



MEMORANDUM

TO: District of Columbia Zoning Commission

FROM: Jennifer Steingasser, Deputy Director for Development Review & Historic Preservation

DATE: October 9, 2009

SUBJECT: Zoning Commission Case Number 09-14, a Proposed Consolidated Planned Unit Development and related Zoning Map Amendment for a Safeway grocery store

I. PETITION

The applicant, Safeway, Inc., requests approval of a new grocery store via a consolidated planned unit development and related map amendment. The project would include demolition of the existing store, located at 4203 Davenport Street, NW, and construction of a new, larger facility on the same site. The proposed PUD-related map amendment would amend the split-zoned site, which is currently a combination of zones C-2-A, R-2, and R-3, to have all commercial zoning. The applicant requests PUD-related map amendments to change the R-2 and R-3 zoned portions of the site to be within the C-1 zone.

II. RECOMMENDATION

The Office of Planning (OP) **recommends** that the planned unit development and related map amendment be **set down for public hearing**. The proposed project would allow for the redevelopment of an existing grocery store on the same site. The proposal would also further District economic objectives to strengthen neighborhood retail uses, create a more attractive building façade, and improve an existing triangle park.

The Office of Planning finds that the proposed PUD and related map amendment are **not inconsistent** with the 2006 Comprehensive Plan and Future Land Use Map. Overall, the Office of Planning is supportive of the redevelopment of the site, however OP has several issues with the project that will require additional coordination before the public hearing, including:

- The relatively low level of sustainability incorporated into the project including pursuing only a base line LEED certification, a very small percentage (2.6%) of green roof, and the lack of pervious pavers in the parking lot;
- The placement of the building, the “egress walkway”, and secondary entrance relative to the residential dwellings to the northwest, and the location of the internal uses relative to the proposed external café tables along 42nd Street;
- The need for the flexibility sought, benefits, and amenities to be fully enumerated and detailed;
- A discussion of how the project is superior to a matter of right project and meets the intent of Chapter 24; and
- A project phasing and construction management plan.

OP would also be supportive of additional density at this location and notes that the site could carry at least an additional 1.5 FAR of residential development on the C-2-A portion of the property.



III. SITE AND SURROUNDING AREA

The subject property is located in Northwest Washington, on Lots 803, 804, 812, and 815, within Square 1672. The subject square is generally bounded by Ellicott Street, NW (north), Davenport Street, NW (south), 42nd Street, NW (east), and 43rd Street, NW (west). The subject property is approximately 109,792 square feet in size and is located within three different zoning districts. The eastern part of the site, including the existing grocery store building, is largely within the C-2-A zone. The west portion of the site is zoned R-2, which includes the open parking lot at the southwest corner of the property, and R-3, which accounts for a small portion at the northwest edge of the site. Square 1672 is comprised of a variety of uses including the existing Safeway grocery store, a Washington Metropolitan Area Transit Authority (WMATA) facility, and several single-family residences.

The subject property is currently improved with a one-story Safeway grocery store and accessory parking lot. The existing store is 35,000 square feet in size and has 114 off-street parking spaces. A WMATA equipment building is located immediately to the north of the site along Ellicott Street, NW. Georgetown Day School, a private high school, is located immediately south of the site across Davenport Street, which dead ends at the school parking lot. Single family residential uses, attached and detached, are located to the north and west of the site. Commercial uses are located to the east along Wisconsin Avenue, NW, including the adjacent Volvo dealership directly across 42nd street. The C-2-A zone extends to the east along both sides of Wisconsin Avenue, NW. The R-2 zone continues further west, north, and south of the site. A small R-3 zone, which includes the adjacent single-family residences west of the site, extends to 43rd and Ellicott Streets NW.

IV. PROPOSAL

The applicant requests a planned unit development and related map amendment to permit the construction of a new full service grocery on the subject property. The existing Safeway store has occupied this site for 28 years. The store is located on Lot 815 and fully within the C-2-A zone. As part of this proposal, the existing store would be demolished and replaced with a larger one that would extend onto some of the adjacent lots. The new store is proposed to have a lifestyle format and provide a variety of new and expanded services, including the following:

- a florist;
- dry cleaners;
- meat service department;
- “from scratch” bakery;
- gourmet cheese counter;
- self check-out stations;
- Starbucks coffee shop; and
- increased offerings in dry grocery, general merchandise, health and beauty, frozen food, food service (prepared foods), and wine/beer selection (if approved).

The proposed 58,580 square foot Safeway store would provide off-street parking on the open, ground level garage and retail areas on the upper level. The applicant proposes a new store entrance at the northeast corner of the building on the 42nd street façade, as well as outdoor seating areas and new landscaping treatments. The parking lot would continue to be accessed from Ellicott and Davenport Streets, NW. However, the applicant proposes to shift the Ellicott Street alley stub 20’ to the west to create a new driveway. The proposed 22’ wide driveway would contain a small portion of the existing alley as well as portions of the adjacent lots 804 and 812’. The project would include 176 parking spaces, 52 of which would be located in an outdoor open parking lot located at the southwest corner of

the site, in the same location as the existing parking lot. Loading and trash facilities would be relocated to the south edge of the site, and be accessed from Davenport Street NW. As a result, the existing curb cut on 42nd Street, NW is proposed to be closed as part of this redevelopment. Covered bicycle parking would be provided on the lower level and racks would also be located near the new 42nd Street entrance.

Other proposed features include a 1,400 square foot green roof at the southeast corner of building and an outdoor café area along the 42nd street side of the building. The project has been designed to be more visible from Wisconsin Avenue, in part by the proposed improvement of the existing triangle park at the intersection of Wisconsin and Ellicott Streets, NW. Finally, Safeway proposes to work with WMATA to add landscaping around their site immediately to the north.

The requested PUD-related map amendment would only affect the existing R-2 and R-3 portions of the site. The map change is largely to enable the grocery store use to expand to the lots currently zoned for residential use. The applicant proposes to consolidate these lots to create a C-1 zoned lot which would form the western half of the property. The lots currently zoned C-2-A are not proposed to change.

V. ZONING ANALYSIS

The subject property is comprised of three different zoning districts. Lot 803 and a portion of Lot 815 are within the C-A Community Business Center District. This district is designed to provide facilities for shopping and business needs, housing, and mixed uses for areas outside the central core. The remaining lots and areas are within residential zones. Lot 804 is located entirely within the R-3 Residence District and Lot 812 and a portion of Lot 815 are zoned R-2. The R-2 and R-3 Residence Districts are low-density residential zones, which permit single-family detached, semi-detached, and row dwellings along with a limited number of institutional uses. The areas currently zoned C-2-A would retain their existing zoning designation.

The applicant proposes a PUD-related map amendment which would change the residentially zoned lots to be C-1. This neighborhood shopping district is designed to provide convenient retail and personal service establishments serving the day-to-day needs of surrounding residential areas. Grocery stores are permitted as-of-right in both C-1 and C-2-A zones but not allowed in residential districts.

Zoning Change Requested

The following table describes the properties proposed for rezoning:

| Proposed Zoning Change | Lots | Square Feet |
|-------------------------------|-------------|--------------------|
| C-2-A/R-2 to C-2-A/C-1 | 815 | 100,121 |
| R-2 to C-1 | 812 | 3,090 |
| R-3 to C-1 | 804 | 5,108 |

Lot 803, which is separated from Lots 804 and 812 by a public alley, is zoned C-2-A and would retain its existing zoning designation.

The table below summarizes the development standards for both the C-1 and C-2-A zones as compared to the proposal.

| | <i>C-1</i> | <i>C-1 PUD Standards</i> | <i>C-2-A</i> | <i>C-2-APUD Standards</i> | <i>Proposal</i> |
|---|--------------------------------------|--------------------------|--------------------------------------|---------------------------|-----------------|
| <i>Maximum Lot Occupancy (for residential uses)</i> | 60% | 60% | 60% | 60% | 54% |
| <i>Maximum Building Height</i> | 3 stories/40' | 3 stories/40' | 50' | 65' | 32' |
| <i>Maximum FAR-non-residential</i> | 1.0 | 1.0 | 1.5 | 2.0 | 0.91 |
| <i>Rear Yard</i> | 20' | 20' | 15' | 15' | 15' |
| <i>Side Yard</i> | Not required but if provided, 2"/ft. | | Not required but if provided, 3"/ft. | | 0' |

VI. 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 to utilize opportunities for additional FAR the applicant is requesting that the proposal be reviewed as a consolidated PUD. This would allow the utilization of the flexibility stated in Section 2400.2.

“The overall goal is to permit flexibility of development ands 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.”

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.”

VII. FLEXIBILITY

Parking

The applicant proposes 176 off-street parking spaces whereas 185 are required for the requested use.

Both the application text and drawings seem to indicate additional zoning relief may be necessary. OP has asked the applicant to verify and clearly identify if additional flexibility is needed for roof structures, side yards, courts, or any other requirements.

VIII. PUBLIC BENEFITS AND AMENITIES

The objectives of a PUD are to permit flexibility of development in return for the provision of superior public benefits, provided the PUD process is not used to circumvent the intent and purposes of the Zoning Regulations, or results in an action inconsistent with the Comprehensive Plan.

Public amenities are defined in Section 2403.7 as including “one type of public benefit, specifically a functional or aesthetic feature of the proposed development that adds to the attractiveness, convenience or comfort of the project for occupants and immediate neighbors”.

The proposed project would allow the redevelopment on an existing grocery store to provide a wider variety of products and services. The applicant is not requesting zoning relief for additional development density or building height for this project. The applicant requests a PUD-related map amendment to allow for the proposed commercial use on lots that are currently zoned for residential use, but which previously received zoning relief to permit accessory parking for a commercial use.

The applicant has listed a number of areas which they feel contribute towards their amenity package:

Urban Design, Architecture, Landscaping, and Open Space

The applicant proposes to participate in the Department of Parks and Recreation (DPR) Adopt-a-Park program to develop and enhance the existing triangle park adjacent to the site. The proposed improvements for this parcel would also require coordination with the District Department of Transportation (DDOT) to provide a new bus shelter in this location. Prior to public hearing, the applicant should clarify if this is a proffer and have some agreement in place with DPR and DDOT. The applicant also proposes to landscape a vacant parcel they own along Ellicott Street, NW as well as the green space around the WMATA property.

Site Planning and Efficient and Economical Land Utilization

The site design seeks to improve the visibility of the store from Wisconsin Avenue, NW. To this end, the applicant has created a new store entrance at the northeast corner of the building. The proposed design also relocates the loading area to the rear of the site, eliminates a curb cut, and includes an outdoor café area to attract pedestrian activity along 42nd Street, NW. These are positive improvements to the site, however, OP encourages the applicant to continue to refine the site plan to address the following:

The proposed grocery store would be located significantly closer to the residential buildings to the west, reducing the current separation of the grocery use from the west residential property line from 137' to 15'. OP recognizes the stepping down of the northwest portion of the building to address this but encourages the applicant to continue to refine the site design to mitigate its impact on the neighboring residential uses. OP also has concerns about the location, design, and safety of a proposed 5-foot wide gravel path shown between the edge of the building and a row of 20' high privacy trees along the property line. The secondary store entrance onto Ellicott Street could also be placed further toward the garage driveway to maximize the distance from the adjacent residential homes to the west. In addition, OP notes the site can hold up to an additional 1.5 floor area ratio on the C-2-A portion of the property and would be supportive of increased residential density on site. Finally, the applicant should provide a discussion of how the site is more efficiently used through a PUD, as intended by § 2400.

Employment and Training Opportunities

The applicant has indicated they will voluntarily enter into an agreement to participate in the Department of Employment Services First Source Employment Program (DOES) as part of this proposal. Safeway believes that the new store will add employees due to the new services offered as well as temporary jobs during construction. The new store would employ from 125-150 persons while the current store has 72 employees. In addition, Safeway would offer job training and development opportunities that could lead to permanent, career positions within the company.

Use of Special value to the Neighborhood or the District as a Whole

The applicant references the Supermarket Tax Incentive Amendment Act to highlight the importance of the grocery stores to the economic success of the District as a whole. The project would continue to

serve as an economic anchor of this area by bringing in additional services and a wider variety of products to the community.

Environmental Benefits

The applicant has submitted a LEED for New Retail Construction checklist for the proposed project. While the applicant is attempting to achieve LEED certification, it is unclear if the applicant is simply “pursuing” or actually proffering LEED status. OP encourages LEED certification as a proffer and strongly urges an increase in the amount of green roof provided. Currently only 2.6% of the total roof is proposed as vegetated. OP also encourages the use of pervious pavers and/or additional trees and planters in the open parking lot to the west of the proposed building. Lastly, the applicant references their intent to utilize energy efficient systems but needs to explain the extent to which they exceed mandatory District code requirements. OP is very supportive the environmental benefits discussed as part of this project but would like to see additional efforts to expand them, and to more clearly define those currently being proffered.

IX. COMPREHENSIVE PLAN

The proposal is considered **not inconsistent** with the Comprehensive Plan, and would further policy statements in the Land Use, Economic Development, Parks, Recreation and Open Space, Transportation, and Urban Design elements. The project would allow for the redevelopment of a full service grocery store, strengthen neighborhood commercial activity, provide a new, more pedestrian friendly design and building façade, increase landscaping on adjacent lots, and enhance existing parkland.

FUTURE LAND USE MAP

The 2006 Comprehensive Plan Future Land Use Map designates a portion of the subject property for mixed uses including moderate density residential and low density residential (see Exhibit 3). The remainder of the site is designated as low density residential, likely due to the existing residential zoning in this area. Despite this, this part of the site has not been not be utilized for residential uses in the past 28 years. In addition, the R-2 zoned portion of the site received zoning relief in 1978 to allow accessory commercial parking for the existing Safeway grocery store (per BZA 12432). Given the historical use of the site as well as the requested continuation and redevelopment of the existing commercial use, the proposed **C-2-A/C-1 designation** is **not inconsistent** with the future land use(s) of the site.

POLICY MAP

The subject property is designated both as a Neighborhood Conservation and Main Street Mixed Use Area in the Generalized Policy Map of the 2006 Comprehensive Plan (see Exhibit 4). The Main Street Mixed Use designation is for the C-2-A zoned portion of the property, which is closest in proximity to Wisconsin Avenue, NW.

The following policies and actions are particularly relevant to the proposed Safeway grocery store redevelopment:

Policy LU-2.2.4: Neighborhood Beautification

Encourage projects which improve the visual quality of the District’s neighborhoods, including landscaping and tree planting, façade improvement, anti-litter campaigns, graffiti removal, improvement or removal of abandoned buildings, street and sidewalk repair, and park improvements. ^{310.5}

Policy LU-2.4.10: Use of Public Space within Commercial Centers

Carefully manage the use of sidewalks and other public spaces within commercial districts to avoid pedestrian obstructions and to provide an attractive and accessible environment for shoppers. Where feasible, the development of outdoor sidewalks cafes, flower stands, and similar uses which “animate” the street should be encouraged. Conversely, the enclosure of outdoor sidewalk space with permanent structures should generally be discouraged. ^{312.14}

Policy ED-2.2.6: Grocery Stores and Supermarkets

Promote the development of new grocery stores and supermarkets, particularly in neighborhoods where residents currently travel long distances for food and other shopping services. Because such uses inherently require greater depth and lot area than is present in many commercial districts, adjustments to current zoning standards to accommodate these uses should be considered. ^{708.10}

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 PROS-1.3.3: Protecting the Triangle Parks

Maintain the District’s open space triangles as neighborhood amenities supporting a range of activities. These activities should vary based on the setting of each triangle, and should range from planted “islands” to more active spaces. The triangles should be designed in a way that mitigates stormwater runoff and air pollution from adjacent corridors. ^{806.5}

Policy PROS-2.2.1: Maintenance and Renovation

Provide for the continuing maintenance, renovation, and upgrading of the District’s parks and recreational facilities to prevent their deterioration and ensure that they continue to meet community needs. ^{810.5}

Action T-2.3.A: Bicycle Facilities

Wherever feasible, require large new commercial and residential buildings to be designed with features such as secure bicycle parking and lockers, bike racks, shower facilities, and other amenities that accommodate bicycle users. ^{409.11}

Policy UD-2.2.5: Creating Attractive Facades

Create visual interest through well-designed building facades, storefront windows, and attractive signage and lighting. Avoid monolithic or box-like building forms, or long blank walls which detract from the human quality of the street. ^{910.12}

OP notes that while the application refers to an “Upper Wisconsin Avenue Corridor Avenue Study”, this study was never adopted by Council, is not considered an official Office of Planning document, and therefore was not considered in evaluating this proposal.

X. AGENCY COMMENTS

The application will be referred to the following agencies for comments:

1. District Department of Transportation;
2. Department of Parks and Recreation;
3. District Department of the Environment;
4. Metropolitan Police Department; and

5. Fire and Emergency Medical Services Department.

XI. COMMUNITY COMMENTS

To date, OP has not received written comments regarding this proposal. The applicant has indicated that they have met with several neighborhood groups, community organizations, ANC 3E, District agencies, and individual property and business owners regarding this request, which has already impacted their proposed site design and store format.

XII. CONCLUSION

The Office of Planning **recommends that the Zoning Commission set down** the proposed consolidated planned unit development and related map amendment for public hearing. OP will continue to work with the applicant to address the issues identified in this report to meet the goals of a PUD set forth in Chapter 24.

JS/ayj
Arlova Jackson, Case Manager