

**Testimony of Nathan W. Gross, AICP**  
**Washington Highlands PUD**  
**Zoning Commission Case No. 06-45**  
**April 26, 2007**

Good Evening, Madame Chair and Members of the Commission. I am Nathan W. Gross, a city planner at the law firm of Arnold & Porter. My testimony will highlight aspects of the public benefits and project amenities offered by this important project.

Our Pre-Hearing Statement of January 11, 2007 identifies the following as public benefits, project amenities and PUD compliance factors:

- Major Public-Private Development Initiative that helps revitalize the Washington Highlands neighborhood
- Dedication of Public Streets and Alleys
  - +Improved neighborhood circulation due to completed street grid
  - +Sidewalks for safe and amenable pedestrian circulation
  - +Tree-lined streets with streetlights
- New Housing
  - +Mixed-Income, with 22 percent affordable rentals, remainder fee simple market-rate units
  - +Numerous large units
  - +Integration of accessible units for handicapped individuals
- Superior Site Plan and Design
  - +Environmentally sound development on sloping site
  - +Enhanced storm water management and water quality
- Compliance with First Source and LSDBE Requirements
- Consistent with Land Use, Housing, Environmental and other Elements of the Comprehensive Plan.

I would like to highlight three aspects of the proposed development.

**Affordable Housing.** The Highlands Addition PUD project exceeds the new Inclusionary Zoning ("IZ") requirements, if they were in effect. Under the Set-Aside Requirements of § 2603.1, ten percent of the matter-of-right density would be required for affordable housing under IZ, and under § 2603.3, 50 percent of the units must be low-income units (up to 50 percent of AMI) and the other 50 percent moderate-income units (up to 80 percent of AMI). In this PUD, the matter-of-right density is 0.9 FAR, or 278,359 square feet of gross floor area (g.f.a.). Thus 27,836 g.f.a. would be the affordable housing requirement under IZ. The PUD provides 42,914 g.f.a. as affordable dwelling units, which exceeds the IZ requirement by 54 percent. Moreover, all of the dwelling units will be occupied by households having 60 percent of AMI or less, and some of the units will be occupied by households having only 30 percent of AMI. Thus, the PUD substantially exceeds the projected IZ requirements as to both quantity of affordable housing and level of income served.

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**Minor Density Increase.** The project FAR as proposed is 1.1 FAR. This is only 0.2 FAR above matter-of-right R-5-A standards and only 0.1 FAR above the R-5-A PUD standard of 1.0 FAR. This is a very minor increase in density given the extent of public benefits and project amenities offered. In a related factual matter, the original application indicates that public streets and alleys will occupy 2.68 acres out of the 9.25-acre site, so that the private PUD site was 286,189 square feet in area. Under the revised site plan, streets and alleys are a somewhat smaller proportion of the site, and the land in the PUD site is 309,288 square feet. The increased size of the PUD site is the main reason for the reduction in density from 1.4 FAR originally to 1.1 FAR as now proposed.

**Parks and Recreation.** As set forth in our Pre-Hearing Statement on pages 6-8, the immediate neighborhood has a large number of parks and recreation facilities, including:

- Oxon Run Park
- Baseball fields (off Wheeler Road north of the site and at Simon Elementary School)
- Oxon Run Community Swimming Pool
- Ferebee Hope Recreation Center
- Barry/Southeast Tennis Center
- Athletic fields at Ballou High School
- Numerous Community Centers, such as Ferebee Hope and Walter E. Washington Estates, and the new ARC Town Hall Education, Arts and Recreation Campus, with 365-seat theater, ballet studios, computer lab, full gym, art and music studios and camps.