

**MEMORANDUM**

**TO:** District of Columbia Zoning Commission  
**FROM:** Jennifer Steingasser, Deputy Director, Development Review and Historic Preservation  
**DATE:** October 22, 2012  
**SUBJECT:** Case No. **ZC 10-23: Final Report** for a Consolidated Planned Unit Development and PUD-Related Map Amendment for 4600-4614 Wisconsin Avenue, N.W., filed by Holland & Knight LLP for Jemal’s Babes, L.L.C.

**APPLICATION**

The Commission set down the subject application at its public meeting on July 30, 2012 for a consolidated PUD for a six-story mixed-use building with 55-65 apartment units, 17,416 square feet of ground floor and basement retail space and one handicapped accessible parking space with a PUD-related map amendment to rezone the site from C-2-A to C-3-A.

**SUMMARY RECOMMENDATION**

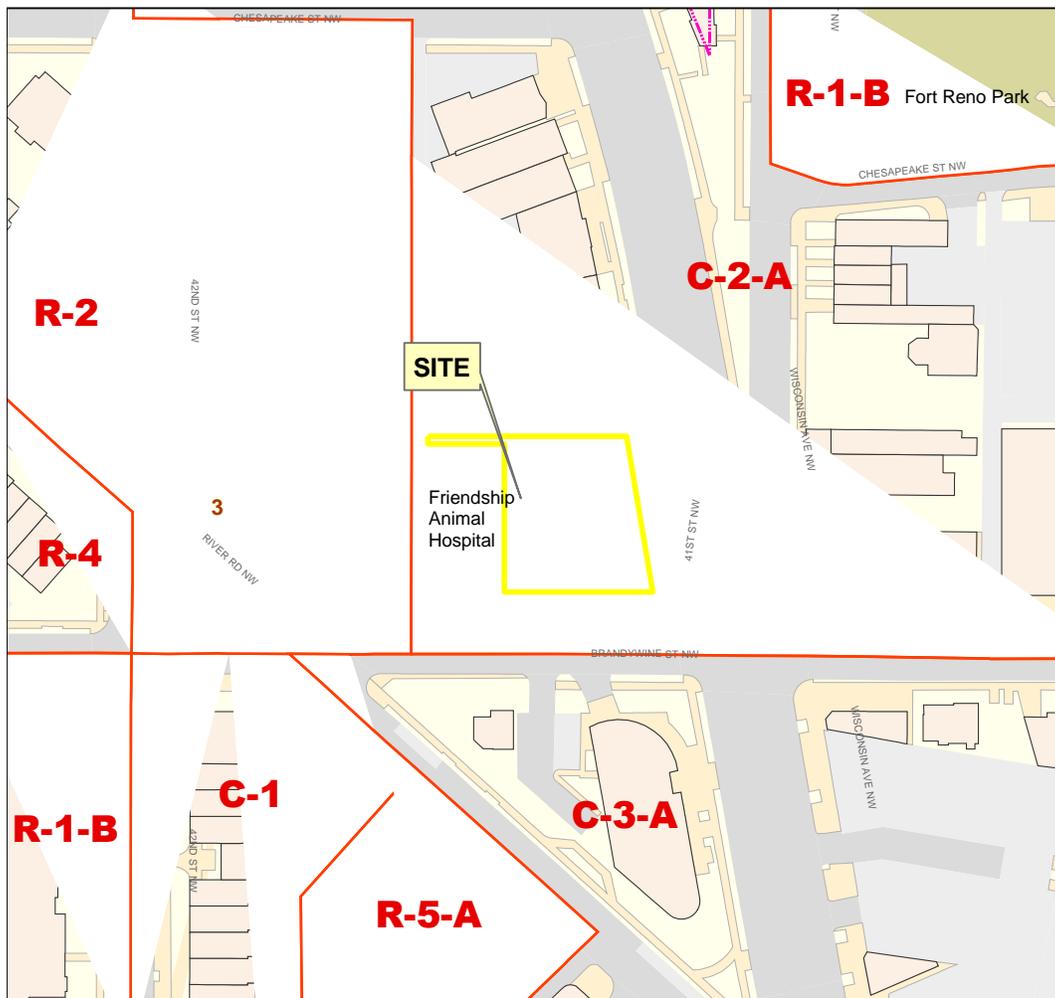
The Office of Planning recommends that the Zoning Commission **APPROVE** the application.

**AREA DESCRIPTION**

*Table 1*

Address	4600-4614 Wisconsin Avenue, N.W.
Legal Description	Square 1732, Lots 817 and 820
Ward	3
Lot Characteristics	Corner lot sloping down from south to north and from east to west.
Existing Development	A vacant one-story plus basement commercial building at the corner of Wisconsin and Brandywine, and a vacant two-story commercial building to its north.
Existing Zoning	C-2-A: Medium density community business center commercial district
Adjacent Properties	North: Five-story office building with ground floor retail South: Across Brandywine Street, five-story office building with ground floor retail East: Across Wisconsin Avenue, retail and office buildings, radio and television transmission towers, including a five-story office building West: A one-story veterinary hospital building <sup>1</sup> , beyond which are one-family and semi-detached dwellings
Surrounding Neighborhood Character	Commercial and residential uses on Wisconsin Avenue, with lower density residential to the west and commercial uses to the east.

<sup>1</sup> A variance request has been made to permit a second-story addition to the veterinary hospital, BZA Application No. 18435, scheduled to be heard November 6, 2012.



Zoning & Vicinity Map

The subject property is 12,671 square feet in area and is located in the northwest corner of Wisconsin Avenue and Brandywine Street, N.W. The site is almost rectangular in shape, but also has five-foot wide extension westward to a twenty-foot wide public alley that runs north and south.

The subject square is split-zoned with all properties east of the public alley zoned C-2-A and all properties west of the alley zoned R-2. The development site is zoned C2A, and is surrounded on all sides by commercial zone districts.

To the south, across Brandywine Street, is a five-story office building, and to the north is a four-story office building. The proposed building would complete the street wall on the west side of Wisconsin Avenue between these buildings. To the west, adjacent to the subject property, is a one-story office building that the owner proposes to increase to two stories (BZA Application No. 18435.)

The subject property is located in a walkable location and is well served by various forms of transportation. Its walk score is 97 out of a possible 100 points, defined as “Walker’s Paradise, Daily errands do not require a car.”<sup>2</sup> Within one-third of a mile are public schools, restaurants, grocery stores, public parks and other retail outlets.

<sup>2</sup> <http://walkscore.com>

The site's transit score is 71, defined as "*Excellent Transit, Transit is convenient for most trips.*"<sup>3</sup> The subject property is located one block north of the Tenleytown Metrorail station on the Red Line. Wisconsin Avenue is served by several Metrobus routes providing service throughout the District and into Montgomery County.

A Capital Bikeshare station is located approximately two blocks southeast of the subject property, near the intersection of Wisconsin Avenue and Albemarle Street. Capital Bikeshare stations are located throughout the District, and in Northern Virginia and Montgomery County. The subject property is accessible to Zipcar, a car sharing service, with three nearby stations - 4501 40th Street, N.W., 4240 River Road, N.W. and on Fort Drive near Albemarle Street, N.W.

Nearby development includes a mixture of office and apartment buildings, one-family detached dwellings, radio towers, low-scale commercial buildings, a grocery store and general retail.

## **PROPOSAL**

The Applicant proposes to construct a six-story mixed use building with 17,416 square feet of retail on the ground and lower levels and between 55 and 65 apartments on the upper floors. The existing structure, formerly occupied by Babe's Billiards, would be retained, with new construction above the majority of the existing structure. The building at 4614 Wisconsin Avenue, adjacent and to the north of the Babe's building, would be demolished and replaced with a structure that would provide core services for the building. Retention and adaptive reuse of the former Babe's Billiards structure would contribute to achieving a LEED GOLD rating for the development.

Residential access to the building would be from the new construction on the north side of the site, which would include a lobby, elevators, a trash room and a staircase that would provide access to the mechanical penthouse on the roof. Ten to twelve units would be located on floors two through six. The majority of the units would be one-bedroom, but the building would also include studio, junior one-bedroom and two-bedroom units. The application indicates that the building would be in compliance with Inclusionary Zoning (IZ) for the provision of affordable units, with 10.4 percent of the residential gross floor area dedicated to IZ units, in excess of the minimum required eight percent. Seven of the proposed sixty units would be designated as affordable, spread throughout floors two through four and generally reflecting the distribution of units within the building.

Floors two through six would be set back from the west lot line, facing the adjacent veterinary hospital, by a distance between twelve and twenty-six feet. This setback would allow for the provision of a terrace above the first floor of the building and outdoor recreational space for the units that abut it. Balconies would be provided for some of the other units.

Other than residential access, the majority of the remainder of the first floor would be devoted to retail space, with access directly from the public sidewalk along Wisconsin Avenue. The portion of the first floor below the terrace at the rear of the building would be devoted to storage and service-related uses, including loading, with the remainder of the basement level to be used as retail and accessed from a newly constructed areaway in public space along Brandywine Street. Thirty-eight secure bicycle parking spaces would be included in the building, eight of which would be for employees and include shower facilities. All vehicular access to the building would be from Brandywine Street.

One parking space would be provided within the building, dedicated as handicapped accessible. At the request of the applicant, the subject property has been removed from the Residential Parking Permit (RPP) program, prohibiting future tenants from obtaining permits to park within the surrounding neighborhood for more than two hours at a time. In coordination with DDOT, the applicant proposes to locate one on-street Zipcar space near the site, in public space.

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<sup>3</sup> Ibid.

One mechanical penthouse would be located on the roof, on the north side of the building, set back a distance less than its height from the north, east and west. South of the penthouse would be a 2,500 square-foot area devoted to mechanical units at a height of less than four feet. The remainder of the roof, including much of the roof above the mechanical penthouse, would be improved as green roof, amounting to approximately 6,142 square feet. The building owner would purchase renewable energy certificates for 35% of the projected annual electricity consumption over a two-year period.

The existing façade on the 4600 Wisconsin Avenue building would be removed and replaced with materials matching that of the new construction. Facing Wisconsin Avenue, the building would be covered with tan and ochre terra cotta panels with large rectangular windows, similar to the large rectangular windows of other buildings facing Wisconsin Avenue. The Brandywine Street and the western facing façade would include metal panels, punched windows and balconies in acknowledgement of the residential development west of the site.

New sidewalks would be installed on Wisconsin Avenue and on Brandywine Street. Street furniture, including tables, benches, four bicycle racks and trash receptacles would be added to Wisconsin Avenue. Nine trees would be planted within public space; four within Brandywine Street and five within Wisconsin Avenue. At the corner a fountain wall and planter would be installed.

**ZONING**

The site is currently zoned C-2-A and the applicant has requested a PUD-related map amendment to C-3-A. The project is designed to conform to the permitted height, FAR and lot occupancy of the requested C-3-A Zone District. The following table is a comparison of the C-2-A, C-2-A/PUD and C-3-A/PUD standards, and the proposed development.

Table 2

	<b>C-2-A</b>	<b>C-2-A/PUD</b>	<b>C-3-A/PUD</b>	<b>Proposal</b>
<b>Lot Area</b>	None Prescribed	15,000 SF	15,000 SF <sup>4</sup>	12,671 SF Waiver required
<b>Height</b>	50 feet	65 feet	90 feet	70 feet, 10.5 inches
<b>FAR</b>	Nonresidential – 1.5 Residential – 2.0 TOTAL – 2.5	Nonresidential- 2.0 Residential- 3.0 TOTAL – 3.0	Nonresidential – 3.0 Residential – 4.8 TOTAL – 4.8	Nonresidential – 1.1 Residential – 3.7 TOTAL – 4.8
<b>Lot Occupancy</b>	Residential – Max. 60% Nonresidential – Max. 100%	Residential – Max. 60% Nonresidential – Max. 100%	Residential - Max 80% <sup>5</sup> Nonresidential – Max. 100%	Residential – 76% Nonresidential - 96%
<b>Parking</b>	<u>Retail</u> –1/ 300 SF after the first 3,000 SF <u>Residential</u> -1/2 units	<u>Retail</u> –1/ 300 SF after the first 3,000 SF <u>Residential</u> -1/2 units	<u>Retail</u> –1/300 SF after the first 3,000 SF or 49 <sup>6</sup> <u>Residential</u> –1/2 units or 33 TOTAL - 82	TOTAL – 1 Flexibility requested

<sup>4</sup> Section 2401.2 authorizes the Commission to waive up to fifty percent of the minimum area for a PUD, provided it is of “exceptional merit and in the best interest of the city” and least eighty percent of the gross floor area is for dwelling and accessory uses.

<sup>5</sup> Additional 5% lot occupancy permitted by IZ.

<sup>6</sup> Based on 65 dwelling units. Application requests a range between 55 and 65 units.

	<b>C-2-A</b>	<b>C-2-A/PUD</b>	<b>C-3-A/PUD</b>	<b>Proposal</b>
<b>Loading</b>	1 loading berth @ 55 ft deep 1 loading berth @ 30 ft deep  1 loading platform @ 200 SF 1 loading platform @ 100 SF	1 loading berth @ 55 ft deep 1 loading berth @ 30 ft deep  1 loading platform @ 200 SF 1 loading platform @ 100 SF	1 loading berth @ 55 ft deep 1 loading berth @ 30 ft deep  1 loading platform @ 200 SF 1 loading platform @ 100 SF	1 loading berth @ 30 ft. deep  1 loading platform @ 100 SF  Flexibility requested
<b>Rear Yard</b>	15 feet	15 feet	2.5 feet/foot of building height, or 12 feet	83 feet, 10 inches
<b>Roof Structure</b>	Setback equal to height	Setback equal to height	Setback equal to height	18.5-foot height North: None East: 5 feet, 4 inches West: 3 feet Flexibility requested

**WAIVER REQUEST**

The applicant requests a waiver pursuant to § 2401.2(b) of the Zoning Regulations in order to permit a C-3-A PUD on a site consisting of less than 15,000 square feet. The Commission is empowered to waive up to fifty percent of the minimum area required for a PUD located outside the Central Employment Area, subject to the following requirements:

- 1) *The Commission shall find after public hearing that the development is of exceptional merit and in the best interest of the city or country; and*
- 2) *The Commission shall find that least 80 percent (80%) of the gross floor area of the development shall be used exclusively for dwelling units and uses accessory thereto.*

The subject property is located outside of the Central Employment Area and 80 percent of the gross floor area of the development would be for dwelling units and uses accessory thereto. In addition, the Office of Planning finds the development of exceptional merit. The proposed building would add to the street wall on the west side of Wisconsin Avenue and provide for new, modern retail space.

**FLEXIBILITY**

Roof Structure

§§ 411 and 770.6 require that penthouse exterior walls be set back a distance at least equal to their height. The subject application proposes a penthouse 18.5 feet in height, with no setback from the building edge on the north, adjacent to a four story commercial building; a setback of five feet, four inches from the east, facing Wisconsin Avenue; and a setback of three feet from the rear, or the west. This penthouse is located above the new portion of the building to be constructed from the ground up on the north side of the property, enabling it to better provide elevator service to all floors of the new building.

This penthouse would be lower in elevation than the penthouse on the existing office building on the south side of Brandywine Street, while continuing the street wall defining the west side of Wisconsin Avenue that begins with the City Line building at Albemarle Street along the Wisconsin Avenue frontage. To the west, although the setback would be less than that required, the penthouse, including the twenty-foot wide public alley, would be set back sixty feet from the R-2 district to the west and the one and two-family detached dwellings located across the public alley, minimizing any impact of this requested flexibility on the residential community.

OP has discussed with the applicant amending the rooftop penthouse design to provide the required setback from Wisconsin Avenue, which would eliminate that aspect of penthouse setback relief and lessen visual impact. The applicant is reviewing this and will address this issue at the public hearing.

#### Off-Street Parking

§ 2101.1 requires one parking space for every two apartment units, or 33 residential parking spaces, and 49 retail parking spaces, for a total of 82. The proposed project would provide one parking space, a handicapped accessible parking space within the building. The basement of the structure, which the applicant proposes to retain and which contains more than 20 columns, impacts the ability of the applicant to provide off-street parking within the structure. Flexibility would enable the applicant to not be required to make use of the basement space in a manner inconsistent with its design, or to demolish and rebuild the foundation, an unsustainable option. Although located within the building, the accessible space does not include an accessible route into the building.

According to the U.S. Census, approximately 88,000, or 35 percent of District households do not own a car. The Census Bureau's American Community Survey found that while the number of households in the District between 2006 and 2010 increased by 2,142, the number of vehicles registered *decreased* by 426. The Federal Highway Administration found that between 2000 and 2010 the number of adults between the ages of 20 and 34 without a driver's license increased from 10.4 to 15.7 percent. It is to these people that this building would be marketed, expanding the range of available housing choices for residents who do not wish or are not able to take on the expense of car ownership. In this way, it would provide a more affordable housing option in Ward 3.

The cost of building below-grade parking is estimated to be between \$50,000 and \$75,000 per space, depending on the engineering constraints of the site. The C-3-A district requires one parking space for every two dwelling units. This averages out to between \$ 25,000 and \$37,500 of additional cost per unit to provide the required parking, a cost that can be foregone if no parking is provided. Enabling the applicant to reduce the cost of the units would make them more affordable than similar type units within the same neighborhood that include parking, especially for those that have no need for off-street parking and therefore no need to pay for it.

The neighborhood is well served by many alternatives to the use of the private automobile, including Capital Bikeshare, Zipcar, Metrobus and Metrorail. The site has a Walk Score of 97 and Transit Score of 71, higher than the District in general and indicative of the ability of future residents to get around without owning a car. Leases would preclude tenants from owning cars and the building would be marketed to those desiring not to own a car. Retail spaces would be leased to neighborhood serving businesses and those that do not carry items weighing more than forty pounds, unless delivery service is provided. Retail without dedicated parking is not uncommon in the District, and this neighborhood is particularly well served by large commercial parking lots.

The surrounding neighborhood includes many underutilized parking spaces, both on and off-street. The Transportation Impact Study submitted by the applicant indicates that of the 183 on-street metered parking spaces located within the immediate neighborhood, maximum occupancy is approximately 65 percent. Five-hundred sixty additional spaces are located within five nearby commercial parking facilities and available for short-term leases or for hourly parking. The Study indicates that the garage at CityLine at Tenley typically has 50 spaces available during the day and between 110 and 120 during the overnight hours.

The applicant informed OP that it has been working with DDOT to locate one nearby on-street Zipcar space, and that the proposal received a unanimous recommendation of approval from the local Advisory Neighborhood Commission (ANC), including the requested parking relief. This recommendation is subject to a lengthy and detailed Memorandum of Understanding (MOU) between the applicant and the ANC, which includes clauses related to the provision of transportation demand management (TDM) measures and providing for twenty off-site parking within the garage at CityLine at Tenley for future tenants that request a parking space. This agreement also requires retailers of the proposed building to validate parking for commercial parking lots in the neighborhood, allowing for a more effective utilization of those existing spaces.

### Loading

§ 2201.1: This section requires the provision of one 55-foot loading berth, one 200 square foot loading platform and one 20-foot service delivery space for the residential component of the building. One 30-foot loading berth would be provided to service the building, as required for the retail portion of the building. This size berth would also be sufficient to accommodate the residential loading needs of the building due to the smaller sizes of the individual apartment units. All loading for the building, both residential and retail, would be coordinated through a Resident Transportation Coordinator, who would inform those making deliveries that 55-foot trucks would not be permitted to access the site.

### Additional Areas of Flexibility

The application requests the ability to modify the plans as approved for this project. Specifically, the applicant requests the ability to:

1. Provide a range in the number of residential units between 55 and 65;
2. Vary the location and design of interior components, such as partitions, structural slabs, doors, hallways, columns, stairways and mechanical rooms, provided the exterior configuration of the building does not change; and
3. Vary the final selection of the exterior materials within the color ranges and material types as propose, based on availability at the time of construction without reducing the quality of the materials; and to make minor refinements to exterior details and dimensions, including curtain wall mullions and spandrels, window frames, glass types, belt courses, sills, bases, cornices, railings and trim, or any other changes to comply with the Building Code or that are otherwise necessary to obtain a final building permit.

### **COMMISSION CONCERNS RAISED AT THE SETDOWN MEETING**

At the setdown meeting of October 22, 2012, the Commission requested the applicant provide information and clarification on the following items. The revised application addresses those concerns as described below.

1. *Why does this building have less parking than the last application?*

The previous application proposed the demolition and removal of all existing improvements on the site, which would enable the builder to construct below-grade parking. The current proposal is to retain the existing building at 4600 Wisconsin Avenue, precluding the ability to dig beneath it to provide below-grade parking, and permitting a more sustainable development through the adaptive reuse of the existing structure.

2. *How will no parking be balanced with no RPP?*

Leases would stipulate that tenants could not own cars, and residents would not be eligible for RPP. The units would be marketed to, and appeal to, the 35% of DC households that do not own a car, providing a housing choice in the neighborhood. It is anticipated that potential tenants with an automobile would simply look elsewhere, at one of the many other buildings which do provide (and charge) for on-site parking. In the event that a tenant does have or obtain a car, the applicant has an agreement with the garage at CityLine at Tenley to make available up to twenty parking spaces, in accordance with the MOU between the developer and the ANC.

For visitors to the residents or patrons of the retail space, the Transportation Impact Study submitted by the applicant notes that there are typically ample available on-street parking spaces, and existing near-by parking facilities have an average of 560 parking spaces available at any one time. Retailers in the building would be required to validate parking in those lots. The study concludes “*that the proposed development can be accommodated by the local area transportation system and would not create any adverse traffic impacts on the immediate area.*”

3. *How has the request for no parking been worked out with the community?*

The applicant and ANC 3E agreed to a Memorandum of Understanding (MOU) at the regularly scheduled meeting of the ANC on October 11, 2012. This MOU includes provisions to address ANC parking concerns, although not all residents support this solution. The proposal received the unanimous recommendation of approval by the ANC.

4. *Why is the existing structure being retained? Please provide a thorough explanation, as the building is not historic.*

Retention of the existing structure is proposed as part of making the development more sustainable. Instead of demolishing the existing structure and building new from the ground up, the applicant proposes to retain the existing building, utilizing the existing foundation and structure to support the new apartments above. The retention of the existing Babe's Building would contribute to a LEED GOLD rating of the proposed building. The applicant is expected to address this issue more fully in their presentation to the Commission at the hearing.

5. *Provide documentation depicting where, and on what floors, the IZ units would located.*

Drawing A6, titled "Inclusionary Zoning Matrix" and dated October 12, 2012, depicts the proposed locations of the IZ units. IZ units would be spread throughout floors two through four, but not on the upper two floors. The IZ unit mix would generally match the unit mix of the building as a whole, including the designation of one of the five two-bedroom units for IZ.

6. *The application is light on benefits and amenities. What else is being done to mitigate the impacts of the proposed relief?*

The applicant has submitted a draft list of benefits and amenities which they total at \$1,411,000, including:

- Undergrounding utilities along Brandywine St. and Wisconsin Ave. - \$500,000
- Improved building materials, including terra cotta and painted aluminum panel finishes - \$600,000
- Streetscape Improvements \$100,000
- Park Improvements across Wisconsin Avenue \$50,000
- Sustainable Design/Infrastructure Improvements \$135,000
- Transportation Amenities \$26,000
- Pepco Undergrounding \$500,000

OP analysis of benefits and amenities is provided later in this report.

7. *Why is a \$25 SmartTrip Card proposed? How will this mitigate the impacts of this building for ten years?*

Since setdown, the applicant has increased the value of the SmartTrip Card to be provided to every initial tenant to \$100.00. Other transportation related benefits are proposed, including car share and bike share memberships, bike parking for tenants and retail workers, a resident transportation coordinator, a multi-modal display within the residential lobby, removal of the property from the RPP program and the prohibition of car ownership stipulated within the leases. In combination these initiatives serve to encourage and reinforce the use of a variety of alternative modes of transportation and to support tenants in their decision to be car-free.

## **PUD EVALUATION STANDARDS**

The purpose and standards for Planned Unit Developments are outlined in 11 DCMR, Chapter 24. Section 2400.1 states that a PUD is “designed to encourage high quality developments that provide public benefits.” In order to maximize the use of the site consistent with the zoning regulations and be compatible with the surrounding community, the applicant is requesting that the proposal be reviewed as a consolidated PUD. This will allow the utilization of the flexibility stated in Section 2400.2.

*The overall goal is to permit flexibility of development and other incentives, such as increased building height and density; provided, that the project offers a commendable number of quality public benefits and that it protects and advances the public health, safety, welfare, and convenience.”*

The applicant has requested a related change in zoning of the property to gain fifteen feet in height and 29,137 square feet in floor area over that permitted as a matter-of-right. Public benefits proposed by the applicant are discussed below.

Section 2403 further outlines the standards under which the application is evaluated.

*2403.3 The impact of the project on the surrounding area and the operation of city services and facilities shall not be found to be unacceptable, but shall instead be found to be either favorable, capable of being mitigated, or acceptable given the quality of public benefits in the project.*

The proposed mixed-use development would replace two long-vacant commercial spaces with two levels of modern retail space and five levels of apartments above, within close proximity to a Metrorail station. It would complement other mixed-use developments that have taken place within Tenleytown over the last decade, including the Cityline at Tenley and Tenley Hill Condominiums, and contribute to the overall improvement of the Wisconsin Avenue street wall and improve retail opportunities within the corridor.

## **PUBLIC BENEFITS AND AMENITIES**

Section 2403.9 outlines “Public benefits and project amenities of the proposed PUD may be exhibited and documented in any of the following or additional categories:

- (a) *Urban design, architecture, landscaping, or creation or preservation of open spaces;*
- (b) *Site planning, and efficient and economical land utilization;*
- (c) *Effective and safe vehicular and pedestrian access, transportation management measures, connections to public transit service, and other measures to mitigate adverse traffic impacts;*
- (f) *Housing and affordable housing;*
- (h) *Environmental benefits, such as stormwater runoff controls and preservation of open space or trees;*
- (i) *Uses of special value to the neighborhood or the District of Columbia as a whole;*

### Utilities

The applicant would underground Pepco lines along the Brandywine Street and the Wisconsin Avenue frontages of the subject property at a cost of approximately \$500,000.

### Urban Design, Architecture, Landscaping or Creation or Preservation of Open Space

In addition to undergrounding the utilities, the site plan proposes improvements to the public space adjacent to the building that would include the following:

- Special entrance pavement;
- Street edging and border of mixed ground covers and perennials;
- Planting of:

- Five street trees on Wisconsin Avenue; and
  - Four street trees on Brandywine Street;
  - Four bicycle racks on Wisconsin Avenue;
  - Street furniture, including;
    - Benches;
    - Tables with seating;
    - Trash cans; and
    - Outdoor patio area along Brandywine Street for use by commercial tenants; and
  - Fountain wall and planter at the corner of Brandywine Street and Wisconsin Avenue.
- The provision of these features would be in public space adjacent to the proposed building at an estimated cost of \$100,000. These features would contribute to enlivening the street, while also contributing to the replacement of the District's tree cover.
- Landscaping of two park area on the west side of Wisconsin Avenue; one at the northeast corner of Brandywine Street and Wisconsin Avenue and the other at 41<sup>st</sup> Street and Wisconsin Avenue. Both would be planted with trees, shrubs and groundcovers. The Brandywine and Wisconsin landscaping would include a Capital Bikeshare station for eleven bicycles.

#### Transportation Features

The applicant proposes to implement a Transportation Demand Management (TDM) plan that would include the following:

- Resident Transportation Coordinator, whose responsibility would be to inform residents of alternative modes of transportation available and how to access them, especially to those moving into the building. The coordinator would also make available literature and other information regarding non-private automobile use within the common areas of the building, such as the rental office and community rooms;
- Digital Multimodal Display. The applicant would install a multimodal display within the lobby, providing information on Metrobus and Metrorail, locations of bike and car share stations, as currently being developed by DDOT and known as "NextBus Display." Provision of this benefit is dependent on its availability by DDOT.
- Bicycle Usage Program, secure storage in a convenient location for 25 resident bicycles and eight employee bicycles with a shower facility.
- One handicapped accessible parking space, either adjacent to or within the building.
- Provision to each initial resident and employee within the building:
  - \$100.00 SmartTrip Card;
  - One-year ZipCar membership valued at \$85.00 each; and
  - One-year Capital Bikeshare membership at \$75.00 each.
- The applicant and DDOT have agreed to remove the subject property from the Residential Parking Permit (RPP) program.

#### Environmental Benefits

The applicant is committing to achieve the equivalent of 62 LEED points, or LEED Gold rating including the following:

- Adaptive reuse of the existing 4600 Wisconsin Avenue building (a.k.a. Babe's Billiards)
- High performance building envelope, including terracotta and brick-clad screen-wall with an R value of 20 or greater;
- Provision of 6,142 square foot of green roof;
- Energy-efficient mechanical, electrical and plumbing systems;
- Water conservation measures, including:
  - Low-flow plumbing fixtures; and
  - Energy Star rated appliances; and
- Purchase of renewable energy certificates by the building owner for 35 percent of the building's projected annual electricity consumption over two years.

The Office of Planning finds that the benefits and amenities package is a strong one, and is commensurate with the level of flexibility requested.

### **COMPREHENSIVE PLAN AND PUBLIC POLICIES**

The proposed development is located within the Rock Creek West Area Element of the Comprehensive Plan and would further the following policies:

#### ***Policy RCW-1.1.3: Conserving Neighborhood Commercial Centers***

*Support and sustain local retail uses and small businesses in the area's neighborhood commercial centers. These centers should be protected from encroachment by large office buildings and other non-neighborhood serving uses. Compatible new uses such as multi-family housing or limited low-cost neighborhood-serving office space (above local-serving ground-floor retail uses ) should be considered within the area's commercial centers to meet affordable housing needs, sustain new neighborhood-serving retail and small businesses, and bring families back to the District. (§ 2308.4)*

#### ***Policy RCW-1.1.4: Infill Development***

*Recognize the opportunity for infill development within the areas designated for commercial land use on the Future Land Use Map. When such development is proposed, work with ANC's, residents, and community organizations to encourage projects that combine housing and commercial uses rather than projects that contain single uses. Heights and densities for such development should be appropriate to the scale and character of adjoining communities. Buffers should be adequate to protect existing residential areas from noise, odors, shadows, and other impacts. (§ 2308.5)*

#### ***Policy RCW-1.1.6: Metro Station Areas***

*Recognize the importance of the area's five Metrorail stations to the land use pattern and transportation network of Northwest Washington and the entire District of Columbia. Each station should be treated as a unique place and an integral part of the neighborhood around it. The development of large office buildings at the area's metro stations should be discouraged. The preference is to use available and underutilized sites for housing and retail uses in a manner consistent with the Future Land Use Map, the Generalized Policies Map, and the policies of the Comprehensive Plan. Careful transitions from development along the avenues to nearby low-scale neighborhoods must be provided. (§ 2308.7)*

The proposed PUD would also further the following policies of the Land Use, Environmental Protection, Economic Development, and Urban Design elements of the Comprehensive Plan:

#### ***Policy LU-1.3.2: Development Around Metrorail Stations***

*Concentrate redevelopment efforts on those Metrorail station areas which offer the greatest opportunities for infill development and growth, particularly stations in areas with weak market demand, or with large amounts of vacant or poorly utilized land in the vicinity of the station entrance. Ensure that development above and around such stations emphasizes land uses and building forms which minimize the necessity of automobile use and maximize transit ridership while reflecting the design capacity of each station and respecting the character and needs of the surrounding areas. (§ 306.11)*

#### ***Policy LU-1.3.4: Design To Encourage Transit Use***

*Require architectural and site planning improvements around Metrorail stations that support pedestrian and bicycle access to the stations and enhance the safety, comfort and convenience of passengers walking to the station or transferring to and from local buses. These improvements should include lighting, signage, landscaping, and security measures. Discourage the development of station areas with conventional suburban building forms, such as shopping centers surrounded by surface parking lots. (§ 306.13)*

**Policy LU-1.3.5: Edge Conditions Around Transit Stations**

*Ensure that development adjacent to Metrorail stations is planned and designed to respect the character, scale, and integrity of adjacent neighborhoods. For stations that are located within or close to low density areas, building heights should “step down” as needed to avoid dramatic contrasts in height and scale between the station area and nearby residential streets and yards. (§ 306.14)*

**Policy LU-1.4.1: Infill Development**

*Encourage infill development on vacant land within the city, particularly in areas where there are vacant lots that create “gaps” in the urban fabric and detract from the character of a commercial or residential street. Such development should complement the established character of the area and should not create sharp changes in the physical development pattern. (§ 307.5)*

**Policy LU-1.4.2: Long-Term Vacant Sites**

*Facilitate the reuse of vacant lots that have historically been difficult to develop due to infrastructure or access problems, inadequate lot dimensions, fragmented or absentee ownership, or other constraints. Explore lot consolidation, acquisition, and other measures which would address these constraints. (§ 307.6)*

**Policy LU-2.1.3: Conserving, Enhancing, and Revitalizing Neighborhoods**

*Recognize the importance of balancing goals to increase the housing supply and expand neighborhood commerce with parallel goals to protect neighborhood character, preserve historic resources, and restore the environment. The overarching goal to “create successful neighborhoods” in all parts of the city requires an emphasis on conservation in some neighborhoods and revitalization in others. (§ 309.8)*

**Policy LU-2.1.4: Rehabilitation Before Demolition**

*In redeveloping areas characterized by vacant, abandoned, and underutilized older buildings, generally encourage rehabilitation and adaptive reuse of existing buildings rather than demolition. (§ 309.9)*

**Policy LU-2.1.11: Residential Parking Requirements**

*Ensure that parking requirements for residential buildings are responsive to the varying levels of demand associated with different unit types, unit sizes, and unit locations (including proximity to transit). Parking should be accommodated in a manner that maintains an attractive environment at the street level and minimizes interference with traffic flow. Reductions in parking may be considered where transportation demand management measures are implemented and a reduction in demand can be clearly demonstrated. (§ 309.16)*

**Policy H-1.1.1: Private Sector Support**

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

**Policy H-1.1.3: Balanced Growth**

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

**Policy H-1.1.4: Mixed Use Development**

*Promote mixed use development, including housing, on commercially zoned land, particularly in neighborhood commercial centers, along Main Street mixed use corridors, and around appropriate Metrorail stations. (§ 503.5)*

***Policy E-1.1.1: Street Tree Planting and Maintenance***

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

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

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

***Policy E-3.2.1: Support for Green Building***

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

***Policy ED-2.2.3: Neighborhood Shopping***

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

***Policy ED-3.1.1: Neighborhood Commercial Vitality***

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

***Policy UD-1.4.1: Avenues/Boulevards and Urban Form***

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

***Policy UD-1.4.3: Avenue/Boulevard Vistas and View Corridors***

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

The proposed development would provide new private-sector supplied multi-family housing in a mixed use building within close proximity to the Tenleytown Metrorail station. A long vacant site, this development would retain the existing structure, incorporating it into the new building and renovating it for use as retail space. The new building would be six stories in height, similar to other buildings on Wisconsin Avenue. It would fill in and continue the Wisconsin Avenue street-wall. Upper floors would be set back from the rear lot line facing the lower density residential uses west of the site.

**COMPREHENSIVE PLAN FUTURE LAND USE MAP: (Attachment 1)**

The site is within an area designated for Mixed Moderate Density Commercial / medium Density Residential development.

Mixed Land Use: "Areas where the mixing of two or more land uses is encouraged. ... The general density and intensity of development within a Mixed Use area is determined by the specific mix of uses." (§ 225.19)

Moderate Density Commercial: *“Defines shopping and service areas that are somewhat more intense in scale and character than the low density commercial areas. Retail, office, and service businesses are the predominant uses. Areas range from small business districts that draw primarily from the surrounding neighborhoods to larger business district uses that draw from a broader market. ...”* (§ 225.9)

Medium Density Residential: *“Defines neighborhoods or areas where mid-rise (4-7 stories) apartment buildings are the predominant use....”* (§ 225.4)

#### **COMPREHENSIVE PLAN POLICY MAP:** (Attachment 2)

The site is within an area designated as a Main Street Mixed Use Corridor: *“traditional commercial business corridors with a concentration of older storefronts along the street. ... Their common feature is that they have a pedestrian-oriented environment with traditional storefronts. Many have upper story residential or office uses. Conservation and enhancement of these corridors is desired to foster economic and housing opportunities and serve neighborhood needs. Any development or redevelopment that occurs should support transit use and enhance the pedestrian environment.”* (§ 223.14)

The proposed seven story development at a FAR of 4.8 and a mixture of residential and street level retail uses is not inconsistent with the Comprehensive Plan.

#### **AGENCY REFERRALS AND COMMENTS**

Comments were received from the following agency, as described below.

- **DCWater:** In an email dated August 30, 2012, indicated that water and sewer connections were available for hookup and that final determinations would be made as part of the building permit review process, after application was made to DCWater.
- **DDOT** is expected to provide comments in a separate report.

#### **COMMUNITY COMMENTS**

**ANC 3E**, at its regularly scheduled public meeting of October 11, 2012, unanimously recommended that the Zoning Commission approve the application.

#### **RECOMMENDATION**

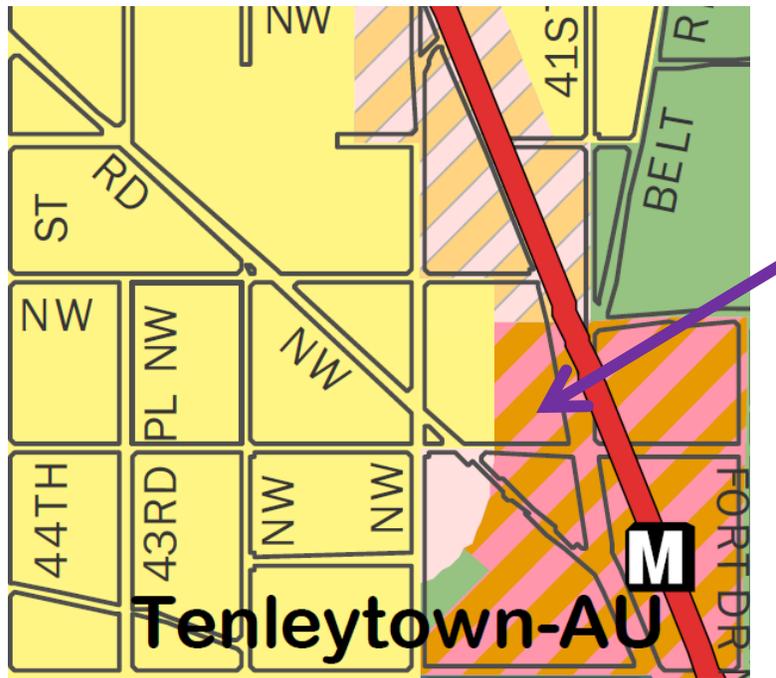
The Office of Planning supports the proposal for a new mixed-use building providing space for residential and commercial uses. The proposed PUD and related map amendment are not inconsistent with the elements of the Comprehensive Plan, would fill in a gap along the Wisconsin Avenue streetscape with an appropriately scaled and programmed building, and has received the unanimous recommendation of approval by the local ANC.

Therefore, the **Office of Planning recommends that the application be approved.**

JS/sjm<sup>AICP</sup>

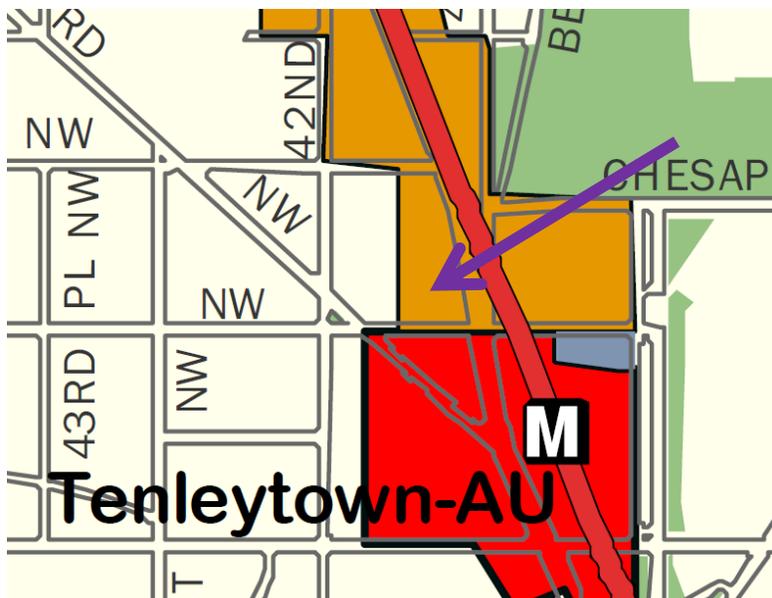
Case Manager: Stephen J. Mordfin, AICP

Attachment 1



**Comprehensive Plan - Future Land Use Map**

Attachment 2



**Comprehensive Plan – Generalized Policy Map**

***“With regard to water infrastructure, there is an existing 8-inch cast iron water main (constructed in 1909) and an existing 20-inch cast iron water main (constructed in 1928) in Wisconsin Avenue NW. There is also an existing 8-inch cast iron water main (constructed in 1909) in Brandywine Street NW. The 8-inch cast iron water mains in Wisconsin Avenue NW and Brandywine Street NW are available for new connections. The 20-inch cast iron water main in Wisconsin Avenue NW is not available for new connections as it is a DC Water transmission main critical to maintaining hydraulic pressure zones, not for providing individual water connections. Subsequent to water distribution system testing, analysis of flow demand for the proposed development, and analysis of the age, break history, water quality and capacity of the surrounding water system, large connections (3-inch diameter and larger) may require replacement and upsizing of portions of the 8-inch water mains in Wisconsin Avenue NW and/or Brandywine Street NW.***

***With regard to sewer infrastructure, the project site is located in an area with separate storm sewer and sanitary sewer networks. All proposed sanitary sewer services must be tied to sanitary sewer mains and all proposed storm sewer services must be connected to storm sewer mains. There is an existing 10-inch sanitary sewer main (constructed in 1909) in Wisconsin Avenue NW and an existing 10-inch sanitary sewer main (constructed in 1925) in Brandywine Street NW. Both of these sanitary sewer mains are available for new sanitary sewer service connections. There is an existing 10-inch storm sewer main (constructed in 1928) in Wisconsin Avenue NW and an existing 15-inch storm sewer main (constructed in 1949) in Brandywine Street NW. Both of these storm sewer mains are available for new storm sewer service connections. Storm connections along Brandywine Street NW may require extension of the existing 15-inch public storm sewer, as the this storm sewer main terminates near the Lot 820 property line. Sanitary sewer connections along Wisconsin Avenue NW may require extension of the existing 10-inch public sanitary sewer, as this sanitary sewer main terminates near the Lot 820 property line.***

***The information above describes the existing infrastructure in the vicinity of the project. A final determination of the ability of those lines to service this project can only be made after site development plans and supporting application documentation has been submitted and reviewed by DC Water. If as a result of that review DC Water finds the existing system to be unsuitable for the proposed connections the plans will not be approved. Applicant is advised that, under DC Water’s infrastructure renewal program, priority is given to replacement of infrastructure that serves the most critical needs of our customers, as determined by DC Water. Upgrades to the water and sewer systems that may be needed to accommodate this project are unlikely to be included in DC Water’s renewal program in the immediate future. Applicant may at their option elect to replace or extend water and sewer to meet their project needs.”***

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Feel free to call or e-mail me if you have any questions/comments.

Regards,

Chris



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