

### **Revised Design Review Standard Analysis**

\* The following analysis of the design review standards of Subtitle X § 604 is based upon the Applicant's revised project plans submitted to the Zoning Commission on October 16, 2018 (the "Revised Plans").

§ 604.5 *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 Project is not inconsistent with the guiding principles, policies, and goals of the Comprehensive Plan for the National Capital, including the "Neighborhood Commercial Center" designation assigned to the Project Site on the Generalized Policy Map (the "GPM")(Exhibit 3D of the case record), and the "Low Density Commercial" land use designation assigned to the Project Site on the Future Land Use Map (the "FLUM")(Exhibit 3E of the case record). In light of the changes made to the Project, as showed in the Revised Plans attached as Exhibit A, the Applicant has prepared a revised Comprehensive Plan analysis which is attached as Exhibit B. As clearly demonstrated in the revised analysis, overall the Project remains overwhelmingly "not inconsistent with the Comprehensive Plan."

§ 604.6 *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.*

In order for the Project to meet the general special exception criteria of Subtitle X, Chapter 9, the Applicant must demonstrate 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 Project satisfies all three of these criteria.

First, the Project is in harmony with the general purpose and intent of the Zoning Regulations and Zoning Map. The stated purpose and intent of the existing MU-4 zone, which covers the entire Project Site, is to permit mixed-use development; provide facilities for shopping and business needs, housing, and mixed uses for large segments of the District of Columbia outside of the central core; and be located in low- to moderate-density residential areas with access to main roadways or rapid transit stops, and include office employment centers, shopping centers, and moderate bulk mixed-use centers (11-G DCMR § 400.3). The Project is consistent with these purposes as it will provide a new full-service grocery store and potential additional neighborhood-serving retail space all within close proximity to the existing retail and service uses along Massachusetts Avenue, including those at the SVSC, and within a designated Neighborhood Commercial Center on the Comprehensive Plan GPM. It will also provide a wide range of new housing opportunities, including a substantial number of affordable dwelling units, including larger-sized affordable dwelling units, in a high-opportunity neighborhood of the District and a Ward that is significantly lacking in affordable housing inventory.

Additionally, the residential dwelling units proposed within the Project will consist of a wide range of unit types, including many two-bedroom, two-bedroom plus den, and three-bedroom units that can accommodate a range of residents, including young families and “age in place” populations. Specifically, as currently designed the Project will contain approximately 61 two-bedroom units (approximately 27.8% of total units), approximately 20 two-bedroom plus den units (approximately 9.1% of total units ), and approximately 36 three-bedroom units (approximately 16.4% of total units). This amounts to approximately 53.4% of all proposed dwelling units, and approximately 62.9% of proposed affordable dwelling units, being devoted to larger-sized units. Furthermore, as clearly demonstrated in the tabulation of the development data

included in the Revised Plans, the Project is well within the matter-of-right development standards of the MU-4 zone including density, as measured according to the flexibility in building bulk control provided through the voluntary design review process.

Secondly, the Project will not adversely affect the use of neighboring property. The height and massing of the Project have been substantially reduced since initial submission in order to relate to the surrounding context. Rather than a single building mass, the Applicant is proposing multiple building types (apartment building and townhomes) on the Valor Lot. The scale of Building 1 has been significantly reduced at the street-level through the use of three- and four-story pavilions, projecting bays, and large courtyards, and most recently through a reduction in overall building height by approximately eight feet. In addition, the upper-levels of Building 1 continue to be substantially sculpted and set back along the north and east sides such that the building massing is concentrated toward the AU Building and Massachusetts Avenue, and pulled as far away as possible from the adjacent residential uses along Yuma and 48<sup>th</sup> Streets. To further relate to the scale of the surrounding residential neighborhood, the Applicant has replaced Building 2, which had a height of 48 feet plus a 15-foot penthouse, with five low-scale townhomes that are approximately 37 feet in height. Four of the townhomes will also have a 10-foot penthouse that is set back as required and provides access to a modest-sized roof deck that is oriented toward the rear, away from the residences across 48th Street. The smaller scale and compatible architectural design of the proposed townhomes will further break down the scale and massing of the Project along 48th Street, especially in relation to the existing residences to the east, and add variety along the streetscape. The Applicant has also effectively utilized the change in grade that occurs along the perimeter of the site, and has incorporated multiple

architectural methods to articulate the proposed buildings such as horizontal banding and material differentiation, and use of multiple façade types.

The substantial efforts made to reduce the scale and massing of the proposed buildings, and particularly Building 1, are evident in the updated shadow study that is included in the Revised Plans. The shadow study models the potential effects of the Project relative to existing conditions during multiple times of the day throughout all four seasons of the year. The diagrams included in the Revised Plans depict the likely best- and worse-case scenarios occurring during the summer (June) and winter (December) solstices, and the spring (March) and fall (September) equinoxes. As shown in the shadow study, for more than eight months of the year, the Project may have minimal solar effect on the surroundings compared to existing conditions. In the late-winter months, the Project could affect the residential uses to the north for a relatively short period during the morning hours. During the late-afternoon / early-evening hours (beginning between 3:00 – 4:00 pm), the Project may affect the residential uses to the east. It must be noted, however, that shadow studies in general are easily misinterpreted, and slightly misleading, as they do not fully reflect the fact that during the winter months between early-November and early-January, sunset occurs between 4:00 – 5:00 pm. Indeed, the shadow study included in the Revised Plans accounts for the sun setting at approximately 4:45 pm in the winter. It should also be noted that a matter-of-right development, built to a height of 50 feet at the property line along Yuma and 48<sup>th</sup> Streets, would have similar shadow patterns.

Finally, access to all parking and loading facilities for the Project, including the proposed townhomes, has been effectively located entirely along existing alleys, rather than reusing one of many existing curb cuts or proposing new curb cuts along Yuma Street and/or 48<sup>th</sup> Street. Use of the alley for access to parking and loading will improve the quality and safety of surrounding

public space for neighboring properties. In addition, the amount of grocery store related activity along Yuma Street will be minimized due to the direct connection provided from the below-grade parking garage into the grocery store.

§ 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;

The Project will increase pedestrian circulation and access through the use of multiple pedestrian access points both to the proposed buildings and through the Valor Lot. First, the main lobby for Building 1 will be located along Yuma Street, and certain individual units located on the first floor will have separate direct access to the street. In addition, the five townhomes proposed along Yuma Street will each have a street facing entrance.

(2) Direct driveway or garage access to the street is discouraged;

All access to the parking and loading facilities proposed for the Project, including the proposed townhomes, will be located off of existing alleys rather than proposing to use existing or new curb cuts along neighborhood streets. In fact, as a result of the project the streetscape along 48<sup>th</sup> and Yuma Streets will be reconstructed and the two existing curb cuts that provide access to the former grocery store parking lot will be eliminated, thus improving the quality of adjacent public space and significantly improving pedestrian safety.

(3) Commercial ground floors contain active uses with clear, inviting windows;

Due to the substantial grade change across the Valor Lot, the extent of commercial ground floor presence is limited to only the northwest and southwest corners of Building 1, which appropriately minimizes the visual impact of the proposed grocery store and additional retail space on the surrounding residential neighborhood. As shown in the Revised Plans, the limited amount of commercial ground floor that is visible is designed to be clear, inviting, and complementary to the neighborhood.

The main entrance to the grocery store is limited only to a small portion of the western end of the Yuma Street façade of Building 1, next to the SVSC. Given the proximity to the residential dwellings to the north, the Applicant has taken several steps to minimize the visual presence of the grocery store entrance. First, the grocery store entrance is set back approximately 17 feet from the sidewalk, and, due to the grade along Yuma Street, is located approximately two feet lower than the adjacent sidewalk. The setback and slightly lower elevation of the entrance creates an intimate plaza area that will be generously landscaped and open to the public, while at the same time providing an effective buffer from nearby residential uses. To further minimize the grocery store entrance, its façade design has been kept simple so that it blends in with the residential portion of the building as much as possible, and the signage will adhere to the set of design guidelines included in the Revised Plans. No upper-level signage is proposed as part of the Project.

(4) Blank facades are prevented or minimized; and

As clearly demonstrated in the Revised Plans, the facades of Buildings 1 and the proposed townhomes have been thoughtfully designed to relate to the surrounding context in massing and articulation, architectural character, and through the use of high-quality materials. In fact, no blank facades are proposed, but rather every façade, including those along the alleys, are attractively designed and detailed. In addition, the same materials that are proposed for the street-facing facades will also be used along the alley-facing facades. Finally, the parking and loading facilities for the proposed buildings have been located in a manner that minimizes views from the surrounding residential neighborhood and public rights-of-way.

(5) Wide sidewalks are provided;

The Project will substantially improve pedestrian circulation through and around the Project Site through the reconstruction of the streetscape adjacent to the Valor Lot along 48<sup>th</sup> and Yuma Streets, and the improvements along the public alley between Yuma Street and Massachusetts Avenue. The reconstruction of the streetscape adjacent to the Valor Lot will result in the removal of two large curb cuts that currently provide access to the former grocery store surface parking lot and parking garage. The removal of these curb cuts, which have a combined width of approximately 80 feet (26 feet on 48<sup>th</sup> Street and 54 feet on Yuma Street) will substantially improve the safety and quality of public space and pedestrian circulation by establishing uninterrupted sidewalks along the Valor Lot street frontages.

Finally, while alleys are not typically intended to serve pedestrians, based on feedback from the community the Applicant is proposing improvements along the existing north-south public alley next to Building 1 that will improve pedestrian circulation and safety, as well as the alley aesthetic. First, the Applicant is proposing to increase the amount of circulation space available to vehicles and pedestrians along the north-south alley through the recordation of a public easement over the western portion of Lot 807. Currently, while technically the existing public alley is 20-feet wide, the amount of this area available for circulation is often substantially reduced by parked cars and trash containers that are placed within the alley right-of-way. In coordination with the owner of the SVSC, the Applicant proposes to reduce the number of trash containers, place them in an enclosure along the alley, and consolidate trash operations to improve efficiency and reduce the overall number of trash pick-ups.

The Applicant will also set back Building 1 along the west such that the amount of circulation space available between the proposed trash enclosure and Building 1 is approximately 23 feet, consisting of 20-feet of vehicular circulation and a new three-foot sidewalk which pedestrians will be able to use to easily access the SVSC and other existing retail and service uses along Massachusetts Avenue.

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

- *Where neighborhood open space is lacking;*
- *Near transit stations or hubs; and*
- *When they can enhance existing parks and the waterfront.*

The Project will provide two new public gathering spaces. First, the Applicant is proposing Windom Park, a publicly-accessible open space between Building 1 and the proposed townhomes. In addition, a new plaza will be provided outside the grocery store that will provide opportunities for seating and small gatherings. The Project also incorporates substantial improvements to the public space surrounding the Project Site through the rebuilding of the streetscape adjacent to the Valor Lot along 48<sup>th</sup> and Yuma Streets, including the permanent closure of approximately 80 feet of existing curb cuts, and the aesthetic and pedestrian improvements along the north-south public alley.

(c) New development respects the historic character of Washington's neighborhoods, including:

- *Developments near the District's major boulevards and public spaces should reinforce the existing urban form;*
- *Infill development should respect, though need not imitate, the continuity of neighborhood architectural character; and*
- *Development should respect and protect key landscape vistas and axial views of landmarks and important places.*

The Project respects the historic character of the SVSC and the other historic shopping center across Massachusetts Avenue (also known as the Spring Valley Shopping Center), as well as the character of the residential neighborhood to the north and east. As described in detail above, the height and massing of Building 1 has been significantly restrained from what is permitted as a matter-of-right under the MU-4 zone, and has been significantly set back from the adjacent residential uses along Yuma and 48<sup>th</sup> Streets through reductions in massing and substantial upper-level setbacks.

Specifically, while Building 1 could be constructed as a matter-of-right to the north and east property line to a maximum height of 50 feet, the proposed design breaks down the initial mass of the building through the use of lower-height pavilions, recessed facades that are separated by large open courtyards, and substantial upper-level setbacks.

To further reduce the mass of the western portion of Building 1 along Yuma Street, where the grade elevation is lowest, the building has been set back approximately 17 feet from the property line. In addition, the fourth floor has been further set back approximately an additional 14 feet (31 feet total from the property line), and the penthouse footprint has been reduced such that it exceeds the required 1:1 setback.

Along 48<sup>th</sup> Street, the Applicant is proposing to break up the extent of building façade by proposing large landscape courtyards within Building 1, Windom Park, and five lower-scale townhomes.

The architectural styles of Building 1 and the townhomes also respect the character of the surrounding neighborhood and the historic SVSC, while establishing its own identity. The surrounding neighborhood predominately reflects colonial and colonial revival styles of architecture, and is characterized by rectangular massing; symmetrical compositions; and the use of brick, multi-paned windows, and bays and dormers. Each of these elements have successfully been incorporated into the design of the proposed buildings.

(d) Buildings strive for attractive and inspired façade design, including:

- Reinforce the pedestrian realm with elevated detailing and design of first (1st) and second (2nd) stories; and
- Incorporate contextual and quality building materials and fenestration.

As described above, the Project will have a high-quality, attractive design that takes cues from the surrounding context while establishing its own identity. In addition to the substantial improvements that will be made to the public realm through the elimination of curb curbs and additional plantings, the public realm will be further elevated as a result of the Applicant's close attention to the design and detailing of the proposed ground-level and upper-level building facades. The fenestration of the proposed buildings incorporates architectural elements that are commonly found throughout the predominately colonial-style surroundings. These elements include, among others, symmetrical façade design, multi-paned windows, and bay projections. The Applicant is also proposing to use a range of high-quality materials that are also common in the surrounding context. These materials include cast stone, brick, cementitious panel, metal awnings, and decorative railings.

Since submitting the initial application the Applicant has continued to refine the building facades to further respond to the context. For example, the light-colored rusticated base proposed for Building 1 was previously raised one story which reduces the perceived height of the lower pavilions. In addition, the large columnar order initially proposed for the top two floors of the western portion of Building 1 was eliminated and replaced with a simpler, banded treatment that is more appropriate for this scale and type of building. The Applicant's most recent changes include further reductions to the height and mass of Building 1 such that the maximum height of the building is now

approximately 43'-6", which is approximately eight feet below the maximum permitted matter-of-right height of 50 feet. The additional reductions to Building 1, combined with the previously proposed lower initial heights, deep upper-level setbacks, façade articulation, and high-quality design, will further increase the manner in which Building 1 successfully responds to the immediate surroundings.

The Applicant has also eliminated Building 2, which had a height of 48 feet plus a 15-foot penthouse, with five low-scale townhomes that are approximately 37 feet in height. Four of the townhomes will also have a 10-foot penthouse that is set back as required and provides access to a modest-sized roof deck that is oriented toward the rear, away from the residences across 48th Street. The smaller scale and compatible architectural design of the proposed townhomes will further break down the scale and massing of the Project along 48th Street, especially in relation to the existing residences to the east, and add variety along the streetscape.

(e) Sites are designed with sustainable landscaping; and

Currently, the Valor Lot is improved with a vacant grocery store building and vast surface parking lot, both of which are completely impervious and lack any form of sustainable storm water management. The Project will replace these existing improvements with an environmentally sustainable development that includes substantial landscaping. As described above, the Project includes several landscaped courtyards, Windom Park, and green roof areas that will provide sustainable storm water management, new habitat, and urban heat island reduction. As shown on the preliminary GAR calculations included in the Revised Plans, the Project will meet the applicable GAR score required under ZR16 and includes, among other sustainable elements,

landscaped areas with a soil depth of 24-inches or more, bioretention facilities, several new shade trees, permeable paving, and both intensive and extensive green roof systems.

(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;

The proposed improvements to the streetscape surrounding the Valor Lot and along the north-south public alley will vastly improve pedestrian circulation through and around the Project Site. The elimination of two large curb cuts along 48<sup>th</sup> and Yuma Streets, which collectively amount to approximately 80 linear feet, will improve the safety of pedestrian circulation along these neighborhood streets. Finally, subject to review and approval by DDOT, the Applicant has agreed to construct a HAWK signal that will provide additional mid-block pedestrian connectivity across Massachusetts Avenue.

(2) The development incorporates transit and bicycle facilities and amenities;

As shown in the tabulation of development data included in the Revised Plans, the Project will provide, at minimum, the number of short- and long-term bicycle parking spaces, and related bicycle facilities, as required under Subtitle C, Chapter 8 of ZR16. In addition, in coordination with DDOT, the Applicant has developed a robust Comprehensive Transportation Review (“CTR”) and Transportation Demand Management (“TDM”) Plan which incorporates bicycle, transit, and car sharing incentives that will be made available to future residents. The Applicant’s CTR and TDM Plan is included in the case record as Exhibit

107, and includes several TDM strategies that are aimed at reducing the demand for single-occupancy vehicle use.

- (3) Streets, easements, and open spaces are designed to be safe and pedestrian friendly;

The Project will improve pedestrian circulation through and around the Project Site by improving the quality of adjacent public space, eliminating two existing curb cuts, and making pedestrian circulation improvements along the north-south alley. As shown in the Revised Plans, these improvements will be designed to be safe and pedestrian friendly.

- (4) Large sites are integrated into the surrounding community through street and pedestrian connections; and

Pedestrian circulation through the Project Site will be improved as a result of the improvements along the north-south public alley, thereby better integrating the Project Site into the surrounding community. In addition, the elimination of approximately 80 linear feet of existing curb cuts along 48<sup>th</sup> and Yuma Streets will improve pedestrian circulation and safety of the public space adjacent to the Valor Lot.

- (5) Waterfront development contains high-quality trail and shoreline design as well as ensuring access and view corridors to the waterfront.

Not Applicable

§ 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 Project satisfies the criteria of Subtitle X § 604.7 in a way that is superior to any matter-of-right development possible on the Valor Lot alone. As a matter-of-right, the Applicant could construct an all-residential project on the Valor Lot that would be substantially taller at the property lines along 48<sup>th</sup> and Yuma Streets than the current proposal. However, the Applicant

would be unable to provide a new full-service grocery store within a matter-of-right project due to an insufficient amount of nonresidential GFA available to Lot 807 resulting from the prior allocation to the AU Building on Lot 806. Through the extensive consultation the Applicant has had with ANC 3E and 3D, as well as the community, the Applicant has learned there is overwhelming consensus that a new full-service grocery store is widely desired by the community.

The design of the Project is of superior quality, is complementary to the surrounding context, provides a successful transition between the lower-scale residential neighborhood and the larger-scale AU Building, and will provide a more fitting backdrop to the historic SVSC compared to what currently exists. The Project is also far superior to a matter-of-right project in many other respects, including scale and massing, sustainability, building program, historic preservation, and size of dwelling units (including size of affordable dwelling units).

Under the voluntary design review process, the Applicant is able to “sculpt” the proposed development in a manner that substantially reduces scale and mass to relate to the surrounding context, while still maintaining the viability of the Project. Specifically, under a matter-of-right scenario the Applicant could develop Lot 807 to a maximum height of 50 feet without setbacks at the property line, and up to 0.4 FAR at the penthouse level. In contrast, through the flexibility in building bulk control afforded through the voluntary design review process, the Applicant can utilize unused gross floor area from the historic SVSC to provide a new, full-service grocery store and additional residential units, while at the same time reducing the overall scale and mass of the Project through lower initial building heights, substantial upper-level setbacks, fewer projections, large building courtyards and terraces, and a lower penthouse FAR.

The Applicant is also able to devote portions of Lot 807 to publicly accessible open spaces and plazas, and make improvements to the north-south public alley. This additional open space not only helps to integrate the Project and the Valor Lot into the surrounding context, it also helps increase the overall sustainability of the Project. While under District regulations the Applicant is only required to design the project to be LEED Certified, as shown on the preliminary LEED scorecard included in the Revised Plans, the Applicant will exceed its sustainability requirement by committing to LEED Gold.

Another aspect of the Project that makes it superior than any matter-of-right development is the protection that it will afford to the SVSC from future development. Specifically, the ability to utilize the SVSC's unused gross floor area will not only allow the Applicant to provide a new full-service grocery store and additional housing on the Valor Lot, it will help protect the historic SVSC from future additional development by significantly reducing the amount of unused density on the SVSC site.

Finally, the design review process makes it possible for the Applicant to design the Project with the majority of dwelling units being larger-sized in both market-rate and affordable categories, which remains uncommon despite the many thousands of new dwelling units being constructed in the District and the growing demand for these types of units. As shown in the Revised Plans, as currently designed approximately 53% of the proposed dwelling units within the Project will be devoted to larger-sized units (two bedroom, two-bedroom plus den, and three-bedroom). Approximately 63% of the affordable dwelling units provided in the Project have two or more bedrooms. These new larger-sized dwelling units will not only increase housing for younger families striving to establish themselves in the highly sought after Upper Northwest

quadrant of Washington, DC, but will also provide opportunities for long-time residents that wish to downsize while remaining in their neighborhood and close to amenities.