaller lots resulting in an area of 12,000 square feet or more, should have the additional review from the Office of Planning and the public that is provided through the special exception process.

The Office of Planning selected 12,000 square feet as the benchmark for requiring special exceptions within this overlay district because of the numerous small lots that the corridor contains and because of comments received from the community at the meeting held on December 15, 2006. Two other overlays require special exceptions based on lot size. H Street NE Neighborhood Commercial Overlay requires a special exception for lots of 6,000 square feet or more and Macomb-Wisconsin Neighborhood Commercial Overlay requires one for lots of 10,000 square feet or more. The 6,000 square foot number was deemed to be too small for the Georgia Avenue corridor due to the numerous small lots that exist, and would end up requiring a special exception for more than just the larger building sites. The community expressed concern that 10,000 square feet may also be too small at the December 15th meeting. As a result the Office of Planning is recommending 12,000 square feet. The net effect of this area requirement is to reduce the number of existing properties

that would have required a special exception under this provision from approximately 10 percent of the existing lots to approximately 8 percent. This is still a sizeable proportion of the existing lots to accomplish the goal of design review for the larger properties.

The specific special exception criteria for properties 12,000 square feet in area or more is similar to what was approved in the H Street NE Neighborhood Commercial Overlay District, and is proposed as follows:

- 1330.1(a) The architectural design of the project shall enhance the urban design features of the immediate vicinity in which it is located;
 - 1330.1(b) Vehicular access and egress shall be located and designed so as to encourage safe and efficient pedestrian movement, minimize conflict with principal pedestrian ways, function efficiently, and create no dangerous or otherwise objectionable traffic conditions;
 - 1330.1(c) Parking and traffic conditions associated with the operation of a proposed use shall not adversely affect adjacent or nearby residences; and
 - 1330.1(d) Noise associated with the operation of a proposed use shall not adversely affect adjacent or nearby residences.
3. Building expansions of 50 percent or more on lots of 12,000 square feet or more. For the same reasons as described above, the expansion of any existing building by 50 percent more on a lot of 12,000 square feet or more would be required to obtain a special exception from the Board of Zoning Adjustment. Such building expansions would be subject to the same criteria as the development of a new building on a lot of 12,000 square feet more, as stated under No. 2 above.

Exempted Uses

The overlay does not apply to either public or public charter schools. One public charter school is under construction within the boundaries of the proposed overlay.

Planned Unit Developments (PUD)

Within the C-2-A and the C-3-A districts an applicant may apply for a PUD if the property under consideration consists of a minimum of 15,000 square feet (§ 2401.1(c)). The Zoning Commission is empowered to reduce this amount by up to 50 percent subject to specific criteria contained within § 2401.2, or to a minimum 7,500 square feet. Due to the many smaller lots within the proposed overlay district and the many advantages that can be afforded the District and the community through the PUD process, including public review of development proposals, the Office of Planning recommends that the minimum lot size be reduced to 10,000 square feet. This would still encourage some lot consolidation, which increases the design options available to the builder, but not be overly burdensome in a densely developed area of relatively small lot sizes. It is also recommended that any additional floor area acquired through the PUD process be

dedicated to residential use. This is to further increase the residential presence within the corridor, necessary for the expansion and survival of the commercial establishments.

Design Requirements

The design requirements recommended for the overlay are intended to improve the pedestrian experience on the street. Generally, they are designed to provide more openness between the pedestrians and the buildings. Minimization of solid walls, vehicular access across sidewalks, and direct access into individual businesses are all included.

The following is a list of the proposed design requirements:

- 1328.1 The design requirements of §§ 1328.2 through 1328.14 shall apply to any lot in the GA Overlay District for which a building permit was applied after December 11, 2006
- 1328.2 Buildings shall be designed and built so that not less than seventy-five percent (75%) of the street wall at the street level shall be constructed to the property line abutting the street right-of-way. Buildings on corner lots shall be constructed to all property lines abutting public streets.
- 1328.3 In the C-2-A Zone District seventy percent (70%) lot occupancy shall be permitted for mixed use buildings that include residential use.
- 1328.4 On-grade parking structures with frontage on Georgia Avenue, N.W. shall provide not less than sixty-five percent (65%) of the ground level frontage as commercial space.
- 1328.5 Off-street parking, loading and vehicular access shall be provided through existing alleys whenever possible.
- 1328.6 Each new building on a lot that fronts on Georgia Avenue, N.W. shall devote not less than fifty percent (50%) percent of the surface area of the street wall at the ground level to entrances to commercial uses or to the building, and to display windows having clear or clear/low emissivity glass, but not including decorative or architectural accents in that fifty percent (50%).
- 1328.7 Security grilles shall have no less than seventy percent (70%) transparency.
- 1328.8 Each commercial use with frontage on Georgia Avenue, N.W. shall have an individual public entrance directly accessible from the public sidewalk.
- 1328.9 Buildings shall be designed so as not to preclude an entrance every forty feet (40 ft.) on average for the linear frontage of the building, excluding vehicular entrances, but including entrances to ground floor uses and the main lobby.

- 1328.10 The ground floor level of each building or building addition shall have a uniform minimum clear floor-to-ceiling height of fourteen feet (14 ft.).
- 1328.11 Buildings subject to 1328.10 above shall be permitted an additional five feet (5 ft.) of building height over that permitted in the underlying zone.
- 1328.12 Off-street surface parking shall be permitted in rear yards only. No surface parking shall be permitted in side yards or in front of buildings.

COMPREHENSIVE PLAN (2006)

The Comprehensive Plan has many policies and actions that are furthered by the proposed text and map amendments. Applicable elements include Economic Development, Transportation, Urban Design, Land Use, Mid-City Area and Rock Creek East.

Land Use Element

“Promote the vitality of the District’s commercial centers and provide for the continued growth of commercial land uses to meet the needs of District residents, expand employment opportunities for District residents, and sustain the city’s role as the center of the metropolitan area. Commercial centers should be inviting and attractive places, and should support social interaction and ease of access for nearby residents.” (§ 312.5)

“Discourage auto-oriented commercial “strip” development and instead encourage pedestrian-oriented “nodes” of commercial development at key locations along major corridors. Zoning and design standards should ensure that the height, mass, and scale of development within nodes respects the integrity and character of surrounding residential areas and does not unreasonably impact them.” (§ 312.9)

Transportation Element

“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)

Economic Development Element

“Create additional shopping opportunities in Washington’s neighborhood commercial districts to better meet the demand for basic goods and services. Reuse of vacant buildings in these districts should be encouraged, along with appropriately-scaled retail

infill development on vacant and underutilized sites. Promote the creation of locally-owned, non-chain establishments because of their role in creating unique shopping experiences.” (§ 708.7)

“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)

Urban Design Element

“Develop illustrated design guidelines for selected residential areas and commercial districts addressing such architectural aspects as façade design, building texture and materials, lighting, detail, signage, and building to street relationship. Design guidelines should allow for flexibility and creativity and in most cases should be performance-oriented rather than based on rigid standards.” (§ 916.6)

Mid-City Area Element

“Mid-City neighborhoods still struggle with urban problems such as violent crime, homelessness, drug abuse, vagrancy, and blight. Despite the real estate boom, buildings continue to lie vacant along commercial corridors such as lower Georgia Avenue,” (§ 2000.8)

“The commercial areas of Mid-City tend to be laid out along neighborhood shopping streets and are frequently intermixed with housing. Major commercial areas include... 7th Street/ Georgia Avenue, ... There is little space for parking or loading in these business districts, and residential neighborhoods often lie immediately adjacent... While the area is generally well served by commercial uses, neighborhoods on the east side lack the variety of services available on the west side.” (§ 2002.4)

“Based on approved development projects, local planning policies, and regional growth trends, Mid-City is projected to add 6,400 households during the next 20 years. Population is expected to increase by 16 percent, reaching about 96,500 in 2025. Much of the growth in the Mid-City area is expected to consist of moderate to medium-density housing, particularly along ... and Georgia Avenue, ...” (§ 2006.1)

“New condos, apartments and commercial development should be directed to the areas that are best able to handle increased density, namely areas immediately adjacent to Metrorail stations or along high volume transit corridors. These areas are generally located... along 7th Street and Georgia Avenue... Mixed use development, with multi-story housing above retail shops and services, is desirable in these locations and would reinforce the Mid-City’s character as a vital, pedestrian-oriented neighborhood.” (§ 2007.2(c))

“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)

“Encourage redevelopment of vacant lots and the rehabilitation of abandoned structures within the community, particularly along Georgia Avenue, ... Infill development should be compatible in scale and character with adjacent uses.” (§ 2008.4)

“Identify the potential for regulatory controls to address the problem of excessive concentrations of liquor licensed establishments within the neighborhood commercial districts, ...” (§ 2008.12)

“The Comprehensive Plan has identified seven areas in Mid-City as “policy focus areas,” indicating that they require a level of direction and guidance above that provided by the prior sections of this Area Element and in the citywide elements (see Map 20.1 and Table 20.2). These areas are... Georgia Avenue Corridor.” (§ 2010.1)

“Georgia Avenue is one of the city’s most significant and historic avenues. As a traffic artery, it carries thousands of commuters in and out of the city daily. As a commercial corridor, it provides goods and services to residents in neighborhoods like ... Pleasant Plains, and Park View. Yet today, the avenue is in need of revival. Despite its distinctive building stock and the strong housing market around it, the avenue still has pockets of crime, deteriorating commercial and residential properties, a steady increase of automobile-oriented businesses, and declining infrastructure and public space.” (§ 2011.1)

“Several planning initiatives have been launched for the Georgia Avenue corridor during the past five years. In 2005, the Office of Planning completed a Revitalization Strategy for the portion of the corridor extending from Euclid Street on the south to Decatur Street on the north. ...The entire corridor is also one of the city’s designated “Great Streets.” (§ 2011.2)

“Although these initiatives cover different sections of the corridor, they share common goals. These include revitalization through strategic growth and development, preservation of historic assets and unique architecture, improvement of the streetscape and public space, creation of new housing and job opportunities, and upgrading of public transit. Such initiatives are bolstered through efforts by local faith-based institutions to provide family support and job training services in the community.” (§ 2011.3)

“Plans for Georgia Avenue seek to attract quality neighborhood-serving retail businesses and services, reduce vacancies, and explore shared parking strategies to meet parking demand. A number of specific actions have been recommended, including creation of an overlay zone to encourage redevelopment, market incentives such as tax increment

financing, façade improvement programs, and targeted improvements on blocks with high vacancies. New parking lots or structures are suggested on specific sites along the corridor, and pedestrian safety measures such as more visible crosswalks and improved lighting have been proposed. The Georgia Avenue Revitalization Strategy includes an "Action Plan," to initiate and monitor these measures." (§ 2011.4)

"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)

"Develop distinct identities for different segments of the Georgia Avenue Corridor. Within the Mid-City area, these should include a Park View/Park Morton section (Otis to Irving), a Pleasant Plains section (Irving to Euclid), ..." (§ 2011.6)

"Upgrade the visual quality of the Georgia Avenue corridor through urban design and public space improvements, including tree planting, new parks and plazas, upgrading of triangle parks, and façade improvements that establish a stronger identity and improved image." (§ 2011.7)

"Implement the recommendations of the 2004 Revitalization Strategy for the Georgia Avenue and Petworth Metro Station Area and Corridor Plan." (§ 2011.9)

"Implement the Great Streets initiative recommendations for Georgia Avenue, including transit improvements, façade improvements, upgraded infrastructure, blight abatement, and incentives for housing and business development along the avenue." (§ 2011.11)

Rock Creek East Element

"The Georgia Avenue corridor remains a source of great interest, concern, and hope. In March 2005, the entire 5.6 mile corridor was designated as one of six "Great Streets" in the city to be targeted for reinvestment. Participants in Comp Plan meetings pointed to various successes and failures along the Avenue, noting some positive signs but focusing on the large amount of work yet to be done. One issue raised was the limited demand for the Avenue's small, narrow storefront spaces (with no off-street parking), and the need to concentrate retail at key "nodes" rather than in a continuous strip. Additional programs and investments are needed to assist businesses, attract the desired mix of retail, resolve traffic problems, address problem land uses, and provide appropriately designed infill housing for seniors and others. Transit plans for the corridor were the subject of much discussion during the Comprehensive Plan process, with concerns expressed about impacts on parking and congestion. The link between plans for Upper Georgia Avenue and plans for Walter Reed Hospital also was raised. Regardless of what happens on the Hospital site, change should be leveraged to achieve positive results for Georgia Avenue and the neighborhoods around it." (§ 2207.1(j))

“Concentrate economic development activity and employment growth in Rock Creek East around the Georgia Avenue/Petworth Metrorail and Takoma station areas, along the Georgia Avenue corridor, along Kennedy Street, and on 14th Street NW between Allison and Decatur Streets. Provide improved pedestrian, transit, and bicycle access to these areas, and improve their visual and urban design qualities in order to create a unique destination for the local community to enjoy.” (§ 2208.4)

“Maintain and encourage the development of multi-use neighborhood shopping and services in those areas designated for commercial or mixed uses on the Future Land Use Map.” (§ 2208.5)

“The Rock Creek East portion of the Study Area includes flats, apartments, the Petworth Library, several schools and recreation areas, and many small shops such as beauty salons, carry outs, and liquor stores. The corridor also includes vacant buildings and underutilized sites with the potential for redevelopment.” (§ 2212.2)

“A “Corridor Plan and Revitalization Strategy” was developed for Georgia Avenue - Petworth in 2005. It provides a framework to guide future development and to enhance the quality of life in neighborhoods along the corridor. The Strategy recognizes the opportunity to reenergize Georgia Avenue as a thriving and attractive street, building on historic assets like the area’s building stock and relatively new assets like the Metrorail station. It includes strategies to strengthen existing businesses, restore abandoned storefronts, attract new mixed income development, address parking issues, and draw new businesses through financial and regulatory incentives. Several blocks along the Avenue are identified as new housing sites.” (§ 2212.3)

“Encourage development in the Georgia Avenue/ Petworth area to respect the area’s pedestrian-oriented, moderate density character. A variety of project scales should be encouraged, ranging from small adaptive reuse and rehabilitation projects to mixed use projects combining housing and commercial uses. Mixed income housing with a variety of housing types is particularly encouraged. Any development of larger-scale buildings shall require architecturally sensitive scale transitions to adjacent, less dense development.” (§ 2212.5)

“Discourage uses deemed undesirable along Georgia Avenue, such as liquor stores, used car lots, and automobile repair shops. Provide flexibility for businesses with desirable uses that would like to expand their services and facilities. Such measures will help strengthen the economic vitality of the corridor, retain businesses, and serve the shopping needs of the surrounding neighborhoods.” (§ 2212.7)

“Consider an overlay zone for Georgia Avenue in Petworth that would restrict new uses deemed undesirable along the corridor, such as used automobile lots and automobile

repair shops, and that would provide existing businesses with an allowance for additional floor area ratio to help them expand.” (§ 2212.11)

COMMUNITY COMMENTS

ANC 1A, at their regularly scheduled meeting of October 10, 2007, voted to support the petition as proposed by the Office of Planning.

The **Pleasant Plains Civic Association**, in a letter dated October 12, 2007, “*supports the DC Office of Planning’s proposed text and map amendments for a Georgia Avenue Commercial Overlay District.*”

RECOMMENDATION

The Office of Planning recommends that the Zoning Commission approve this text amendment and map amendment. The Office of Planning believes the proposal furthers the purposes of the Georgia Avenue – Petworth Metro Station Corridor and Plan by encouraging and increasing residential and mixed use development.

For further clarification OP proposes some technical changes to the advertised text. These changes are underlined in the attachment. The primary purpose is to make clear that the special exception uses of the underlying zones are still permitted with the GA Commercial Overlay District, unless otherwise noted.

Attachment:

Revised Proposed Text

JS/sjm^{AICP}

Title 11 DCMR (Zoning) is proposed to be amended as follows:

Add new §§ 1327 through 1331 to Chapter 13, "Neighborhood Commercial Overlay District."

1327 GEORGIA AVENUE COMMERCIAL OVERLAY DISTRICT

1327.1 The Georgia Avenue Commercial (GA) Overlay District applies to all properties zoned C-2-A and/or C-3-A along both sides of Georgia Avenue, N.W., from the north side of the intersection of Georgia Avenue and Kenyon Street to the south side of the intersection of Georgia Avenue and Varnum Street. It therefore applies to those lots zoned either C-2-A or C-3-A in Squares 2892, 2893, 2894, 2895, 2897, 2898, 2900, 2905, 2906, 2909, 2910, 2915, 3024w, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3038, 3039, 3040, 3041, and 3042.

1327.2 In addition to the purposes in § 1300, the purposes of the GA Overlay District are to:

- (a) Implement the objectives of the Georgia Avenue – Petworth Metro Station Area and Corridor Plan, approved by the Council of the District of Columbia on July 7, 2006 (PR16-0758);
- (b) Implement the goals of the Great Streets Framework Plan for 7th Street – Georgia Avenue, published by the District Department of Transportation and dated 2006;
- (c) Encourage additional residential uses along the Georgia Avenue corridor;
- (d) Encourage improved commercial uses;
- (e) Provide uniform building design standards;
- (f) Set guidelines for development review through PUD and special exception proceedings; and
- (g) Encourage vertically-mixed uses (ground floor commercial and residential above) within a quarter mile of the Georgia Avenue – Petworth Metrorail Station along Georgia Avenue, from Park Road to Shepherd Street.

1328 DESIGN REQUIREMENTS (GA)

1328.1 The design requirements of §§ 1328.2 through 1328.14 shall apply to any lot in the GA Overlay District for which a building permit was applied after December 11, 2006.

1328.2 Buildings shall be designed and built so that not less than seventy-five percent (75%) of the street wall at the street level shall be constructed to the property line

abutting the street right-of-way. Buildings on corner lots shall be constructed to all property lines abutting public streets.

- 1328.3 In the C-2-A Zone District, seventy percent (70%) lot occupancy shall be permitted for mixed use buildings that include residential use.
- 1328.4 On-grade parking structures with frontage on Georgia Avenue, N.W. shall provide not less than sixty-five percent (65%) of the ground level frontage as commercial space.
- 1328.5 Off-street parking, loading, and vehicular access shall be provided from existing alleys whenever possible.
- 1328.6 Each building on a lot that fronts on Georgia Avenue, N.W. shall devote not less than fifty percent (50%) of the surface area of the street wall at the ground level to entrances to commercial uses or to the building, and to display windows having clear or clear/low emissivity glass, but not including decorative or architectural accents in that fifty percent (50%).
- 1328.7 Security grilles shall have no less than seventy percent (70%) transparency.
- 1328.8 Each commercial use with frontage on Georgia Avenue, N.W. shall have an individual public entrance directly accessible from the public sidewalk.
- 1328.9 Buildings shall be designed so as not to preclude an entrance every forty feet (40 ft.) on average for the linear frontage of the building, excluding vehicular entrances, but including entrances to ground floor uses and the main lobby.
- 1328.10 The ground floor level of each building or building addition shall have a uniform minimum clear floor-to-ceiling height of fourteen feet (14 ft.).
- 1328.11 Buildings subject to § 1328.10 shall be permitted an additional five feet (5 ft.) of building height over that permitted as a matter-of-right in the underlying zone.
- 1328.12 Off-street surface parking shall be permitted in rear yards only. No surface parking shall be permitted in side yards or in front of buildings.

1329 USE PROVISIONS (GA)

- 1329.1 The GA Commercial Overlay District is mapped in combination with the underlying Commercial Districts and not instead of the underlying zone districts.
- 1329.2 Except as specifically provided in §§ 1329.3 and 1329.4 in other provisions of this chapter, all matter-of-right uses, buildings, and structures permitted in accordance with this chapter and the appropriate regulations of the underlying

district with which the mapped GA Overlay District is combined, shall be permitted in the combined district.

1329.3 The following uses are prohibited within the GA Overlay District:

- (a) Automobile and truck sales;
- (b) Automobile laundry;
- (c) Boat or marine sales;
- (d) Any use that includes a Drive-through;
- (e) Gasoline service station;
- (f) Liquor store or other similar establishment which primarily sells alcoholic drinks for off-premises consumption;
- (g) Pawn shop;
- (h) Repair garage;
- (i) Storage facilities; and
- (j) Surface parking lot.

1329.4 Public schools and public charter schools are exempt from the provisions of the GA Overlay District.

1330 SPECIAL EXCEPTION REQUIREMENTS (GA)

1330.1 In addition to the special exception uses permitted in the underlying zones that are not otherwise prohibited by § 1329.3, the following special exception uses are permitted within the GA Overlay District, pursuant to §§ 3104 and 1304.

- (a) Notwithstanding § 741.3(c), pertaining to C-3 zone districts, fast food restaurants, subject to the additional criteria contained in § 733.
- (b) Construction of a building on a lot that has twelve thousand square feet (12,000 ft.²) or more in land area.
- (c) Enlargement, by fifty percent (50%) or more, of the gross floor area of a building located on a lot that has twelve thousand square feet (12,000 ft.²) or more of land area.

1330.2 Exceptions from the design requirements of the Georgia Avenue Commercial Overlay District, as set forth in § 1328, shall be permitted as a special exception if approved by the Board of Zoning Adjustment after public hearing, based on § 3104 and § 1304 and subject to the criteria below.

- (a) The architectural design of the project shall enhance the urban design features of the immediate vicinity in which it is located;
- (b) Vehicular access and egress shall be located and designed so as to encourage safe and efficient pedestrian movement, minimize conflict with principal pedestrian ways, function efficiently, and create no dangerous or otherwise objectionable traffic conditions;
- (c) Parking and traffic conditions associated with the operation of a proposed use shall not significantly affect adjacent or nearby residences; and
- (d) Noise associated with the operation of a proposed use shall not significantly affect adjacent or nearby residences.

1330.3 The Board may impose requirements pertaining to design, appearance, massing, landscaping, and other such factors as it deems necessary to protect neighboring property and to achieve the purposes of the Georgia Avenue Overlay District.

1331 PLANNED UNIT DEVELOPMENT PROVISIONS (GA)

1331.1 A planned unit development (PUD) in the GA Overlay District shall be subject to the following provisions in addition to those of Chapter 24 of this Title:

- (a) The additional height and floor area above that permitted as a matter-of-right in the underlying zone shall be for residential use only.
- (b) The minimum area included within the proposed PUD, including the area of public streets or alleys proposed to be closed, shall be a total of ten thousand square feet (10,000 ft.²).