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REPORT TO THE ZONING COMMISSION

CASES NO. 03-12 AND 03-13
ARTHUR CAPPER/CARROLLSBURG DWELLINGS

STEVEN E. SHER,
DIRECTOR OF ZONING AND LAND USE SERVICES
HOLLAND & KNIGHT LLP

JULY 24, 2003

I. Introduction

II. Nature of applications

A. Preliminary review of planned unit development (entire property)

B. Consolidated review of planned unit development (central portion of the property)

C. Map amendment from R-5-B to CR for portions of 4 squares along 2nd Place and M Street

III. Site location

A. Generally bounded by 2nd Street on the west, M Street on the south, 7th Street on the east and Virginia Avenue and I Street on the north

B. Near Southeast area, part of the Anacostia Waterfront Initiative, between the Navy Yard and the Southeast Federal Center and the Southeast Freeway

IV. Site description

A. Existing public housing projects containing a total of 707 units

1. Arthur Capper Family Dwellings (96 two story townhouses)

ZONING COMMISSION
District of Columbia
Case 03-12
Exhibit 42

ZONING COMMISSION
District of Columbia
CASE NO.03-12
EXHIBIT NO.42

2. Carrollsburg Dwellings (314 one to three bedroom low-rise apartments)

3. Arthur Capper Senior Building at 601 L Street (297 apartments in a high rise building)

4. Carroll Apartments at 410 M Street (seven story building)

B. Other property

1. Department of Public Works transfer station site at 2nd, K and Canal Streets and New Jersey Avenue

2. Vacant land and building at 250 M Street

3. Unimproved land between 2nd Street and 2nd Place used for school bus parking

4. Recreation center on the east side of 5th Street between K and L Streets

5. Individual privately owned row structures on and adjacent to 3rd Street

C. Contains approximately 944,528 square feet (approximately 22 acres) of land area, exclusive of existing dedicated streets

D. Abutting streets

1. K Street - 80 feet wide

2. I, L and M Streets - 90 feet wide

3. 2nd and 3rd Streets- 90 feet wide

4. 4th Street – 85 feet wide

5. 5th Street – 100 feet wide

V. Description of the surrounding area

A. General area: Near Southeast area, adjacent to the Washington Navy Yard and the Southeast Federal Center

B. Immediately adjacent uses

1. Marine Barracks housing and playing fields (north of L between 5th and 7th Streets)

2. Van Ness Elementary School (east side of 5th Street between L and M Streets)

3. New eight story office building at 300 M Street (north side of M Street between 3rd and 4th Streets)

4. New ten story office building under construction in the block bounded by 2nd, L and M Streets and New Jersey Avenue

5. Vacant lot in the square bounded by 2nd, K and L Streets and New Jersey Avenue (approved for the construction of high rise apartments and hotel)

6. Former Washington Post (Evening Star) printing plant building now used as a data center in the square bounded by 2nd, 3rd and I Streets and Virginia Avenue

7. Saint Paul AUMP Church at 401 I Street

C. General area

1. To the north: Southeast Freeway, followed by the Capitol Hill residential area

2. To the east: existing low rise commercial buildings between 7th and 9th Streets

3. To the south: Washington Navy Yard and Southeast Federal Center

4. To the west: Capitol South receiving zone, presently a mix of auto related uses, fast food restaurants, clubs, vacant land, Metro facilities and one office building, proposed for high rise, high density commercial office buildings

VI. Zoning

A. Existing zoning:

1. R-5-B (public housing properties)

a) General residential district permitting single family, two family and multi-family dwellings, as well as a broad range of institutional uses (e.g., clinic, hospital, museum) as a matter-of-right

b) Maximum height: fifty feet

c) Maximum FAR: 1.8

d) Maximum percentage of lot occupancy: sixty percent

e) Minimum required rear yard – four inches per foot of height at the rear, minimum of fifteen feet

f) Side yard – not required

g) Minimum required parking for apartment house use: one space for each two dwelling units

2. C-3-C (DPW transfer site and the southern half of Square 769, bounded by 2nd, 3rd, L and M Streets)

a) General commercial district permitting almost all retail, service and office uses, as well as hotel, residential and institutional uses

b) Maximum height: ninety feet

c) Maximum FAR: 6.5

d) Minimum required rear yard – 2½ inches per foot of height at the rear; for a through lot, may be measured to the center line of the street at the rear

e) Side yard – not required

f) Minimum required parking

(1) For office use: one space for each 1,800 square feet of gross floor area in excess of 2,000 square feet of gross floor area

(2) For retail use: one space for 750 square feet in excess of 3,000 square feet of gross floor area

g) Receiving Zone standards for the use of transferable development rights

(1) Maximum height allowed under the Act of 1910 (130 feet for Square 739 and 110 feet for Square 769)

(2) 10.0 FAR for buildings allowed a height of 130 Feet (Square 739) and 9.0 for buildings allowed a lesser height (Square 769)

B. History

1. Public housing property was zoned R-5-B in 1958

2. Area east of 2nd Street and along I and M Streets between 2nd and 3rd Streets

a) Zoned C-M-1, C-M-2 and C-M-3 in 1958

b) Rezoned to C-3-C in 1996

c) Included in Capitol South Receiving Zone in 1998

3. C-3-C zone in Square 769 extended to middle of the square by decision in Capitol Gateway Overlay case

C. Proposed zoning:

1. C-3-C to remain on Squares 739 and 769

a) General commercial district permitting almost all retail, service and office uses, as well as hotel, residential and institutional uses

b) Maximum height: ninety feet

c) Maximum FAR: 6.5

d) Minimum required rear yard – 2½ inches per foot of height at the rear; for a through lot, may be measured to the center line of the street at the rear

e) Side yard – not required

f) Minimum required parking

(1) For office use: one space for each 1,800 square feet of gross floor area in excess of 2,000 square feet of gross floor area

(2) For retail use: one space for 750 square feet in excess of 3,000 square feet of gross floor area

g) PUD guidelines

(1) Height: 130 feet

(2) FAR: 8.0

(3) Yards and courts: as otherwise provided, subject to the Zoning Commission's discretion to approve greater or lesser

(4) Parking and loading: as otherwise provided, subject to the Zoning Commission's discretion to approve greater or lesser

2. CR to be applied to the two and one-half blocks between 2nd and 3rd Streets and I and M Streets (adjacent to the proposed Canal Blocks Park) and to the 600 block of M Street

a) Mixed use district permitting almost all retail, service and office uses, as well as hotel, residential and institutional uses

b) Maximum height: ninety feet

c) Maximum FAR: 6.0, of which no more than 3.0 may be for nonresidential uses

d) Minimum required rear yard – 3 inches per foot of height at the rear; for a through lot, may be measured to the center line of the street at the rear

e) Side yard – not required

f) Minimum required parking

(1) For office use: one space for each 1,800 square feet of gross floor area in excess of 2,000 square feet of gross floor area

(2) For retail use: one space for 750 square feet in excess of 3,000 square feet of gross floor area

g) PUD guidelines

(1) Height: 110 feet

(2) FAR: 8.0, of which no more than 4.0 may be nonresidential

(3) Yards and courts: as otherwise provided, subject to the Zoning Commission's discretion to approve greater or lesser

(4) Parking and loading: as otherwise provided, subject to the Zoning Commission's discretion to approve greater or lesser

3. R-5-B to remain as otherwise mapped

a) General residential district permitting single family, two family and multi-family dwellings, as well as a broad range of institutional uses (e.g., clinic, hospital, museum) as a matter-of-right

b) Maximum height: fifty feet

c) Maximum FAR: 1.8

d) Maximum percentage of lot occupancy: sixty percent

e) Minimum required rear yard – four inches per foot of height at the rear, minimum of fifteen feet

f) Side yard – not required

g) Minimum required parking for apartment house use: one space for each two dwelling units

h) PUD guidelines

(1) Height: sixty feet

(2) FAR: 3.0

(3) Yards and courts: as otherwise provided, subject to the Zoning Commission's discretion to approve greater or lesser

(4) Parking and loading: as otherwise provided, subject to the Zoning Commission's discretion to approve greater or lesser

D. Zoning of the area

1. To the north across the Freeway:

a) R-5-B

b) R-4

c) CAP/R-4 (Capitol Overlay District)

2. To the east: ES/C-3-A (Eighth Street Neighborhood Commercial Overlay District)

3. To the south: unzoned Federal property

4. To the west: C-3-C in the Capitol South Receiving Zone

VII. Description of the proposed project

A. Uses:

1. 1,645 residential units in a mix of housing types (see Table No. 1)

Table 1

UNIT ANALYSIS BY SQUARE

	Townhouses					Apartments		Total
	Home Ownership		Public Housing Rental					
Square	Market rate/ affordable	Section 8	One-family	Flats	Townhouse over flats	Seniors	Mixed	
739							322	322
767							147	147
768							295	295
769							107	107
797	37	2	2	2	4			47
798	47	7	3	6	12			75
799	42	9	3	2	4			60
800	22	4	2	6	12			46
824	29	1	2	3	6			41
825	41	2	2	4	8			57
S825	8		2	1	2	198		211
880						162		162
882	32	8	2	11	22			75
Total	258	33	18	35	70	360	871	1,645

2. Three 110 foot high office buildings containing a total of 702,000 square feet of gross floor area of office space

3. A total of 52,000 square feet of neighborhood serving retail and service uses on the first floor of the office buildings and the apartment buildings fronting the Canal Blocks Park

4. An 18,000 square foot community/recreation center on the east side of 5th Street between K and L Streets

5. The Canal Blocks Park, consisting of Reservations 17B, 17C and 17D, located between 2nd Street and 2nd Place and I and M Streets, containing approximately 2.5 acres of land to become a focal point park

B. Height: varying from 30 feet to 130 feet

1. Low rise residential is three to four stories and 30 to 45 feet in height

2. Senior buildings are 45 and 50 feet

3. High rise residential buildings are 65, 110 and 130 feet

4. Office buildings are 110 feet

C. Floor area ratio (see Table 2, below):

1. Residential (including community center)

a) Total gross floor area: 2,092,081 square feet

b) FAR: 2.21 across the entire property

c) Within the consolidated PUD, 2.06 FAR

2. Commercial (office and retail):

a) Total gross floor area: 753,000 square feet

b) FAR: 0.80 across the entire property

3. Overall:

a) Total project: 3.01

b) Consolidated PUD: 2.06

D. Lot occupancy

1. Overall project, all buildings: 53.72%

2. All residential buildings: 53.59%

3. By zone:

a) R-5-B: 57.6%

b) CR: 37.0%

c) C-3-C: 73.1%

Table 2
Capper/Carrollsburg Density Calculations

	EXISTING ZONING		PROPOSED ZONING		PROPOSED DEVELOPMENT			
Square	Maximum GFA matter-of-right	Maximum GFA PUD	Maximum GFA matter-of-right	Maximum GFA PUD	Proposed Comm. GFA	Proposed Res. GFA	Proposed Total GFA	FAR by Square
739	459,762	565,861	459,762	565,861	6,000	424,013	430,013	6.08
767	139,343	232,239	464,478	619,304	6,000	176,210	182,210	2.35
768	142,203	237,005	474,011	632,014	6,000	328,052	334,052	4.23
769	193,450	322,416	296,509	395,345	3,000	166,906	169,906	3.44
769	104,494	128,608	311,255	383,083	236,000		236,000	4.93
797	76,515	127,525	76,515	127,525		94,972	94,972	2.23
798	139,345	232,241	139,345	232,241		141,422	141,422	1.83
799	120,130	200,216	120,130	200,216		122,055	122,055	1.83
800	79,646	132,743	79,646	132,743		77,966	77,966	1.76
824	70,854	118,091	70,854	118,091		29,732	29,732	0.76
825	88,822	148,036	88,822	148,036		61,284	61,284	1.24
S825	109,770	182,951	109,770	182,951		192,128	192,128	3.15
880	80,851	134,752	80,851	134,752		128,053	128,053	2.85
W881	65,418	109,031	65,418	109,031		18,000	18,000	0.50
882	144,204	240,341	480,681	640,908	496,000		496,000	6.19
882	140,584	234,306	140,584	234,306		131,288	131,288	1.68
TOTAL	2,155,391	3,346,361	3,458,630	4,856,407	753,000	2,092,081	2,845,081	
BLENDED FAR	2.28	3.54	3.66	5.14	0.80	2.21	3.01	
R-5-B							996,900	1.85
C-3-C							666,013	5.61
CR							1,182,168	4.13
							2,845,081	3.01

E. Parking:

1. Total of 2,000 off-street spaces to be provided

2. 506 off-street spaces for low rise residential

3. 871 off-street spaces for high rise residential

4. 62 spaces for senior buildings

5. 550 off-street spaces for office buildings

F. Comparison to matter-of-right and PUD standards

1. Use: residential use permitted on all properties, commercial use (office and retail) now permitted only on Squares 739 and 769

2. Height:

   a) Matter-of-right: 50 feet (R-5-B) and 110 and 130 feet (C-3-C)

   b) PUD guideline: 60 feet (R-5-B), 110 feet (CR) and 130 feet (C-3-C)

   c) Proposed:

      (1) Low rise residential: 30 to 45 feet

      (2) Senior Buildings 1 and 2: 50 and 45 feet

      (3) High-rise residential: 65, 110 and 130 feet

      (4) Office buildings: 110 feet

3. Density:

   a) Gross floor area permitted as a matter-of-right under existing zoning:

      (1) Commercial: 771,017 square feet

      (2) Residential 1,421,220 square feet

   b) Gross floor area permitted under PUD under the proposed zoning:

      (1) Commercial: 1,589,850 square feet

      (2) Residential: 3,266,557 square feet

   c) Proposed gross floor area:

      (1) Commercial: 753,000 square feet

      (2) Residential: 2,092,081 square feet

4. Proposed commercial development is approximately 18,000 square feet less than existing matter-of-right and proposed residential development is approximately 670,000 square feet more than existing matter-of-right

5. Total development is approximately 58.58% of the density permitted under PUD under the proposed zoning

VIII. Compliance with PUD evaluation standards of §2403

A. Impact of project shall be favorable, capable of being mitigated or acceptable (§2403.3)

1. Replacing existing declining public housing with new mixed use, mixed income project has significant favorable impact on city plans and policies

2. Study area intersections will continue to operate at acceptable levels of service, per O.R. George and Associates and DDOT

3. Sufficient parking, significantly more than required under the Zoning Regulations, is provided

4. Proposed height and density are consistent with existing and permitted height and density to the west

5. Proposed residential density is consistent with residential density to the west and north

6. Tax base implications for District are favorable

7. Municipal services

a) Metropolitan Police Department First District Station at 415 4th Street, S.W.

b) Fire and Emergency Services Department

(1) Engine Company 18 and Truck Company 7 at 414 8th Street, S.E.

(2) Engine Company 7 at 1101 Half Street, S.W.

c) Pubic Schools

(1) Van Ness Elementary School at 1150 5th Street, S.E.

(2) Jefferson Junior High School at 801 7th Street, S.W.

(3) Eastern High School at 1700 East Capitol Street, N.E.

B. Project is not inconsistent with the Comprehensive Plan and with other adopted public policies and active programs related to the subject site (§2403.4): see section IX, below

C. Commission shall "judge, balance, and reconcile the relative value of project amenities and public benefits offered, the degree of development incentives requested and any potential adverse effects" (§2403.8)

D. Public benefits and project amenities

1. On-site benefits and amenities

a) Residential use

b) Affordable housing

c) New community/recreation center

d) Neighborhood oriented retail and service uses

2. Community benefits and amenities

a) Open space – Canal Blocks Park

b) Community and Supportive Service Programs

c) Employment and training opportunities

balanced against

E. Development incentives:

1. 0.71 FAR increase (all residential) in gross floor area over existing matter-of-right density

2. 110 foot height along the east side of the Canal Blocks Park and for the M Street office buildings

F. Areas of flexibility from R-5-B standards:

1. Aggregation of FAR and lot occupancy

2. Waiver of side yard setback for one lot in Square 824

a) Four buildings considered as one building adjacent to St. Paul's Church

b) Adjoins north side lot line and has no side yard for a distance of 34 feet back from the street line

c) Same as existing condition

IX. Consistency with the Comprehensive Plan

A. The District Elements

1. The District of Columbia Comprehensive Plan Act of 1984 (D.C. Law 5-76, March 9, 1984)

2. The District of Columbia Comprehensive Plan Act of 1984 Land Use Element Amendment Act of 1984 (D.C. Law 5-187, February 15, 1985)

3. The Comprehensive Plan Amendments Act of 1989 (D.C. Law 8-129, January 5, 1990)

4. The Comprehensive Plan Amendments Act of 1994 (D.C. Law 10-193, October 19, 1994)

5. Comprehensive Plan Land Use Maps Approval Resolution of 1996 (Resolution 11-313, May 7, 1996)

6. The Comprehensive Plan Amendments Acts of 1998 (D.C. Law 12-275, April 27, 1999)

B. Interpretation of the District elements

1. "The primary dynamic of the District elements of the Plan is the overlapping of its elements' goals. This overlapping is intentional." (§112.1)

2. "District elements of the Plan should be studied and executed in concert with each other and should be interpreted broadly." (§111.(a))

3. "The interpretation and implementation of any element should necessarily rely upon, and be respectful of, the objectives and policies of other elements." (§112.1(b))

4. "An element may be tempered, even defined, by one (1) or more of the other elements. This may occur within one (1) element and between elements. Since the Land Use element integrates the policies and objectives of all other District elements, it should be given greater weight than the other elements." (§112.1(c))

5. "The interpretation of the District elements of the Plan should also be guided by the major themes set forth in §101.1, which establish the overall priorities of the District elements of the Plan." (§112.2)

C. Major Themes

1. Stabilize and Improve the District's neighborhoods (§102)

2. Respect and improve the physical character of the District (§106)

D. Land Use element

1. Generalized Land Use Map:

a) Medium high density commercial for Squares 739 and 769

b) Medium density residential for the remainder

2. "Promote the conservation, enhancement, and revitalization of the residential neighborhoods of the District for housing and neighborhood-related uses" (§1104.1(a))

3. "Encourage the appropriate and compatible development of public land near selected Metrorail stations and provide for development at appropriate levels of intensity and use to capitalize fully on the development and public transportation opportunities which the stations provide" (§1115.1(a))

4. Generalized Land Use Policies Map: housing opportunity area

5. "Housing opportunity areas are areas where the District expects and encourages either new housing or rehabilitated housing. These housing opportunity areas are not the only areas where new housing units will become available, but represent locations of significant concentrations. Most Metrorail stations outside the Central Employment Area, and some within, will support additional housing units. The conversion of existing nonresidential buildings for housing and the return of vacant units to the housing market are two (2) additional devices which will result in additional housing units." (§1118.6)

6. Criteria for designating housing opportunity areas (§1118.7):

   a) Areas at or near selected Metrorail stations

   b) Areas where there is a significant amount of vacant or poorly used land

   c) Areas that represent unrealized employment and economic development potential, such as regional or other shopping areas

   d) Areas where development can be used to improve neighborhood quality and stability

E. Housing element

1. Major policies

   a) Central theme to "stimulate a wider range of housing choices and strategies through the preservation of sound older stock and the production of new units" (§300.2)

   b) "Extend affordable homeownership opportunities to low- and moderate-income households" (§300.2(a))

2. "Stimulate the production of new and rehabilitated housing to meet all levels of need and demand and to provide incentives for the type of housing needed at desired locations" (§302.1)

3. "Encourage the private sector to provide new housing to meet the needs of present and future District residents at locations consistent with District land-use policies and objectives" (§302.2(a))

4. Residential development opportunity areas are "sites where significant housing development can appropriately occur" (§302.2(d))

5. Residential development opportunity areas "encourage multi-unit housing development near selected Metrorail stations" (§302.2(d))

6. "Encourage housing on suitably located public or private properties that are vacant, surplus, underutilized or unused" (§302.2(e))

7. "Encourage the private sector to meet housing needs through the development of infill housing" (§302.2(f))

8. "Provide zoning incentives, as appropriate, to developers prepared to build low- and moderate-income housing, such as permitting additional densities in exchange for incorporating low- and moderate-income housing in development projects ... and give zoning preferences to mixed-use sites that include housing near appropriate Metrorail stations" (§303.2(d))

9. "Use Planned Unit Developments ... to encourage the construction or rehabilitation of additional single and multi-family housing at suitable locations" (§306.2(i))

F. Environmental Protection element: policy to promote improvement of air quality by "promot[ing] land use patterns and transportation services which decrease reliance on automobiles for commuting and other routine trips" (§403.2(c))

G. Transportation element:

1. "Support land use arrangements that simplify and economize transportation services ..." (§502.2(a)).

2. "Require major developments to demonstrate that adequate parking will exist for occupants and other users" (§505.2(e))

H. Urban design element:

1. "Preserve and enhance the outstanding physical qualities of District neighborhoods" (§702.1(b))

2. "Design residential, commercial, and all other buildings to complement or enhance the physical character of the District;" (§708.2(a))

3. "Design buildings to include the use of appropriate arrangements of building materials, height, scale, massing, and buffering to complement the immediate region." (§708.2(b))

4. "Develop a unifying system of well-designed streets, sidewalks, parks, and pedestrian ways;" (§709.2(a))

5. Areas in Need of New and Improved Character (§712):

   a) Objective 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" (§712.1)

   b) "Encourage well designed development in areas that are vacant, underused or deteriorated. These developments should have strong physical identities." (§712.2(a))

   c) "Encourage in-fill development of attractive design quality in deteriorated areas to stabilize the physical fabric and to encourage renovation and redevelopment" (§712.2(b))

   d) "Utilize large-scale development or capital improvement projects as opportunities for establishing a positive image or redirection in deteriorated areas" (§712.2(g))

I. Ward 6 element

1. Economic Development:

   a) "It is anticipated that development of the Navy Yard and the Southeast Federal Center will spur additional development, adding at least 10,000 jobs to the near Southeast community." (§1700.2)

b) Objective "To encourage a range of commercial services and facilities for Ward 6 residents through appropriate development of commercial areas when needed and to upgrade commercial areas such as ... the M Street, S.E., corridor from South Capitol Street to north of the 11th Street bridge" (§1701.1(a))

2. Housing

a) Objective to "maintain and strengthen the quality and construction of housing in the various neighborhoods throughout Ward 6" (§1705.1(g))

b) "Stimulate private investment in housing in Ward 6 and expand home ownership opportunities " (§1706.1(c))

c) "Improve the mix of subsidized and nonsubsidized dwelling units to enhance neighborhood stability" (§1707.1(h))

3. Transportation

Objective "To provide an adequate balanced circulation system, properly related to residential, commercial/retail, and other land uses. Which will enhance the aesthetic and environmental characteristics along streets in the Ward 6 areas as well as to minimize traffic congestion" (§1713.1(a))

4. Land Use

a) Objective to "Locate the more intensive and active land uses in areas of Ward 6 that, by virtue of existing and planned infrastructures, can accommodate and support those types of uses" (§1733.1(c))

b) "Stabilize and improve residential and commercial areas throughout Ward 6" (§1734.1(a))

X. Other planning policies

A. Transit oriented development (*Trans-Formation,* Mayor's Task Force on Transit Oriented Development, September, 2002, and *Recreating Neighborhood Centers with Transit*, D.C. Office of Planning)

1. "A land use strategy to accommodate new growth, strengthen neighborhoods, expand choices and opportunities by capitalizing on bus and rail assets to stimulate and support vibrant, compact, diverse and accessible neighborhood centers within an easy walk of transit"

2. "Transit assets provide an opportunity to steer growth to where it can best be accommodated"

3. Development near transit:

a) Provides multiple travel options

b) Maximizes public investment

c) Reduces growth of auto traffic and congestion

d) Increases pedestrian activity and safety

e) Strengthens neighborhood retail

f) Provides diverse housing options

g) Equalizes access to opportunity

4. Strategies for creating a defined transit oriented center

a) Connectivity

b) Quality public realm

c) Pedestrian friendly

d) Appropriate architecture and design

e) Mix of uses

f) Traffic management

B. Anacostia Waterfront Initiative Urban Design Framework (April, 2003)

1. Planning Principles

a) Transform M Street into a vibrant mixed use center

b) Dramatically increase housing opportunities

2. Key framework issues

a) Significantly increase residential use in the Near southeast

b) Support a mix of office, retail, and residential uses along M Street

c) Increase land dedicated to public open space

d) Diversify residential income mix and diversity of housing types

3. Neighborhood Sub-Areas

a) Canal Blocks goals:

(1) Create a neighborhood park on the historic canal blocks

(2) Encourage mixed use development around the blocks with an emphasis on active ground floor uses

b) Capper-Carrollsburg goals:

(1) Transform public housing to a mixed-income neighborhood with a 1:1 replacement of all public housing units

(2) Extend the neighborhood scale and architectural character of Capitol Hill to the south side of the Southeast Freeway

(3) Organize higher density apartment buildings along the Canal Blocks

XI. Compatibility with the area

A. Use

1. Single and multi family residential uses replace existing multi-family public housing

2. Commercial use on M Street, facing commercial and government uses existing and proposed in the Southeast Federal Center and the Navy Yard on the south side of M Street

B. Height

1. Existing and proposed buildings to west are of greater height than that proposed

2. Low rise residential buildings are within the height permitted by the current R-5-B zoning as a matter-of-right

C. Density:

1. Preliminary PUD

a) Overall residential density, at 2.21 FAR, is less than 25% more than the permitted density under the existing R-5-B, but accommodates increase in housing supply while replacing existing number of public housing units

b) Density at 1,645 units proposed is approximately 75 units per net acre

c) R-5-B allows approximately 78 units per acre (at 1,000 gross square feet per unit)

d) Examples of existing density in former Southwest Urban Renewal Area (projects mixing townhouse and high rise buildings):

(1) Tiber Island: 99 units per acre

(2) Harbour Square: 71 units per acre

(3) Waterside Towers: 100 units per acre

2. Consolidated PUD

a) Proposed density is approximately 51 units per acre

b) R-4 (applicable to most of Capitol Hill) allows 48 units per acre (minimum lot area of 1,800 square feet for a flat = 24 buildings x 2)

c) Examples of existing density on Capitol Hill

(1) Potomac Gardens (bounded by 12th, 13th, G and I Streets, SE, zoned R-5-B): 56 units per acre

(2) Lincoln Park area (26 squares zoned R-4):

(a) Density ranges between 28 units per acre and 97 units per acre

(b) Average for all 26 squares is 47 units per acre

XII. Areas of flexibility

A. Change overall number of units by 5%

B. Change unit mix per square

C. Change location and allocation of unit types consistent with the design guidelines

D. Specific language will be included in the proposed order

XIII. Conclusions

A. Project is not inconsistent with the Comprehensive Plan

B. Project is within the applicable height and bulk standards of the Zoning Regulations

C. Project uses commercial office space and market rate residential units to leverage replacement of public housing units

D. Substantial public benefits which accrue to the District from the project, especially in the area of housing and affordable housing, far outweigh the development incentives received by the project

E. PUD allows the Zoning Commission to condition approval to what is specifically proposed, without allowing more density or uncontrolled development

F. Project should be approved