



3836-3848 SOUTH CAPITOL STREET SE

By 3840 S Capitol LLC and 3848 S Capitol LLC

APPLICATION TO THE DISTRICT OF COLUMBIA ZONING COMMISSION FOR
REVIEW AND APPROVAL OF A CONSOLIDATED PLANNED UNIT DEVELOPMENT
AND AMENDMENT TO THE ZONING MAP

August 17, 2018

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PREFACE

This statement and the attached documents support the application of 3840 S Capitol LLC and 3848 S Capitol LLC (collectively, the “Applicant”) to the Zoning Commission for consolidated approval of a Planned Unit Development (“PUD”) and Zoning Map Amendment for the property known as Square 6129, Lots 77 and 819 (the “Property”), also known as 3836-3848 South Capitol Street SE. The Project will result in an all-affordable residential development at the Property.

This PUD application is consistent with the District of Columbia Comprehensive Plan, D.C. Law 16-300, 10A DCMR (Planning and Development) § 100 et seq. (2006) (the “Comprehensive Plan”), as well as numerous goals and policies of the District of Columbia. This Project will benefit the District through exemplary architecture, sustainable design, affordable housing, and attractive, place-making development. The Project will also benefit the surrounding neighborhoods through streetscape improvements and a significant increase in affordable housing, commensurate with the increase in height and density resulting from the PUD process.

Submitted in support of this application are completed application forms, a copy of the notice of intent to file a PUD that was mailed to surrounding property owners and parties (with the certification of mailing and list of property owners), architectural drawings, plans, and elevations of the proposed project, and a map depicting the Zone Districts for the Property and surrounding area. As set forth below, this statement and the attached documents meet the filing requirements for a PUD application under Chapter 3 of Subtitle X and Chapter 3 of Subtitle Z of the District of Columbia Zoning Regulations.

I. INTRODUCTION

A. *Summary of Requested Action*

The Applicant requests the approval of a consolidated PUD and related Zoning Map Amendment to the RA-2 zone for the Property to allow the construction of a new all-affordable residential development in Ward 8.

The Property is located along South Capitol Street SE between Halley Terrace and Xenia Street. Lot 77 is owned by 3840 S Capitol LLC and Lot 819 is owned by 3848 S Capitol LLC. The Property is in the Bellevue neighborhood of Ward 8. The Property consists of approximately 39,318 square feet, or approximately 0.90 acre, of land area. The Property is currently located in the RA-1 Zone District, but through the PUD, the Applicant seeks to rezone the Property to the RA-2 Zone District.

The Property is currently improved with two residential buildings and accessory parking. The Applicant intends to demolish the existing improvements and construct a new residential building with approximately 106 residential units and parking (the "Project"). The Project will contain approximately 17 parking spaces. The total gross floor area included in the Project will be approximately 98,450 square feet, for a total Floor Area Ratio ("FAR") of approximately 2.50. The Project will be constructed to a building height of approximately 51 feet and will have a lot occupancy of approximately 59%.

The Future Land Use Map of the Comprehensive Plan locates the majority of the Property in the Moderate Density Residential land use category, while a small portion of Lot 819 is located in the Mixed-Use Moderate Density Residential/Low Density Commercial land use category. The Applicant will use the PUD process and the Zoning Map Amendment to increase the permitted FAR and height on the Property consistent with the Comprehensive Plan.

B. The Applicant

3840 S Capitol LLC and 3848 S Capitol LLC are both affiliates of Kaye Stern Development. Kaye Stern specializes in providing affordable housing in the Washington, DC area. Kaye Stern has a portfolio of 300 units in Southeast Washington, DC. Additionally, Kaye Stern manages and develops each of its own properties. Kaye Stern provides unique features for residents, including a 24-hour emergency maintenance hotline, security cameras, and LED lighting. The mission of Kaye Stern is to provide safe and affordable housing to residents.

C. Project Goals and Objectives and the Benefits of Using the PUD Process

Consistent with the goals of the District as outlined in the Land Use Element of the Comprehensive Plan, the Applicant intends to redevelop the Property with an all-affordable residential building. The Project will provide a significant increase in affordable housing along a major thoroughfare in an attractive and sustainable building that is compatible with surrounding buildings and uses.

The PUD process outlined in Chapter 3 of Subtitle X of the Zoning Regulations serves as the appropriate means of achieving the above objectives because the PUD process provides the community and District agencies with the tools needed to ensure that the Project is well-designed and best meets the needs of the community while making sure that the density and uses are appropriate and the architecture is compatible with the surrounding neighborhood.

D. Development Timetable

The Applicant intends to begin construction of the Project in the fourth quarter of 2019 and will take approximately 18 months. The Project is expected to be completed in 2021.

II. THE PROPOSED PUD PROJECT

A. *Site Location*

The Property consists of approximately 39,318 square feet of land area located on South Capitol Street SE, across the street from the Xenia Street SW intersection. The site is bounded by private property to the north and south and a paper public alley to the east. The Property is currently improved with two residential buildings and accessory parking, containing approximately 30 units. The buildings at the Property were built in the 1940s and are nearing the end of their useful life. The Project will replace these older units with up-to-date residential units providing modern amenities for residents. The Property is located entirely in the RA-1 Zone District. The Property has a significant grade change, sloping downward from north to south by approximately eight (8) feet and from east to west by approximately 20 feet.

The Property is located between the Bellevue neighborhood to the south, the Washington Highlands neighborhood to the east, Congress Heights to the north, and the Anacostia-Bolling Joint Base to the west. Further to the west is the Potomac River and further to the south and east is Maryland. Due to its location on South Capitol Street, the site is well-served by a number of Metrobus routes, including the A4 and A8 priority bus routes.

The surrounding area features a variety of uses and zone categories. Immediately to the south along South Capitol Street are a mix of retail and residential uses located in the MU-4 Zone District. To the west across South Capitol Street is a church. To the north along South Capitol are other multi-family residential uses located in the RA-1 Zone District. To the east are primarily single-family residential uses located in the R-3 Zone District, and to the southwest are more single-family residential uses located in the R-2 Zone District.

B. Project Description

The Project will replace the existing buildings on the Property with one new all-affordable residential development. As shown on the architectural plans, elevations, and drawings attached as Exhibit I, the Project has been designed to complement the existing uses and scale of the surrounding property and neighborhood. The Project will enliven the streetscape and provide the community with additional affordable housing with exceptional facilities.

The Applicant proposes to construct a residential building with loading at grade and enclosed at-grade parking. The building will be four stories in height with partial basement and will contain approximately 106 residential units, including 20 studios, 34 one-bedrooms, 20 two-bedrooms, and 32 three-bedrooms, as well as approximately 1,414 square feet of amenity space for tenants. The Project will include parking in an at-grade podium at the southern end of the site, with loading also accessible at this location. All parking and loading for the Building will be accessed from a curb cut along South Capitol Street aligned with Xenia Street. The Project will include approximately 17 vehicular parking spaces, approximately 36 long-term bicycle parking spaces, and five short-term bicycle parking spaces.

The height and mass of the Project is consistent with and sensitive to the surrounding context and is architecturally designed to enhance the streetscape at the Property. The Project is highly designed on all four sides, providing a highly articulated building with a brick and siding design matching the surrounding community. The Building will flow with the natural grade slope at the Property. This will create a traditional streetscape appearance, integrating the ground floor with the pedestrian experience.

The Project design includes articulation that divides the 300-foot long building into three distinct masses separated by courtyards, breaking up the length of the Building and relating to

the typical courtyard style residential apartments in the area. The three “fingers” that break-up the Building create a highly articulated feel that prevents a uniform mass. Elements such as balconies and massing articulations on all facades further modulate the design and add to the residential feel. However, the Project includes a cohesive materials palate that fits within the characteristic of the surrounding neighborhood.

In total, the Project will feature approximately 106 residential units with a total residential gross floor area of approximately 94,770 square feet. All of the Building will be devoted to affordable housing, with 20% of the residential units offered at 30% of the Median Family Income (“MFI”) and 80% of the units at 50% of the MFI. The Project is being financed as a Low Income Housing Tax Credit transaction, and as such, will include financing from District bonds, tax credits, and the housing production trust fund. The affordable requirements related to these units will expire after 40 years – after that time, the Project must comply with the Inclusionary Zoning (“IZ”) requirements in perpetuity. Thus, the Applicant will reserve 10% of the residential floor area – approximately 11 units – in the Project to “revert” to the 60% MFI standard IZ requirements after the 40 years.

The Project will be constructed to an FAR of approximately 2.50 and a height of 51 feet. The RA-2 District permits a maximum FAR of 2.592 and a maximum building height of 60 feet for a PUD project. The Zoning Tabulations in Exhibit I as well as the summary of development data attached as Exhibit A illustrate the development standards for the existing and proposed zoning.

C. Community Outreach and Response

The Applicant has engaged in numerous community outreach efforts, including city meetings, ANC meetings, and meetings with individual residents regarding the Project. The

Applicant met with the Office of Planning on April 5, 2018, and again on July 26, 2018, and with the District Department of Transportation including the Urban Forestry Administration on June 25, 2018. The Applicant also met with the ANC 8C and 8D Commissioners on June 14, 2018.

Finally, the Applicant met with residents at the Property on August 8, 2018, to present information regarding the Project.

In response to these meetings, the Applicant has revised the Project as follows:

- Relocated curb cut to access the Property to align with Xenia Street;
- Maintained significant family-sized units;
- Began developing a robust and efficient relocation plan to move current residents in the existing buildings to similarly-sized units in nearby buildings, where applicable;
- Pulled the footprint as far away from the rear property line as possible, to minimize retaining walls and provide significant distance from a Heritage tree located in the paper alley; and
- Proposed computer room in amenity space for use by residents.

The Applicant will continue to revise the Project to incorporate further feedback from the community.

D. Flexibility Under the PUD Guidelines

The PUD process was created to allow greater flexibility in planning and design than is possible under conventional zoning procedures. Under Subtitle X § 301.2, the Zoning Regulations specifically allow the Zoning Commission discretion to waive up to 50% of the minimum land area required for a PUD in the RA-2 Zone District. The Applicant requests this waiver since the Property is 0.9 acre as opposed to the 1 acre minimum land area. As demonstrated by this filing, the Project is of exceptional merit and in the best interests of the District. Additionally, the Property is outside of the Central Employment Area and is devoting all

of the gross floor area of the development to residential uses as required by Subtitle X § 301.2(c). Therefore, the Applicant requests the waiver from the Commission regarding the minimum land area for the Project. The Project will be built within the Zoning Regulations for height, density, and all other requirements.

III. PLANNING ANALYSIS

A. *Land Use Impact*

As detailed in Section V, the proposed PUD project is fully consistent with the goals and policies of the Comprehensive Plan for the District of Columbia. Specifically, the Project will create prime, affordable residential units in an underutilized area on a main thoroughfare in the District. The height and density of the Project are appropriate given the proximity to transit, the height and mass of surrounding buildings along South Capitol, and the avoidance of adverse impacts on nearby residential areas. Specifically, the Project does not represent a significant increase in height or density over what is allowed as a matter-of-right at the Project. Additionally, there are significant buffers between the Property and neighboring uses, including driveways to the north of the Property, South Capitol Street to the west, and a commercial property to the south. To the east, there is a paper alley and a significant grade change providing a buffer from the neighboring residential uses and the Project. The Project will also improve the streetscape along South Capitol Street by repaving the sidewalk in connection with the new curb cut and providing new trees in public space. The Project will have a positive land use impact that is consistent with the Comprehensive Plan and other planning goals of the District of Columbia.

B. *Zoning Impact*

As shown on the Proposed Zone District Plan included in Exhibit I, the Applicant requests a Zoning Map Amendment for the Property to the RA-2 Zone District. This proposed zone is consistent with the Comprehensive Plan. As discussed more fully in Section V, the

Future Land Use Map of the Comprehensive Plan locates the Property in the Moderate Density Residential and the Mixed-Use Moderate Density Residential/Low Density Commercial categories.

Further, the RA-2 Zone District permits generally the same uses as the current RA-1 Zone District, and the height and density increases for the RA-2 PUD do not represent a substantial increase in height or density that would be inconsistent with the moderate-density uses in the surrounding area. The development parameters in the RA-2 Zone District continue to protect the light, air, and uses of the surrounding properties.

C. Environmental Impact

As more specifically detailed in Exhibit F, no adverse environmental impact will result from the construction of the Project. The Project will include features such as solar panels, permeable paving, and green spaces at the Property. The Project will also meet the Green Area Ratio and stormwater management requirements. The Project will satisfy the Enterprise Green Communities standards, which is the metric used for affordable housing projects. The Enterprise Green Communities standards requires certain environmental features, including high efficiency mechanical systems, lighting, and windows; low flow plumbing systems; and energy star appliances; low emitting and recycled construction materials. A healthy environment for the buildings' residents will be created using safe non-toxic materials and properly ventilating spaces to prevent exposure to mold and other contaminants. Satisfaction of the Enterprise Green Communities standards will make the Project roughly equivalent to a LEED v.4 Silver project.

D. Facilities Impact

The proposed Project will not have an adverse impact on the facilities that it will rely on for service. The major Metrobus routes are located along South Capitol Street adjacent to the

Property. It is expected that many of the Project's occupants and visitors will use public transit, and because of the high volume of transit on this corridor, it will be able to accommodate residents of the Project. The Project also contains 17 parking spaces to accommodate the parking demand of residents, employees, and visitors who may choose to drive to the Project. Bicycle usage will also be coherently integrated into the design of the Project, including 36 long term spaces and five short term spaces for residential use. The Applicant has engaged Gorove/Slade Associates to conduct a Comprehensive Transportation Review for the Project to ensure that there are no adverse or unmitigated impacts on the transportation infrastructure.

IV. PUD EVALUATION STANDARDS

A. Public Benefits and Project Amenities

Section 305 of Subtitle X provides categories of public benefits and project amenities for review by the Zoning Commission. The objective of the PUD process is to encourage high-quality development that provides public benefits and project amenities by allowing applications greater flexibility in planning and design than may be possible under matter-of-right zoning. The proposed Project will achieve the goals of the PUD process by providing new housing at significantly affordable levels. This furthers several goals set forth by the District of Columbia, and will provide specific benefits and amenities identified in the Zoning Regulations.

1. Housing

Pursuant to Section 305.5(f) of Subtitle X of the Zoning Regulations, the PUD guidelines state that the production of housing is a public benefit that the PUD process is designed to encourage. The Project will create approximately 106 new residential units. The Project will increase the allowed matter-of-right residential use at the Property. As shown in the table below,

the Project provides almost 52,307 more gross square feet of housing than would be provided as a matter-of-right at the Property.

Table 1 – Housing Benefit Table

	Existing Zoning – Matter of Right Residential Use	Proposed PUD Residential Use
FAR	1.08	2.50 FAR
Gross Floor Area	42,463	94,770 sf +52,307 sf of residential use over matter of right

The Project also includes a significant amount of three-bedroom units, which is recognized as its own benefit under 11-X DCMR §305.5(f)(3). The Property currently includes seven (7) three bedroom units. The Project will provide 32 three-bedroom units, providing significant affordable housing for families.

2. Affordable Housing

Pursuant to Section 305.3(g) of Subtitle X, the production of affordable housing above what is required under the IZ regulations is considered a public benefit of a PUD project. The provision of significant affordable housing in the Project is the dominant public benefit provided by this PUD. The Project will be entirely affordable at significantly lower levels of affordability than would be required. The proposed affordable housing is a greater amount and at deeper levels of affordability than would be provided through matter-of-right development, as shown in the table below:

Table 2 – Affordable Housing Benefit Table

	Existing Zoning – Matter of Right Affordable Housing	Minimum IZ Affordable Housing	Proposed PUD Affordable Housing
The Property	5,308 sf @ 60% MFI	10% of gsf 9,477 sf of affordable housing All at 60% MFI	100% of gsf 94,770 sf of affordable housing 20% sf at 30% AMI 80% sf at 50% AMI

Additionally, the affordable housing being provided will include majority family-sized units, with 20 two-bedroom and 32 three-bedroom units. Finally, the Project will provide the significant affordable housing in a high-quality building with sustainable features and resident amenities.

3. Superior Urban Design and Architecture

Section 305.5(a) of Subtitle X lists urban design and architecture as categories of public benefits and project amenities for a PUD. As shown on the detailed plans, elevations, and renderings included in Exhibit I, the proposed Project exhibits many characteristics of exemplary urban design. Specific features include the use of a variety of public spaces, activation of the streetscape, well-designed sidewalks with street trees and activity along South Capitol, and massing that is shaped to flow within the existing density of the surrounding properties.

The Project also features exceptional architectural design that articulates the façade of the Project. In particular, the façade contains three separate “fingers” which will create a visually appealing project that reflects the courtyard-style design of the existing buildings on the Property and other apartment buildings nearby. The materials of the Project – primarily brick and fiber cement siding – are simplified to create a clean, streamlined design. Balconies are provided as a benefit to the residents and to add to the residential character of the street and neighborhood. Additionally, the proposed Project has been designed to seamlessly “flow” along South Capitol

Street and take advantage of the changing grade to place the parking below the building. Furthermore, approximately 1,400 square feet of amenity space including a club room, fitness room, and computer room are proposed as a benefit to the project residents.

4. Streetscape Plans

Section 305.5(l) of Subtitle X states that streetscape plans are considered to be public benefits and project amenities of a PUD. In order to capitalize on the pedestrian activity generated by additional residences in the Project, the Applicant plans streetscape improvements as a benefit and amenity of the Project. The Applicant proposes streetscape improvements related to the Project that will significantly improve pedestrian access along this main thoroughfare. The Applicant will enhance the existing streetscape with new improvements that include new trees and other plantings to create more defined, attractive pedestrian access.

The existing mature trees and planting areas along South Capitol Street will be preserved to maintain the character of the neighborhood streetscape and provide continuity along South Capitol. To the maximum extent practical, the existing six-foot width sidewalk will be preserved and repaired as needed. A new concrete lead walk and accessible ramp in the public space zone will provide access to the main entry. The public space zone between the existing sidewalk and the new building will be enhanced with landscape plantings to include shade trees, small ornamental trees, shrubs, and mixed groundcovers, perennials, and grasses. Plants will be native or adaptive and selected to provide seasonal interest throughout the year.

5. Site Planning, and Efficient and Economical Land Utilization

Pursuant to Section 305.5(c) of Subtitle X of the Zoning Regulations, “site planning and efficient and economical land utilization” are public benefits and project amenities to be evaluated by the Zoning Commission. The site is currently underutilized and fails to fully

capitalize on its prominent South Capitol location. The site currently contains smaller residential buildings that do not efficiently utilize such a large site. The proposed Project has been designed to provide residents and visitors with an open and inviting Project with modern amenities by providing more affordable units without overcrowding the site with massing. The Project will transform an underutilized site with dated buildings into an attractive, modern, and high-quality all-affordable residential development.

6. Environmental and Sustainability Benefits

Section 305.5(k) of Subtitle X states that environmental benefits are considered to be public benefits and project amenities of a PUD. The Project will provide a number of environmental benefits that improve sustainability of the site and contribute to the sustainability of the neighborhood. These sustainability features include a commitment to locate approximately 10,500 square feet of solar panels on the roof. This quantity of solar panels will support a 120 KW solar system generating approximately 150 MWh annually (150,000 KWh).

Additionally, the Applicant proposes to utilize permeable paving and create a sustainable building in the community. The Project will fulfill Green Communities Certification, which includes an integrative design approach with Owner and all relevant professionals, including a design team charrette to arrive at sustainable building goals and strategies. The Project will focus on environmentally sustainable strategies for energy efficiency such as Energy Star appliances, water efficiency through low flow fixtures, and low VOC sustainable materials. Furthermore, the Project will identify socially sustainable strategies for improving resident health, such as a fitness room and improved stair access and design, and planning for resilience, such as stormwater management.

7. Uses of Special Value

Subtitle X, Section 303.5(q) lists uses of special value to the neighborhood or the District of Columbia as a whole as public benefits and project amenities of a PUD. The proposed Project will provide current residents new, updated affordable homes. All current residents are invited (and desired) to return to the Project in a unit with the same number of bedrooms¹ and at the same or deeper level of affordability. Additionally, the Applicant is committed to providing a relocation plan that will conveniently accommodate all residents in nearby buildings and seamlessly transition the residents out of the old buildings and into the new. The Applicant has already engaged in conversations with the residents regarding the Project and the relocation process. Additionally, the Applicant has engaged a relocation expert to assist in preparing a robust, comprehensive relocation plan that will assist residents throughout the process.

Prior to construction of the Project, the Applicant and the relocation expert will work together to create a relocation plan, identify temporary off-site units for residents, meet with every individual resident, and prepare a plan to address tenant needs. During construction of the Project, the relocation expert will provide a Project Director and Relocation Coordinator who will work with residents and property managers to implement the relocation plan. These roles will include providing residents with packing materials, providing assistance with moving services for those needing assistance, and working with third-party staff to address social service related barriers to relocation and ensure uninterrupted service provision to households. The relocation plan will also address all details such as utilities, paperwork, and expenses for

¹ There is currently one five-bedroom unit at the Property, which will not be replicated in the Building. However, the Applicant is working with the resident of this unit to determine a good relocation option, including another five-bedroom unit nearby owned by the Applicant.

residents. Prior to the public hearing, the Applicant will provide more details on the relocation plan as the Applicant discusses the Project with tenants in further detail.

8. Comprehensive Plan

According to Section 305.5(r) of Subtitle X, public benefits and project amenities include “other ways in which the proposed planned development substantially advances the major themes and other policies and objectives of any of the elements of the Comprehensive Plan.” As described in greater detail in Section V, the Project is consistent with and furthers many goals and policies of the Comprehensive Plan.

B. Public Benefits of the Project

Section 305.3 of Subtitle X requires the Applicant to demonstrate how the public benefits offered are superior in quantity and quality to typical developments of the type proposed. This application achieves the requirement of this provision by offering:

- Housing,
- Affordable housing,
- Superior Urban Design and Architecture,
- Streetscape improvements,
- Exemplary site planning,
- Sustainable development features, and
- Uses of special value, including a community-based relocation plan.

For the reasons set forth above, the Project contains numerous public benefits and project amenities that are superior to typical developments.

V. COMPLIANCE WITH THE COMPREHENSIVE PLAN

The proposed PUD is consistent with and fosters numerous goals and policies of the Comprehensive Plan.

The purposes of the District elements of the Comprehensive Plan for the National Capital are to: (1) Define the requirements and aspirations of District residents, and accordingly influence social, economic and physical development; (2) Guide executive and legislative decisions on matters affecting the District and its citizens; (3) Promote economic growth and jobs for District residents; (4) Guide private and public development in order to

achieve District and community goals; (5) Maintain and enhance the natural and architectural assets of the District; and (6) Assist in the conservation, stabilization, and improvement of each neighborhood and community in the District.

D.C. Code § 1-306.01(b) (2006). The proposed Project significantly advances these purposes by furthering the social, physical, and economic development of the District through the development of a new all-affordable residential development with amenities for residents.

A. Citywide Elements

1. Framework Elements and Maps

The Framework Element provides guidelines for using the Future Land Use Map. This Element states that the Future Land Use Map should be interpreted “broadly” and notes that the zoning for an area should be guided by the Future Land Use Map interpreted in conjunction with the text of the entire Comprehensive Plan. The Framework Element also clearly provides that density and height gained through the PUD process are bonuses that may exceed the typical ranges cited for each category. Comprehensive Plan § 226(c).

On the Future Land Use Map, the Property is designated mainly for residential use. The Property is predominantly designated for Moderate Density Residential use, with a small portion designated for Mixed Use Moderate Density Residential/Low Density Commercial uses. The Moderate Density Residential designation characterizes neighborhoods with low-rise apartment buildings. The Plan notes that the R-5-B (now RA-2) Zone District may apply in the Moderate Density Residential category. §225.4.

The Project is consistent with the Future Land Use Map because the Property is in the exact designation for which re-zoning of the Property to the RA-2 Zone District is appropriate and contemplated by the Future Land Use Map. The Project will create an all-affordable residential property along the main thoroughfare of South Capitol in accordance with the overall vision of the Future Land Use Map. The proposed RA-2 zoning is necessary to accommodate

this use. The Comprehensive Plan explicitly lists the proposed RA-2 Zone District as consistent with the Moderate Density Residential designation. *See* § 225.9.² Additionally, the RA-2 Zone is generally described as a zone that permits moderate density residential development. 11-F DCMR §300.3. Further, immediately to the south of the Property, the properties are in the MU-4 Zone District, which is a moderate-density residential and commercial zone district. The four-story, 2.52 FAR Project with significant buffers and green space is consistent with the Moderate Density designation. Accordingly, the proposed rezoning of the Property to the RA-2 Zone District is consistent with the Comprehensive Plan.

While the Comprehensive Plan generally describes the Moderate Density Residential designation as an area with low-rise apartment buildings, § 225.4, the Future Land Use Map permits “heights that exceed the typical ranges” when density bonuses are granted through a PUD. Comprehensive Plan § 226(c). The Project proposes a four-story building at the Property, and that height is appropriate where, as here, the Project is on a major arterial roadway in the District, and where benefits and amenities commensurate with the PUD and Zoning Map Amendment are provided, as contemplated in the Comprehensive Plan.

On the Generalized Policy Map, the Property is designated as a “Neighborhood Enhancement Area.” Neighborhood Enhancement Areas are areas where “existing housing should be enhanced through rehabilitation assistance . . . [and] New development in these areas should improve the real estate market, reduce crime and blight, and attract complementary new uses and services that better serve the needs of existing and future residents.” §223.8. The proposed Project on the Property is a quintessential Neighborhood Enhancement Area

² The Comprehensive Plan lists the R-5-B Zone District as appropriate for this designation, which was the RA-2 Zone District under the 1958 Zoning Regulations.

development. The Project will provide additional high-quality housing over what is currently provided, complementary to the neighborhood design character, all at an affordable level.

2. Land Use Element

The proposed Project advances several policies of the Land Use Element. First, the Land Use Element encourages development of sites near the “Great Streets” in DC as transit-oriented development. §306.6 (LU-1.3 Transit Oriented and Corridor Development). Here, the Project’s proximity to the bus lines along South Capitol Street and the Project’s focus on creating a pedestrian-friendly, inviting environment, furthers this goal of transit-oriented development on a primary avenue in the District. The Element also focuses developments on placing “a priority on attractive, pedestrian-friendly design and a de-emphasis on auto-oriented uses and surface parking.” §306.4 (LU-1.3 Transit-Oriented and Corridor Development). Here the Project meets the objectives of the Land Use Element by offering an appropriate amount of parking for residents of the Project.

Second, the residential use at the Project meets the goals encouraging infill development on underutilized land within the city that complements the established character of the neighborhood. §307.5 (LU-1.4.1: Infill Development). Further, the design of the Project will “improve the visual quality of the” neighborhood and will include “landscaping and tree planning, façade improvement, . . . [and] sidewalk repair.” §310.5 (LU-2.2.4: Neighborhood Beautification).

Third and finally, the Land Use Element encourages neighborhood revitalization while balancing conservation of housing and neighborhood character. The Project will create additional housing and revitalize existing older housing through “housing rehabilitation efforts” in an area “most in need” in DC. §309.7 (LU 2.1.2: Neighborhood Revitalization). Additionally, the Project balances “increase[ing] the housing supply” with “protect[ing] the neighborhood character” by

continuing a moderate-density residential use at the Property with updated, modernized buildings and affordable housing. §309.8 (LU 2.1.3: Conserving, Enhancing, and Revitalizing Neighborhoods).

3. Other Elements

This PUD application is also consistent with and advances policies in the Transportation and Housing Elements of the Comprehensive Plan. The Transportation Element encourages pedestrian-oriented development around major bus corridors, § 403.1 (T-1.1.4 Transit-Oriented Development) and discourages auto-oriented uses such as “drive-through” business, and large surface parking lots, § 404.8 (T-1.2.3 Discouraging Auto-Oriented Uses). The Project is a model transit-oriented development and adds none of the auto-oriented features the Comprehensive Plan seeks to discourage. As discussed, the Project is located along the major bus corridor of South Capitol Street. Therefore, the site encourages residents and employees to take public transit based on the convenient location and opportunity to do so. Further, the Project will provide parking at the Property, but will not employ any auto-oriented uses such as large surface parking lots. This enables the Project to account for traffic generated by the Project, while still encouraging pedestrian access to the site, thus furthering the Transportation Element’s policies.

The Project significantly advances the goals of the Housing Element of the Comprehensive Plan. The Project will expand the housing supply, §503.1 (H-1.1 Expanding Housing Supply), create a significant amount of new affordable housing, §504.6 (H-1.2.1 Affordable Housing Production as a Civic Priority), preserve existing affordable housing, §509.5 (H-2.1.1 Protecting Affordable Rental Housing), and avoid displacement of existing residents, §509.7 (H-2.1.3 Avoiding Displacement). The Project furthers the exact kind of housing development advocated in the Plan with preservation of existing affordable housing, creation of new affordable housing, and protection of existing residents on the Property.

B. Compliance with Area Elements

The Property is within the Far Southeast and Southwest Area Element. This Element encourages the exact kind of residential development contemplated by the Project – “Encourage refurbishment and/or replacement of deteriorating apartment complexes within Bellevue and Washington Highlands.” §1816.6 (FSS-2.6.3: Bellevue-Washington Highlands Infill). The Element also encourages increased density specifically for housing along South Capitol Street. §§1807.2(e), 1808.2 (FSS-1.1.1 Directing Growth). Finally, the Project includes infill development along underutilized sites as encouraged by the Area Element. §1808.5 (FSS-1.1.4 Infill Housing Development).

VI. CONCLUSION

For the foregoing reasons, the Applicant submits that the enclosed application meets the standards of Chapter 3 of Subtitle X and Chapter 3 of Subtitle Z of the Zoning Regulations; is consistent with the purposes and intent of the Zoning Regulations and Map; will enhance the health, welfare, safety, and convenience of the citizens of the District of Columbia; satisfies the requirements for approval of the included application; will provide significant public benefits; and will advance important goals and policies of the District of Columbia. Therefore, the PUD application and the related Zoning Map Amendment should be approved.

Accordingly, the Applicant respectfully requests that the Zoning Commission set the PUD application and related Zoning Map Amendment down for a public hearing at the earliest possible date.

Respectfully submitted,

GOULSTON & STORRS, PC

_____/s/_____

Cary Kadlecek

_____/s/_____

Meghan Hottel-Cox

Date: August 17, 2018