

**BEFORE THE  
ZONING COMMISSION  
FOR THE DISTRICT OF COLUMBIA**

**APPLICATION FOR A CONSOLIDATED  
PLANNED UNIT DEVELOPMENT AND ZONING  
MAP AMENDMENT**

**WESTMINSTER PRESBYTERIAN CHURCH SITE**

**400 I STREET, SW  
SQUARE 499, LOT 52**

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**May 22, 2020**

**Table of Contents**

- I. INTRODUCTION .....5
- II. EXISTING CONDITIONS.....6
  - A. THE SITE.....6
  - B. SURROUNDING AREA.....6
  - C. ZONING AND LAND USE DESIGNATIONS .....7
    - 1. Zone District .....7
    - 2. Comprehensive Plan Map Designations .....8
- III. PROPOSED PUD AND ZONING MAP AMENDMENT .....11
  - A. SUMMARY OF PROJECT .....11
  - B. PROPOSED ZONING AND INCLUSIONARY ZONING COMPLIANCE .....12
  - C. PROJECT DESCRIPTION.....14
  - D. ARCHITECTURAL AND LANDSCAPE DESIGN.....16
  - E. SUSTAINABLE FEATURES .....17
  - F. FLEXIBILITY UNDER PUD GUIDELINES .....18
    - 1. Flexibility for Penthouse Walls of Unequal Height and Number of Penthouse Heights (11-C DCMR § 1500.9).....18
    - 2. Flexibility from the Lot Occupancy Requirements (11-G DCMR § 304.1).....20
    - 3. Flexibility from the Rear Yard Requirements (11-G DCMR § 305.1).....20
    - 4. Flexibility from the Inclusionary Zoning Requirements for Concentration of Unit Tenure (11-C DCMR § 1005.5).....21
    - 5. Design Flexibility Requested .....21
- IV. THE PROJECT MEETS THE STANDARDS OF THE ZONING REGULATIONS AND THE PUD REQUIREMENTS .....22
  - A. STANDARDS APPLICABLE TO AN APPLICATION FOR A ZONING MAP AMENDMENT .....22
  - B. THE PUD PROCESS IS THE APPROPRIATE MECHANISM FOR THE PROJECT .....24
  - C. PUD REQUIREMENTS UNDER 11-X DCMR, CHAPTER 3 .....24
    - 1. Minimum Land Area Requirements Under 11-X DCMR § 301.1 .....24
    - 2. FAR and Height Requirements Under 11-X DCMR §§ 303.3 and 303.7 .....24
    - 3. Not Inconsistent with Comprehensive Plan and other Adopted Public Policies Under 11-X DCMR § 304.4(a) .....25
    - 4. Impacts of Project Under 11-X DCMR § 304.4(b).....26
  - D. PUBLIC BENEFITS AND PROJECT AMENITIES.....27

1.	Superior Urban Design, Architecture, and Superior Landscaping (11-X DCMR § 305.5(a) and (b)).....	28
2.	Site Planning and Efficient and Economical Land Utilization; Streetscape Plans and Implementation (11-X DCMR §§ 305.5(c) and (l)).....	29
3.	Housing that Exceeds the Amount Required through Matter-of-Right Development under Existing Zoning; Senior Housing; and Units with Three or More Bedrooms (11-X DCMR § 305.5(f)).....	30
4.	Affordable Housing that Exceeds the Amount Required through Matter-of-Right Development Under Existing Zoning (11-X DCMR § 305.5(g)).....	30
5.	Environmental and Sustainable Benefits (11-X DCMR § 305.5 (k)).....	31
6.	Uses of Special Value to the Neighborhood or the District of Columbia as a Whole (11-X DCMR § 305.5(q)) and Other Public Benefits and Project Amenities (11-X DCMR § 305.5(r)).....	32
	V. COMMUNITY OUTREACH.....	33
	VI. CONCLUSION.....	34

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**LIST OF EXHIBITS**

<b><u>Description</u></b>	<b><u>Exhibit</u></b>
Surveyor's Plat	A
Zoning Map	B
Future Land Use Map	C
Generalized Policy Map	D
Summary of Compliance with the Comprehensive Plan and Small Area Plan	E
Architectural Plans and Elevations	F
Letter from the Westminster Presbyterian Church	G
Application Signature Page – Form 100	H
Authorization Letters	I
Certificate of Notice, Notice of Intent, and List of Owners of Property within 200 feet of the Site	J
Hearing Fee Waiver Request	K

## I. INTRODUCTION

This statement and attached documents are submitted by Westminster Presbyterian Church, Westminster Community Partners, Bozzuto Development Company, and Bozzuto Homes Inc. (collectively, the “Applicant”) in support of its application to the Zoning Commission for the District of Columbia (“Zoning Commission”) for a consolidated planned unit development (“PUD”) and a related Zoning Map amendment from the R-3 zone to the MU-2 zone for property located at 400 I Street, SW (Square 499, Lot 52) (the “Site”). This application is submitted in accordance with Subtitle X, Chapter 3 of District of Columbia Municipal Regulations, Title 11 of the District of Columbia Municipal Regulations (“11 DCMR” or the “Zoning Regulations”).

The Site is currently the home of the Westminster Presbyterian Church (the “Church”). As described herein, the Applicant proposes to redevelop the Site with a new mixed-use building that will have approximately 214,338 square feet of gross floor area (“GFA”) (7.06 FAR) and a maximum building height of 90 feet. The building will contain approximately 18,513 square feet of GFA devoted to new facilities for the Church, including assembly/congregation space, a kitchen and dining area, conference rooms and offices, and a community and art gallery. The rest of the building will be devoted to approximately 222 residential units, of which approximately 99 units will be market-rate and approximately 123 units will be senior affordable housing reserved for households earning up to 50% and 60% of the Median Family Income (“MFI”). Together with the Church, the proposed development is hereinafter referred to as the “Project”. The Project will be located at an underutilized Site in a transit-oriented and mixed-use location in Southwest Washington, DC.

## II. EXISTING CONDITIONS

### A. The Site

The Site is located at 400 I Street, SW and is known as Lot 52 in Square 499. The Site is rectangular in shape and is located on the south side of I Street, SW, close to the intersection of 4<sup>th</sup> and I Streets, SW. The Site is bounded by I Street, SW to the north, Makemie Place, SW to the west, and an undeveloped L-shaped lot owned by the District to the east and south (the “District Lot”). Fourth Street, SW is directly to the east of the District Lot.

As shown on the Surveyor’s Plat attached hereto as Exhibit A, the Site has approximately 30,375 square feet of land area. The Site is presently improved with the Westminster Presbyterian Church building, which was originally constructed circa 1965, and associated surface parking. As shown on the Zoning Map attached hereto as Exhibit B, the Site is zoned R-3.

### B. Surrounding Area

The Site is located in the southwest quadrant of the District directly to the north of the Waterfront Metrorail station, approximately one block to the south at the corner of 4<sup>th</sup> and M Streets, SW. Immediately south of the Site is the “Waterfront Station” PUD approved in Z.C. Order No. 02-38 *et seq.* The Waterfront Station PUD includes eight separate high-density buildings with heights ranging between 94 and 130 feet and containing a mix of residential, office, and retail uses. To the east, across 4<sup>th</sup> Street, is the Christ United Methodist Church and high-density residential towers approved as part of a PUD in Z.C. Case No. 12-14 *et seq.* The area farther east is comprised of two-story moderate density apartments. To the west of the Site is the Southwest Duck Pond urban park and four residential towers approved as part of a PUD in Z.C. Case No. 05-38 *et seq.* The neighborhood farther to the west includes other high-density residential development.

To the north of the Site, across I Street, is the Amidon-Bowen Elementary School and a collection of residential developments. As is characteristic of the development pattern throughout this part of Southwest, the density and height of these residential developments vary from high-density, multi-family developments immediately across I Street to moderate-density, three-story townhomes farther removed from the Site along 6<sup>th</sup> and G Streets.

The Site is otherwise surrounded by a mix of multi-family residential buildings and smaller-scale single-family homes. Less than a half-mile from the Site to the west is The District Wharf, which is a mixed-use neighborhood of high-density residential buildings, hotels, restaurants and bars, retail and service establishments, and several concert venues. Approximately two blocks to the east of the Site is the Randall School PUD and approximately two blocks to the north of the Site is the I-395 expressway.

**C. Zoning and Land Use Designations**

**1. Zone District**

As shown on the Zoning Map attached hereto as Exhibit B, the Site is located in the R-3 zone district. The Site is the only remaining property in an R-3 zone from the original Square 499 and the block. The majority of the area to the south of the Site is zoned Mixed-Use (MU) as a result of previously-approved PUDs and Zoning Map amendments. Properties located directly to the north, east, and west of the Site are also located in Mixed-Use (MU), Residential (R), or Residential Apartment (RA) zones.

The purpose of the R-3 zone is to allow for row dwellings, while including areas within which row dwellings are mingled with detached dwellings, semi-detached dwellings, and groups of three or more row dwellings. 11-D DCMR § 300.6. The R-3 zone permits detached, semi-detached, and row dwellings as a matter-of-right residential use. 11-U DCMR § 201.1(a)(3). Matter-of-right development in the R-3 zone requires a minimum lot width of 16 to 40 feet and a



minimum lot area of between 1,600 to 4,000 square feet, depending on the type of residential dwelling and whether it is subject to Inclusionary Zoning (“IZ”). 11-D DCMR § 302.1 The maximum building height permitted in the R-3 zone is 40 feet and three stories. 11-D DCMR § 303.1. The maximum lot occupancy in the R-3 zone is 60% for row dwellings and places of worship and 40% for all other structures. 11-D DCMR § 304.1.

As described herein, the Applicant proposes to rezone the Site from the R-3 zone to the MU-2 zone to permit medium density development to include a church, and a total of approximately 222 new residential units, over half of which will be dedicated to affordable senior housing.

## **2. Comprehensive Plan Map Designations**

### **a. Future Land Use Map**

As shown on the 2013 Comprehensive Plan Future Land Use Map (“2013 FLUM”) attached hereto as Exhibit C, the Site is designated Moderate Density Residential.<sup>1</sup> According to Framework Element of the Comprehensive Plan, the Moderate Density Residential designation is

“used to define the District’s row house neighborhoods, as well as its low-rise garden apartment complexes. The designation also applies to areas characterized by a mix of single family homes, 2-4 unit buildings, row houses, and low-rise apartment buildings. In some of the older inner city neighborhoods with this designation, there may also be existing multi-story apartments, many built decades ago when the areas were zoned for more dense uses (or were not zoned at all). The R-3, R-4, R-5-A Zone districts are generally consistent with the Moderate Density Residential category; the R-5-B district and other zones may also apply in some locations.” 10-A DCMR § 225.4.

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<sup>1</sup> On October 8, 2019, the D.C. Council adopted a new Framework Element to the Comprehensive Plan (Bill 23-01). However, as of the date of this filing, the new Framework Element has not yet been enacted by Congress. The proposed Framework Element provides that the Moderate Density Residential designation is “used to define neighborhoods generally, but not exclusively, suited for row houses as well as low-rise garden apartment complexes. The designation also applies to areas characterized by a mix of single-family homes, 2-4 unit buildings, row houses, and low-rise apartment buildings. In some neighborhoods with this designation, there may also be existing multi-story apartments, many built decades ago when the areas were zoned for more dense uses (or were not zoned at all). Density in moderate density areas is typically calculated either as the number of dwelling units per minimum lot area, or as a FAR up to 1.8, although greater density may be possible when complying with Inclusionary Zoning or when approved through a Planned Unit Development. The R-3, RF, and RA-2 Zone Districts are consistent with the Moderate Density Residential category, and other zones may also apply.” 10-A DCMR § 227.6.

b. Generalized Policy Map

As shown on the 2013 Generalized Policy Map (“2013 GPM”) attached hereto as Exhibit D, the Site is designated as a Neighborhood Conservation Area.<sup>2</sup> According to the Framework Element, Neighborhood Conservation Areas:

“have very little vacant or underutilized land. They are primarily residential in character. Maintenance of existing land uses and community character is anticipated over the next 20 years. Where change occurs, it will be modest in scale and will consist primarily of scattered site infill housing, public facilities, and institutional uses. Major changes in density over current (2005) conditions are not expected but some new development and reuse opportunities are anticipated. Neighborhood Conservation Areas that are designated “PDR” on the Future Land Use Map are expected to be retained with the mix of industrial, office, and retail uses they have historically provided.

“The guiding philosophy in Neighborhood Conservation Areas is to conserve and enhance established neighborhoods. Limited development and redevelopment opportunities do exist within these areas but they are small in scale. The diversity of land uses and building types in these areas should be maintained and new development and alterations should be compatible with the existing scale and architectural character of each area. Densities in Neighborhood Conservation Areas are guided by the Future Land Use Map.” 10-A DCMR §§ 223.4 and 223.5.

As set forth below and as described in detail in the Comprehensive Plan Analysis attached hereto as Exhibit E, the proposed MU-2 zone is not inconsistent with the Site’s designations on the 2013 or 2019 FLUM and GPM when reviewed holistically with the text of the Comprehensive Plan; the Council-approved Southwest Neighborhood Plan (the “SW Plan”), which is the Small Area Plan applicable to the Site; the Mayor’s Housing Equity Report, dated October, 2019 (the “Mayor’s Housing Report”); and the Mayor’s Housing Initiative - Mayor’s Order 2019-036, dated May 10, 2019 (the “Mayor’s Order”). The MU-2 zone is also consistent with the development pattern in the surrounding area and the heights and densities of existing buildings surrounding the Site. As a transitional zone, the MU-2 district is intended to serve as a buffer between adjoining

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<sup>2</sup> On October 15, 2019, the Office of Planning issued proposed amendments to the 2013 GPM (the “2019 GPM”); however, the 2019 GPM did not propose any changes to the Site’s designation.

non-residential and residential areas, and is intended to permit new residential development at higher density than new office or institutional developments. As set forth in the Comprehensive Plan Analysis (Exhibit E), the MU-2 zone is appropriate for the Site, contextual within the neighborhood, and is not inconsistent with the maps or written elements of the Comprehensive Plan.

c. Southwest Neighborhood Plan

In addition to the Comprehensive Plan, and as referenced above, the Site is within the boundaries of and subject to the policies set forth in the SW Plan, which is the Council-approved Small Area Plan that was created to shape the future of the neighborhood surrounding the Site. As more fully described herein and detailed in Exhibit E, the SW Plan recommends redevelopment of the Site consistent with the Medium Density Residential and Low Density Commercial land use designations and strongly encourages the construction of new housing, including senior and affordable housing, in a mixed-use and vibrant town center.

The SW Plan is specific in altering the Comprehensive Plan and provides specific direction that the Westminster development site should be used for medium density development. Specifically, the SW Plan states the following:

TC.4 Change the future land use designation of Westminster Presbyterian Church from Moderate Density Residential to Medium Density Residential with Low Density Commercial.

TC.5 Change the future land use designation of Christ United Methodist Church from Moderate Density Residential to Medium Density Residential with Low Density Commercial.

TC.6 For proposed land use designation changes on 4th Street SW, a Planned Unit Development (PUD) process will have to be initiated. Should any site be landmarked as historic, thoughtful incorporation of existing structures and setbacks into future development is strongly preferred, with new construction limited to underdeveloped portions of the parcel.

The land use designations recommended for the Site in the SW Plan are consistent with the recommendations submitted by the Mayor to the District Council on April 23, 2020, including the proposed amendment to the 2013 FLUM, which recommends changing the Site's land use designation from Moderate Density Residential to mixed-use Medium Density Residential and Low Density Commercial.

### **III. PROPOSED PUD AND ZONING MAP AMENDMENT**

#### **A. Summary of Project**

As shown on the Architectural Plans and Elevations (the "Plans") attached hereto as Exhibit F, the Applicant proposes to develop the Site with a new mixed-use building comprised of the Church on the ground floor of an affordable residential component reserved exclusively for seniors on the eastern portion of the Site (the "Senior Tower") and a market-rate residential component on the western portion of the Site (the "Residential Tower"). The Senior Tower and the Residential Tower will be connected and will constitute a single building for zoning purposes.

The Project as a whole will have approximately 214,338 square feet of total GFA (approximately 7.06 FAR). Of that, approximately 18,513 square feet of GFA will be devoted to the Church; approximately 192,236 square feet of GFA will be devoted to residential use comprised of approximately 222 units; and approximately 3,589 square feet of GFA will be devoted to shared service and loading areas. An additional 5,705 square feet of penthouse habitable space will be devoted to residential units and 2,077 square feet of penthouse habitable space will be devoted to residential amenity space. A single-level of below-grade parking with approximately 60 parking spaces will be provided. On-site loading will also be provided at an amount consistent with the Zoning Regulations.

**B. Proposed Zoning and Inclusionary Zoning Compliance**

As part of the subject application the Applicant requests a Zoning Map amendment from the R-3 zone to the MU-2 zone. The MU-2 zone is intended to (i) act as a buffer between adjoining non-residential and residential areas, and to ensure that new development is compatible in use, scale, and design with the transitional function of this zone; (ii) preserve and protect areas adjacent to non-residential uses or zones that contain a mix of row houses, apartments, offices, and institutions at a medium to high density, including buildings of historic and architectural merit; and (iii) permit new residential development at a higher density than new office or institutional developments. 11-G DCMR § 300.1. The MU-2 zone is also intended to permit medium-density areas predominantly developed with residential buildings but also permitting non-residential buildings. 11-G DCMR § 300.3.

The tabulation of development data under the MU-2 zone for the proposed PUD is provided at Sheets A0.1 and A0.1A of the Plans. As shown on Sheet A0.1, a PUD in the MU-2 zone is permitted a maximum density of 8.64 FAR (assuming full compliance with IZ), a maximum building height of 90 feet, and a maximum penthouse height of 20 feet in one story plus a mezzanine with a second story permitted for penthouse mechanical space. 11-G DCMR §§ 302.1, 303.1, 303.2 and 11-X DCMR §§ 303.3, 303.4, 303.7.

Pursuant to 11-C DCMR § 1001.2, the Project would ordinarily be considered a “mandatory inclusionary development” and subject to the IZ requirements of 11-C DCMR Chapter 10. *See* 11-C DCMR § 1001.2(a). Under the existing R-3 zone, the IZ requirement would have been 10% of the residential GFA, or approximately 5,468 square feet of GFA devoted to IZ units at 60% of the MFI.<sup>3</sup>

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<sup>3</sup> The IZ requirement under the existing R-3 zone was generated by assuming a maximum of 54,675 square feet of GFA permitted at the Site, based on the Site’s land area, maximum permitted square footage per lot (1,600 square feet

However, the Project is exempt from IZ pursuant to 11-C DCMR § 1001.6(a), which provides that the IZ requirements do not apply to any development subject to a mandatory affordable housing requirement that exceeds the requirements of the IZ regulations as a result of District law or financial subsidies funded in whole or in part by the Federal or District government and administered and/or monitored by the Department of Housing and Community Development (“DHCD”), the District of Columbia Housing Finance Agency (“DCHFA”), or the District of Columbia Housing Authority (“DCHA”). The exemption is further limited by the standards of 11-C DCMR § 1001.6(a)(1)-(5), with which the Project complies. Pursuant to 11-C DCMR § 1002.5, a development exempted by 11-C DCMR § 1001.6(a) may nevertheless utilize the bonus density and zoning modifications established by the IZ regulations.

In this case, it is anticipated that the Project, in part, will be financed utilizing tax-exempt bonds and 4% Low Income Housing Tax Credits administered by DCHFA. Therefore, the Project is exempt from IZ. Instead of providing the minimum IZ requirement of 5,468 square feet of GFA for an R-3 development at the Site, the Applicant proposes to dedicate approximately 104,640 square feet to affordable units, which is 99,172 square feet more affordable housing than required as a matter of right in the existing R-3 zone. Said differently, whereas only 10% of the residential GFA would be required to be devoted to IZ in the R-3 zone, approximately 52.9% of the residential GFA and penthouse floor area combined will be dedicated to affordable housing at the Project. Moreover, under IZ the Project would only be required to provide 15,835 square feet devoted to IZ units (8% of the residential GFA), whereas the Project is dedicating 104,640 square feet to affordable housing (approximately 52.9% of the residential GFA), which is 88,805 square feet more than IZ would ordinarily require for the Project.

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for IZ row dwellings), lot occupancy (60% for row dwellings), and the number of stories (three) permitted in the R-3 zone.

Specifically, the affordable housing will be provided as follows:

MFI Level	Required IZ R-3 Matter of Right (sf)*	Required IZ in Proposed MU-2 PUD (sf)	Proposed Affordable Housing in Project (sf)	Delta R-3 v. Project (sf)	Delta MU-2 PUD v. Project (sf)
50% (PH)	-	456	456	456	-
60%	5,468	15,379	104,184	98,716	88,805
<b>Total Affordable Housing</b>	5,468	15,835	<b>104,640</b>	99,173	88,805
<b>% of Total Residential</b>	<b>10.0%</b>	<b>8.0%</b>	<b>52.9%</b>	<b>42.9%</b>	<b>44.9%</b>

\* The maximum permitted GFA and number of units in the R-3 zone (and the resultant IZ contribution) is based on the Site's land area; maximum SF per lot (1,600 sf for IZ row dwellings); lot occupancy (60% for row dwellings); and number of stories in the R-3 zone.

The residential units in the Senior Tower will remain affordable at 50% and 60% of the MFI for the first 40 years of the Project, after which a minimum of 8% of the residential GFA in the overall Project will be converted to IZ units at 60% MFI, and 8% of the penthouse habitable space in the overall Project will be converted IZ units at 50% MFI. As noted below, the Applicant requests flexibility such that all of the affordable units in the Project would be located in the Senior Tower.

**C. Project Description**

The Church component of the Project is located on the ground floor of the Senior Tower with its main entrance located on the east side of the building's I Street frontage. As shown on Sheet A1.1 of the Plans, the Church will include a large assembly/congregation space, a kitchen and dining area, conference rooms, offices, and a community gallery and art space. Approximately 18,513 square feet of GFA will be devoted to the Church. In addition to religious services, the space dedicated to the Church will house music programs, community meetings, art and music rooms, and a prepared food/teaching kitchen. Attendees to the various events hosted by the Church will be able to park in the on-site parking spaces dedicated to the Church. All of these ancillary events and uses are integral to the Church's mission.

The primary entrance to the Church will be located at the Project's most prominent corner and established as the cornerstone of the Project. As set forth in the letter from the Church attached hereto as Exhibit G, the Church's highest priority in being part of the redevelopment efforts for the Project was to have assembly space with tall ceilings. In doing so, it encouraged the design team to push the assembly area to the back of the building between the two towers. Doing so also had the result of highlighting the affordable housing component of the Project, which was also an important goal of the Church in supporting the community. Indeed, the Church indicated that it does not want to "look like a church" but would rather "be a church." See Exhibit G, p. 2. Therefore, the proposed building design that incorporates the Church's primary functions at the rear of the building is fully supportive of the Church's mission and appropriate for their continued programming at the Site.

The Senior Tower is located on the east side of the Site with its main entrance located in the center of the building's I Street frontage. The Senior Tower is comprised of approximately 123 residential units (including four penthouse units) and residential amenity space on the ground floor. In total, the Senior Tower has approximately 102,236 square feet of residential GFA, plus approximately 5,446 square feet of penthouse habitable space,<sup>4</sup> of which approximately 2,404 square feet is devoted to residential units.

The Residential Tower is located in the west portion of the building with its main pedestrian entrance located on the west side of the building's I Street frontage. The Residential Tower is comprised of approximately 99 residential units (including four penthouse units) and residential amenity space on the ground floor. In total, the Residential Tower has approximately 90,000 square

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<sup>4</sup> The total penthouse habitable space in the Senior Tower includes four residential units, communal residential amenity space, and penthouse core functions. Additional square footage in the penthouse is devoted to mechanical space.



feet of residential GFA, plus approximately 5,258 square feet of penthouse habitable space,<sup>5</sup> of which approximately 3,301 square feet is devoted to residential units.

The Church, Senior Tower, and Residential Tower are all connected at the ground level. The three uses have separate entrances and lobbies but share back-of-house service corridors, loading facilities, and long-term bicycle parking spaces. The Residential and Senior Towers are separated above the ground level by an open court with a green roof.

The building has one level of below-grade parking that includes approximately 60 parking spaces and additional long-term bicycle parking. Vehicular access to the parking garage is provided from a curb cut on Makemie Place. One 30-foot loading berth and one 20-foot service/delivery space are provided in compliance with the minimum zoning requirements on the ground level of the building, also accessed from Makemie Place adjacent to the garage entrance.

#### **D. Architectural and Landscape Design**

The Project will be a mixed-use and mixed-income community providing housing, affordable housing, and multifunctional spaces for the Church. The primary pedestrian entrances for the Residential Tower, Senior Tower, and Church are all located on I Street, with parking and loading access provided on Makemie Street. The parking garage will be one level and will provide parking for both the residential and church uses. Long-term bicycle parking is located within the ground floor and garage level of the building, and short-term bicycle parking is located in the public space adjacent to the building's entrances. An open court above the second level of the building separates the Residential Tower and Senior Tower and provides ample green roof space.

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<sup>5</sup> The total penthouse habitable space in the Residential Tower includes four residential units, communal residential amenity space, and penthouse core functions. Additional square footage in the penthouse is devoted to mechanical space.

The building's exterior materials include terracotta rainscreen systems, fiber cement and metal panel systems, and prefinished CMU and glazing. A softly back-lit vertical embellishment of channel glass creates an identity for the Church and establishes the Project as a landmark in the neighborhood. The Project will provide views to both the Capitol and the adjacent parks and public open spaces.

The Project includes new landscaping at the ground, second, third, and rooftop levels. Planting beds are proposed for the northwest corner of the building to add greenery to the public space. Scored concrete paving, ADA-compliant sidewalks, and street trees will be provided along I Street. Green roof is provided at multiple roof levels to meet the GAR requirements and will include native and adaptive plants, including a variety of species to provide seasonal interest and wildlife value. At the roof level, secure open spaces are used on the Residential and Senior Towers to create programmed amenity spaces for building residents.

**E. Sustainable Features**

The Site is located in the center of a mixed-use and walkable neighborhood that will significantly reduce the need to use or own a car when living in or visiting the Project. The Site has direct access to quality public transportation, including the Waterfront Metrorail station located one block to the south, and a number of Metrobus routes and bicycle lanes and trails. Bicycle parking will be provided for the residential and Church uses both within the building and in the public space surrounding the Site. The Site is walking distance from multiple sites and attractions, including retail, restaurants, parks and open spaces, and the waterfront.

Residential units will include water-saving fixtures in all kitchens and bathrooms, energy saving mechanical equipment, and LED-energy saving interior light fixtures. The Residential and Senior Towers will have low VOC finishes for the walls, ceilings, floors, and furniture to improve indoor air quality, and the Project overall will use sustainable content in finished materials. All

appliances and light fixtures in the Senior Tower will be Energy Star certified. Exterior lights will be dark-sky approved, thus reducing light pollution in the surrounding neighborhood. The entire Project will have high solar reflectance roofing to reduce heat island effect, in addition to significant green roof areas to reduce storm water runoff. The Residential Tower will achieve LEED Silver, as shown on the preliminary LEED scorecard included in the Plans, and the Senior Tower will be certified under the Enterprise Green Community standards.

**F. Flexibility Under PUD Guidelines**

The PUD process was created to allow greater flexibility in planning and design than may be possible under conventional zoning procedures. In this application, the Applicant has attempted to comply with all aspects of the Zoning Regulations for the MU-2 district. However, the Applicant seeks flexibility from certain specific requirements of the Zoning Regulations, as described below. As permitted by 11-X DCMR § 303.1, the Zoning Commission may grant such flexibility in its discretion.

**1. Flexibility for Penthouse Walls of Unequal Height and Number of Penthouse Heights (11-C DCMR § 1500.9)**

Pursuant to 11-C DCMR § 1500.9, enclosing walls of a penthouse must be of an equal, uniform height, except that (i) enclosing walls of penthouse habitable space may be of a single different height than walls of penthouse mechanical space; (ii) for a penthouse containing no habitable space, enclosing walls of penthouse mechanical space must be of a single uniform height except walls enclosing an elevator override may be of a separate uniform height; and (iii) required screening walls around uncovered mechanical equipment may be of a single different uniform height.

In this case, the Applicant proposes to provide a stair tower on the roof of the Senior Tower that has a sloped roof, thus not meeting the requirement that penthouse enclosing walls have an

equal, uniform height. The stair tower is located adjacent to the open court in the center of the Site, between the Residential Tower and the Senior Tower. The stair tower has a maximum height of 8 feet with a roof that slopes downward at approximately a 45 degree angle to establish a 1:1 setback. Thus, although the stair tower's enclosing walls are not a uniform height, the penthouse has been designed to minimize its visibility from all directions and meet the setback requirement. If the Applicant maintained the 8-foot height for the entirety of the structure, it would not meet the setback requirement and would be more visible. The Applicant notes that amendments to the text of the penthouse regulations are currently being reviewed by the Zoning Commission in Z.C. Case No. 14-13E. If approved, the uniform height requirement would be removed for enclosing walls of stairwells providing access to a roof, and rooftop access stairwells would not be required to be setback from an open court. *See* Z.C. Case No. 14-13E, proposed Subtitle C, Section 1503.4(d) and 1505.1(a).

Second, as shown on Sheet 1.8B of the Plans, the Residential Tower has a single penthouse with four separate heights: (i) 11.5 feet tall for the primary penthouse habitable space; (ii) 16 feet tall for mechanical screening above the habitable penthouse; (iii) 20 feet tall for a stair tower; and (iv) 10 feet tall for additional mechanical screening. Although four heights are proposed, every portion of the penthouse will be setback a minimum of 1:1 from the exterior walls of the building. Providing the fourth height of 10 feet is necessary to ensure that the mechanical screen wall meets the setback requirement. Increasing the wall's height to match the 11.5 foot tall habitable space (and thus meet the requirement to provide a maximum of three penthouse heights) would make the screen wall more visible and would not meet setback requirement. Therefore, granting relief from 11-C DCMR § 1500.9 will result in a design that is more consistent with the goal of the penthouse regulations to minimize visibility as much as possible.

## **2. Flexibility from the Lot Occupancy Requirements (11-G DCMR § 304.1)**

Pursuant to 11-G DCMR § 304.1, the Project is permitted to have a maximum lot occupancy of 90%. As shown on the Plans, the Applicant proposes a total lot occupancy of 98% at the ground level. However, the lot occupancy is reduced significantly above the ground level, with the second level having a lot occupancy of 87% and the third level having a lot occupancy of 73%. The Project also proposes a large interior courtyard and will have less FAR than is otherwise permitted for a PUD in the MU-2 zone. Therefore, although the Project exceeds the maximum permitted lot occupancy at the ground level, the building has significant step-backs on the upper floors and open space between the towers such that it will not overcrowd the Site or create any adverse impacts. Moreover, the Site is surrounded by public streets on two sides and by the unimproved and irregularly-shaped District-owned lot on two sides, which also results in unimpeded light and air surrounding the Site.

## **3. Flexibility from the Rear Yard Requirements (11-G DCMR § 305.1)**

In the MU-2 zone, a minimum rear yard of 2.5 inches per foot of vertical distance from the mean finished grade at the middle of the rear of the structure to the highest point of the main roof or parapet wall, or 12 feet minimum, is required. The rear yard is not required to be provided for the first 20 feet of height above the mean finished grade. *See* 11-G DCMR § 305. The proposed Project does not have any rear yard, thus requiring relief from 11-G DCMR § 305.1. As stated above, the building is surrounded by public streets on two sides such that the Project will not overcrowd the Site or create any adverse impacts as a result of the lack of a rear yard. The Project also includes a large interior court that separates the Residential and Senior Towers that will provide additional light, air, and ventilation. The Project also includes roof decks which provide outdoor areas for residents. The Southwest Duck Pond is located to the immediate west of the Site. In addition, the unimproved and irregularly-shaped District-owned site is located at the rear of the

Site, which provides approximately 45 feet of open space between the rear wall of the Project and the closest property to the south. Based on the foregoing, the lack of a rear yard will not result in any adverse impacts given the extensive open space on an surrounding the Site.

**4. Flexibility from the Inclusionary Zoning Requirements for Concentration of Unit Tenure (11-C DCMR § 1005.5)**

Pursuant to 11-C DCMR § 1005.5, IZ units shall not be overly concentrated by tenure, dwelling type, or on any floor of a project. In this case, although the project is exempt from IZ, all of the affordable units will be located in the Senior Tower. Thus, the Applicant requests flexibility from 11-C DCMR § 1005.5 in order to locate all of the affordable units in the Senior Tower. Despite being located in the Senior Tower only, the affordable units will be spread on all floors of the Senior Tower and among all unit types within the Senior Tower, such that the intent of 11-C DCMR § 1005.5 to disperse the affordable units throughout the building will be met.

Although all of the affordable units are located in the Senior Tower, the Project is providing 99,172 square feet more affordable housing than would be required under IZ as a matter of right in the underlying R-3 zone, and 88,805 square feet more affordable housing that would be required under IZ for the Project itself.

**5. Design Flexibility Requested**

The Applicant has made every effort to provide a level of detail that conveys the architectural significance and completeness of the Project. Nonetheless, some flexibility is necessary to address potential issues that may arise during construction and minor modifications that cannot be anticipated at this time. Thus, the Applicant requests flexibility in the following areas:

- a. To provide a range in the number of residential units to plus or minus 10% in the Residential Tower and plus or minus 10% in the Senior Tower;

- b. To vary the location and design of all interior components, including amenities, partitions, structural slabs, doors, hallways, columns, stairways, mechanical rooms, elevators, and toilet rooms, and to vary the layout and exact size of the Church facilities, provided that the variations do not materially change the exterior configuration of the building, and to vary the layout and exact square footage of the Church;
- c. To make refinements to the garage configuration, including the layout, number of parking spaces, and/or other elements, so long as the number of parking spaces does not decrease below the minimum level required by the Zoning Regulations;
- d. To vary the final selection of the colors of the exterior materials based on availability at the time of construction, provided such colors are within the color ranges proposed in the approved Plans;
- e. To make minor refinements to the locations and dimensions of exterior details that do not substantially alter the exterior design shown on the approved Plans. Examples of exterior details would include, but are not limited to, doorways, canopies, railings, windows, and skylights;
- f. To vary the color, font, and message of the proposed signage, provided that the maximum overall dimensions and signage materials are generally consistent with those shown on the approved Plans;
- g. To vary the number and mix of affordable units if the total number of dwelling units changes within the range of flexibility requested, provided that the location and proportionate mix of the affordable units will substantially conform to the layout shown on the approved Plans;
- h. To vary the location, attributes, and general design of the approved streetscape to comply with the requirements of, and the approval by, the DDOT Public Space Division; and
- i. To vary the approved sustainable features of the Project, including the final layout of the landscape elements, provided the total number of LEED and/or Enterprise Green Communities points achievable for the Project does not decrease below the minimum required for the LEED and/or Enterprise Green Communities standards specified by the order.

#### IV.

### **THE PROJECT MEETS THE STANDARDS OF THE ZONING REGULATIONS AND THE PUD REQUIREMENTS**

#### **A. Standards Applicable to an Application for a Zoning Map Amendment**

The Zoning Commission has the authority to evaluate and approve, disapprove, or modify a Zoning Map amendment application pursuant to 11-Z DCMR Chapter 5. In a contested case, the

applicant has the burden of proof to justify the granting of the application according to the standards of 11-Z DCMR Chapter 5, and in all cases, the Zoning Commission must find that the Zoning Map amendment is not inconsistent with the Comprehensive Plan and with other adopted public policies and active programs related to the subject site. *See* 11-Z DCMR §§ 500.1-500.3.

In addition, the Zoning Act sets forth a number of criteria that must be applied by the Zoning Commission when adopting and amending the Zoning Regulations and Zoning Map. The Zoning Act states that the Zoning Regulations are designed to “promote the health, safety, morals, convenience, order, prosperity, or general welfare of the District of Columbia and its planning and orderly development as the national capital ...” D.C. Code § 6-641.01 (2001). The Zoning Act further provides that:

[z]oning maps and regulations, and amendments thereto, shall not be inconsistent with the comprehensive plan for the national capital, and zoning regulations shall be designed to lessen congestion in the street, to secure safety from fire, panic, and other dangers, to promote health and the general welfare, to provide adequate light and air, to prevent the undue concentration of population and the overcrowding of land, and to promote such distribution of population and of the uses of land as would tend to create conditions favorable to health, safety, transportation, prosperity, protection of property, civic activity, and recreational, educational, and cultural opportunities, and as would tend to further economy and efficiency in the supply of public services. Such regulations shall be made with reasonable consideration, among other things, of the character of the respective districts and their suitability for the uses provided in the regulations, and with a view to encouraging stability of districts and of land values therein.

D.C. Code § 6-641.02 (2001). The Zoning Commission must apply these standards and criteria in determining whether to approve a requested Zoning Map amendment. As described herein, the proposed rezoning of the Site from the R-3 zone to the MU-2 zone in conjunction with the PUD will promote each of the purposes described above. The rezoning will allow for the redevelopment of the Site in a manner that is not inconsistent with the Comprehensive Plan and which will promote the health, safety, and general welfare of the District of Columbia through the



construction of significant new housing, including affordable and senior housing, and brand new facilities for the Church, which has been an active religious institution in the community since the 1970s.

**B. The PUD Process is the Appropriate Mechanism for the Project**

The PUD process is the appropriate mechanism for guiding the redevelopment of the Site. It allows the Project to be developed within the statutory purview of the Zoning Commission while at the same time providing opportunities for input from various agencies and parties. Through the PUD process, the Office of Planning and other District agencies will have the opportunity for greater participation in the fulfillment of the District's planning objectives for this area. Similarly, the adjacent property owners and area residents will have the opportunity to express their views about the Project. Accordingly, the use of the PUD process gives the community and District agencies an opportunity to work with the Applicant to ensure a well-planned development.

**C. PUD Requirements Under 11-X DCMR, Chapter 3**

**1. Minimum Land Area Requirements Under 11-X DCMR § 301.1**

Pursuant to 11-X DCMR § 301.1, a PUD in the MU-2 zone requires a minimum land area of 15,000 square feet. The Site has approximately 30,375 square feet of land area, which meets the minimum requirements.

**2. FAR and Height Requirements Under 11-X DCMR §§ 303.3 and 303.7**

A PUD in the MU-2 zone permits development of up to 8.64 FAR (assuming a full allocation of IZ), of which no more than 4.69 FAR may be devoted to non-residential uses, and a maximum building height of 90 feet not including penthouses. The Project will have a total density of 7.06 FAR (approximately 214,338 square feet of GFA), of which approximately 0.6 FAR (approximately 18,513 square feet of GFA) will be devoted to non-residential uses. The maximum

height of the building will be 90 feet not including penthouses. Accordingly, the Project complies with the FAR and height requirements for a PUD in the MU-2 zone.

**3. Not Inconsistent with Comprehensive Plan and other Adopted Public Policies Under 11-X DCMR § 304.4(a)**

Pursuant to 11-X DCMR § 304.4(a), the Zoning Commission must find that the proposed development is not inconsistent with the Comprehensive Plan and with other adopted public policies and active programs related to the subject site. In this case, the proposed PUD advances the purposes of the Comprehensive Plan, is consistent with the designations for the Site on the FLUM and GPM, complies with the guiding principles in the Comprehensive Plan, and furthers a number of policies within the city-wide elements and Lower Anacostia Waterfront/Near Southwest area element of the Comprehensive Plan. As stated above, a detailed analysis of how the Project is not inconsistent with the Comprehensive Plan is attached hereto as Exhibit E.

In addition, the PUD is consistent with recommendations in the SW Plan, which is the Council-approved Small Area Plan that was created to shape the future of the neighborhood that extends from South Capitol Street west to Maine Avenue, SW, and from P Street, SW north to the I-395 Freeway. *See* SW Plan, p. 2. Small Area Plans are prepared with community input to provide more detailed planning guidance for specific areas of the District. The SW Plan specifically reflects community aspirations, District-wide goals, and market opportunities. It is a community-based plan to enhance parks, pedestrian and street connections, bolster retail, integrate community amenities, enhance transportation choices, and accommodate and guide the direction of future growth in the Southwest neighborhood. SW Plan, p. 2. Included in Exhibit E is a detailed analysis of how the Project is not inconsistent with the SW Plan.

Furthermore, the Project will help to achieve the goals set forth in the Mayor's Housing Report, which seeks to establish an equitable distribution of affordable housing in the District to

support the Mayor’s vision for creating 36,000 new housing units by 2025. The Mayor’s Housing Report acknowledges that the “production of new affordable housing is not keeping up with... residents’ needs” and that growth “puts pressure on the overall housing supply, which can lead to rising costs. On average, residents are paying a greater share of their income for rental housing than before, an effect that disproportionately burdens low-income residents.” *See* Mayor’s Housing Report, p. 2.

Recognizing the factors identified above, the Mayor established a goal to “expand the competitive supply of housing, moderate increases in housing costs, provide needed relief to a broad range of middle income families, and reduce pressure on the supply of housing serving lower incomes.” *See* Mayor’s Housing Report, p. 2. *See also* Mayor’s Order, which states that the District must “plan for a variety of housing types, including units for large and/or multigenerational families, seniors, and persons with disabilities.” The Applicant’s proposal to construct a medium-density mixed-use residential project with approximately 54.7% of the residential GFA being devoted to affordable housing at 50% and 60% of the MFI is fully consistent with these goals.

Moreover, the Project will provide new housing that is affordable to seniors, which is specifically prioritized in the Mayor’s Order which encourages a variety of housing types, including housing units for seniors, and states that “housing affordability is a top policy priority for Washington, DC.” *See* Mayor’s Order, pp. 1-2. The Mayor’s Order also encourages the production of new residential development generally to meet its residential unit target goals.

#### **4. Impacts of Project Under 11-X DCMR § 304.4(b)**

The Project will not result in any unacceptable impacts on the surrounding area or on the operation of city services and facilities, and will instead have a favorable impact on the surrounding area. Overall, the Project will benefit the neighborhood with the addition of new housing, including new affordable senior housing at an amount and income level that is significantly greater than the

minimum required by the IZ regulations. The Project will also provide new state-of-the art facilities for the Church, which has been a religious institution ingrained in the community for many years.

The Project has been designed to relate to the surrounding architectural context and consider the variety of nearby uses. The Project includes sustainable landscape design and well-designed streetscape improvements that will enhance the pedestrian experience and beautify the public realm. Moreover, the Site is well served by public transportation with immediate proximity to the Waterfront Station Metrorail station such that its infill development will offer excellent transportation options for future residents. In accordance with 11-Z DCMR § 401.8, the Applicant will submit a Comprehensive transportation review (“CTR”), including proposed transportation demand management (“TDM”) measures, no later than 30 days prior to the date of the public hearing and will serve a copy of the report on the District Department of Transportation (“DDOT”), to demonstrate that the Project will not result in any adverse impacts to the operation of surrounding roadway or public transportation facilities.

**D. Public Benefits and Project Amenities**

The PUD guidelines require the evaluation of specific public benefits and project amenities for a proposed project. Public benefits are defined as “superior features of a proposed PUD that benefit the surrounding neighborhood or the public in general to a significantly greater extent than would likely result from development of the site under the matter-of-right provisions.” 11-X DCMR § 305.2. A project amenity is further defined as “one (1) 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.” 11-X DCMR § 305.10. When deliberating the merits of a PUD application, the Zoning Commission is also required to “judge, balance, and reconcile the relative value of the public benefits and project

amenities offered, the degree of development incentives requested, and any potential adverse effects according to the specific circumstances of the case.” 11-X DCMR § 304.3. Public benefits and project amenities may be exhibited in a variety of ways and may overlap with a furthering of the policies and goals of the Comprehensive Plan.

The Project will help achieve a number of the goals of the PUD process by creating a mixed-income, mixed-use, and transit-oriented development with a thoughtful high-quality design that relates to and is compatible with the surrounding neighborhood. The Project will provide approximately 222 total residential units, of which approximately 123 units will be reserved for households earning up to 60% of the MFI (except that the equivalent of 8% of the building’s habitable penthouse space will be devoted to households earning up to 50% of the MFI). The 123 units at 50% and 60% MFI will be reserved exclusively to seniors. The Project will also replace the existing Church building with brand new religious and community facilities. These and the other significant public benefits and amenities, described in more detail below, reflect and implement the goals of the PUD process, enhance the surrounding community, and benefit the District as a whole.

**1. Superior Urban Design, Architecture, and Superior Landscaping (11-X DCMR § 305.5(a) and (b))**

The Project has been carefully designed to relate to the neighborhood context, including surrounding building heights and densities. The building design includes significant façade articulation, bay window projections, and high-quality materials that will create dynamic views from all directions. The architectural embellishment of a channel glass system and canopy will create a unique identity for the Project.

At the ground level, metal panel canopies are provided at the building’s entrances and an aluminum and glass storefront will successfully welcome residents, visitors, and congregants of

the Church into the building. The public space adjacent to the Site will be enhanced with new paving, street trees, landscaping, and a wide pedestrian pathway that includes convenient short-term bicycle parking consistent with the Zoning Regulations.

The Project has superior landscaping within the courtyard and at the roof levels. At the second level, the Residential Tower has private patios with permeable pavers, planters, private screens for individual patios, and extensive green roof areas to retain stormwater run-off. At the penthouse level the Residential Tower includes additional green roof areas and a dog-run. Interior and exterior residential amenity spaces are provided on roof of both Towers, with exterior patios, additional green roof areas, and permeable pavers.

**2. Site Planning and Efficient and Economical Land Utilization; Streetscape Plans and Implementation (11-X DCMR §§ 305.5(c) and (I))**

The Project includes a number of best planning practices within a site that has not seen significant improvement or redevelopment for many years. These practices include establishing a new mixed-income community with a variety of unit types and at varying income levels to accommodate a wide range of District residents; incorporating housing that is reserved exclusively for seniors to successfully age in place in a vibrant, walkable, and mixed-use neighborhood; and creating density directly adjacent to a Metrorail station to encourage the use of public transportation. Incorporating the Church back into the Site's development program also allows the long-established religious institution to continue to serve the surrounding community.

In addition, the Applicant has focused on creating a pedestrian-friendly streetscape, especially along I Street, SW, which includes new public space improvements including planter beds, bicycle racks, scored concrete paving, and ADA-compliant sidewalks. All public space improvements will be subject to final review and approval by the DDOT Public Space Committee.

**3. Housing that Exceeds the Amount Required through Matter-of-Right Development under Existing Zoning; Senior Housing; and Units with Three or More Bedrooms (11-X DCMR § 305.5(f))**

The Project results in the creation of new housing consistent with the goals of the Zoning Regulations, the Comprehensive Plan, the SW Plan, the Mayor’s Housing Report, and the Mayor’s Order. The Applicant’s proposal to replace an underutilized site with approximately 222 new residential units and approximately 197,941 square feet of residential GFA and penthouse floor area is fully consistent with these goals. In contrast, under the current R-3 zoning, only approximately 54,675 square feet of residential GFA could be developed on the Site as a matter of right, based on the Site’s land area and the maximum permitted square footage per lot (1,600 sf for IZ row dwellings); lot occupancy (60% for row dwellings); and number of stories (three) in the R-3 zone.

Moreover, the Project’s unit mix includes studio, 1-bedroom, 1-bedroom with den, and 2-bedroom units to accommodate a wide range of District residents including families. Approximately 123 units (approximately 52.9% of the Project’s residential GFA and penthouse floor area) will be dedicated as senior affordable housing.

**4. Affordable Housing that Exceeds the Amount Required through Matter-of-Right Development Under Existing Zoning (11-X DCMR § 305.5(g))**

The Project is consistent with the affordable housing goals of the Comprehensive Plan and the SW Plan, and even more specifically with the goals set forth in the Mayor’s Housing Report and Mayor’s Order. As noted above, the Mayor’s Housing Report seeks to establish an equitable distribution of affordable housing in the District to support the goal of creating 36,000 new housing units by 2025. The Mayor’s Order further states that the District must “plan for a variety of housing types, including units for large and/or multigenerational families, seniors, and persons with disabilities.”

Consistent with these goals, the Project will significantly exceed the amount of affordable housing that would be required at the Site through matter-of-right development under the existing R-3 zoning. As a matter of right, the IZ set aside of the Project would be approximately 5,468 square feet (approximately 10% of the maximum permitted residential GFA of 54,675 in the R-3 zone). As proposed, the Applicant will dedicate approximately 104,640 square feet of GFA and penthouse area to affordable housing (approximately 52.9% of the residential GFA and penthouse floor area). The affordable units will be provided at 60% of the MFI, except that an area equal to 8% of the building's total penthouse habitable space will be provided at 50% of the MFI.

#### **5. Environmental and Sustainable Benefits (11-X DCMR § 305.5 (k))**

The Project is designed to integrate a host of sustainable features and will be designed to achieve a minimum of LEED Silver for the Residential Tower and will be certified under the Enterprise Green Community standards for the Senior Tower. *See* preliminary LEED Scorecard and conceptual Enterprise Green Communities scorecard included with the Plans. The Site is located in a mixed-use, walkable neighborhood, with extremely convenient access to public transportation options and existing infrastructure and services.

The Project includes a variety of strategies to satisfy the GAR and stormwater management requirements, such as green roof areas and new landscaping in public space and on the various roof levels. The Project also includes sustainable design features such as low-flow fixtures, LED and energy-efficient lighting and mechanical equipment, green roofs and solar reflectance roof material, low VOC finishes and furniture, on-site bicycle parking, and on-site recycling.



**6. Uses of Special Value to the Neighborhood or the District of Columbia as a Whole (11-X DCMR § 305.5(q)) and Other Public Benefits and Project Amenities (11-X DCMR § 305.5(r))**

The Project will replace the existing Westminster Church building, originally constructed circa 1965, with the new mixed-use building that includes approximately 18,513 square feet of GFA dedicated to new state-of-the art church and community-serving facilities.

In southwest DC, the Westminster Presbyterian Church is not just a church. It is a Southwest institution that local residents rely upon to provide community center services. As part of the proposed Project, the Church will continue to provide the community with ample benefits and use of its amenities. The Church is known as an accessible center for community activities and provides numerous free services to the community, including music programs, community meetings, art and music rooms, and a prepared food/teaching kitchen, all of which will continue to be provided as part of the Project. Attendees to the various events hosted by the Church will be able to park in the on-site parking spaces dedicated to the Church. All of these ancillary events and uses are integral to the Church's mission. The Church's benefits to the community also include the following:

- For the past 21 years, the Church has been a center of the arts in southwest, DC. The Church hosts "Jazz Night in D.C." and "Blue Monday Blues," which have been powerful multi-cultural, multi-racial, multi-generational preservation projects serving thousands of D.C. residents and supporting hundreds of D.C.-based jazz and blues artists.
- Houses and subsidizes a community-based catering operation which provides work and training for D.C. residents.
- Houses and supports the DC Courts by hosting junior high and high school court-ordered clients to fulfill community service hours through Church music programs.
- Houses and subsidizes the cost for the weekly Domestic Violence Walk-In Clinic.
- Houses and subsidizes the cost of weekly Narcotics Anonymous meetings.
- Houses and subsidizes weekly health and fitness programs in the Seated Yoga for seniors program.

- Housed and subsidized START, a harm-reduction program that worked with the District’s HASTHA to do testing, referrals, and needle exchange for at-risk residents.
- Distributes free condoms to help save lives by providing the means for safer sex.
- Hosted the District’s first TransPride Festival.
- Regularly provides low-income residents in the neighborhood free-of-charge services for funerals, weddings, and other gatherings.
- Provides church space for neighborhood organizations like Greenleaf Housing, CBCC and the SW Arts Fest.
- Hosts many free and reduced-cost community meetings in conjunction with DCHA, Office of Planning, DDOT, Amidon-Bowen Elementary, and others.
- Makes annual financial contributions to support Amidon-Bowen’s programs.
- Provides low-to no-cost housing for visitors coming to the city to express their first-amendment views in marches and rallies;
- Hosts special meetings of the Mayor and other officials when the District needs to meet with the community.
- Allows parking during non-business hours, for the community to attend ballgames, Arena Stage, and other local businesses.
- Provides space for visual and performing arts for the underserved artist community.

The Church’s work is thoroughly charitable, advances the Church’s ministry, and no pecuniary benefit is derived to the Church.

## **V. COMMUNITY OUTREACH**

Pursuant to 11-Z DCMR § 300.7, the Applicant mailed a Notice of Intent to file the subject application to the owners of all property located within 200 feet of the perimeter of the Site and to Advisory Neighborhood Commissions (“ANC”) 6D on February 12, 2020, which was more than 45 days prior to the date of this application. Prior to then, the Applicant met with individual ANC commissioners twice in 2018 and approximately three times in 2019 to discuss the proposed Project and the intent to file the zoning application. The Applicant will continue to work with the

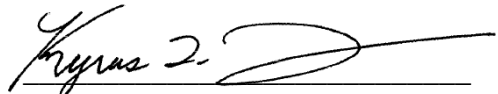
Office of Planning, DDOT, the ANC, and other community stakeholders throughout the PUD process.

## VI. CONCLUSION

For the foregoing reasons, the Applicant submits that the PUD meets the standards of 11-X DCMR, Chapter 3 of the Zoning Regulations; is consistent with the purposes and intent of the Zoning Regulations and Zoning Map; is consistent with the land use objectives of the District of Columbia; will enhance the health, welfare, safety and convenience of the citizens of the District of Columbia; satisfies the requirements for approval of a consolidated PUD; provides significant public benefits and project amenities; and advances important goals and policies of the District of Columbia and therefore should be approved by the Zoning Commission. Accordingly, the Applicant requests that the Zoning Commission approve the application for a consolidated PUD and related Zoning Map amendment.

Respectfully submitted,

HOLLAND & KNIGHT LLP



Kyrus L. Freeman



Jessica R. Bloomfield