

HIGHLAND ADDITIONS

STATEMENT IN SUPPORT OF THE CONSOLIDATED PLANNED UNIT DEVELOPMENT

November 3, 2006

I. Background, Site Description and Community Participation

This document is the application of the District of Columbia Housing Authority (“DCHA”) and CEMI-NMI Highlands LLC, a joint venture between Crawford Edgewood Managers, Inc. and New Market Investors LLC (“Applicant”) for review and approval of a consolidated Planned Unit Development (“PUD”) under Chapter 24 of the D.C. Zoning Regulations. The property that is the subject of this application is located in the Washington Highlands neighborhood of Southeast Washington on a vacant portion of the site of the Highland Addition public housing complex. The project site is bounded generally by Condon Terrace on the south, 8th Street on the west, Valley Avenue on the north and 9th Street, all S.E. This property is legally identified as Square 6123, Lots 78 and 80; Square 6125, Lots 20-25; and Square 6126, Lots 65-69 and 72 (the “PUD Site”).¹

The PUD Site is approximately 402,885 square feet or 9.25 acres in area. It is comprised of a rolling hillside that changes in grade by approximately 80 feet, rising from Valley Avenue to the level of the rest of the neighborhood at its southern end near Condon Terrace. It is located in Ward 8 and also within the boundaries of Advisory Neighborhood Commission (“ANC”) 8E. The 126 public housing dwelling units on the

¹ See the Surveyor’s Plat included with the plans in *Exhibit B*.

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site were fully demolished in 1999, leaving 118 occupied units at Highland Addition. The proposed redevelopment plan is to construct 142 new dwelling units, including townhouses and stacked two-level units on top of flat units.

As part of its commitment to redevelop the site, the Applicant made a commitment to involve the community in the redevelopment plans. A series of meetings and workshops with community interests were completed to define elements of a community plan. The project architect, Torti-Gallas and Partners, conducted a series of neighborhood charrettes which provided information and solicited input from neighbors, community groups and local governmental agency staff. The Applicant's team has also met with the Office of Planning ("OP") to resolve any planning or design issues.

DCHA successfully applied for a development grant from the D.C. Department of Housing and Community Development ("DHCD"). DHCD's financial support is aimed at insuring the proposed development achieves success through participatory community planning, a holistic approach to creating a complete new community, a public-private sector partnership with market-rate business discipline, and high quality design with a pedestrian environment and other features that encourage social interaction. DHCD funds and support procedures will help the new Highland Additions community to provide high quality housing affordable to people in a wide range of income levels, including 112 home ownership opportunities for low-income and market-rate homebuyers, as well as 30 rental units for low-income families.

II. The Applicant

Several parties are involved in the comprehensive and complex redevelopment planned for the Property. DCHA owns the PUD Site and has legal authority from the

U.S. Department of Housing and Urban Development (“HUD”) to proceed with redevelopment. In keeping with its mission, DCHA is undertaking the Highland Additions project in order to provide quality housing for low-income citizens, increase neighborhood stability by creating mixed-income homeownership opportunities, promote area residents’ economic capacity and self-sufficiency and help revitalize the Washington Highlands neighborhood. An experienced and capable development team will help bring the Highland Additions redevelopment to fruition.

The Applicant’s two principals, Crawford-Edgewood Managers, Inc. (“CEMI”) and New Market Investors LLC (“NMI”) are deeply involved and experienced D.C. area community redevelopment firms. CEMI is wholly owned by H.R. Crawford, NMI is wholly owned by Mike Alexander. CEMI is 100% minority owned and is a D.C. LSDBE qualified firm. Both CEMI and NMI are committed to achieving the highest participation by minorities and women in their projects. Employment at both firms is nearly 100% minority.

Founded in 1979, CEMI specializes in urban property development and management and has substantial experience with local affordable housing driven community revitalization projects. The firm’s portfolio includes low-to-moderate income rental and homeownership units, elderly housing, garden and high-rise facilities. Since its inception, CEMI has completed more than 2,000 housing units.

Recent accomplishments for CEMI include the completion and 100% sale of Walter E. Washington Estates, a 141-unit mixed-income for-sale housing development in the Washington Highlands neighborhood located three blocks away from Highland Additions. Walter E. Washington Estates was the first new construction for-sale

development in Southeast Washington in many years designed to attract market rate homebuyers to this traditionally low-income, public housing dominated sub-market. Funded by a successful application for a HUD Up Front Grant (a program preceding the HOPE VI grant program), this redevelopment paved the way for future successful public housing redevelopments in Southeast D.C. such as Wheeler Creek, Henson Ridge and Capitol Gateway Estates.

In May of 2006, CEMI and NMI closed and began construction of The Carver Senior Apartments, a 104 unit new construction mid-rise apartment building located at 47th and East Capitol Street reserved for rental to low-income D.C. seniors. DCHFA tax exempt bonds, DHCD subordinated debt and tax credit equity were used to provide project financing. This project received a PUD approval in 2005.

In September of 2005, CEMI and NMI completed construction and completed the 100% lease up of the 14,000 square foot Walter E. Washington Community Center, located at 9th and southern Ave., S.E., within walking distance of the proposed Highland Additions. This modern community center, completed with funds from DHCD, and the National Capitol Revitalization Corporation provides day care, community meeting space, recreation, incubator office space and adult job training for residents of the Washington Highlands neighborhood.

In 2001, CEMI and NMI completed the gut renovation of the Barnaby Manor Apartments, a 124-unit apartment property located at 9th and Barnaby Streets, S.E. located three blocks from Highland Additions. The renovation was financed with DCHFA tax exempt bonds, tax credit equity and DCHA housing vouchers.

CEMI is a co-developer and owner of Parkside Terrace Apartments, a 291-unit, 12-story highrise building located at the corner of 9th and Valley Avenue, S.E., just across the street from Highland Additions. The re-development plan for Parkside Terrace includes gut renovation and redevelopment into a senior rental and for-sale condominium building. Construction is expected to begin in April 2007.

NMI is a Washington metro-area based real estate development firm specializing in affordable housing and community development. NMI owns a portfolio of 392 apartments, developed and financed under a variety of affordable housing finance programs, including tax exempt bonds, community development block grant, HOME, low income housing tax credit, historic tax credit and commercial bank funding.

NMI has worked as a co-developer and financial consultant with CEMI on a number of projects, the four most recent being Highland Additions, Walter E. Washington Community Center, Carver Senior Apartments and Barnaby Manor Apartments. NMI and its principal have developed for-rent and for-sale housing in D.C. for the last 10 years. In addition to Highland Additions, NMI is currently the development manager for a 20,000 square foot job training center to be located in S.E. D.C. and an investor in the \$90,000,000 redevelopment of the historic Miller and Rhoades building in downtown Richmond, VA. NMI and its principal have over 20 years of affordable housing and community development experience, with over 100 projects completed requiring equity funding in excess of \$200 million.

III. The Surrounding Neighborhood

The PUD Site is located in the Washington Highlands neighborhood, which is residential in character. Existing housing types include single-family, duplex, multifamily

garden and high-rise apartment buildings. The northern side of the site is bounded by the Oxon Run Parkway, a large public park system. The eastern side of the parcel is bounded by Parkside Terrace Apartments and Draper Elementary School. The southern portion is contiguous to privately owned duplex and single family homes, in addition to the Highland Addition apartments, which consists of family apartments owned and operated by ECHA. The western edge of the parcel abuts single family homes located on Valley Avenue, Foxhall Place and Condon Terrace. The vacant and fenced Highland Additions site is a prominent fixture of the area and certainly contributes to a blighted and distressed feel to much of the neighborhood.

Washington Highlands is home to a variety of religious congregations, which are woven into the residential fabric of the neighborhood. The neighborhood's churches provide many community services including daycare, senior activities, meal programs and counseling.

The immediate neighborhood enjoys substantial access to parks and recreation. Oxon Run Park is located directly across Valley Avenue and is comprised on many acres of open parkland and green space. Well maintained and lighted baseball fields are available to the neighbors right off of Wheeler Road, north of the site. The Oxon Run Community Swimming Pool is located two blocks from the site, on Mississippi Avenue. Ferebee Hope Recreation Center is located adjacent to the site on 8th Street, S.E. and provides a swimming pool, basketball courts and recreational opportunities to its neighbors. The Barry/Southeast Tennis Center is located directly across Oxon Run Park, just to the north of the site. Baseball fields are open to the public on the grounds of

Simcn Elementary School a few blocks from the site. The athletic fields at Ballou High School are an additional recreational asset.

The proposed development will be located within a convenient distance of a substantial variety of community facilities. Ferebee Hope Community Services Center, just off 8th Street, S.E., immediately adjacent to the site, is a comprehensive neighborhood based service center that provides a variety of programs including computer learning, child immunization, parenting skills, family crisis and anger management training. The new Walter E. Washington Community Center, on 9th Street, S.E. just four blocks from the site, provides child care, adult education, job training, computer labs and community meeting space.

The Community Clinic/Southeast Veterans Service Center, located on Chesapeake Avenue S.E., five blocks from the PUD Site, provides housing and services to veterans, including former and current homeless veterans. The new ARC Town Hall Education, Arts and Recreation Campus, located on Mississippi Avenue one mile from the PUD Site, provides a 365-seat theatre, two ballet studios, a computer lab, a full gym for league sports, art and music studios, a teen center, a pediatric clinic, job and adult education training, summer camps and after school programs for youth.

The Highland Addition Community Center, located next to the PUD Site on Wahler Place, S.E. provides youth development programs, computer training, homework assistance and family issues workshops.

The Wheeler Creek CDC Community Center is located 1130 Varney Street, SE, approximately three blocks from the PUD Site. This modern, 15,000 square foot community center provides extensive day care and after school care programs, in addition

to community meeting space, adult job training and a micro loan program for community residents.

In addition, it is expected that following the consolidation of Draper Elementary School, as stipulated in the D.C. Public School 2006 Master Facilities Plan, this 56,000 square foot building, located next to the PUD Site on 9th Street S.E., will be leased to multiple community service organizations which will provide additional outreach to the immediate neighborhood.

While Draper Elementary School and Ferebee-Hope Elementary School are the nearest in-boundary elementary schools, we would expect that the proposed consolidation with Ferebee-Hope Elementary School will be completed prior to any occupancy. In-boundary Middle Schools serving the site are Hart Middle School and Johnson Junior High School. Ballou Senior High School will serve the 9th through 12th graders.

Police service is provided through the 7th District within police service area 706. The Washington Highlands Public Library, at 15 Atlantic Street, S.E. serves the neighborhood. Fire and emergency service is provided out of the Engine 33 Station on Atlantic Avenue, S.E.. Greater Southeast Community Hospital, located at 1310 Southern Avenue, S.E. is conveniently located within two miles of the PUD Site

Small retail pockets and strip centers are located within a two-mile boundary of the community, providing a limited range of goods and services. However, a new Gourmet Giant grocery store and pharmacy has been leased and is currently under construction at Alabama and 15th Street, S.E. on the Camp Simms redevelopment site., approximately six blocks from the PUD Site. This new commercial center is intended to include additional retail and dining opportunities for the neighbors. A large retail strip

center located on Southern Avenue and 9th Street, S.E. provides limited grocery and retail shopping

Demographic and market studies of the neighborhood conducted for the Applicant found that Washington Highlands has experienced a higher rate of population loss than the District overall over the past 10 years, has a higher rate of rental occupancy than the District average, household incomes that are below the District's median and owner-occupied household percentages that are the lowest in the District.

Public transportation is available at the Congress Heights Metrorail station located less than one mile from the site -- a 15-minute walk northeast from Valley Avenue. Metrobus lines in the Washington Highlands community supplement the Metrorail system. The M8, W2, W3, A6, A7, A76 and M9 Metrobus lines stop along 4th Street and Wheeler Road. The A2 and A42 Metrobus lines operate adjacent to the site at 4th Street/Condon Terrace and 8th Street/Atlantic.

IV. Existing and Proposed Zoning

The majority of the land area of the neighborhood, including the subject property, is zoned R-5-A (Low-Density General Residential).² R-5-A is a low-density apartment house zone that allows a variety of residential building types within a height limit of 40 feet, three stories and a maximum floor area ratio ("FAR") of 0.9. Detached and semi-detached single-family dwellings are allowed as of right; townhouses and low-density apartments are allowed if approved by the Board of Zoning Adjustment ("BZA") as a special exception. The PUD process authorizes the Zoning Commission to approve developments that would otherwise require a special exception. With a PUD, the

² See the "Zoning Map" included as part of *Exhibit B*.

maximum permitted height in R-5-A zones is 60 feet and the maximum FAR is 1.0. The development standards of the R-5-A District readily accommodate the proposed PUD, and accordingly, no map amendment is requested.

The residential development proposed in this application is within the 60-foot height limit of the R-5-A District with a PUD. However, the density as designed is 1.18 FAR, which exceeds the maximum of 1.0 FAR allowed with a PUD in R-5-A. Accordingly, this application includes a request for a map amendment to R-5-B in order to accommodate this minor additional density. R-5-B is a low-to-moderate density apartment house zone that allows a density of 1.8 FAR and 50 feet as a matter of right, and 3.0 FAR and 60 feet with a PUD. The proposed development is well within these limits, with an aggregate density of 1.18 FAR. The townhouses and stacked buildings range in height from 25.8 to 55.2 feet as measured at the curb in the middle front of buildings, as required in the Zoning Regulations. These heights are greater than building wall height in many locations because of the slope between the curb and the houses.³ See the project plans for details.

V. Project Description

The PUD Site itself is a rolling hillside that changes in grade by approximately 80 feet, rising from Valley Avenue to the level of the rest of the neighborhood at its southern end, with an average slope of twelve percent. The site is uniquely located in the Washington Highlands neighborhood with excellent access to public transportation and a wide variety of community institutions and amenities. The Applicant plans to develop

³ Heights at the building wall to the ceiling of the top floor are in the 18- to 39-foot range.

142 dwelling units on the PUD Site, including single-family detached dwellings, semi-detached dwellings, row dwellings and stacked (“triplex”).⁴

The proposed Highlands Addition development will create a physically and socially vibrant neighborhood out of this underutilized vacant site. The project implements DCHA’ and the Applicant’s shared vision of creating a high-quality neighborhood of new housing in the District for working families. The overall goal is to create a stable, mixed-income residential community, with a component of affordable housing.

Other superior features of the proposed new community, in the Applicant’s opinion are the following: dedication of 2.68 acres of the 9.25-acre site for public streets and alleys. This will enable vehicular access to lots and services such as trash collection to be accessed from the alleys in nearly all locations. Also, the lack of private streets or other common areas will eliminate the need for residents to pay significant fees to a homeowners association for this purpose. Over time, these fees can undermine the goal of maintaining the affordability of the units.

A related benefit is that the lots will be in fee simple ownership -- the for-sale units by the new homeowners and the rental units by an affordable housing partnership sponsored by the Applicant.

The overall unit mix emphasizes relatively large units, thereby accommodating larger households and families, an important need that market-driven projects typically do not meet.

⁴ See the set of project plans and data attached as *Exhibit B*.

The rental and affordable units are well-dispersed throughout the community and will be of the same design and materials as market-rate units (by type of building). The exception to this statement is that the rental units will not have garages in the interest of delivering affordable rents. Off-street and on-street parking, however, will be ample.

The development will consist 142 dwelling units with the following building types:

<u>Single-Family Detached Dwelling</u>	<u>4</u>
<u>Semi-Detached Dwelling/Duplex</u>	<u>30 (15 pairs)</u>
<u>Rowhouse</u>	<u>90</u>
<u>Stacked Units/Triplex</u>	<u>18 (6 buildings)</u>
<u>Total</u>	<u>142</u>

The breakdown of the 142 dwelling units by unit size, affordability and tenure is as follows:

<u>Building Type/Number</u>	<u>Tenure</u>	<u>Affordability</u>
26 two bedroom units	Rental	Below 60% AMI ⁵
4 three bedroom units	Rental	Below 60% AMI
75 three bedroom units	Sale	Market
37 four bedroom units	Sale	Market

While Highland Additions will be a mixed-income community, there is a strong emphasis upon affordable rental units, with 30 townhouses (21% of the total) reserved for rental to low income families.

Site Plan and Design.⁶

The site plan for the Consolidated PUD is generally described as follows. The main tenets of the urban design for the PUD site are diversity, in housing types and

⁵ AMI is Area Median Income. Less than 60 percent AMI would be considered low income.

⁶ Please refer to the Project Plans attached as *Exhibit B*.

income levels, interconnectivity, to create a walkable, livable neighborhood, and safety and health, achieved by eyes on the street, pedestrian connections, and environmentally responsible development. These design principles were layered over a few unusual site conditions to produce a highly specific, responsive site plan with more variation than a typical Washington neighborhood may have. The combination of: 1) significant change in grade, 2) poor existing soil conditions with an average of eight feet depth of unconsolidated fill, and 3) the constraint of existing street locations required extensive site analysis and consideration in arriving at the proposed site plan. Constructability, safety of proposed street extensions or new streets, and the unit type locations were all crucial factors in planning this development. The site plan reintegrates the neighborhood fabric by extending currently dead-ending streets (Foxhall Place and the alleys), connecting an existing street (Condon Terrace) through to 9th Street, and creating a new street (Rolark Place) to regularize the block depths.

The overall intensity of development proposed in this PUD is low, responding to the character of the surrounding neighborhood and enabled by compact planning and the allocation of land areas to future public streets. The proposed density is 15.35 dwelling units per acre (1.18 aggregate FAR). This is based upon the land area inclusive of the area devoted to public rights-of way – 116,728 sf (2.68 acres)⁷ Exclusive of the proposed streets and alleys, the net density is 21.6 units per acre, which is still within the moderate density range. Lot occupancy is 34 percent, which is well within the allowed 60 percent lot occupancy in the R-5-B District.

⁷ See the “Zoning Tabulation” included with the project plans attached as *Exhibit B*. The net density, exclusive of proposed new streets and alleys is 21.6 dwelling units per acre.

Parking will be ample and will exceed the R-5-B requirement of one parking space per dwelling unit, which would be 142 spaces. Off-street parking is typically accommodated off of alleys at the rear of each unit, either on a parking pad or in an integral garage tucked under the rowhouse. Behind many of the integral garage units, there is room for an additional tandem parking space in the driveway. In some instances the maximum allowable slope for alleys precluded rear loaded parking, and units are provided with parking pads accessed by front-loaded driveways. The site plan provides for a total of 192 off-street parking spaces. In addition there will be 118 curbside parallel parking spaces created on public streets.⁸

Building heights will range from 25.8 feet for the two-story rowhouses to 55.2 feet for the three-and-one-half-story rowhouses -- measured, as noted previously, at the curb in the middle front of the building. All proposed heights are well within the 60-foot building height allowed in R-5-B with a PUD.

The site plan depicts a number of minor deviations from the matter-of-right side and rear yard requirements.⁹ In R-5-B, no side yard is required, but if provided, it must be no less than 8 feet wide. In 44 locations the minimum side setback of 8 feet is not met. All of these side yards are 5 feet or greater. These represent minor deviations from matter-of-right requirements, especially since no side yard is required for row dwellings (but if provided must be at least 8 feet).

⁸ See Sheet C-8.10 ("Site Tabulation and Setbacks") of the attached plans, Sheet C-9.0 ("Circulation and Parking Plan") and the "Zoning Tabulation" on the Cover Sheet for a complete tabulation of development data.

⁹ Section 2405 of the planned unit development regulations allows the Zoning Commission to exercise flexibility from matter-of-right area requirements, "depending upon the exact circumstances of the particular project." (§ 2405.5)

The required rear yard (defined as the mean depth) in R-5-B is three inches per foot of building height and no less than 15 feet. Only four (4) houses are not in compliance. These houses have rear yards ranging from a mean of 8.6' to a mean of 12.6'. The complying houses tend to have very deep rear yards. For example, 62 rear yards have a depth of 30 feet or more, with the largest rear yard provided at 72 feet. The four noncomplying properties will nonetheless be very livable, with no problems of light, air or privacy imposed on neighbors by the somewhat smaller rear yards. These minor modifications to some of the matter-of-right yard requirements will enable the development to become a pedestrian friendly community which utilizes a variety of unit types and lot configurations to most efficiently plan this steeply sloped, irregular site and create a traditional neighborhood. Site planning flexibility of this type is one of the purposes of the PUD process.

In the R-5-B District the Zoning Regulations do not specify a minimum lot area or width. By way of information the proposed lot sizes range from 1,247' to 4,921 square feet for a single-building lot. Lot sizes predominantly fall between 1,700 and 2,500 square feet.

The project program is directly tied to the vision for affordable housing, as well as to the D.C. Housing Authority's goals to increase the capacity of their public housing. The 142 new units are organized in a traditional Washington rowhouse neighborhood pattern. They will be predominantly single-family row dwellings, together lesser numbers of single-family detached dwellings, semi-detached dwellings and 3-unit stacked flat buildings. The new affordable rental units, as well as the ownership units of varying income targets will be architecturally indistinguishable from one another, and

mixed as much as the site's physical restraints allow (see Tenure Diagram included with the plans in *Exhibit B*).

The row dwellings tie into the existing Washington Highlands fabric, and reflect the character of traditional Ward 8 neighborhoods. The stacked units will maintain the scale and attributes of the rowhouses, having individual entries, stoops, and porches addressing the public street. Twenty percent of the rental program (4 two-bedroom units and 2 three-bedroom units) will meet UFAS accessibility requirements for residents with mobility impairments. Accessible two- and three-bedroom units are accommodated in ground floor flats, with two-bedroom townhouse units stacked above.

These housing types not only respond to plan configurations that meet market demand, but their elevations respond to their Washington Highlands context in their scale, proportion, and detail. The elevations produce streetscapes that fit in with the immediately recognizable residential character of the best Washington neighborhoods. The facades employ a Washington Victorian and Colonial architectural language, and are composed of brick or HardiPlank with varied door/window surrounds and cornice profiles. A mix of porches, stoops, and bay windows will add further variety to the streetscapes and promote a sense of pride in homeownership. The use of rich and varied color schemes accent Washington Victorian and Colonial style façade detailing, and will further contribute to this individualistic quality of the new homes.

The urban design also reflects this character. The site plan weaves into the edge of the neighborhood grid of streets and alleys. More formally composed building strings of two-and-one-half to three-and-one-half stories will address the larger scale of Valley Avenue and Ninth Street and create hierarchy to recognize those as primary streets within

the neighborhood. Within the site, along the extensions of Condon Terrace and Foxhall Place, the streetscapes transition to more varied, informal rowhouse strings and duplexes that mix two- and three-story facades. Throughout the neighborhood, the uniformity of setback will be used to enhance the streetscape, as well as to tie the new development in with the existing adjacent neighborhood.

Streets in the development are designed to encourage walking and to promote safe interaction between pedestrians and automobiles. Along existing streets, new shade trees will fill gaps between preserved existing trees, and new sidewalks and streetlights will provide a pleasant pedestrian experience that brings the existing streets up to modern standards. New streets within the site (including the extension of Condon Terrace, Foxhall Place, and the new, one-way street named Rolark Place) promote walkability and slow automobiles, appropriate to their roles as short, local, residential streets. Green space located in the street right-of-way in front of units will be landscaped to subtly reinforce the threshold between the public street and the private houses. All streets will accommodate on-street parking on one or both sides. The design team has met with representatives of DDOT to ensure that the street, sidewalk, and alley design, as well as the proposed circulation pattern, are consistent with City and the Comprehensive Plan goals, and that any variances needed from DDOT standards have been discussed in detail. The Applicant plans to develop 142 townhouses on the PUD Site..¹⁰

VI. Public Benefits of the Proposed PUD

Section 2403 (Evaluation Standards) of the PUD regulations provides that the Zoning Commission must find that the proposed PUD is “not inconsistent” with the

¹⁰ See the set of project plans attached as *Exhibit B*.

Comprehensive Plan and other adopted public policies for the subject site (§2403.4); that the proposed development includes public benefits and project amenities as set forth in §2403.9; and that the proposed project's impacts on the surrounding area and on public facilities and services shall be acceptable commensurate with the public benefits of the PUD or are capable of mitigation (§2403.3). These factors are discussed below.

A. Public Plans and Policies

1. Major Local Development Initiative. Clearly the proposed replacement of a deteriorated and now demolished public housing complex with a new, high-quality mixed-income residential community is a high priority planning objective for the District of Columbia. Highlands Addition represents a major policy initiative and commitment of resources by DCHA in partnership with an experienced private sector developer of affordable housing working closely with community residents and organizations. The proposed planned unit development at Highlands Addition is the culmination of several years of effort by the Housing Authority, other public agencies and the development team to transform a failed public housing site into a high-quality, mixed-income residential community.

2. Comprehensive Plan: Affordable Housing Policies. The *Comprehensive Plan for the National Capital* (the "Comprehensive Plan" or the "Plan") is the officially adopted planning blueprint for the future of the District of Columbia. The Home Rule Act requires that zoning shall be "not inconsistent" with the Comprehensive Plan. Numerous policies in the Housing Element in Chapter 3 and the Ward 8 Element of the Plan emphasize the importance of housing that is affordable to low and moderate income households and affordable to elderly persons, as well as housing for homeownership.

The Major Policies in § 300.1 (Housing) highlight the importance of partnerships between the government, the private sector and nonprofit organizations to achieve housing goals. The General Housing Goals in § 302 and the Low- and Moderate-Income Housing goals in § 303 include numerous policies that the Highlands Addition community will help implement on a significant scale.

The Ward 8 Objectives for Housing in §1908.1 include the following:

- (a) Increase the number of owner-occupied and single-family housing units in the ward;*
- (f) Provide housing opportunities for low- and moderate-income households by promoting the construction and renovation of a range of housing types.*

In § 1909, the Ward 8 “Actions in Support of Housing,” it is noted that Ward 8 has the lowest level of home ownership of any ward in the city. The recommended policies and actions set forth in § 1909.1 include the following:

- (a) Promote an increase in the level of home ownership in Ward 8 to help stabilize and improve the residential neighborhoods.*

(a)(2) Recommended Actions:

- (A) Continue and expand home ownership assistance programs in Ward 8, including Home Purchase Assistance Program (HPAP). . . .*

- (B) Expand bond-financed home purchase assistance efforts in Ward 8;*

- (C) Provide increased technical and financial assistance to nonprofit housing providers who wish to develop new single-family housing in Ward 8; and*

- (D) Expand the Land Acquisition for Housing Development Opportunities (LAHDO) program to finance private sector housing and mixed-use residential projects in Ward 8.*

(b)(2) Recommended actions:

- (C) Expand the use of Low-Income Housing Tax Credits (LIHTCs) in Ward 8 to persuade for-profit home builders to provide new or rehabilitated low-income housing units; and*

(D) Continue and expand the Section 8 Program for rental housing subsidies in Ward 8 to increase affordable housing opportunities for eligible renters.

The proposed residential development in this PUD relates to nearly all of the above-cited policies and actions and advances all of the foregoing housing objectives. The actions include HPAP assistance for first-time home buyers, Section 8 vouchers for low-income renters, tax credit units to serve households in the 60 percent AMI range. Some units will also serve public housing residents, and some will be market rate for-sale units. Although this development is mixed-income and will thereby promote community stability, the needs of very low income persons are met as well, as DCHA has reserved some of the units for priority rental to public housing assisted tenants, including households earning less than 30 percent of AMI.

3. Comprehensive Plan: Compliance with Major Themes. The Highlands Addition new residential community exemplifies at least four of the ten Major Themes set forth in the Comprehensive Plan in Chapter 1, including:

Stabilizing and Improving the District's Neighborhoods (§ 102) and Respecting and Improving the Physical Character of the District (§106). The proposed new community will completely transform the affected property and will help stabilize and improve the surrounding neighborhood by providing a high quality design, affordable and market-rate housing. The result will be an attractive and stable community.

Preserving and Ensuring Community Input (§107). As described in the introduction, very extensive community participation has been undertaken in preparing the project plans and design.

Promoting Enhanced Public Safety (§110). The new residential community will fill a void in the neighborhood fabric, place additional “eyes on the street,” and create a new street system that connects more completely and effectively with surrounding streets -- all of these factors being conducive to public safety for Highlands Addition and the surrounding neighborhood.

4. Comprehensive Plan: Land Use Element. The Generalized Land Use Map of the Land Use Element of the Plan includes the PUD Site within a large area designated for Moderate Density Residential Development. This term is defined as, “Row houses and garden apartments are the predominant uses; may also include low density housing.” The range of residential building types proposed in this PUD clearly coincide with the stated land use policy. The Office of Planning has historically included the F-3 through R-5-B zones as being “not inconsistent” with the Moderate Density Residential designation.

Regarding density, the proposed 142 dwelling units on approximately 9.25 acres equals a gross density of 15.35 units per acre and a net density of 21.6 units per acres exclusive of proposed new streets and alleys. This is significantly less than is allowed as a matter of right in either the R-4 (48 units per acre, i.e., flats at 900 square feet of land per unit) or the R-3 District (22 townhouses per acre). The dwelling units per acre and the predominantly row dwelling or townhouse building type are both clearly consistent with the Moderate Density Residential land use designation, as is the density of only 1.18 FAR.

5. Comprehensive Plan: Economic Development Element, Transportation Element and Environmental Protection Element. Numerous policies in the foregoing

elements of the Comprehensive Plan can be cited in support of the proposed PUD. In the interests of brevity, these will not be cited in the application, but can be referenced generally.

Economic development benefits of the PUD will include the construction jobs created and the incomes and purchasing power of the future residents. The First Source Hiring Agreement and LSDBE agreement help ensure that these benefits especially include District of Columbia residents and small, local and minority businesses.

The primary Transportation benefit will be improved connections between internal streets and the surrounding street network. This is accomplished by a complex closing of multiple street and alley sections together with dedication of the new streets and alleys. In addition to connectivity and improved traffic connections for the area, the new streets had to be designed to function with the severe slopes on the site and not generate conditions for undue water runoff or soil erosion.

B. Public Benefits and Project Amenities

The proposed PUD clearly provides superior features that will benefit the surrounding neighborhood and the public to a significantly greater extent than would likely result from matter-of-right development of the PUD Site. The applicable project benefits and amenities from 11 DCMR §2403.9 are indicated below. Because some of these items have been discussed above under public policies and plans, little or no commentary is included. The PUD's public benefits and amenities include the following:

1. *Housing and Affordable Housing (2403.9(f)).* Discussed above.
2. *“Urban Design, Architecture, Landscaping, Creation or Preservation of Open Spaces” (2403.9(a)). “Site Planning, Efficient and Economical Land*

Utilization” (2403.9(b)). The design of the new Highlands Addition Community contributes a significant amount of public benefit to Ward 8 and the city, notwithstanding its relatively small size. The proposed plan extends and enhances the Washington Highlands street grid. Although the project site is constrained by several existing conditions which drive the planning toward a variety of building types and blocks that respond directly to their conditions, the resulting site plan effectively integrates the new development with its neighborhood. The site plan takes advantage of its steep slope by using basements and integral garages to accommodate the change in grade across the blocks while adding amenity to the new homes. The unit designs strive to minimize the building footprints in order to create an efficient, compact development on the hillside, while taking advantage of newly created street frontage.

The urban design reflects the best of D.C.’s residential neighborhoods, with walkable streets defined by ordered strings of townhouses and stacked flats, lined by trees and streetlights. Row dwellings throughout the community will be designed with facades, details, and landscaping that reinforce the individuality of the homes. A variety of porches, stoops, and entries will support this distinctiveness and maintain a lively - and supervised - streetscape. The project is located adjacent to Oxon Run Parkway, and increases safe pedestrian access to this open space, as well as other neighborhood institutions and amenities. Although the site plan and design have to overcome a substantial slope on the site, one resulting benefit is pleasing “hilltop” views from most houses of Oxon Run Park and the neighborhood beyond, which rises in elevation.

3. ***“Employment and Training Opportunities” (2403.9(e)).*** Although this PUD project is not a commercial development, several beneficial economic effects will

result from it, as stated previously. Moreover, as part of this planned unit development the Applicant will enter into a First Source Employment Agreement with the Department of Employment Services (DOES) so as give District of Columbia residents the opportunity to secure construction and permanent jobs at the Highlands Addition. The applicant will also enter into a Memorandum of Understanding with the D.C. Office of Local Business Development to assure that a fair share of contracting opportunities go to local, small and disadvantaged businesses.

4. ***“Environmental Benefits, such as storm water runoff controls and preservation of open space or trees” (2403.9(h)).*** Given the hilly nature of the site and challenging soil conditions, the plans carefully address storm water runoff, slope stability, open spaces and tree preservation. Existing trees on the developed portion of the site, mostly located within the tree strip, will be preserved wherever possible, and new shade trees will be provided throughout the site. The storm water control plans use natural retention methods as well as traditional connections to existing underground sewers. Stormwater management quality control will be met by utilizing the quality control catch basins on public streets, whereas quality control for the private lots will be provided by underground dry wells located on individual lots. This approach complements the site layout and is most effective on sites with steep terrain. This approach maximizes open space and will be planted with the currently approved mixture of vegetation for successful functioning of the system as well as for aesthetic appearance.

The urban design emphasizes interconnectivity, by creating pedestrian-friendly streets to promote a healthy, walkable neighborhood, by increasing access to neighborhood parks and recreation facilities, and decreasing dependence on the

automobile. The houses have been designed to be efficient and to promote comfort through the use of energy-efficient appliances and fixtures, water-saving plumbing fixtures, and through efficient heating and cooling. The project architect has staff that are accredited in Green design and construction, which provides the team with expertise in implementing the green building elements. Moreover, appliances, lighting fixtures and heating and cooling equipment will be Energy Star-rated. Finally, the homes will promote good indoor air quality by using low-toxic, solvent-free, low-VOC paints, primers, adhesives and sealants.

5. ***“Effective and Safe Vehicular and Pedestrian Access” (2403.9(c)).*** The low density of development and the new street grid will ensure efficient and safe automobile circulation. Traffic flow in the neighborhood will be improved by the better connections with surrounding streets in comparison with current conditions. Public Metrobus service connecting to Metrorail stations is convenient, and the nearest Metrorail station is only a 15-minute walk from the site. The transportation consultant’s “Executive Summary,” a copy of which is attached as *Exhibit A*, includes the following statement:

The future intersection capacity analyses indicate that the vehicle new trips that would be generated by the proposed Highlands Dwellings project would have minimal impact on the intersections in the study area. All of the signalized and unsignalized intersections would continue to operate at acceptable levels of service during the morning and evening peak hours assuming minor signal timing improvements. The planned roadway network modifications would provide for adequate levels of service and a connected street network that will better serve the area and create a sense of community.

C. Potential Impact on Surrounding Area and City Services

The surrounding neighborhoods are expected to benefit from the development of the new residential community in several ways, including improved public safety; attractive building and site aesthetics, favorably affecting property values and enjoyment of neighborhood life; and efficient and safe vehicular circulation. There will be no overcrowding of local schools, because the new community will have fewer residents than the previous public housing development. The applicant believes that the affect of the built PUD on surrounding neighborhoods and city facilities will be entirely positive.

VII. Community Comment

As summarized in the introduction of this Statement, the applicants and their associated professionals have engaged in extensive consultations with community representatives as part of preparing the project plans and design. This effort has included a community charrette process beginning two years ago and creating a joint community-government-developer Steering Committee. Members of Advisory Neighborhood Commission 8E have been involved in this process, as has the Ward 8 Councilmember.

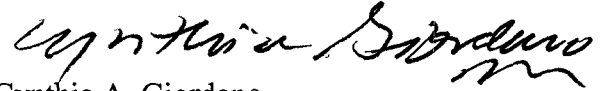
VIII. Conclusion

For the foregoing reasons, the applicant submits that the proposed PUD plan meets the standards of Chapter 24 of the Zoning Regulations. It is consistent with the purpose and intent of the Zoning Regulations and Map; will enhance the health, welfare, safety and convenience of the citizens of the District of Columbia; is not inconsistent with the Comprehensive Plan; satisfies the requirements for approval of a consolidated PUD; provides significant public benefits; and advances important goals and policies of the District of Columbia.

Accordingly, the Applicant respectfully requests that the Zoning Commission schedule a public hearing to consider adopting the proposed PUD.

Respectfully Submitted,

ARNOLD & PORTER LLP

A handwritten signature in black ink, appearing to read "Cynthia A. Giordano".

Cynthia A. Giordano

A handwritten signature in black ink, appearing to read "Nathan W. Gross".

Nathan W. Gross, AICP

Attachments

Exhibit A: Executive Summary of Traffic Impact Study



Executive Summary
HIGHLAND DWELLINGS DEVELOPMENT
Traffic Impact Study

Wells & Associates has prepared a traffic impact analysis of the Highland Dwellings Development, which is located at the corner of Valley Avenue and 9th Street S.E., Washington, D.C. The site is currently vacant, and is proposed to be rezoned and developed by CEMI-NMI Highlands, LLC to allow the construction of 144 residential apartment and condominium units. This development was assumed to be completely built and occupied within three years, by 2009.

The report was prepared in consultation with the District Department of Transportation staff, and evaluated the vehicular and pedestrian transportation system for existing conditions and future conditions, with and without the proposed development.

Vehicular access to the property would be achieved through the extension of Foxhall Place and Condon Terrace to 9th Street and a new roadway (Rolark Place), between 8th Street and 9th Street. A connected alley system would be constructed allowing for vehicle access behind the dwellings.

Traffic volume projections were prepared for buildout conditions in 2009 based on existing vehicular and pedestrian traffic counts, the proposed road network, application of a one (1.0) percent ambient growth rate, traffic generated by the planned construction of the adjacent Parkside Terrace (316 residential units) project, and new vehicle trips generated by the Highlands Dwellings project.

Based on standard Institute of Transportation Engineers (ITE) trip generation rates, 144-unit Highland Dwellings project would generate 51 AM peak hour vehicle-trips, 59 PM peak hour vehicle-trips, and 639 daily (24-hour) vehicle-trips. A transit mode share of 27 percent was assumed based on journey-to-work information published by the U.S. Census Bureau.

The capacity analyses were prepared for key intersections within the study area, accounting for future travel demands and pedestrian movements, and indicate that all of the intersections within the study area currently operate at acceptable levels of service (LOS "D" or better) during both the AM and PM peak hours. All approaches to each of the signalized intersections also operate at LOS "D" or better during both the AM and PM peak hours, with the exception of the northbound 4th Street approach at Atlantic Avenue that operates at LOS "E" or "F" during the AM and/or PM peak hours, based on current signal timings.

The intersections surrounding the site would continue to operate at acceptable levels of service in the future, without the Highlands Dwellings project, with the exception of the northbound approach at the 4th Street/Atlantic Street intersection, which is projected to operate at LOS "F". Signal timing modifications would alleviate delays on this approach and provide overall acceptable levels of service at the intersection.

The future intersection capacity analyses indicate that the vehicle new trips that would be generated by the proposed Highlands Dwellings project would have minimal impact on the intersections in the study area. All of the signalized and unsignalized intersections would continue to operate at acceptable levels

of service during the morning and evening peak hours assuming minor signal timing improvements. The planned roadway network modifications would provide for adequate levels of service and a connected street network that will better serve the area and create a sense of community.

A review of the pedestrian network indicates that sidewalks are provided on adjacent roadways to facilitate these movements. In addition, a significant number of traffic calming devices exist along Valley Avenue (speed humps); 9th Street, and other roadways with rumble strips and all-way stop controlled intersections. A number of bus stops are located in the area providing convenient access to public transportation.

The traffic impact study concludes that safe and adequate vehicular and pedestrian systems will be provided with the development of the Highlands Dwellings Development, and that the development of the project would have minimal impact on forecasted traffic levels, while enhancing the road network and pedestrian access system.

Questions regarding this document should be directed to Wells & Associates, LLC.

Exhibit B: Project Plans