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April 25, 2013

Via Courier

Sara Benjamin Bardin
Director
District of Columbia Office of Zoning
441 4th Street N.W. Suite 210-S
Washington, D.C. 20001

BOARD OF ZONING ADJUSTMENT
District of Columbia
CASE NO. 18589
EXHIBIT NO. 3

2013 APR 25 PM 3:52
RECEIVED
DISTRICT OF COLUMBIA
OFFICE OF ZONING

Re: Special Exception Application and Variance Request
District of Columbia Housing Authority
Lot 0119 Square 6156; 401-407 Condon Terrace S.E. and 400-408 Atlantic Street S.E.

Dear Ms. Bardin:

On behalf of the District of Columbia Housing Authority (the "Applicant"), we submit the enclosed request for a Special Exception pursuant to D.C. Municipal Regulations ("DCMR") § 11-3104 and the guidance implemented thereunder.

The Applicant proposes a 24-unit multi-family building, in place of 24 existing townhomes, designed to create better housing opportunities for the residents of the Highland Dwellings neighborhood ("Highland" or the "Development") and further the Applicant's comprehensive plans for Highland.

The Property is located in the R-5-A Zone, for which a Special Exception is required for multifamily dwellings pursuant to DCMR §11-353.1.

Background and Existing Conditions

The Applicant is the owner of the properties located at 401 - 407 Condon Terrace, S.E. and 400-408 Atlantic Street S.E. (the "Property"), a small portion of Highland. The Property, known as Lot 0119 Square 6156, is approximately 138,690 square feet. Located in the Washington Highlands community of Ward 8 in Southeast, the Property is located in an R-5-A Zone and currently improved with 24 townhomes.

The Property is a triangular parcel bounded by Condon Terrace and Yuma Street on the northwest side, 4th Street on the east side, and Atlantic Street on the south side. On Condon Street, to the northwest of the Property, there is a new mid-rise multifamily building and single family townhomes. On Yuma Street, to the west of the Property, there is the Ferebee Hope Elementary School and

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Ferebee Hope Recreation Center, which includes an indoor pool, sports field, and meeting rooms. To the south of the Property, across Atlantic Street, there is a row of privately-owned single family townhomes. Finally, to the east, immediately adjoining the Property is Highland Addition, a separate development of the Applicant consisting of 118 multi-family units. (Refer to the plan of Highland Dwellings, attached as Exhibit A).

The Property is well served by transit, with two bus stops serving four bus lines (the A2, A42, M8 and M9 lines) within 30 feet of the Property.

Looking past the immediately adjoining properties, adjacent to Highland (of which the Property is a portion) is the Wheeler Creek HOPE VI site ("Wheeler Creek"). Wheeler Creek is a mixed income, mixed finance development created on the former Valley Green and Skytower public housing sites. As noted above, Highland Addition, a conventional public housing site programed to be a mixed-finance development is also nearby. Finally, the Southeast Tennis and Learning Center, a state of the art recreational facility where Serena and Venus Williams are resident professional patrons and instructors, is within the immediate neighborhood, approximately half a mile from the Property. The balance of the neighborhood is general multifamily residential with significant clusters of single family residential areas including Walter Washington Estates.

Built in 1942, Highland is a 208-unit conventional public housing property on 12 acres and in 59 buildings. To fund energy efficient modernization improvements of the entire community in 2009 the Applicant was awarded Capital Funds Recovery Competition ("CFRC") funds under the American Recovery Reinvestment Act of 2009 ("ARRA"). The CFRC funds required that the Applicant aggressively introduce energy savings technology, including energy efficient heating, cooling, lighting, water conservation and sun shielding to the existing housing stock in order to achieve a 35% reduction in energy and water consumption. Upon receipt of the CFRC award, the Applicant evaluated all the dwellings and structures within Highland to determine the extent of the improvements needed to bring the units up to a 20-year viability. At this point, the Applicant obtained commitments for Low Income Housing Tax Credits, Tax Exempt Bonds and a first mortgage loan supported by Project-Based Vouchers, among other financing sources.

To undergo the modernization, the Applicant relocated certain residents, in compliance with all Federal and local regulations, out of their units at the Property with the agreement that those residents would have the right to return to the modernized site. Replacing the townhouse units with a multi-family structure will balance unit types and sizes within the Highland Dwellings community and provide an adequate number of one-bedroom units needed to accommodate the needs of these returning residents.

Finally, the Applicant has engaged the community including the Highland residents, the Highland Resident Council and the ANC to ensure that the building is sympathetically designed and adds to the neighborhood fabric. At a recent meeting of ANC 8E, the Applicant presented the enclosed plans and no objection was raised to the proposed multi-family building design.

Proposed Use

Consistent with the R-5-A Zone and other relevant portions of the D.C. Municipal Regulations, the

Applicant is submitting a request for a Special Exception for the development of a multifamily building on the Property, including parking and amenity spaces. The square footage of the building is approximately 28,646 square feet (the building, parking and amenity spaces are collectively, the "Project").

The building is proposed to be three stories and 40 feet tall, as measured from Atlantic Street, S.E. The first floor consists of a lobby, various social services space, community space, and restrooms. There will be two accessible entrances: one along Condon Terrace, S.E. and another along Atlantic Street, S.E. The second floor includes 12 units ranging from 663 square feet to 680 square feet, a roof deck, and additional community space. The third floor consists of another 12 units ranging from 663 square feet to 680 square feet. Because the Applicant determined that there was a significant demand for one-bedroom units for those residents expected to return to the Project, the Project will include all one-bedroom units, with three varying floor plans. All the units will be public housing units.

The Project will also feature an exterior courtyard, leadwalk, and six parking spaces. The six parking spaces are in addition to 18 parking spaces located in close proximity to the Project within the same square and lot, making a total of 24 parking spaces. There will be landscaping along Condon Terrace, S.E. and Atlantic Street, S.E. with more extensive planting at the corner of Condon Terrace, 4th, and Atlantic Streets, S.E. The roof deck will also have planters for vines and other plants.

Conformance with D.C. Municipal Regulations

Pursuant to DCMR § 11-3104, the Board of Zoning Adjustment ("BZA") is authorized to grant Special Exceptions where such Special Exceptions will be consistent with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not pose any adverse effects on neighboring properties.

The Applicant's request to redevelop the Project is consistent with the general intent and purpose of the Zoning Regulations and Zoning Map. As a matter of right, the R-5-A Zone permits single-family residential uses for detached and semi-detached dwellings and, with approval from the BZA, new residential development of low density residential used including row houses, flats, and apartments to maximum lot occupancy of 40 percent. The R-5-A Zone further permits a maximum floor area ratio of 0.9 and a maximum height of three stories/40 feet. Rear yard requirements are 20 feet and side yard requirements are not less than 8 feet.

The Project complies with the intent and purpose of the Zoning Regulations and Zoning Map, and is not seeking a variance from any bulk regulations:

	Required	Provided
Lot Occupancy	40%	0.19
FAR	0.9	0.49

Maximum Height	3 stories/40 feet	3 stories/40 feet
Setbacks:		
Front	0	0
Side	8	8
Rear	20	20

As a triangular lot, the building will front on 4th Street, S.E. Atlantic Street, S.E., and Condon Terrace, S.E., addressing all the streets through architecture and landscaping with a particular emphasis on the pinnacle of the three streets. The rear yard of the Project will be located, opposite the street junction, on the far eastern side of the Property. Because of the odd shape of the Property, it has only one side yard, along the southeastern leg.

The redevelopment of a 24-unit multifamily building on the Property will not adversely affect the use of the neighboring properties. Because the units are being replaced at on- to-one, there will be no impact on schools. And, although access to the Project will be modified, there will be no significant impact on traffic patterns in the area. Similarly, the Project will not have an adverse impact on the immediate neighborhood, generally consisting of other communities within Highland Dwellings because the multi-family use is designed to be compatible in terms of use and design, including architecture, landscaping and lighting.

Special Exception

Pursuant to DCMR § 11-353.1, in R-5-A Zones, all new residential developments, except those comprising all one-family detached and semi-detached dwellings must be reviewed by the BZA as a Special Exception under DCMR § 11-3104 in accordance with the standards and requirements in that section. DCMR § 11-3104 provides that for special exceptions relating to new residential developments in R-5-A Zones, the conditions set forth in DCMR § 11-353.1 apply. The Applicant's request for a Special Exception complies with those conditions, as explained below.

- (1) Adequacy of Number of Existing and Planned Area Schools to Accommodate the Numbers of Students Expected to Reside at Project.

As stated above, the Project replaces existing residential units on a one-to-one basis and will have no impact on local schools.

- (2) Adequacy of Public Streets, Recreation, and Other Services to Accommodate the Residents of the Project and Relationship of the Project to Public Plans and Projects.

As stated above, the Project replaces existing residential uses on a one-to-one basis with a more modern, sustainable design and, therefore, has no impact on the local community. The greater Highlands Dwellings community presents multiple opportunities for recreation and

amenities, such as the Southeast Tennis and Learning Center and the Ferebee Hope Recreation Center.

- (3) Adequacy of Site Plan, Arrangement of Buildings and Structures, and Provisions of Light, Air, Parking, Recreation, Landscaping, and Grading as they Relate to the Future Residents of the Project and the Surrounding Neighborhood.

As stated above, the Project is designed to be compatible with the other communities within Highland Dwellings in terms of design and provide adequate spacing between buildings to preserve the light and air coming to the existing buildings. The Project provides the requisite number of on-site parking according to the zoning code, including two accessible parking spots. The community spaces and roof deck provide recreational spaces, in addition to the neighboring amenities. The landscaping is designed to aesthetically enhance the Project and the overall Highland Dwellings community.

Conclusion

The Applicant respectfully requests that the BZA approve its request for a Special Exception, thereby allowing the creating of better housing opportunities for the residents of Highland Dwellings. As explained above and in the plans submitted, the Project satisfies all of the requirements in the D.C. Municipal Regulations. The Project is a significant improvement over the current use. It provides high-quality residential units that will further the Applicant's longstanding efforts to redevelop Highland Dwellings.

Sincerely,



Erica A. Leatham

cc: Lori Parris
Thomas Jones
William Fears
Andrea Powell
Nydia M. Pouyes

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