

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

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MEMORANDUM

TO: D. C. Zoning Commission

FROM: *U.S. & V*
Ellen McCarthy, Director

DATE: February 22, 2006

SUBJECT: Final Report on Zoning Commission Case 05-25,
Planned Unit Development – Square 3629 Lot 808 (2321 4th Street, N.E.)

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APPLICATION

The H Street Community Development Corporation, the Applicant, is requesting Zoning Commission review and approval of the consolidated application for a Planned Unit Development (PUD) to develop a mixed use building of 170 residential units and 3,000 square feet of ground floor retail.

On October 17, 2005, the Zoning Commission set down the application for public hearing as recommended in OP's preliminary report dated September 30, 2005. The applicant subsequently submitted a prehearing statement on December 6, 2005 as required.

RECOMMENDATION

The Office of Planning (OP) **recommends approval** of this application for a consolidated Planned Unit Development (PUD) and the proposed amenities package that includes:

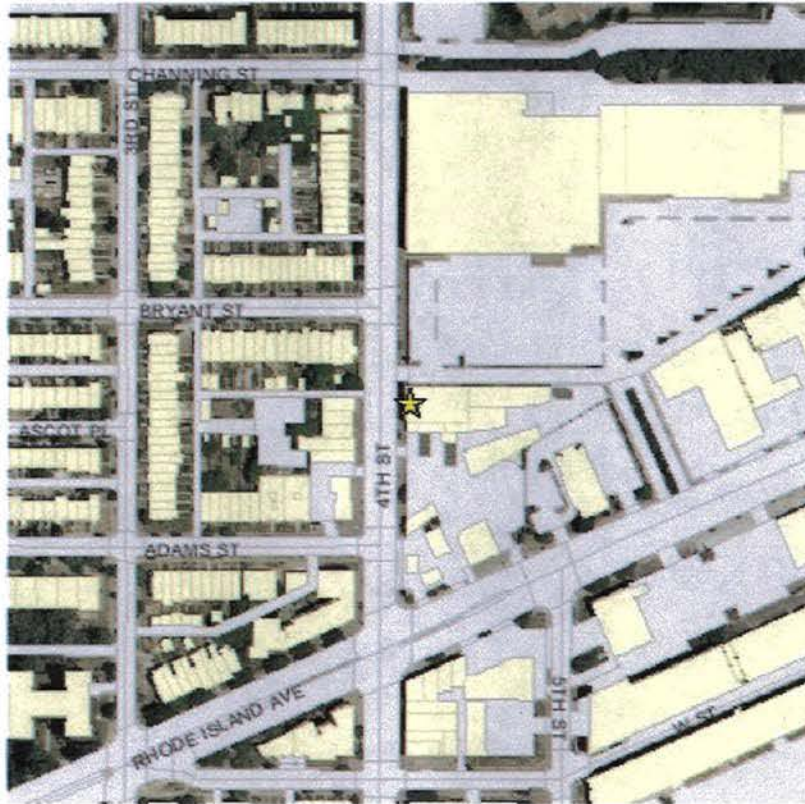
- A minimum of 20% of residential gross floor area (34,671 square feet) dedicated to affordable housing for residents between 60% to 80% of AMI;¹
- An assigned community meeting space;
- Environmental benefits of a 5,000 square foot green roof area; and
- First Source Employment Agreement and a Memorandum of Understanding committing the applicant to award at least 35% of contract value to certified local, small or disadvantaged businesses in the project's development.

¹ PUD Inclusionary Housing Commitment Standard (Attached)

ZONING COMMISSION
District of Columbia
Case *05-25*
Exhibit *20*
ZONING COMMISSION
District of Columbia
CASE NO.05-25
EXHIBIT NO.20

BACKGROUND

The combined properties at 2313-21 4th Street N.E., formerly known as the Dunlop Properties, were purchased from the Department of Housing and Community Development (DHCD) in February 2004 by the applicant and the blighted structures were demolished in 2004. The recently subdivided property is located in Square 3629, Lot 808, in the North East quadrant of the District, on the east side of 4th Street, 200 feet south of the corner of Rhode Island Avenue and 4th Street, and 4 blocks west of the Rhode Island Metrorail station.



Lot 808 consists of 39,190 square feet of vacant land zoned C-3-A. It is surrounded by a number of zone districts and land uses including C-2-A and C-M-2 to the south of the property, R-5-D and C-M-2 to the north and east, and R-3 and C-2-A to the west. Land uses include a mix of residential row homes, apartment buildings, industrial businesses, a shopping center, and a strip mall.

The PUD proposal seeks to develop this underutilized property with a nine-story brick and masonry mixed use building of 170 residential units with ground floor commercial space and an underground parking garage with 128 parking spaces. Rooftop green spaces, an internal sidewalk system, landscaping and recreational space are also included within the development. While approximately 4.8% of gross floor area will be applied to recreational space instead of the required 15%, the project will compensate the loss with additional non-qualifying spaces, including sunrooms, private gardens and other indoor amenities. Provided recreation space will include outdoor areas, an indoor gym, and a 500 square feet meeting room.

Up to 3,000 gross square feet of ground floor space will be devoted to retail uses and 173,355 gross square feet devoted to residential use. The applicant has committed a minimum of 20% of residential gross floor area (34,671 square feet) to affordable housing dispersed throughout the building, which would be comprised of a mix of junior one bedroom, one bedroom, and two bedroom units. The affordable housing component will be targeted to residents whose annual incomes are between 60% and 80% of the Area Median Income.

All apartments will comply with Fair Housing Accessibility requirements.

ANALYSIS

ZONING COMMISSION'S CONCERNS

At the October 17, 2005 Zoning Commission Meeting, the Commission expressed concerns regarding the preliminary submission and requested the applicant address the following prior to the public hearing:

- Potential Retail Tenants
- Clarification of Project Amenities
- Fully Dimensioned Architectural Plans and Elevations
- Roof Structure Review
- Design of the Garage Door

OP's preliminary report requested the applicant provide:

- The First Source Agreement Memorandum and any other necessary agreements relating to the affordability of the units before the scheduled public hearing.
- At least two Flex Car (rental) spaces on-site as an option for residents of the building and the immediate neighborhood who may not own a vehicle.

The applicant's responses to the above issues are outlined in its prehearing statement dated December 6, 2005 and are referenced in this report's subsequent analysis. The applicant also complied with the Commission's request and submitted a fully dimensioned set of architectural plans and elevations attached as Exhibit A of the prehearing statement.

OP's review of this proposal considered whether it is generally consistent with intent of the Zoning Regulations, the specific PUD criteria outlined in the Zoning Regulations, and the Comprehensive Plan.

Zoning Requirements

The site is designed to conform to the permitted height and FAR for the requested C-3-A/PUD. No map amendment is proposed. The following table compares the zone and C-3-A/PUD standards, with those proposed for the project:

Standard	C-3-A Standards	C-3-A/PUD Standards	Proposal
Area	N/A	15,000 sq. ft.	39,190 sq. ft.
Height	65	90 ft.	90 ft.
FAR	Non Residential – 2.5 Residential – 1.5 TOTAL – 4.0	Non-Residential – 3.0 Residential – 1.5 TOTAL – 4.5	Retail – 0.08 = 3,000 sq. ft. Residential – 4.42 = 173,355 sq. ft. TOTAL – 4.5
Lot Occupancy	Residential – 75%	Residential – 75%	Residential – 53.5 %
Rear Yard	12 ft. minimum or 2.5 ins./ft. of height or 17 ft.	12 ft. minimum or 2.5 ins./ft. of height or 17 ft.	40 ft.
Court	Width = 4" per ft. of height, - not less than 15 feet.	Width = 4" per ft. of height, - not less than 15 feet.	A number of courts less than required widths.
Parking	1 per 2 D.U	1 per 2 D.U	Retail – 0 Residential – 128 spaces
Loading	1 loading berth @ 55 ft deep 1 loading berth @ 30 ft. deep 1 loading platform @ 200 sq. ft. 1 service/delivery space @ 20 ft.	1 loading berth @ 55 ft deep 1 loading berth @ 30 ft. deep 1 loading platform @ 200 sq. ft. 1 service/delivery space @ 20 ft.	1 loading berth @ 12' x 55' deep 1 loading berth @ 10' x 45' deep 1 loading platform @ 200 sq. ft. 1 service/delivery space @ 12' x 30'
Residential Recreational Space	15% of Gross Floor Area	15% = 26,003 square feet	4.76% = 8,250 sq. ft. qualifying 17% - 30,750 (qualifying and non-qualifying space)

FLEXIBILITY

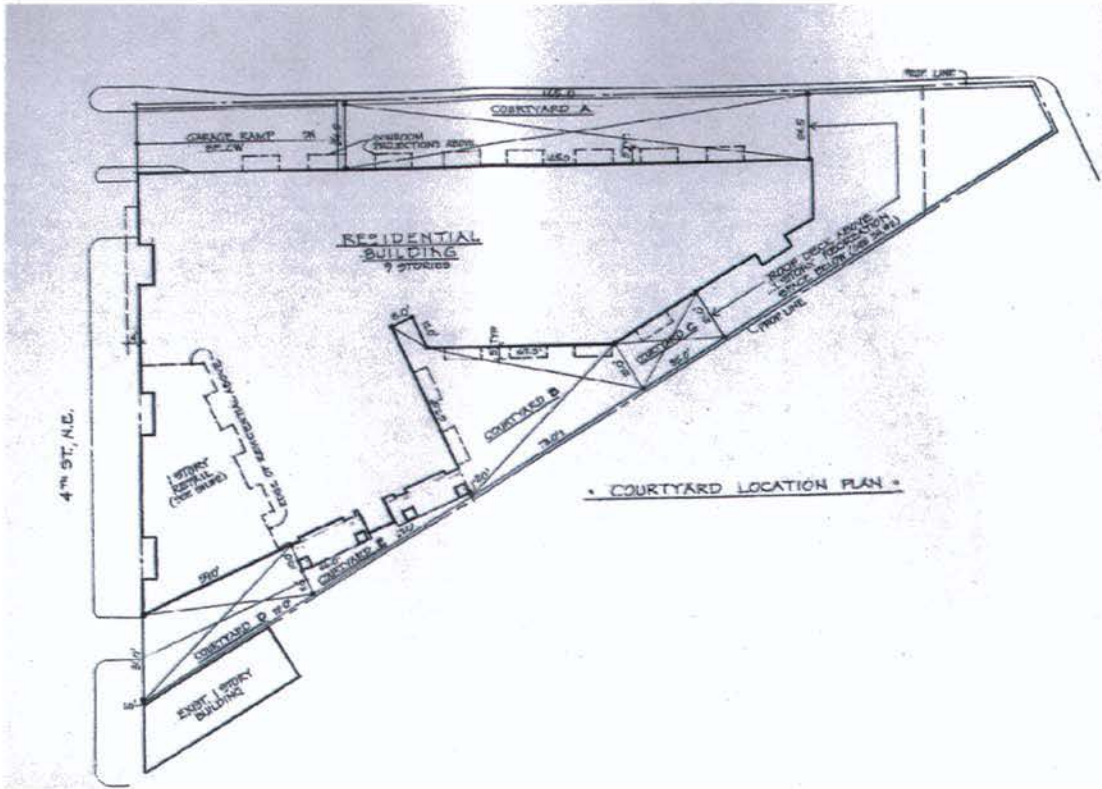
The following relief is required from the zoning regulations:

Residential Recreational Space

The C-3-A Zone District requires 15% of the residential gross floor area to be allocated as recreation space. 173,355 square feet of the proposed building is apportioned to residential use, therefore 26,003 square feet of recreation space is required. However, the proposal will only provide 8,250 square feet (4.76%) of the residential gross floor area as required recreation space. The applicant has stated that additional non-qualifying space would be provided for each unit including sunrooms (17,000 square feet) and use of private garden space (5,500 square feet) in the court yard areas for a total of approximately 22,500 square feet. This would result in approximately 30,750 square feet of useable space for recreation.

However, while OP supports the courtyard areas for purposes of non-qualifying recreation space, OP cannot support inclusion of sunroom space as part of the non-qualifying recreation space because it is an extension of interior living space for the units.

Nonetheless, OP believes that the quality of the non-qualifying areas including the private garden areas and terraces are comparable to the required space and would be consistent with the intent of the Zone Regulations.



Court Width

Flexibility is needed from the court width requirements due to the number of courts which arise as a result of the shape of the subject property. Section 2405.5 gives the Commission the option to approve courts less than the minimum requirements depending upon the exact circumstances of the project. The zone requires court widths at 4" per foot of height but not less than 15 feet. Based on the 90' height proposed, the court widths should range between 15 feet and 22.5 feet.

The updated site plan requested by the Commission identifies 5 court areas. As shown, Courtyard A is a rectangular area to the north of the building, which measures 24.5' x 165', and Courtyards B, C, D and E are irregularly shaped areas bounded by the southern property line. The court widths for each of these areas are various and all except Courtyard A are less than 22.5 feet in width.

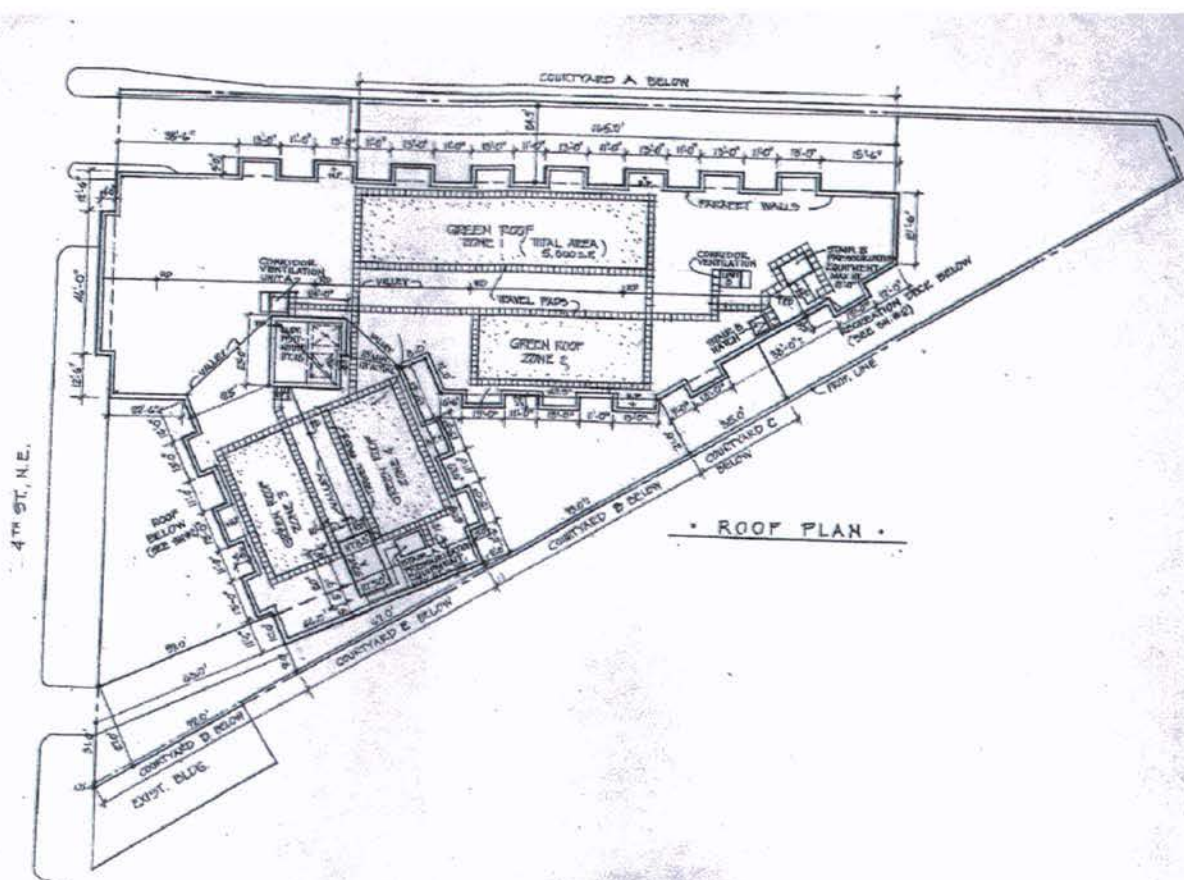
OP supports the applicant's claim that the building's design which aligns with the property lines allows for efficiency of the interior and required exterior areas. Adequate space for loading docks and the delivery area for the retail component of the building are provided. The design also seeks to maintain compliance with building code requirements and the structural grid on the underground garage columns. Further it allows the court areas to be dedicated towards the non-qualifying recreation space for the residents. If the courts met the required width, the sizes of the

retail area and its accessory delivery area would be reduced. Consequently, the resultant space may not be marketable as retail space. OP is supportive of the effort to add viable commercial space towards the improvement of neighborhood retail establishments.

Therefore, the tradeoff between a larger commercial space and the required court width is minimal so as not to impair the intent of the Zone Regulations.

Roof Structure

Based on the Commission's question regarding additional relief for the proposed roof structures, the applicant amended the earlier submission and reconfigured the stair to meet the one-to-one setback requirement. Therefore, Stair A and B are shown at a height and distance of 12 feet, which satisfies the requirement. However, Section 411.3 requires that all penthouses and mechanical equipment be placed in one enclosure. OP supports the applicant's position that one enclosure for both roof elements would create an unattractive massing on the roof. In its separate locations and respective enclosures, the visual impact is minimized and there would be no adverse impact to neighboring properties with respect to light and air.



Garage Door Design

The Commission requested that the applicant re-examine the garage door's design as well as color. An almond colored perforated design has been proposed to allow ventilation to the garage. In addition, the applicant contends that the slope of the driveway (12%), combined with the distance between the pedestrian curb and the garage door (at least 70 feet) would minimize visibility of the door from street level. The almond colored garage and loading dock doors were presumably chosen to complement the fenestration of the building.

PUBLIC BENEFITS AND AMENITIES

In deciding a PUD application, the Commission shall balance the value of the project amenities and public benefits against the flexibility required. OP believes that the benefits of providing moderate-income housing for residents of the District will compensate for the above requested relief. Section 2403.9 outlines *"Public benefits and project amenities of the proposed PUD may be exhibited and documented in any of the following or additional categories:*

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

This project would primarily provide the required benefits and amenities as submitted:

Urban Design and Architecture:

The proposed brick-faced design complements the immediate neighborhood's character of brick row homes and apartment buildings. The design and scale of the building is comparable to the contemporary designs of mixed use buildings currently under construction throughout the District. The residential units are provided with reasonable access to light and recreation space and OP commends the design's attempt to provide recreation space on the irregularly shaped lot. While rooftop space did not include recreation areas for residents, OP has no objection to the roof plan which includes a total of 5,000 square feet of assigned areas for "green scaping" as an environmental benefit. This area would reduce the heat island effect of the roof surface and would assist in reduction of energy consumption of the building.

As outlined in the Comprehensive Plan references, OP is supportive of this development proposal since it ***“encourages an in-fill development of attractive design quality”*** in an effort to ***... to stabilize the physical fabric and to encourage renovation and redevelopment.”*** (§ 712.2)

Housing:

This is the applicant’s primary amenity since it would provide up to 20% of residential floor area to affordable housing for moderate income residents whose income range is 60% to 80% of the Area Median Income. The applicant informed OP that this translates to approximately 34 residential units, which will be assigned throughout the building. The remainder of the units will be distributed at market rate. OP is supportive of residential development which targets moderate-income earners since this type of housing is currently in need in the District.

Effective and safe vehicular access:

The proposal provides sufficient parking spaces for residents. The C-3-A Zone District requires one parking space per two dwelling units and 128 parking spaces are proposed for 170 units, 43 extra spaces than the required. Five handicap and one van space, as well as a bike storage area are provided. The ramp access to the parking garage is at least 94 feet long and provides adequate distance between pedestrians and vehicles exiting the garage, thereby minimizing pedestrian-vehicle conflicts that may result from queuing upon exit.

Effective and safe pedestrian access:

The subject site is located ½ block north of a major intersection at Rhode Island Avenue and 4th Street, N.E. and 4 blocks south of the Rhode Island Avenue Metro Station. Pedestrian access to the proposed development is currently adequate via the existing sidewalks which lead from the intersection to the shopping center to the north of the property, as well as to the metro station. OP believes that the proposed development would improve the immediate neighborhood’s vitality by providing more “eyes on the street”. The development would therefore increase pedestrian safety and access in the neighborhood. In addition, as previously stated the distance between the garage door and the pedestrian sidewalk, would minimize the pedestrian-vehicle conflict that may arise due to residential vehicular traffic exiting the building.

Efficient and economic land utilization:

Development of this vacant parcel would act as a catalyst for the improvement of the neighborhood as a transit-oriented neighborhood center since it is less than ¼ mile (approximately 1,100 feet) from the Rhode Island Avenue Metro station, and within walking distance of existing and future establishments planned for the Metro site. It is served by pedestrian sidewalks from the development to the station along Rhode Island Avenue and the site would be developed with an attractive building which would provide on-site parking anticipated to be adequate for residents and visitors, as well as ZIP CAR rental spaces for residents’ use who may not own a vehicle. Given the site constraints of the property due to the lot’s irregular shape,

OP commends the efficiency of the site plan, since the resulting flexibility seems minimal to what is actually accommodated by the development, including the private outdoor garden areas, the second floor deck areas and the at-grade terraced areas.

Environmental Benefits:

The applicant will include construction elements that would be consistent with LEED standards. While the applicant would not pursue LEED rating for the building, the applicant has committed to include the following green elements:

- Creation of 5,000 square feet of green roof area.
- Installation of Energy Star appliances.
- Use of non-toxic low emitting paints and compounds.
- Extensive landscaping of the courtyard areas to reduce heat island effect.
- Thermally efficient glass for windows and storefronts to increase energy efficiency of the building.
- Provision of bicycle storage area.

OP supports the applicant's effort to provide elements of green design. However, OP encourages the applicant to pursue at least the minimal LEED rating certification for the building.

Uses of special value to the neighborhood:

The Pre-hearing Statement includes proposals to contribute:

- An assigned 500 square foot meeting space for the community, as shown on the site and first floor plan(Sheet #1);
- Ownership opportunities for District residents whose income ranges between 60% to 80% of the Area Median Income Bracket;
- New and improved retail space which would add to the neighborhood retail capacity of Rhode Island Avenue, approximately ½ block away;
- Employment opportunities for neighborhood and District residents during the construction phase of the project as evidenced by the fully executed First Source Employment Agreement attached as Exhibit B and a
- Memorandum of Understanding to the commitment to the D.C. Local Business Opportunity Commission.

The provision of new meeting space and retail space opportunities at this intersection will continue the transformation and renewal of commercial activity along the Rhode Island corridor. The applicant anticipates that the space may be rented to compatible residential based/neighborhood uses such as a computer store, fabric store, candy or ice cream parlor, bookstore or exercise studio. The applicant currently does not have any signed agreements with potential vendors.

Increased residential activity would provide needed economic incentive for this neighborhood center's revitalization and further the development of an important transit-oriented neighborhood.

As requested in OP's previous report, the applicant has documented its willingness to provide employment to local area residents with the Memorandum of Understanding (Exhibit C with the Local Business Opportunity Commission. The applicant also included a memorandum of understanding to utilize services of Local, Small, and Disadvantaged Business Enterprises (LSDBE). Provision of employment to local residents is supportive of the District's employment policy for the District's residents. The applicant projected that approximately 121 construction and 12 retail-related jobs would be generated due to the site's development.

Overall, the proposed development will be an asset to the community, since it will further economic development and cater to under-served moderate income residents of the neighborhood and the District.

COMPREHENSIVE PLAN AND GENERALIZED LAND USE MAP

An evaluation standard for PUD's also require that the proposed PUD is not inconsistent with the Comprehensive Plan and with other adopted public policies and active programs related to the subject site (§ 2403.4).

Preliminary evaluation of the development proposal is consistent with the Comprehensive Plan including the following Major Themes of the Plan:

- Section 102 - Stabilizing and Improving District Neighborhoods
- Section 110 – Promoting Enhanced Public Safety
- Section 111 – Providing for Diversity and Overall Social Responsibilities

The proposed development will replace two deteriorated and demolished apartment buildings, with new housing with some ground floor retail to serve neighborhood residents and create a more vibrant neighborhood commercial district. The residential use would help improve public safety in the neighborhood, as it will provide more "eyes on the street." Overall, this infill development will be a significant contribution to the housing of the District's moderate-income residents.

The proposed development meets many of the goals and objectives of the Comprehensive Plan as outlined in the Housing, Urban Design, and Land Use Elements.

The application is consistent with Chapter 3, Housing Element, of the Comprehensive Plan. The General objectives for Housing (Section 302.1) is *"to stimulate production of new and rehabilitated housing to meet all levels of need and demand and to provide incentives for the types of housing needed at desired locations."*

Further, the Plan's objectives for Low- and Moderate-Income Housing (Section 303.1), including:

- "(a) To provide for the housing needs of low- and moderate-income residents; and*
- (f) To reduce the overall cost of housing among low- and moderate-income households." ...*

are supported by the application.

The proposal is also consistent with the following policies and objectives of the Urban Design Chapter, particularly Sections 712 and 713 as follows:

712 AREAS IN NEED OF NEW AND IMPROVED CHARACTER

712.1 The areas in need of new and improved character objective are to encourage new development or renovation and rehabilitation of older structures in areas with vacant or underused land or buildings to secure a strong, positive physical identity.

712.2 The policies established in support of the areas in need of new and improved character objective are as follows:

- (a) Encourage well-designed developments in areas that are vacant, underused, or deteriorated. These developments should have strong physical identities;*
- (b) Encourage in-fill development of attractive design quality in deteriorated areas to stabilize the physical fabric and to encourage renovation and redevelopment;*

713 COMMERCIAL ACTIVITY CORRIDORS

713.1 The commercial activity corridors objective is to coordinate and strengthen the design function and image of commercial activity corridors that serve neighborhood centers.

713.2 The policies established in support of the commercial activity corridors objective are as follows:

- (c) Encourage the design of functionally active commercial centers within all areas of the District, especially in areas that are not now adequately served;*
- (d) Encourage the design of mixed-use development for large-scale projects to create active use during both day and evening hours;*
- (f) Balance and design development sensitively within low-scale regional activity centers in order to respect the established residential scale and character of the areas;*

As an infill development, it would create a strong physical identity in the immediate neighborhood and help to stabilize and encourage redevelopment of the Rhode Island Avenue and 4th Street neighborhood commercial areas. As a mixed use project four blocks from the Rhode Island Avenue Metro Station, it establishes a residential scale and character to this

intersection, increasing neighborhood activity during the day and evening hours and furthers its development as a TOD neighborhood.

Further, the application is consistent with the Ward 5 Plan including Section 1604.1 which refers to the development opportunities at the Ward's Metrorail stations, particularly for mixed use commercial/residential development oriented to surrounding communities, increased retail services and opportunities, promoting the vitality of the neighborhood. (§1604.1)

The Generalized Land Use Map recommends the subject site for moderate density residential and low density commercial. The mixed-use category also includes existing commercial areas and areas proposed for significant land use changes. The proposed development at a FAR of 4.5 and a mixture of residential and retail uses is not inconsistent with the Comprehensive Plan. The Generalized Land Use Map also denotes the immediate area around the intersection of 4th and Rhode Island Avenue as a "New or Upgraded Commercial Center" within the same radius identified as the Development Opportunity Area of the Rhode Island Metro Station. Therefore, OP believes that this development is consistent with the purposes expressed in the Comprehensive Plan and Generalized Land Use Map.

COMMUNITY COMMENT

The Applicant held several meetings with representatives of ANC 5A, the most recent on January 17, 2006. At that meeting, the ANC voted to recommend approval of this development.

AGENCY COMMENTS

Copies of the application were forwarded to the Metropolitan Police and Fire Departments, Department of Health, DDOT, and the Department of Housing and Community Development (DHCD).

DHCD responded with a recommendation of support issued in its letter dated January 3, 2006.

The D.C. Fire and EMS Department's letter dated December 30, 2005 stated no objection to the request provided that the construction complies with the current Fire and Building Codes (2000).

DDOT

In its October 11, 2005 letter of recommendation DDOT recommended the proposal address the following:

- Removal of the delivery area from the building plans and use the loading dock and platform for service delivery to minimize the number of sidewalk disruptions.
- Re-design of the loading dock and parking garage to have a minimum clearance of eight feet from the adjacent shopping center entrance.

DDOT also encouraged the applicant to consider the use of a car sharing program by providing at least 5% of the proposed parking spaces (up to 6 spaces) for car-sharing vehicles. Overall,

DDOT believed the project would have negligible impact on existing traffic volumes and had no objection to the development proposal subject to the conditions outlined above.

The applicant informed DDOT that the proposed 12'x 30' delivery area was created to serve the retail component of the building and was located to eliminate conflicts with the residential areas of the building, including the residential loading areas. DDOT subsequently, has submitted a report (February 16, 2006) stating that there are no objections to the current proposal.

The proposal's current site plan reflect DDOT's request regarding the required 8-foot clearance between the shopping center's entrance and the parking garage entrance.

To date no other agency comments have been received.

CONCLUSION

Section 2403.10 states "a project may qualify for approval by being particularly strong in only one or a few of the categories in §2403.9, but must be acceptable in all preferred categories and superior in many."

Based on this assessment, the benefits and amenities associated with this PUD proposal exceed the degree of zoning relief required. On this basis, OP determined that this proposal meets the standards for PUD approval under the Zoning Regulations.

Therefore, the Office of Planning (OP) **recommends approval** of this application for a consolidated Planned Unit Development (PUD) and its' proposed amenities package that includes:

- A minimum of 20% of residential gross floor area dedicated to affordable housing for residents between 60% to 80% of AMI;
- An assigned 500 square foot community meeting space;
- Environmental benefits of a 5,000 square foot green roof area; and
- First Source Employment Agreement and a Memorandum of Understanding committing the applicant to award at least 35% of contract value to certified local, small or disadvantaged businesses in the project's development.

Attachments:	Exhibit 1	Aerial Map with Zoning
	Exhibit 2	Comprehensive Plan Land Use Map
	Exhibit 3	DDOT's Report, February 16, 2006
	Exhibit 4	DHCD Report, January 3, 2006
	Exhibit 5	FEMS Report, December 30, 2005
	Exhibit 6	PUD Inclusionary Housing Commitment Standard



ZC 05-25
Aerial and Zoning
Square 3629, Lot 808
2313-21 4th St, NE

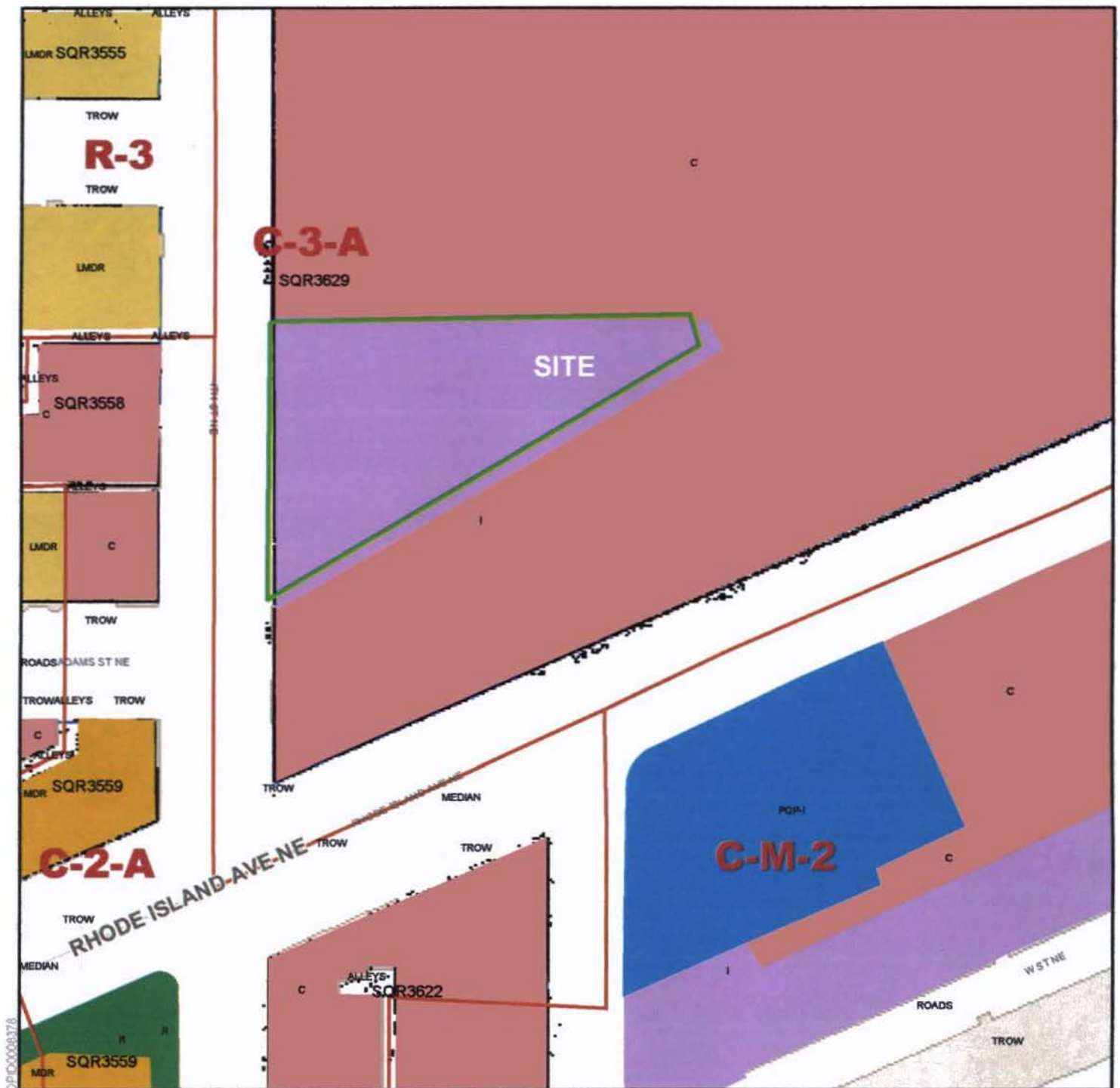
★ ★ ★ Government of the
 District of Columbia
 Anthony A. Williams, Mayor

Office of Planning ~ January 3, 2005

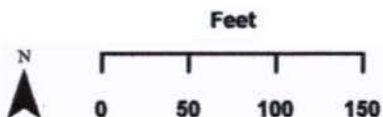
This map was created for planning
 purposes from a variety of sources.
 It is neither a survey nor a legal document.
 Information provided by other agencies
 should be verified with them where appropriate.
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Legend

— Major Roads
 Buildings



**ZC 05-25
Land Use
Square 3629, Lot 808
2313-21 4th St, NE**



★ ★ ★ Government of the
District of Columbia
Anthony A. Williams, Mayor

Office of Planning ~ January 3, 2005

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Oblique imagery ©2003 Pictometry International

Legend

Existing Landuse

Land Use Designation

- Low Density Residential
- Low-Medium Density Residential
- Medium Density Residential
- High Density Residential

- Commercial
- Industrial
- Mixed Use
- Institutional
- Public, Quasi-Public, Institutional
- Parks and Open Spaces
- Major Roads
- Buildings

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DISTRICT DEPARTMENT OF TRANSPORTATION



Transportation Policy and Planning Administration

To: Ellen McCarthy, Director
Office of Planning

From: Kenneth G. Laden
Associate Director for Transportation Planning

Date: February 16, 2006

Subject: (Supplement Report) PUD - Z.C. No. 05-25

The District of Columbia Department of Transportation (DDOT) has reviewed the revised site plans and related materials for the subject site. DDOT has no objections to the current project proposal.

The applicant, H Street Community Development Corporation (HCDC), seeks consolidated PUD review and approval in order to construct a mixed-use apartment building at the subject site located on the eastside of Fourth Street, NE between Rhode Island Avenue and Bryant Street, NE. DDOT previously reviewed and commented on the project proposal in a memorandum sent to the DC Office of Planning dated October 11, 2005. (Attachment) In the memorandum, DDOT offers support of the project provided the applicant; 1) remove the proposed driveway curb-cut and secondary loading area for retail tenants and 2) modify the residential driveway design to comply with DDOT design standards.

HCDC reviewed the DDOT report and provided a response by a transportation-planning firm retained by the applicant with a revised site plan. DDOT concurs with the traffic consultant that the loading area is not required for the 3,000 square feet of retail, but will provide a public amenity by eliminating the need to establish a loading area in public space. The space is designed to separate the retail and residential loading activities, as the loading needs are different for each use. Residents require an area for long-term loading for moving-in and moving-out activities while the retail tenants can expect infrequent short-term deliveries and trash collection.

The resubmitted site plan has been revised to include the design changes requested at the driveway entrance. Accordingly, DDOT has no objections to the current project proposal.

Rec'd from
12/6/05 DDOT.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DISTRICT DEPARTMENT OF TRANSPORTATION

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Transportation Policy and Planning Administration

To: Ellen McCarthy, Director
Office of Planning

From: Kenneth G. Laden *KG Laden*
Associate Director for Transportation Planning

Date: October 11, 2005

Subject: PUD – Z.C. No. 05-25 (The Rhode Island Avenue, NE)

The District of Columbia Department of Transportation (DDOT) has reviewed the application and other materials for the subject site. DDOT supports the project, with slight modifications to the site plan.

The applicant, H Street Community Development Corporation seeks consolidated PUD review and approval in order to construct a mixed-use apartment building at the subject site located on the eastside of Fourth Street, NE between Rhode Island Avenue and Bryant Street, NE in a C-3-A District. The site faces Fourth Street, NE and is bounded by commercial uses on all other sides. A shopping plaza is located immediately to the north and to the south are a gasoline service station, bank branch and a fast food restaurant. The project consists of constructing a nine story apartment building totaling 170 units, 3,000 square feet of ground floor retail and a two-level parking garage with 128 parking spaces, exceeding the Zoning requirement of 78 parking spaces.

Fourth Street, NE provides access to the main pedestrian entry, parking garage entrance and loading docks. The applicant proposes to provide a loading dock with two berths at 55' and 45' in length, and a separate curb-cut for a delivery space at 30' in length, exceeding the zoning requirements; an additional curb-cut is required for the parking garage entrance. DDOT recommends the applicant remove the proposed delivery area from building plans and use the loading dock and platform for service delivery, minimizing the number of sidewalk disruptions.

The design of the loading dock and parking garage must be modified. The current design places the two driveways adjacent to the existing entrance to the shopping center to the

GOVERNMENT OF THE DISTRICT OF COLUMBIA
FIRE AND EMERGENCY MEDICAL SERVICES DEPARTMENT
WASHINGTON, D.C. 20001

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MEMORANDUM

TO: Karen Thomas
Development Review Specialist
Office of Planning

FROM: Richard Fleming *RF*
Fire Marshal

DATE: December 30, 2005

SUBJECT: Zoning Commission Case No. 05-25 – Planned Unit Development (PUD)
At 4th Street, N.E., Lot 808, Square 3629

The D.C. Fire and EMS Department has reviewed the above request to build a Planned Unit Development (PUD) consisting of a 9-story apartment building, with approximately 170 units and 128 underground parking spaces. Vehicular access would be provided via an entrance off 4th Street.

Based on site plans submitted and on-site visit to the property, we have no objection to this request, provided the development has acceptable Fire Department access and new construction complies with the current Fire and Building Codes (2000 Edition of the International Fire and Building Codes), along with D.C. Law 2-90.

Please notify Captain Tony Sneed during the planning and development phases for additional review and input. He may be reached at 727-3292.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING



Office of the Director

Planned Unit Development
Inclusionary Housing Commitment Standards

Zoning Commission Case No. 05-25

Development Standards

- Total Square Footage:** Applicant shall commit to reserve **34,671 square feet** of the total marketable residential square footage for units affordable to households within the targeted income range.
- Unit Types:** The mixture of affordable unit types shall be comparable to the mixture market rate unit types. The proportion of affordable studios and 1-bedrooms may not exceed the proportional mix of market rate studios and 1-bedrooms.
- Unit Sizes:** Internal square footage of affordable units should be comparable market rate units.
- Unit Distribution:** Affordable units shall be evenly distributed vertically and horizontally throughout all building and/or phases of the project. No floor or building within a development shall comprise of 100% affordable units.
- Construction:** External design and materials of affordable units shall be indistinguishable from market rate units. Internally, appliances and finishes shall be comparable, but may be of different quality.

Household Standards

Target Income Range: Eligible households are defined as those households that meet the following criteria:

- Having household income not exceeding the 80% of the Area Median Income for the Washington, D.C. Metropolitan Statistical Area and adjusted for family size (see below for the summary of current income limits);
- Purchasing or renting their primary residence;
- Have no ownership interest in any other housing within the past three years;
- Commit to continuous occupancy per the lease terms or deed covenants;
- Qualify for any necessary mortgage financing and down payment, and

- Have an income eligibility certification letter by making application to the home purchase assistance programs of the DC Department of Housing and Community Development (DHCD).

Initial Housing Cost: Shall be determined by the District government based on the following assumptions

- Monthly housing payment shall equal 30% of the Income Limits by family size and unit type.

Unit Type	Household Size	2005 Income Limit
Studio/Efficiency	1 Person Household	\$50,000
1-Bedroom	2 Person Household	\$57,200
2-Bedroom	3 Person Household	\$64,300
3-Bedroom	5 Person Household	\$77,200

- Purchase assumptions include:
 - 5% Down payment;
 - Monthly housing payment includes principal, interest, taxes, insurance and condo or home association fees;
 - 30 year term;
 - Current national average interest rate determined by FreddieMac weekly survey of mortgage (see www.freddiemac.com).
- Rental assumptions include:
 - Housing payment does not include utility allowance.

Final Housing Cost: Shall be determined 60 days prior to marketing of the affordable units using current information for the same assumptions above.

Occupant Selection: Applicant shall hold a lottery of all qualified families to be selected as the Initial Unit Purchasers. Applicant will provide notice of the lottery through advertisements in local newspapers and other vehicles reasonable to ensure broad exposure to potentially eligible purchasers. The Department of Housing and Community Development will also advise existing applicants to its home purchase assistance programs of this affordable housing opportunity. The Initial Unit Purchasers and the Initial Unit Price shall be determined six months prior to the projected completion of the Affordable Units.

Resale Restrictions: Resale During Control Period - The Affordable Units will be restricted (through a deed restriction, covenant and/or other legal means) in their resale for a period of 10 years to: (1) income-eligible homebuyers, a list of whom may be obtained from the Department of Housing and Community Development's applicant pool for home purchase assistance programs; (2) a maximum Purchase Price equal to the Initial Unit Price plus the cumulative change in the consumer price index and the cost of permanent improvements to the Unit; and (3) Sale within a given 10

year affordability restriction period shall create a new 10 year affordability restriction period.

Resale After Control Period - Upon the expiration of the 20-year restricted selling period, the then current owner of the Unit may sell the Unit without restriction but the sales proceeds shall be allocated as follows:

First, to the seller in the amount of their original sales price plus the cumulative change in the consumer price index, the cost of permanent improvements to the Unit, the closing costs paid by the seller at their closing and a reasonable sales commission.

The remainder shall be split equally between the seller and a District of Columbia government fund dedicated to the provision of affordable housing.

Enforcement: Restrict covenants shall be active until the affordable Housing Production Trust Fund receives the appropriate contribution from the sale of the unit.

The District government shall retain all rights to enforce the provisions of the affordability covenants, according to the provisions of this document or such enforcement mechanisms as the District government may deem appropriate. The District government shall have the right to recapture any enforcement costs.

Procedural Changes: The substance of any of the above clauses that are included in deed restriction terms may not be modified without consent of both the unit owner(s) and the District government. Administrative, monitoring and enforcement mechanisms not included in deed restrictions may be modified at the sole discretion of the District government.

Karen



TO: Ellen Mc Carthy
Director
Office of Planning

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DATE: **January 3, 2006**

**SUBJECT: Zoning Commission Case No. 05-25 – Planned Unit Development
Located at 4th Street NE, Lot 808 in Square 3629**

As requested in an Office of Planning (OP) memorandum of December 6, 2005, the Department of Housing and Community Development (DHCD) has reviewed the above referenced Zoning Commission Case and supports approval of the requested Planned Unit Development (PUD). DHCD is considering funding for this project which is proposing the creation of approximately 34 affordable rental housing units and was submitted to DHCD through our competitive Request for Proposal (RFP) process. DHCD offers the following reasons in support based upon the specific information presented in the application:

1. The proposed project will provide approximately 173,000 square feet of residential living space equal to 170 rental apartment units (consisting of 120 one bedroom units and 50 two bedroom units). The project will also provide 3,000 square feet of first floor retail commercial space.
2. Approximately 34 units of the total 170 units proposed (20% of the unit total) will be provided as affordable rental units for low and moderate income households earning between 60% to 80% of Washington Area Median Income. The affordable units will be divided equally between one and two bedroom units and will be distributed throughout the proposed building.
3. The total combined residential and commercial gross floor area for the project is equal to the 4.5 Floor Area Ratio (FAR) permitted under the PUD guidelines.
4. The project density, consisting of a nine story building, is appropriate in the C-3-A zone where the project site is located. The density is compatible and