

SUPPLEMENTAL REPORT

TO: District of Columbia Zoning Commission
FROM: ^{JLS} Jennifer Steingasser, Deputy Director
DATE: December 28, 2018
SUBJECT: **OP Report for ZC #16-23, Voluntary Design Review for Valor Development, LLC (Square 1499, Lots 802, 803, 806, and 807)**

I. RECOMMENDATION

The Office of Planning (OP) recommends approval of the Voluntary Design Review, requested pursuant to 11 DCMR Subtitle X § 601.2, for Lots 802, 803, 806, and 807 in Square 1499 subject to the Applicant providing the following:

- Provision of rooftop solar photovoltaic in combination with green roof above the penthouse;
- Provision of electric vehicle charging stations in the parking garage;
- Improved screening of transformers along alley at American University Law building;
- Removal of IZ units from lower level and redistribution on floors 1-4;
- Refined flexibility language; and
- Clarification of why TDM measures would not extend to townhouses.

II. BACKGROUND

Valor Development, LLC (Applicant) submitted an application for Voluntary Design Review on October 26, 2016 (Exhibits 1, 2, 3, and 3A-L). OP submitted its Hearing Report on January 2, 2018 ([Exhibit 130](#)). The Zoning Commission held public hearings on January 11 and 25, 2018 and took testimony regarding the proposed Voluntary Design Review application for the Valor project. Subsequent to the January 2018 hearings, the Applicant revised the proposed development in response to concerns raised. The Applicant provided a Supplemental Submission on October 16, 2018 (Exhibits 240, 240A1-A13, and 240B-F) and Notice of a Further Public Hearing was published November 21, 2018.

III. SUMMARY OF CHANGES

The primary changes proposed in the Supplemental Submission include the following:

- 42,000 square foot reduction in project Gross Floor Area (GFA);
- Increase grocery GFA by 2,300 square feet;
- Add below-grade dwelling units in area previously used for parking;
- Replace smaller condo building with five townhouse units and extended units to area previously proposed as Windom Walk;
- Replace Windom Walk with Windom Park;
- 48th Street NW courtyards lowered by one level to bring light to below-grade units;

- Add condenser units and mechanical screen to mechanical penthouse;
- Add partial parking level to maintain overall number of parking spaces;
- Revise loading plan;
- Modify Building 1 footprint to preserve heritage tree along 48th Street NW; and
- Add above-grade transformers along alley at American University Law building.

IV. SITE AND AREA DESCRIPTION

The subject property (Property) is located in the American University (AU) Park/Spring Valley neighborhood and consists of A&T Lots 802, 803, 806, and 807 in Square 1499. Record Lot 9 is comprised of A&T Lots 806 and 807. The property is bounded by Massachusetts Avenue, the former American University (AU) Law School Building, and a PNC Bank to the south; 48th Street NW to the east; Yuma Street to the north; and an Exxon gas station to the west. (See Attachment 1: Vicinity Map.) The Spring Valley Shopping Center (SVSC) on Lots 802 and 803, while included in the subject design review project boundary, would not be altered. The AU Law Building on Lot 806 also is included in the design review project boundary, but would remain unchanged.

The surrounding neighborhood to the north across Yuma Street NW and to the east across 48th Street NW features detached single-family homes in the R-1-B zone. Additional commercial development in the MU-4 zone is located to the south across Massachusetts Avenue, NW.



Figure 1: Lot Diagram

Lot #	Development	Land Area (sq. ft.)	Total Land Area (sq. ft.)	FAR (2016) / 2018
A & T Lot 802	SVSC	39,516 sq. ft.	160,788 sq. ft.	Res. (1.6) 1.33
A & T Lot 803				Non Res. (1.34) 1.35
Record Lot 9	A & T Lot 806	Former AU Law Bldg.	41,650 sq. ft.	Total (2.94) 2.68
	A & T Lot 807	Valor	79,622 sq. ft.	

The focus of the subject Design Review application is Lot 807 (Valor lot), which is currently improved with a vacant grocery store and other existing retail uses, including a restaurant and salon. The existing improvements on Lot 807 consist of approximately 53,632 square feet of Gross Floor Area (GFA). Lot 807 also features surface and below-grade parking.

The Property features a change in grade and slopes down approximately 26 feet from the high point near the intersection of 48th Street and Windom Place (elevation 264 feet) to the low point at the southern end of the public alley (elevation 238 feet). Two curb cuts provide access to the Valor lot from Yuma and 48th Streets. The Applicant proposes to remove the curb cuts, which would result in the restoration of approximately 80 linear feet of curb.

V. PROJECT DESCRIPTION

The Applicant is proposing to construct a mixed-use development on the Valor lot, which would include a mixed-use (retail and residential) building on the northern portion of the lot (Building 1) and five townhouses on the southern portion of the lot. Building 1 would be constructed over a below-grade garage (Levels G3 and G2), a lower level with grocery, retail, and residential. Floors 1-4 would contain residential units. A habitable penthouse also would include residential space. In lieu of the second residential building that was originally proposed, the Applicant is now proposing 5 townhouses.

VI. ZONING ANALYSIS

The Property is zoned MU-4, the purpose of which is to permit mixed-use development; provide facilities for shopping and business needs, and housing outside the District’s central core; and be located in low- to moderate-density residential areas with access to main roadways or transit stops. The project, which is located on Massachusetts Avenue NW, would provide a mixed-use development with neighborhood-serving retail, including a grocery store and residential.

The Applicant is proposing the following residential unit mix (Exhibit 240 A1, Sheet G09). The Applicant has not requested relief from the Inclusionary Zoning (IZ) requirements and, therefore, must comply at the time of building permit.

Unit Type	Total		Market Rate		IZ Required		
	# of units	% of unit mix	# of units	% of unit mix	50% MFI	60% MFI	% of unit mix
Studio	13	5.9%	12	6.3%	0	1	3.7%
1BR	55	40.6%	46	41.7%	1	8	33.3%
1BR+Den	34		34		0	0	
2BR	61	37.0%	47	34.9%	2	12	51.9%
2BR+Den	20		20		0	0	
3BR	36	16.4%	33	17.2%	0	3	11.1%
Total	219		192		3	24	

The following zoning table shows the MU-4 zone requirements, original 2016 proposal, and the current 2018 proposal ((Exhibit 240 A1, Sheet G05).

Table 1: Zoning Tabulation

Item	MU-4	2016 Application	2018 Application	Relief
Lot Area	N/A	160,788 sq. ft.	160,788 sq. ft.	None required
Res. Units		219		None required
FAR G § 402.1	2.5/3.0 (IZ) 1.5 max. non-res	2.94 1.34 non-res	2.68 1.35 non-res.	None required
Height G § 403.1	50 ft. max.	50 ft. Bldg. 1 49 ft. Bldg. 2	Building 1 43 ft. 6 in. Townhouse 1 36 ft. 8 in. Townhouse 2 36 ft. 8 in. Townhouse 3 36 ft. 9 in. Townhouse 4 36 ft. 10 in. Townhouse 5 37 ft. 0 in.	None required
Penthouse Height G § 403.3	12 ft. max./1 story 15 ft. max for mech./2 nd story	12 ft. habitable 15 ft. mechanical	12 ft. habitable 15 ft. mechanical	None required
Lot Occ. G § 404.1	60% max. / 100% non-res. 75% max. (IZ) / 100% non-res.	67%	Building 1 72% Townhouse 1 53% Townhouse 2 53% Townhouse 3 53% Townhouse 4 55% Townhouse 5 31%	None required
Side Yard G § 406.1	None req.; 2 in./ft. of height or 5 ft. min., if provided (8 ft. 4 in.)	10 ft.	Building 1 none Townhouses 1-4 none Townhouse 5 6 ft. 5.75 in.	None required
Rear Yard G § 405.1	15 ft.	10 ft. Bldg. 1 22 ft. 7 in. Bldg. 2	Building 1 10 ft. min. Townhouses 1-5 15 ft.	Requested

Item	MU-4	2016 Application	2018 Application	Relief
Courts G § 202.1	Open 4 in./ft. of height of court (10 ft. min.) Closed 4 in./ft. of height of court (15 ft. min.)	Provided as required	<u>Open</u> Building 1 Provided as required Townhouses 1-4 None Townhouse 5 Provided as required <u>Closed</u> Building 1 Provided as required Townhouses 1-5 None	None required
Parking C § 701	Residential – 1/3 du in excess of 4 units (72 spaces) Retail - 1.33/1,000 sq. ft. in excess of 3,000 sq. ft. (20 spaces) (92 spaces total)	Residential 85 spaces Retail 49 spaces 134 spaces + 236 shared with Lot 806 370 spaces	Residential 72 spaces Retail 62 spaces 134 spaces + 236 shared with Lot 806 370 spaces	None required
Loading C § 901	Residential – 1 loading berth 1 service/delivery space Retail – 1 berth 0 service/delivery space	Building 1 Residential 1 30 ft. berth 1 20 ft. service/delivery space Retail 2 (1 30 ft. and 1 55 ft.) berths 1 20 ft. service/delivery space Building 2 N/A less than 50 units	Building 1 1 55-foot berth 1 30 ft. berth 1 20 ft. service/delivery space Townhouses Not applicable	None required
Bicycle Parking C § 801	Residential 1/3 du long term (73 spaces) 1/20 du short term (11 spaces) Retail 1/10,000 sq. ft. long term (2 spaces) 1/3,500 sq. ft. short term (5 spaces)	Residential long term 77 spaces short term 12 spaces Retail long term 6 spaces short term 15 spaces	Residential long term 77 spaces short term 12 spaces Retail long term 6 spaces short term 15 spaces	None required
Green Area Ratio G § 407.1	0.3 min.	0.3	0.3	None required

Zoning Flexibility

According to X § 603.1, the Zoning Commission may grant relief from the development standards for height, setbacks, lot occupancy, courts, and building transitions as part of the design review process. The Applicant requested and continues to seek Special Exception relief from the rear yard requirements of G § 405.2 pursuant to G § 409.1. OP continues to support the requested rear yard relief.

Zoning Relief

According to X § 603.3, the Zoning Commission may hear a request for special exception that would otherwise require the approval of the Board of Zoning Adjustment with a design review application. The review shall be subject to all special exception criteria.

The Applicant has requested new special exception relief from C § 1500.4 to permit penthouses on townhouses 1-4. The following general special exception criteria found in X § 901.2 apply.

(a) *Will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps;*

The proposed penthouses would have a maximum height of 10 feet and would meet all setback and area requirements.

(b) *Will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps; and*

The proposed penthouses would not exceed the maximum permitted height and area and would be located to the rear of the townhouses. Therefore, they should tend to affect adversely the use of neighboring properties.

(c) *Will meet such special conditions as may be specified in this title.*

No special conditions are specified.

Design Flexibility

The Applicant has requested design flexibility, which has been modified slightly from the original application. To ensure certainty with respect to the final project design, OP requested that the original flexibility language be refined which the Applicant has generally addressed.

- a. To vary the location and design of **all** interior components, including partitions, structural slabs, doors, hallways, columns, stairways, and mechanical rooms, **and elevators** provided that the variations do not change the exterior configuration ~~or appearance~~ of the building;
- b. To make **minor**¹ 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, and any other changes that otherwise do not substantially alter the exterior design to comply with the District of Columbia Building Code or that are necessary to obtain a final building permit. Such refinements shall not substantially change the exterior

¹ OP recommends adding the word “minor” to make the language consistent with similarly approved flexibility.

configurations, appearance, proportions, or general design intent of the building;

- c. To vary the final selection ~~on~~**color** of exterior buildings materials **based on availability at the time of construction, provided such colors are** within the color ranges ~~of the material types shown in the [approved plans] based on availability at the time of construction.~~ Any such variations shall not reduce the overall quality of materials, ~~nor~~ substantially change the exterior appearance, proportions, or general design intent of the buildings;
- d. To vary the final selection of landscaping materials utilized based on availability at the time of construction;
- e. To vary the number, size, extent, and type of sustainable design elements within the project provided all applicable Green Area Ratio (“GAR”) ~~requirements under Subtitle C of ZR16 and District storm water requirements are~~ **fully** met, and the project achieves a ~~minimum~~ LEED ~~Silver~~**Gold** (v4) certification **with no less than 60 points;**
- f. To increase the final number of residential units **on Lot 807** by no more than 10% above the total number shown on the [approved plans] to respond to program demand, or to decrease the final number of residential units within the approved residential gross floor area of the project to accommodate demand for larger units, **provided that the number of parking spaces that are solely devoted to the residential uses on Lot 807 is equal to the greater of the minimum required under the Zoning Regulations or 85 parking spaces;**
- g. To vary the number and location of affordable dwelling units provided the amount of affordable gross floor area contained within the project is, at minimum, equal to the amount shown ~~on~~**in** the [approved plans];
- h. To vary the amount of floor area devoted to retail uses within the project provided the amount of floor area devoted to a full-service grocery store is, at minimum, equal to 13,600 square feet;
- i. To vary the types of uses designated as “retail” use on the [approved plans] to include the following use categories, provided the amount of floor area devoted to a full-service grocery store is, at minimum, equal to 13,600 square feet: (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)**);
- j. To vary the garage layout and the number, location, and arrangement of vehicle and bicycle parking spaces provided the numbers ~~of~~ **vehicle** spaces **that are solely devoted to residential and retail uses on Lot 807 are not reduced below 85 and 49 spaces, respectively. Any increase in the number of vehicle spaces solely devoted to residential or retail use on Lot 807 that exceeds two times the minimum required under the Zoning Regulations for that particular use shall require the Applicant to comply with the excess parking requirements of Subtitle C, Section 707. Further, the number of bicycle spaces solely devoted to residential and retail uses on Lot 807 shall meet or exceed the minimum bicycle parking requirements of Subtitle C, Section 802 at all times,** ~~for both~~

~~vehicles and bicycles, is not increased or reduced by more than ten percent of the number shown on the [approved plans]; and~~

- k. To vary the final design of retail frontages, including the design of entrances, show windows, and signage, in accordance with the needs of retail tenants. **Such refinements shall not substantially change the exterior configuration, appearance, proportions, or general design intent of the building, and all signage shall be designed and located in accordance with the Signage Plan and Guidelines contained in the [approved plans].** ~~Notwithstanding any design flexibility granted, all signage shall meet the following conditions:~~

- ~~a. Signage shall be located in a manner that is consistent with that shown in the [approved plans], and not extend or be located in any manner above the ground floor;~~
- ~~b. Signage shall be compatible with and complement the building architecture and site, and be coordinated with the building façade system;~~
- ~~c. Signage shall consist of high quality materials and detailing;~~
- ~~d. Signage shall not be digital or kinetic. Box signs and signs employing flickering, rotating, flashing or moving lights are also not permitted; and~~
- ~~e. Signage lighting shall be self illuminated or back lit provided it does not negatively impact nearby residential uses. If external illumination is used, light fixtures must be complementary and integrated into the character and design of the building.~~

VII. DESIGN REVIEW STANDARDS

Subtitle X § 604 outlines the standards by which the Zoning Commission should evaluate a Design Review application. The Applicant has provided an updated analysis of the project against the Design Review standards (Exhibit 240 C).

604.1 The Zoning Commission will evaluate and approve or disapprove a design review application according to the standards of this section and, if applicable to the zone, standards set forth in Subtitle K.

An analysis of the proposed project against the standards of this section follows. The Property is zoned MU-4; therefore, standards set forth in Subtitle K are not applicable.

604.2 For non-voluntary design review, the application must also meet the requirements of the provisions that mandated Zoning Commission approval.

The subject application is for Voluntary Design Review.

604.3 The applicant shall have the burden of proof to justify the granting of the application according to these standards.

Through the provision of the additional information requested, as well as a refinement of the design flexibility, the burden of proof to justify granting the application may be met.

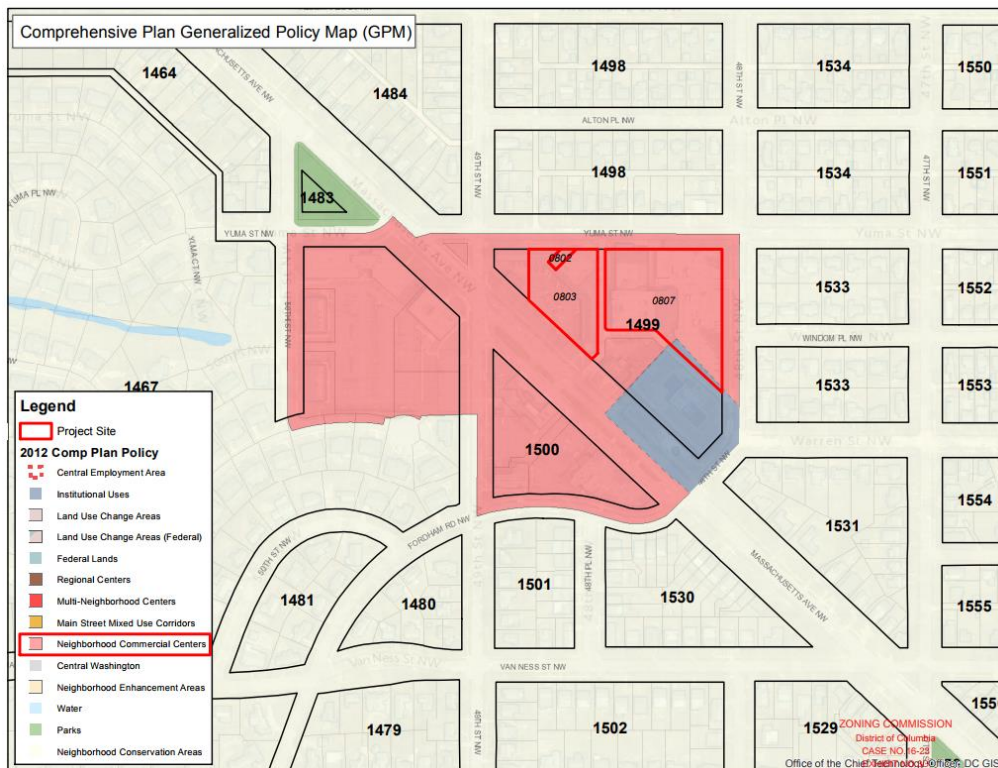
604.4 *The applicant shall not be relieved of the responsibility of proving the case by a preponderance of the evidence, even if no evidence or arguments are presented in opposition to the case.*

The Applicant, through its original and amended submittals, has presented its case.

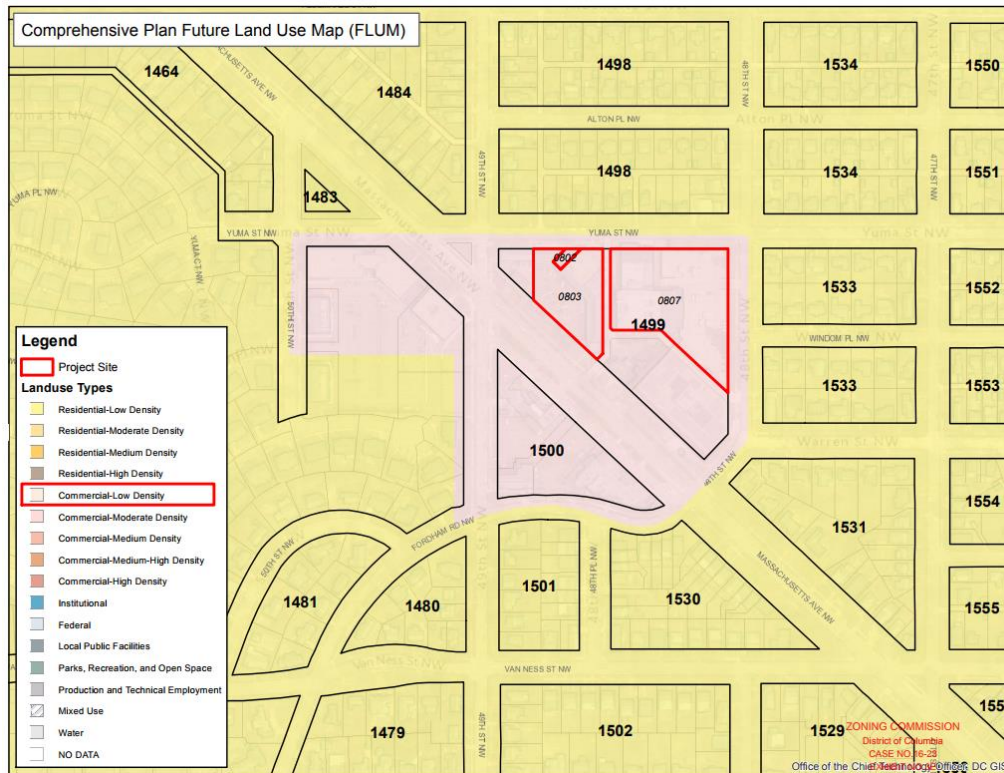
- Exhibits 1, 2, and 3, dated October 26, 2016;
- Exhibit 67, dated September 8, 2017;
- Exhibit 107, dated December 11, 2017;
- Exhibit 114, dated December 21, 2017;
- Exhibit 152, dated January 10, 2018;
- Exhibit 155 A1-A3, dated January 11, 2018;
- Exhibit 206 A-C, dated January 25, 2018;
- Exhibit 211 and 211 A-D, dated February 12, 2018;
- Exhibit 218 and 218 A-E, dated February 20, 2018; and
- Exhibit 240 and 240 A-F, dated October 16, 2018.

604.5 *The Zoning Commission shall find that the proposed design review development is not inconsistent with the Comprehensive Plan and with other adopted public policies and active programs related to the subject site.*

The property is designated as a Neighborhood Commercial Center on the General Policy Map.



The property is designated for Low Density Commercial land use on the Future Land Use Map (FLUM).



The proposed project is not inconsistent with the General Policy Map and FLUM contained in the Comprehensive Plan. 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 business uses. Furthermore, the Project is not inconsistent with the portion of the Low Density Commercial definition that states a common feature of these areas “is that they are comprised primarily of one- to three-story commercial buildings. The Project would include a mixed-use building with commercial on the ground floor (Building 1) and 5 three-story townhouses, which are both appropriate for a Low Density Commercial area.

The densities within a given area on the FLUM reflect contiguous properties on a block – individual buildings may be higher or lower than the ranges within each area. The residential mixed-use and residential buildings proposed for the Valor lot are not inconsistent with the FLUM as they are part of the larger block (Square 1499) that is comprised of commercial buildings that range in height and density from one- to two-stories (SVSC, PNC Bank, Spring Valley Exxon) to six-stories (AU Building).

The Office of Planning provided a full Comprehensive Plan analysis in its January 2018 Public Hearing Report ([Exhibit 130](#)). The Applicant provided a revised Comprehensive Plan Analysis (Exhibit 240 B), which is generally consistent with the original submittal (Exhibit 3F), but includes an analysis of Transportation Elements.

604.6 *The Zoning Commission shall find that the proposed design review development will not tend to affect adversely the use of neighboring property and meets the general special exception criteria of Subtitle X, Chapter 9.*

The proposed development consists of a mixed-use building located over a parking structure and 5 townhouses. The Property slopes downward from Massachusetts Avenue to Yuma Street NW and from 48th Street to the alley separating the project from the SVSC and the proposed design acknowledges the topography of the site. The proposed height and massing of the building are not out of character with the neighboring properties. Therefore, the proposed project should not adversely affect the use of neighboring residential properties for residential purposes.

The proposed project would be setback from the property line at Yuma and 48th Streets. The upper levels of Buildings 1 also steps back with the greatest height adjacent to the SVSC and six-story AU Law Building. The proposed penthouse would meet the one-to-one setback requirement and has been shifted to the west – away from the residential neighbors across 48th Street.

The general special exception criteria of Subtitle X, Chapter 9 state that the Project:

- (a) Will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Map;
- (b) Will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps; and
- (c) Will meet such special conditions as may be specified in this title.

The proposed project is in harmony with the general purpose and intent of the Zoning Regulations and Zoning Map. The Applicant is proposing a mixed-use building with neighborhood serving retail and residential units. The proposed mixed-use development is consistent with the purposes of the MU-4 zone and is not inconsistent with the Comprehensive Plan. The proposed project should not adversely affect the use of neighboring properties. The scale of the proposed development would relate to the surrounding neighborhood context. An analysis of the project's conformance to the additional Voluntary Design Review criteria is below.

604.7 *The Zoning Commission shall review the urban design of the site and the building for the following criteria:*

- (a) *Street frontages are designed to be safe, comfortable, and encourage pedestrian activity, including:*
 - (1) *Multiple pedestrian entrances for large developments;*
 - (2) *Direct driveway or garage access to the street is discouraged;*
 - (3) *Commercial ground floors contain active uses with clear, inviting windows;*
 - (4) *Blank facades are prevented or minimized; and*
 - (5) *Wide sidewalks are provided;*

Key Pedestrian Entrances

As shown on the Applicant's circulation diagram (Sheet CL01), the key pedestrian entrances would include the grocery and residential (Building 1) entries from Yuma Street; a retail entry at the southwest corner of the site; and a pedestrian entrance from the alley that would provide access to the bicycle, grocery, residential, and American University parking. The 5 townhouses would have street facing entries with direct access from 48th Street NW. OP continues to urge the Applicant to ensure that the north-south and east-west alley connections provide a safe and inviting pedestrian environment.

Garage Access

Vehicular garage access would be provided from the 20-foot alley that runs to the south of the project. This alley connects to 48th Street to the east and the north-south alley to the west that runs from Yuma Street to Massachusetts Avenue. The townhouses also would access parking via the alley network. The Applicant is proposing to close two existing curb cuts that currently provide access from Yuma and 48th Streets. The project would not have direct driveway or garage access from the street.

Ground Floor Windows and Facades

The proposed design minimizes blank facades, particularly on Yuma and 48th Streets. The Applicant continues to show false windows at the ground floor retail level along the alley that runs between the project and the SVSC. The alley elevation at the garage entry and loading bays features three metal roll-up doors.

The ground floor grocery would front on Yuma Street. Although the grocery entry is set back from the street, the ground floor features large window openings and outdoor café seating in the setback area. The Applicant should confirm that no street-facing windows would be covered to accommodate back-of-house or storage functions for the grocery use.

Sidewalks and Walkways

The Applicant is providing wide sidewalks around the perimeter of the project, but should specify the exact sidewalk widths on the plan sheets. The Applicant is proposing to provide a three-foot sidewalk at the western edge of the project adjacent to the alley. As part of the proposed alley improvements, the Applicant plans to consolidate and enclose the trash dumpsters that serve the SVSC (Sheet CL04). These improvements will be reviewed and approved by Public Space. To ensure a continuous 20-foot width along the length of the alley, the Applicant is proposing to set back the building from the property line. While this is not a wide sidewalk, it provides a north-south connection through the site without unduly narrowing or negatively impacting the alley and the attendant trash storage and collection functions.

The Applicant is proposing to locate three transformers to the east of the garage entry. OP encourages the Applicant to ensure that the transformers are adequately screened.

(b) Public gathering spaces and open spaces are encouraged, especially in the following situations:

- (1) *Where neighborhood open space is lacking;*
- (2) *Near transit stations or hubs; and*
- (3) *When they can enhance existing parks and the waterfront;*

The Applicant is providing a variety of public and private gathering spaces in the project. Building 1 would include an interior courtyard with a swimming pool and seating area that would serve building residents (L2). A roof terrace with seating and landscaping also would be available for building residents (L2) and would be accessible from the fourth floor amenity space at the northwest corner of Building 1. Private landscaped terraces are proposed at Building 1 along 48th Street. The depth of these terraces has been increased to bring additional light to the below-grade units.

Public space would include Windom Park (L5), which would provide a visual terminus for Windom Place at 48th Street. While OP understands the rationale for the elimination of Windom Walk, Windom Park does not function in the same way to provide a truly public space. It is unlikely that the public would take advantage of the seating areas located in the proposed Window Park. The Applicant is proposing a public seating area, along Yuma Street, adjacent to the grocery store (L3). This area should feel more accessible to the public and would serve grocery store patrons and other visitors to the project area.

- (c) *New development respects the historic character of Washington’s neighborhoods, including:*
- (1) *Developments near the District’s major boulevards and public spaces should reinforce the existing urban form;*
 - (2) *Infill development should respect, though need not imitate, the continuity of neighborhood architectural character; and*
 - (3) *Development should respect and protect key landscape vistas and axial views of landmarks and important places;*

The subject property sits between a residential neighborhood characterized by detached single-family homes and the mixed-use commercial corridor on Massachusetts Avenue. The inclusion of 5 townhouses in place of Building 2 at the southeast corner of the site also provides a transition between the retail and adjacent residential development.

The proposed project respects the existing adjoining development and provides an appropriate transition with a mixed-use building that includes neighborhood-serving retail and residential units. The project, as designed, steps down to the houses on Yuma and 48th Streets and provides a landscaped setback area along 48th Street that mimics the residential yards of the adjacent single-family homes.

- (d) *Buildings strive for attractive and inspired façade design, including:*
- (1) *Reinforce the pedestrian realm with elevated detailing and design of first (1st) and second (2nd) stories; and*
 - (2) *Incorporate contextual and quality building materials and fenestration;*

The Applicant is proposing to clad the exterior of the project in brick with cast stone window lintels and bases. The brick cladding echoes the brick construction that is found in the surrounding neighborhood. Large window openings activate the street at Building 1 and bay projections articulate the Building 1 façade along 48th Street. The townhouses related directly to 48th Street with front door entries facing the homes across the street.

The Yuma Street frontage would include both a residential entrance and entrances to the grocery store. Residential windows openings for units in Building 1 would punctuate the base of the façade. Full height arched window openings would frame the grocery store entrance from Yuma Street.

The west building façade would feature high quality building materials including brick and stone; however, the Applicant should strive to address the blank façade that is created by the false window openings at the ground floor. As previously stated, the Applicant should explore a more active and inviting treatment for the south façade of the building, where back-of-house loading and garage entries are located.

(e) Sites are designed with sustainable landscaping; and

The project Green Area Ratio (GAR) score of 0.317 meets the minimum requirement of 0.3 and is achieved through landscaped areas, plantings, and vegetated or green roof (Sheet L11). The Applicant is proposing green roof terraces on the fourth and fifth floors of Building 1 and should consider whether it would be feasible to include solar panels in addition to the green roof.

As requested at the first public hearing, the Applicant is proposing to design the project to meet LEED v4 Gold (60 points) and is proposing to certify the project at this time (Sheet G10).

(f) Sites are developed to promote connectivity both internally and with surrounding neighborhoods, including:

- (1) Pedestrian pathways through developments increase mobility and link neighborhoods to transit;*
- (2) The development incorporates transit and bicycle facilities and amenities;*
- (3) Streets, easements, and open spaces are designed to be safe and pedestrian friendly;*
- (4) Large sites are integrated into the surrounding community through street and pedestrian connections; and*
- (5) Waterfront development contains high quality trail and shoreline design as well as ensuring access and view corridors to the waterfront.*

The project provides internal and external connections and improvements to the north-south alley that runs between the project and SVSC, including a 3-foot sidewalk. The Applicant provided a Supplemental Transportation Memorandum (Exhibit 244) and proposed to offer the same Transportation Demand Management (TDM) measures

previously described. The Applicant notes that the residential TDM elements apply only to the multifamily portion of the project. OP has asked the Applicant to clarify why the TDM measures would not extend to the townhouses.

604.8 The Zoning Commission shall find that the criteria of Subtitle X § 604.7 are met in a way that is superior to any matter-of-right development possible on the site.

The proposed project would result in a development that would be superior to any matter-of-right development on the site. A matter-of-right residential building could be built to the property line along both Yuma and 48th Streets and could measure 50 feet in height. The proposed project would feature a more sensitive design that is setback from the property line and steps down in height adjacent to the surrounding residential neighborhood. The inclusion of 5 townhouses at the southeast corner of the site provides a transition between the commercial area to the west, the project, and the adjoining residential neighborhood.

The Project would provide 32,637 square feet of vegetated roof, 3,769 square feet of landscape area, 30 new trees, and 250 new shrubs. to the north-south alley. The Applicant has committed to provide environmental benefits (LEED v4 Gold) greater than a matter-of-right development

The Voluntary Design Review results in a project that brings a grocery store tenant back to the site. Finally, the Design Review allows for a reallocation of density across the Property, which shifts unused density from lots 802 and 803 to Lot 807, thereby preserving the historic SVSC.

VIII. COMMUNITY COMMENTS

The property is located adjacent to an ANC boundary and is located in ANC 3E, while ANC 3D is to the south and west across Massachusetts Avenue. ANC 3D submitted a Resolution in Support (Exhibit 245). ANC 3E had not submitted a resolution at the time this report was written.

Letters in support of the revised application were at Exhibit 244 and 246; letters in opposition were at Exhibits 247, 249, 250, 251, 254, and 256-260.

IX. DISTRICT AGENCY COMMENTS

OP received the following agency comments.

Department of Energy and Environment: Has no reason to oppose the project.

- Requests that the developer include solar photovoltaic (PV) arrays on the rooftop, collocated with the green roof in the space above the penthouse. This may require the shifting of the HVAC condensers, which could be dramatically limited with VRF systems.
- Encourages the developer to provide electric vehicle charging infrastructure in the parking garage.

Department of Housing and Community Development:

- Has no objection to this development, so long as the project provides at least the minimum required IZ.
- Notes that it has not received any applications from the applicant for any DHCD funding or other programs.
- Has no objection to the below-grade units, so long as the affordable units are not overly concentrated there. Ideally, DHCD would prefer none of the affordable units to be below grade.

District Department of Transportation: Comments from DDOT will be provided under separate cover.

Historic Preservation Office (OP): Has confirmed that no preservation review is required for the project; and the consideration of multiple A & T lots as the Design Review project boundary does not trigger the requirement for a subdivision plat or alteration to the underlying record lots.

X. ATTACHMENTS

1. Vicinity Map

ATTACHMENT 1 VICINITY MAP

