

WBG WHEELER ROAD, LLC

**SUPPLEMENTAL PREHEARING STATEMENT OF THE APPLICANT
TO THE DISTRICT OF COLUMBIA ZONING COMMISSION
FOR A CONSOLIDATED PLANNED UNIT DEVELOPMENT
AND ZONING MAP AMENDMENT
Z.C. 13-18**

May 9, 2014

DEVELOPMENT TEAM

APPLICANT:

WBG Wheeler Road, LLC
2759 Martin Luther King Jr. Ave., SE
Washington, DC 20032

ARCHITECTS:

SGA Companies, Inc.
7508 Wisconsin Avenue, 4th Floor
Bethesda, MD 20814

TRAFFIC CONSULTANT

Gorove/Slade Associates, Inc.
1140 Connecticut Avenue, NW, Suite 700
Washington, DC 20036

LAND USE COUNSEL:

Griffin, Murphy,
Moldenhauer and Wiggins, LLP
1912 Sunderland Place, NW
Washington, DC 20036

TABLE OF CONTENTS

I. INTRODUCTION.....	6
II. THE PROPOSED PUD PROJECT.....	6
A. Description of the Subject Property and Surrounding Area	6
B. The Applicant	7
C. Project Description.....	8
<i>i. Residential Component</i>	<i>9</i>
<i>ii. Commercial Component</i>	<i>11</i>
D. Development Data	11
E. Development Timetable	12
F. Flexibility under the PUD Guidelines	13
<i>i. Off-street parking (§2101.1)</i>	<i>13</i>
<i>ii. Off-street loading (§2201.1)</i>	<i>14</i>
III. PLANNING ANALYSIS.....	15
A. Introduction	15
B. Land Use Impact	15
C. Zoning Impact	16
IV. EVALUATION STANDARDS	16
A. Housing and Affordable Housing	17
B. Urban Design, Architecture, Landscaping or Creation of Open Spaces	19
C. Site Planning and Efficient and Economical Land Uses.....	19
D. Effective and Safe Vehicular and Pedestrian Access	20
E. Environmental Benefits	21
F. Uses of Special Value	22
G. Revenue for the District.....	23
H. Advancement of Objectives of the Comprehensive Plan	23
I. Public Benefits of the Project	23
J. Social Services/Employment and Training Opportunities	24
V. COMPLIANCE WITH THE COMPREHENSIVE PLAN.....	24
A. Generalized Policy Map and Future Land Use Map	25
B. Land Use Element	26
C. Transportation Element	28
D. Housing Element	29

E. Environmental Protection element.....	32
F. Economic Development Element	33
G. Urban Design Element.....	35
H. Far Southeast/Southwest Area Element.....	35
VI. COMMUNITY OUTREACH	37
VII. CONCLUSION.....	37

EXHIBITS

DESCRIPTION

EXHIBITS

Final Architectural Plans, Elevations,
Sections, Renderings, Photographs,
Landscape Plans, and Materials Boards

A

Final Civil Plans

B

Transportation Impact Study by Gorove/Slade

C

Letter of Support from Ward 8 Workforce Development Council

D

Letter of Support United Planning Organization

E

I. INTRODUCTION

WBG Wheeler Road, LLC (the “Applicant”) submits this Prehearing Statement and the attached documents in support of its application to the Zoning Commission (the “Commission”) for the consolidated review and one-step approval of a Planned Unit Development (“PUD”) and a corresponding amendment to the Zoning Map of the District of Columbia.

The Application proposes the development of a mixed-use project consisting of a six-story residential building with ground floor commercial retail facing Wheeler Road SE. The Subject Property is currently located in the C-1 Zone District. The Applicant has requested a Zoning Map amendment to the C-2-B District.

As discussed in detail below, the proposed rezoning is not inconsistent with the goals and policies of the Comprehensive Plan.

II. THE PROPOSED PUD PROJECT

A. Description of the Subject Property and Surrounding Area

The Property is currently improved with a neglected one-story commercial building. The Property includes approximately 210 feet of linear frontage along Wheeler Road, SE and 139 feet of linear frontage along Barnaby Street, SE. The Property includes some contour changes with the low point of the site located at the northern end of the Property and rises approximately 5 feet as it moves from north to south and also rises approximately 6 feet from east to west.

Immediately to the south of the Property on Wheeler Road is the True Gospel Tabernacle Baptist Church and immediately to the west is the Manor View Condominium. To the immediate north, and east across Wheeler Road, are two-story residential units. In the surrounding area, east of the Property, is the Southern Avenue Metro Station as well as the United Medical Center, Carolyn Boone Lewis Health Care Center, and Oxon Run National Parkway. To the north are the Wheeler Creek Apartments and Southeast Tennis and Learning Center. Also to the north is the Congress Heights Metro Station. To the west are

the Achievement Preparatory Academy, Ferebee-Home Community School Complex, and Washington Highland Recreation Center. Further west is the National Harbor. The surrounding neighborhood is primarily low- and mid-rise apartments and condominiums.

B. The Applicant

The Washington Business Group (“WBG”) formed WBG Wheeler Road, LLC for the purpose of owning, developing, and operating this proposed mixed use affordable housing project. WBG is committed to making the District, and specifically Ward 8, a better place to live and work, one building and community at a time. WBG has been an important presence in Anacostia in recent years and has their headquarters on Martin Luther King Jr. Ave., SE in the heart of Ward 8. WBG has proudly played a role in many important construction projects as outlined in the Initial Application.

WBG is also an active member of the local community. WBG mentors local minority-owned enterprises, donates to local charities to uplift the community and eliminate homelessness, and participates in community volunteering and sponsorships. In addition to those specifically outlined in the Initial Application, WBG has worked with the Ward 8 Workforce Development Council (WDC), the United Planning Organization (UPO), and the Opportunities Industrialization Center (OIC/DC) to complement the variety of benefits this project will bring to the community.

In addition, WBG is a founding member of the EEBC (East End Business Council) of DC, a newly formed organization designed to help serve the needs of Ward 7 and Ward 8 businesses and provide an organized way to approach political leaders in the District with concerns, suggestions, and requests for help and support. WBG has recently been awarded a DC Great Streets Grant, which supports an initiative to aid businesses in the District, make exterior building improvements and beautify city streetscapes. Furthermore, the President of WBG has been appointed to the Board of DC Business Chamber of Commerce.

C. Project Description

The Applicant's vision for the development of the Property was guided by the following goals to:

- Provide quality affordable residential housing for individuals and families in Congress Heights and Ward 8;
- Create a vibrant development with neighborhood serving retail and residential uses;
- Enhance pedestrian safety along Wheeler Road SE and the alleys surrounding the Property;
- Enliven the surrounding area and serve as a catalyst for future development nearby;
- Provide desperately needed retail options for local residents in a location already zoned for commercial use; and
- Construct a project that complies with the Enterprise Green Communities Criteria, a framework for comprehensive green building practices applicable to affordable housing development.

In furtherance of those goals, the Applicant has created a project that helps achieve the District's vision of creating economic development opportunities in the surrounding neighborhood and Ward 8. The project will create approximately 85 residential units and several retail options for existing and new residents, and establish a high level of urban design and architectural quality that will guide future development in the area. In response to comments made by the Commission, the Applicant has enhanced and supplemented the architectural plans and elevations. *See Final Architectural Plans and Elevations Exhibit A.* Included in the Final Architectural Plans and Elevations are a Construction Phasing Diagram labeled as sheet 4C; GAR Plan Diagrams labeled as sheet 7; more detailed site plan, floor plans, penthouse plan, and roof plan labeled as sheets 8-15; more detailed renderings from the north, east, south, and west, as well as materials boards, labeled as sheets 17-20; Building Sectionals labeled as sheets 21-25; Green Roof Plant Materials and Site Elements labeled as sheets L-3 and L-4.

The Applicant has carefully designed the project to provide pedestrian friendly walkways and adequate bicycle and vehicular parking. The east side of the site, encumbered by a building restriction line, will be vastly improved. The project includes replacing the broken concrete pavers and dilapidated wire fencing with landscaped brick pavers, as well as grass and tree boxes, which will create an inviting

new open public space. The vacant lot and adjacent public alley, used regularly by pedestrians to access the existing retail, has broken concrete and glass, is garbage-ridden, and lacks adequate lighting. The Applicant will provide new commercial space on the vacant lot, and repave and provide proper lighting in the alley to enhance pedestrian safety. The project will also include approximately 25 vehicular parking spaces along the rear public alley and 30 secure bicycle spaces. The vehicular spaces will be accessed by two 20-foot-wide public alleys off of Wheeler Road and Barnaby Street.

One of the project's significant features is the use of the natural landscaping and environmentally friendly amenities. The second floor garden terrace is located on the rear of the site facing the residential community. The ornamental trees and evergreen planting, in conjunction with the courtyard, will provide an improved streetscape. The proposed structure will offer an array of environmentally friendly amenities, energy efficient windows and elevators, green roofs, landscaped roof gardens and roof top terraces. These green amenities will reduce the urban heat island effect and be used to treat stormwater for both quality and quantity.

i. Residential Component

The residential building, consisting of 85 family-oriented, affordable units, will include a conference room, business center, secure bicycle storage, a second floor garden terrace, a green roof as well as a children's play area, open stretching area, free weights, pet area, and covered outdoor seating accessory to the athletic running and walking track. All of the affordable residential units are fully accessible Type "A" units or accessible Type "B" units to meet the needs of persons with disabilities. All units are capable of accommodating the needs of the elderly, and all of the Type "B" units are capable of quickly and easily being converted to Type "A" units, which allows residents to age in place. The business center on the lobby level, provided in response to feedback from ANC 8E, serves as an amenity to the residents at the project, providing access to computers, office equipment, and the internet and wifi for adults, children, and young professionals.

The Department of Housing and Community Development (“DHCD”) and District of Columbia Housing Authority (“DCHA”) have expressed a particular need for family-sized units as opposed to the studios and one bedroom units commonly being constructed through the District’s Inclusionary Zoning program and other affordable housing programs. In working with DHCD and other affordable housing finance and funding providers, the Applicant has modified its design and layout several times to achieve the goal of providing a more family friendly unit mix. The units at this project are substantially larger and contain more bedrooms than much of the existing affordable housing stock, which will help meet a major need in the District’s existing affordable housing supply for larger affordable housing units.

The project will be an affordable mixed-income community, with all 85-units affordable to families earning at or below 60% of the area median income (AMI). The project, financed using tax-exempt bond financing and 4% low-income housing tax credits from the DC Housing Financing Agency, will have rental limits so that tenant monthly housing costs do not exceed the applicable LIHTC rent limit of 30% of gross income. In addition, the Applicant has applied for sponsored local rent supplement program (LRSP) financing which, if received, would allow 16 units to be offered to families earning at or below 30% AMI.

WBG is working toward a joint venture with Transitional Housing Corporation (THC), a nonprofit organization, strives to end family homelessness and provide housing for low income families in the District of Columbia through the provision of a continuum of housing opportunities wrapped by comprehensive supportive services. THC is a faith-based non-profit partnership that provides housing and comprehensive support services to at-risk families so that they can make transformational changes in their lives. WBG and THC will work together to submit an application and obtain financing for the project through Tax Exempt Bond Financing and 4% Low Income Housing Tax Credits from DC Housing Financing Agency, and soft debt/grants in the FY2014 NOFA round to the DC Department of Housing and Community Development. WBG hopes to be in the position to submit the application as a “Tier 2” project by May 31, 2014. The fiscal year 2014 application for funding requires a preliminary decision by the Zoning Commission prior to the application deadline. We respectfully request the

Commission work with the Applicant, if possible, so the momentum of the project may continue and public financing applications can be submitted in this fiscal year.

ii. Commercial Component

The proposed structure will house five retail establishments, with the option of enlarging or dividing any of the spaces to accommodate both existing and future tenants. These retail uses will help animate the neighborhood and pedestrian realm as well as create a lively atmosphere for tenants of the residential building and patrons of the new and existing stores. The density requested allows the Applicant to provide much needed neighborhood-serving retail options despite the struggle for nearby commercial establishments to remain in business.¹ The Applicant will be maintaining several of the existing tenants and is carefully planning the construction process to prevent any disruption in their service or the need to relocate. By working with several of the existing tenants, the Applicant will maintain the retail currently enjoyed by the surrounding neighborhood while enhancing the variety and quality of the retail spaces and options currently available.

D. Development Data

Requirement	C-2-B Matter of Right	C-2-B PUD Guidelines	PUD Project Provided
FAR	3.5 (1.5 Commercial)	6.0 (2.0 Commercial)	3.4 (0.4 Commercial)
GFA	32,104 SF of land x 3.5 FAR = 112,364 SF Total (48,156 SF Commercial)	32,104 SF of land x 6.0 FAR = 192,624 SF Total (64,208 SF Commercial)	109,153 SF Total (14,241 SF Commercial)
Building Height	65 feet	90 feet	68 feet
Lot Occupancy	100% (80% Residential)	100% (80% Residential)	67.5% Commercial (Floor 1) 59% Residential (Floors 2-6)

¹ See Muller, John. *Busboys & Poets: Take your pick of Anacostia's vacant commercial properties*. Greater Greater Washington. June 7, 2012 (citing vacant storefronts in Anacostia up and down Martin Luther King, Jr. Avenue and Good Hope Road); Muller, John. *Will Economic Renewal Reach Anacostia in 2013?*. Greater Greater Washington. January 23, 2013 (questioning whether long vacant retail can take root in Anacostia); Davis, Veronica. *Homeless Shelter With No Retail Will Hinder Anacostia*. Greater Greater Washington. August 2, 2011 (criticizing a homeless shelter for failure to include a ground-floor retail component due to the need to have more retail options).

Rear Yard	15 feet	15 feet	20 feet
Side Yard	2 in/1 ft height but not less than 6 feet.	2 in/1 ft height but not less than 6 feet	15 feet
Parking	43 spaces	43 spaces	25 spaces
Loading			
Retail:	Retail:	Retail:	Retail:
Berth:	1 @ 30 feet deep	1 @ 30 feet deep	-
Platform:	1 @ 100 sf	1 @ 100 sf	-
Delivery:	None	None	-
Residential:	Residential:	Residential:	Residential:
Berth:	1 @ 55 feet deep	1 @ 55 feet deep	1 @ 55 feet deep
Platform:	1 @ 200 sf	1 @ 200 sf	1 @ 200 sf
Delivery:	1 @ 20 feet deep	1 @ 20 feet deep	1 @ 20 feet deep

E. Development Timetable

Development of the project will be done in three phases. Phase I of development will consist of constructing the new first floor retail on what is currently a vacant lot. Phase II will consist of relocating the existing tenants into the completed Phase I space, then demolition of the existing commercial space and construction of the second half of the first floor retail. Phase III will consist of construction of the residential floors above the first floor retail. The Applicant intends to begin Phase I construction in Fall 2014. The Applicant anticipates finishing Phase I and beginning Phase II construction by Spring of 2015. The Applicant anticipates beginning construction of Phase III in Summer 2015.

In response to questions of land use efficiency during construction raised by the Commission, the construction is intended to allow several of the existing retail tenants to continue operation throughout the construction process. Because of the short time frame of construction, with the Phase III residential component closely following the Phase I and Phase II commercial component, there should only be a very short period where the structure will be one story.

F. 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. The PUD regulations specifically allow the Zoning Commission to approve any zoning relief that would otherwise require the approval of the Board of Zoning Adjustment. Relief is required from the requirements regarding off-street parking (§2101.1) and off-street loading (§2201.1).

While the Applicant initially requested special exception relief from the roof structure requirements (§411), the Applicant worked closely with its architects to respond to the Zoning Commission's request to reduce the size of the penthouse in order to comply with all penthouse setback requirements. Thus, relief for the penthouse is no longer requested. The programming of the penthouse has been amended to meet the roof structure requirements of §411.1, with all indoor space containing uses accessory to the outdoor recreational uses.

i. Off-street parking (§2101.1)

Pursuant to §2101.1, the parking requirement at the Property is 43 spaces.² The Applicant is providing 25 spaces. Thus, the Applicant is requesting relief pursuant to §2405.6. The Applicant analyzed the feasibility of constructing a single below-grade level of parking and unequivocally confirmed that it is not a viable option. Providing underground parking results in a substantial cost of construction per parking space. Due to the desire to provide affordable housing units at the size and cost desired by the District, no underground parking can be provided.

The parking relief requested will serve as a benefit to the public good in the form of additional, and more appropriately sized, affordable residential units. The proposed project replaces an underutilized space with much needed affordable residential units of ample size and ground floor retail. Providing additional parking would result in substantially higher construction costs, which would have to be passed

² (1 space/3 dwelling units) x 85 units = 28 spaces. (1 space/750 sq. ft. > 3000 sq. ft) for 14,141 square feet = 15 spaces. 28 residential spaces + 15 commercial spaces = 43 parking spaces required.

on to residents in the form of higher rental rates. The project maximizes the parking at the rear of the site and the pervious pavement will greatly improve stormwater management at the Property relative to the existing impervious concrete. In addition, by providing 30 secure bicycle spaces and 24 spaces in bicycle racks external to the building, the Applicant is exceeding the number of bicycle spaces required by the Bicycle Commuter and Parking Expansion Act of 2007.

In response to the Commission's question about utilization of the 25 parking spaces provided, the on-site parking will be signed for short-term (one-hour) parking from 8:00 am to 6:00 pm and will revert to permit parking for residents during the overnight hours from 6:00 pm to 8:00 am. Approximately five parking spaces may be designated during daytime hours for permit parking for retail tenants and/or property management.

ii. Off-street loading (§2201.1)

The Applicant is requesting flexibility from the loading access provisions and requirement to provide a second loading berth, platform and delivery space for the retail portion of the project. The Applicant is providing the required loading facilities, including a 55-foot loading berth, 200 square foot loading platform and 20-foot delivery space, for the residential use. Section 2201.1 requires second 30-foot loading berth for the retail portion of the project. The loading design will require relief from the access provisions in §2204. The proposed loading facilities will be more than adequate to satisfy the loading needs of the project. The Zoning Commission has the authority to grant this flexibility pursuant to §2406.6 of the Zoning Regulations.

On-street loading to serve the site will eliminate the need for an additional curb cut and adequately address the low scale service needs. The loading area will be located along Barnaby Street adjacent to the trash room, residential service elevator, and back-of-house staging area for the retail units. The loading area is planned to occupy the curb space currently used as a Metrobus stop. It is anticipated that the existing Metrobus stop would be relocated approximately 50 feet toward Wheeler Road, closer to

the location of the existing curb cut that will be abandoned. Street parking will not be impacted and loading will not impact parking and vehicular use of the alley.

III. PLANNING ANALYSIS

A. Introduction

Through the PUD process, the Applicant will create an attractive, well-designed, mixed-use project that provides significant amounts of affordable housing for families and retail uses in furtherance of numerous policies of the Comprehensive Plan. The Applicant plans to build a new, family-friendly community of affordable, workforce housing in place of the existing distressed and deteriorating commercial strip mall. The Applicant seeks a rezoning from C-1 to C-2-B in order to achieve the appropriate urban density and corresponding public benefits on the site.

B. Land Use Impact

The proposed PUD project is consistent with the District's planning goals for the future of this area. The proposed PUD project will dramatically improve the appearance and function of the site as well as provide a number of benefits to the surrounding neighborhoods including the following:

1. Improved safety and reduced crime through additional "eyes on the street";
2. Aesthetic enhancement of existing structure and surrounding public space;
3. Larger more active, stable community through introduction of 85 residential units;
4. More efficient pedestrian circulation;
5. Environmentally sensitive building practices and stormwater management;
6. Maintenance of existing tenants plus additional new retail options;
7. Improved alley lighting; and
8. Accessible business center improving productivity of residents.

The land use impact of the project will have a substantial positive effect due to the new high quality residential units, the availability of neighborhood serving retail, and improved streetscape for the surrounding community.

C. Zoning Impact

The revised Zoning Map Amendment application can be granted without adversely affecting nearby and adjacent Zone districts. The Zoning Map Amendment that is associated with the PUD project seeks to rezone the Subject Property from the C-1 District to the C-2-B District. Furthermore, the Applicant's development will comply with C-2-B matter of right FAR, at 3.4 with 3.5 permitted. And despite 90 feet being permitted under a C-2-B PUD, the project proposed to extend only 3 feet beyond the matter of right height for a C-2-B zone.

The proposed C-2-B District is consistent with the Future Land Use Maps designation of the Property as Low Density Commercial when viewed in connection with the Generalized Policy Map, which designates the Property as a Neighborhood Commercial Center, and the various elements, policies, and goals of the Comprehensive Plan.

IV. EVALUATION STANDARDS

Section 2403 of the Zoning Regulations provides the standards for evaluating a PUD application. In deciding a PUD application, the Commission is required to "judge, balance, and reconcile the relative value of the project amenities and public benefits offered, the degree of development incentives requested, and any potential adverse effects according to the specific circumstances of the case." 11 DCMR §2403.8. In order to approve a PUD application, the Commission must find that the impact of the project on the surrounding area is either favorable, capable of being mitigated, or acceptable given the quality of the public benefits in the project. 11 DCMR §2403.3.

Section 2403.9 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 applicants greater flexibility in planning and design than may be possible under matter-of-right zoning.

A. Housing and Affordable Housing

Pursuant to §2403.9(f) of the Zoning Regulations, the PUD guidelines state that the production of housing and affordable housing is the public benefit that the PUD process is designed to encourage. This project will create approximately 85 residential units, all of which will be affordable to families earning at or below 60% of the area median income (AMI). Depending on the availability of financing, up to 16 units may be affordable to families earning at or below 60% AMI. All units will be 3-bedroom, 2-bedroom, or 1-bedroom units. Given the current strong interest in the production of affordable housing in the District of Columbia, particularly larger units suitable for families, this is a significant amenity and public benefit. The unit-mix will be as follows:

<u>Number of Units Provided</u>	<u>Description</u>
30	1-bedroom units
35	2-bedroom units
20	3-bedroom units

The affordable housing shortage in the District of Columbia, particularly in the last decade, has been very well documented. The Washington Business Journal recently reported that the District is one of the least affordable housing markets in the country and is the most expensive among 30 major metropolitan areas.³ Furthermore, a recent survey by the local chapter of the Urban Land Institute, an international real estate research group, found that 89 percent of 117 respondents regarded the region's

³ Wei, Wei. *D.C. Named Least Affordable Market in Country*. March 26, 2013. Washington Business Journal.

affordable housing problem as “very severe” or “somewhat severe.” Primary concerns cited for bringing down housing costs included the danger of forcing workers to live further from their jobs, a lack of socioeconomic equity, possible negative effects on business attraction, and limited housing choices in safe neighborhoods.⁴ Furthermore, the additional residential units also help address the well-documented shortage of housing generally in the Washington D.C. area.⁵

Moreover, the vast majority of affordable units being created are small and unsuitable for larger families. Advocates for low and moderate income persons seeking to acquire quality housing, build assets for families through homeownership, revitalize distressed neighborhoods, and preserve racial and ethnic diversity have documented the District’s affordable housing needs. These needs include creating larger units for families. The District’s Inclusionary Zoning program has been critiqued because unit sizes are determined by the make-up of market-rate units in a given development. Thus, inclusionary zoning units are typically studios and one-bedrooms rather than the larger units needed.⁶ The Applicant, in response to hearing this critique from several sources, has modified the plans over three times prior to submission of this application to address this need. In so doing, this PUD application, by providing affordable units of a larger size with a greater number of two- and three-bedroom units, helps fill the void created by the District’s current affordable housing programs. Furthermore, the project provides high-quality amenities and mixed-use retail components that are commonplace for market rate projects but are seldom seen in 100% affordable projects such as this one.

⁴ O’Connell, Jonothan. *In survey, Washington’s real estate industry sees “severe” affordable housing shortage.* October 30, 2013. Washington Post.

⁵ Over the next 20 years the Washington metropolitan area will need 700,000 new housing units by 2030, or roughly 36,500 each year to keep up with predicted population growth. However, if the pace of construction over the last 20 years continues, at roughly 28,000 new housing units per year, the region would only add about $\frac{3}{4}$ that much. Artemel, Agnes and Sturtevan, Lisa. *Washington’s Economic Future Depends on More Housing.* October 17, 2012. Greater Greater Washington. Found at: <http://greatergreaterwashington.org/post/16470/washingtons-economic-future-depends-on-more-housing/>.

⁶ Scruggs, Sarah. *Inclusionary Zoning Ownership: Lessons for the District from Comparable Cities.* July 2013.

B. Urban Design, Architecture, Landscaping or Creation of Open Spaces

Section 2403.9(a) lists urban design and architecture as categories of public benefits and project amenities for a PUD. As shown in the detailed plans, elevations, and sections included in Exhibit A, the proposed project exhibits all of the characteristics of exemplary urban design and architecture. The massing, height, and articulation of the buildings have been carefully studied to create a project that provides new housing and retail opportunities for the District, yet also respects the nearby lower density residential uses. The building will be constructed out of high quality materials with extensive use of brick and tile and accented with ribbed metal and a glass curtain wall. The Applicant will use three types of porcelain tile and other durable materials chosen for their longevity and simple, inexpensive maintenance. *See Materials Boards at Exhibit A.*

The careful use of open commercial retail windows facing Wheeler Road will provide for an engaging and active street level experience. In addition, the dilapidated, fenced-off concrete area on the Property beyond the building restriction line, suffering from years of deferred maintenance, will become a well-maintained amenity available to the public. Furthermore, the existing vacant lot will be developed with an artist's mural facing the alley frequently trafficked by customers of the retail uses. The green roof on top of the second story, facing a residential building to the rear of the site, will provide an aesthetic improvement as well as enhanced stormwater management, moderation of the urban heat island effect, and improved air quality. Residents will also benefit in the form of energy efficiency and noise reduction.

C. Site Planning and Efficient and Economical Land Uses

Pursuant to §2403.9(b) 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 creation of a mixed-use project on the Property, with housing and retail uses, is an example of appropriate site planning and efficient and economical land use based on its ideal corner location on Wheeler Road. Given the width of Wheeler Road and the existing commercial zoning, it is appropriate to

have this level of density and building height on the site as proposed in this PUD project. Furthermore, the site plan and proposed design was significantly impacted by the financing restrictions articulated by DHCD and DCHA for more family size and ADA compliant units requiring modification. The Type A and Type B units permit for aging in place but require ADA access throughout not just the building but each individual unit layout as well.

D. Effective and Safe Vehicular and Pedestrian Access

The Zoning Regulations, pursuant to §2403.9(c), state that “effective and safe vehicular and pedestrian access” can be considered public benefits and project amenities. Vehicular access to the site has been carefully studied and designed to minimize the potential for pedestrian and vehicular conflicts. Parking along the alley will allow for vehicles to safely and efficiently access the parking spaces without impeding pedestrian traffic flow. The pedestrian experience will be enhanced with improved alley lighting, sidewalks and a well-maintained public space available to local residents.

As indicated in the Traffic Impact Study attached hereto as Exhibit C, the proposed development will not have an adverse impact on existing or future traffic conditions and will, in fact, positively affect traffic operations in the area. As described in detail in the Traffic Impact Study, the Applicant proposes several TDM measures as a public amenity, many of which are above and beyond what is expected from DDOT:

- During construction, maintain or coordinate relocation of any existing bus stops at the developer’s expense.
- The development is planned to include 30 secure bicycle parking spaces and 24 spaces in bicycle racks external to the building. This is greater than the 5 bicycle spaces as required by zoning regulations.
- Identify a project’s TDM Leader (for planning, construction, and operations). Provide DDOT/Zoning Enforcement with annual TDM Leader contact updates.
- A TransitScreen will be installed in the lobby of the apartment buildings to keep residents and visitors informed on all available transportation choices and provide real-time transportation updates. In addition, the TDM Leader will make printed materials related to local transportation alternatives available to residents and employees upon request and at move-in for new tenants.

- Provide an on-site business center to residents with access to copier, fax, and internet services.
- Provide location for future Bikeshare Program Station.
- An enhanced bus shelter will be provided at the existing bus stop on the project's site on Barnaby Street.

E. Environmental Benefits

The Applicant is committed to creating an environmentally sensitive and sustainable development. The PUD project is designed to meet or exceed the Enterprise Green Communities Criteria. A preliminary Enterprise Green Communities Criteria checklist is included in Exhibit A. The Enterprise Green Communities Criteria are a framework for comprehensive green building practices, which are applicable to affordable housing. Guiding principles include cost-effect and proven green development approaches that deliver significant health, economic, and environmental benefits. Benefits include integrative design; location and neighborhood fabric to ensure compliance with smart growth principles, access to flex space, and access to fresh, local food; site improvements requiring low-impact design and other stormwater management benefits; water conservation; energy efficiency; environmentally sensitive materials; healthy living environments; and environmentally sensitive operations and maintenance.

The design of the proposed structure carefully implements several environmentally friendly and energy efficient elements. The project includes a new stormwater filtration system, an efficient irrigation system and reuse of water, green roofs, and installation of new street trees and flower plantar boxes. Building construction materials include low energy tinted glass, thermal rated doors, use of recycled materials, LED and fluorescent lighting, an HVAC system with a high seasonal energy efficiency ratio (SEER), and a high efficiency elevator. Pervious pavement will be provided in the parking areas and the athletic track will be made of recycled rubber tires. Building and unit interiors include water saving bath and kitchen fixtures, smart power meters, LED/fluorescent lighting and smart lighting controls, and low & zero volatile organic compound (VOC) paints, energy star rated appliances and water heaters.

F. Uses of Special Value

According to §2403.9(i), “uses of special value to the neighborhood or the District of Columbia as a whole” are deemed to be public benefits and project amenities. Even prior to the filing of this PUD and Zoning Map Amendment, WBG met with leaders of the neighboring Congress Heights and Ward 8 residential and business communities. As this case moves toward a public hearing, the Applicant will continue to engage with these stakeholders in providing appropriate amenities. During this process, the Applicant has requested input from community residents as to what the community amenities and project benefits should include for this PUD project and has made modifications in response to the feedback.

Uses of special value include:

- Maintaining existing retail and creation of new neighborhood serving retail;
- Working with community-building groups, including the Ward 8 Workforce Development Council (WDC), the United Planning Organization (UPO), and the Opportunities Industrialization Center (OIC/DC), providing free access to Wi-Fi and other tech resources; a conference room for job training, resume workshops, and professional practice sessions on site to facilitate the upward mobility of the residents of Congress Heights and Ward 8;
- Providing a Business Center for residents; and
- Promoting a “heart-healthy” lifestyle by installation of an outdoor track and play room available for low and moderate income tenants who may not be able to afford day care and gym memberships.

The Applicant has carefully planned the construction process to maintain several of the existing retail tenants, if possible, without the need for temporary relocation or loss of amenities.

G. Revenue for the District

Section 2403.9(i) states that “uses of special value to the neighborhood or the District of Columbia as a whole” are deemed to be public benefits and project amenities. The creation of approximately 85 new households and approximately 14,241 square feet of retail space will result in the generation of significant additional tax revenues in the form of real estate, income, sales, use and employment taxes for the District.

H. Advancement of Objectives of the Comprehensive Plan

According to §2403.9(j), public benefits and project amenities include “other ways in which the proposed planned unit 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 PUD is consistent, with and furthers many additional elements and goals of, the Comprehensive Plan.

I. Public Benefits of the Project

Sections 2403.12 and 2403.13 require the Applicant to show how the public benefits offered are superior in quality and quantity to typical development of the type proposed. This PUD project will include many, if not all, of the attributes of PUD projects that have been recently approved by the Zoning Commission, including:

- Business resources and space for workforce development programs to facilitate the upward mobility of the residents of Congress Heights and Ward 8;
- Affordable housing;
- Smart growth mixed-use development;
- Ground floor neighborhood-serving retail establishments;
- Green building and stormwater management practices;

- Streetscape improvements include new retail windows, a new bus shelter, bike racks, and enhanced sidewalk; and
- Exemplary architecture.

J. Social Services/Employment and Training Opportunities

The Applicant will be working with several partners to provide social services as well as employment and training opportunities to residents. The Applicant is working with Ward 8 Workforce Development Council, providing them free access to Wi-Fi; a conference room for job training, resume workshops, professional practice sessions on site; and a venue to promote, elevate, and help the upward mobility of the residents of Congress Heights and Ward 8. *See* Letter of Support from Ward 8 Workforce Development Council at Exhibit D. The Applicant is also working with the United Planning Organization (UPO), a community action agency, and has invited them to provide workforce training and housing counseling services. *See* Letter of Support United Planning Organization at Exhibit E. Furthermore, the Applicant intends to work closely with the Opportunities Industrialization Center (OIC/DC), a Post-Secondary Education Institution for non-degree students providing literacy, occupational skills training, job readiness, placements services, and strength based case management services to hundreds of DC residents facing barriers to employment. The Applicant intends to provide OIC/DC with space once each month to operate its programs, which focus on occupational skills training and job placement for disadvantaged youths and adults, ages 14 and above.

In sum, the Applicant's ambitious public benefit package is far more substantial in both quality and quantity to typical developments of the type proposed.

V. COMPLIANCE WITH THE COMPREHENSIVE PLAN

As described in detail in the PUD application, the proposed project is consistent with the Generalized Policy Map, Future Land Use Map, and Comprehensive Plan, including the citywide elements and Small Area Plan.

A. Generalized Policy Map and Future Land Use Map

The Comprehensive Plan's Generalized Policy Map, which categorizes how different parts of the District may change between 2005 and 2025, *see* 10 DCMR §223.1, designates the Property as a Neighborhood Commercial Center. A Neighborhood Commercial Center is designed to “meet the day-to-day needs of residents and workers in the adjacent neighborhoods.” Typical uses, including convenience stores, small food markets, dry cleaners, hair cutting, child care, and small office spaces, generally have a service area of roughly a mile. 10 DCMR §223.15. The existing barber shop and sandwich shop are utilized regularly by the local community. In addition to providing affordable housing, the requested Map Amendment and PUD will allow retention of the existing retail while bringing additional neighborhood serving retail stores to help meet the day-to-day needs of neighboring residents. The commercial space will not only serve the existing community but also allow the residents of the units, designed to be suitable for moderate-income families, the elderly and the physically disabled, easy access to retail options. Such improvements bring use of the Property into conformity with the Neighborhood Commercial Center designation.

The Future Land Use Map designates the Property as an isolated Low Density Commercial area. While the Low Density Commercial designation lists zone districts that generally correspond to that designation, 10 DCMR §225.8 specifically states that “other districts may apply.” Permitting the C-2-B District is not inconsistent with the Low Density Commercial designation, particularly because the Future Land Use Map is “not a zoning map” and is “to be interpreted broadly” in conjunction with the text of the Comprehensive Plan, including the citywide elements and Small Area Plans. The C-2-B Zone District is not inconsistent with the Future Land Use Map when viewed in connection with the Commercial Neighborhood Center designation by the Generalized Policy Map discussed above. Furthermore, as more fully discussed in detail in Section V of this statement, the proposed C-2-B Zone District is consistent with various elements, policies, and goals of the Comprehensive Plan. In particular, the Small Area Plan for the Far Southeast and Far Southwest recognizes the need for infill housing development,

additional retail development, new commercial development and adaptive reuse of existing commercial buildings to provide improved commercial goods, and replacement of deteriorating structures with mixed-income housing including new apartments while avoiding displacement.

The Project, when considered in conjunction with the various elements of the Comprehensive Plan, is consistent with the Generalized Policy Map and Future Land Use Map.

B. Land Use Element

The Land Use Element of the Comprehensive Plan includes the following policies:

Policy LU-1.4.1: Infill Development. Encourage infill development on vacant land within the city, particularly in areas where there are vacant lots that create “gaps” in the urban fabric and detract from the character of a commercial or residential street. Such development should complement the established character of the area and should not create sharp changes in the physical development pattern. 307.5

Policy LU-1.4.2: Long-Term Vacant Sites. Facilitate the reuse of vacant lots that have historically been difficult to develop due to infrastructure or access problems, inadequate lot dimensions, fragmented or absentee ownership, or other constraints. Explore lot consolidation, acquisition, and other measures which would address these constraints. 307.6

Policy LU-1.4.3: Zoning of Infill Sites. Ensure that the zoning of vacant infill sites is compatible with the prevailing development pattern in surrounding neighborhoods. This is particularly important in single family and row house neighborhoods that are currently zoned for multi-family development. 307.7

Policy LU-2.1.2: Neighborhood Revitalization. Facilitate orderly neighborhood revitalization and stabilization by focusing District grants, loans, housing rehabilitation efforts, commercial investment programs, capital improvements, and other government actions in those areas that are most in need. Use social, economic, and physical indicators such as the poverty rate, the number of abandoned or substandard buildings, the crime rate, and the unemployment rate as key indicators of need. 309.7

Policy LU-2.1.14: Planned Unit Developments in Neighborhood Commercial Corridors. Consider modifying minimum lot size and other filing and procedural (but not height and density) requirements for Planned Unit Developments (PUDs) for neighborhood commercial areas for the purpose of allowing small property owners to participate in projects that encourage high quality developments and provide public benefits. 309.18a

Policy LU-2.2.4: Neighborhood Beautification. Encourage projects which improve the visual quality of the District’s neighborhoods, including landscaping and tree planting, façade improvement, anti-litter campaigns, graffiti removal, improvement or removal of abandoned buildings, street and sidewalk repair, and park improvements. 310.5

Policy LU-2.4.1: Promotion of Commercial Centers. Promote the vitality of the District’s commercial centers and provide for the continued growth of commercial land uses to meet the needs of District residents, expand employment opportunities for District residents, and sustain the city’s role as

the center of the metropolitan area. Commercial centers should be inviting and attractive places, and should support social interaction and ease of access for nearby residents. 312.5

The Comprehensive Plan indicates that “[b]ecause the Land Use Element integrates the policies and objectives of all other District Elements, it should be given greater weight than the other elements as competing policies in different elements are balanced. 10 DCMR 300.3. The Land Use Element prioritizes addressing the demand for housing and jobs, as well as the renewed popularity of city living by refurbishing and replacing the city’s aging building stock. 10 DCMR 300.4.

The Comprehensive Plan recognizes that District neighborhoods on the east side of the city “lack well-defined centers or have centers that struggle with high vacancies and a limited range of neighborhood-serving businesses,” 10 DCMR 312.2, and recommends that “[e]stablished centers should be expanded in areas where the existing range of goods and services is insufficient to meet community needs.” 10 DCMR 312.6 (emphasis added). In response, the Comprehensive Plan suggests the following:

Greater efforts must be made to attract new retail uses to these areas by improving business conditions, upgrading storefronts and the street environment, and improving parking and pedestrian safety and comfort. The location of new public facilities in such locations, and the development of **mixed use projects that include upper story housing**, can encourage their revival. 10 DCMR 312.2 (emphasis added).

The proposed PUD project will certainly serve as an anchor for further economic and civic development of the Congress Heights and Washington Highlands neighborhoods. The creation of high quality mixed-use development is an important economic generator that also has the opportunity to minimize adverse impacts on the surrounding community. While Section 312.2 emphasizes retail, it also recognizes the struggle with high vacancy in Ward 8. Despite other struggling centers, the existing retail tenants at the Property are solid businesses that benefit the existing community and should be preserved and supported as this project proposes. The creation of 14,241 square feet of new and existing retail uses provides both economic and civic benefits that are uncommon in 100% affordable projects. The density requested by the map amendment allows the Applicant to provide much needed neighborhood-serving retail with residential on top. The creation of 85 new family-oriented residential units provides the

opportunity for new residents to come to the neighborhood and for existing residents to remain in their neighborhood.

Through infill development, the Applicant will reuse a vacant lot and fill a gap in the urban fabric that is currently detracting from the character of the neighborhood. The project will revitalize the neighborhood while facilitating the continued growth of commercial land uses to meet the daily needs of local residents. The Applicant is partnering with several community-building organizations to help expand employment opportunities and provide other services for residents and the broader community nearby. Furthermore, the project will improve the visual quality of the neighborhood through high quality redevelopment and proper landscaping, tree planting, and sidewalk repair.

C. Transportation Element

The Transportation Element of the Comprehensive Plan includes the following policies:

T-2 Multi-Modal Transportation Choices. The District has one of the most balanced transportation systems in the country. It is ranked second only to New York in terms of the percentage of residents who take public transportation, and second only to Boston in the percentage who walk to work. Thirty-seven percent of the District's households have no automobile. Providing transportation choices that are more efficient and environmentally friendly than driving such as walking, bicycling, and public transit is a key goal of the Comprehensive Plan. 406.1

Action T-2.1.D: Bus Stop Improvements. Improve key bus stop locations through such actions as: Extending bus stop curbs to facilitate reentry into the traffic stream; Moving bus stops to the far side of signalized or signed intersections where feasible; Adding bus stop amenities such as user-friendly, real-time transit schedule information; Improving access to bus stops via well-lit, accessible sidewalks and street crossings; and Utilizing GPS and other technologies to inform bus riders who are waiting for buses when the next bus will arrive. 407.26

Action T-2.1.H Transit Amenities. Seek opportunities to dedicate space in the right-of-way for surface transit amenities, such as bus stops, signage, and shelters. Follow best practices in bus-stop siting (most often on the far side of an intersection) yet evaluate each case on an individual basis. Consider opportunities for enhanced stops and amenities with large-scale developments and redevelopments. 407.30

T-2.3 Bicycle Access, Facilities, and Safety. While existing conditions provide a firm foundation for bicycling, many parts of the city are not as bicycle-friendly as they should be. Many parts of the city have no bicycle facilities at all and many workplaces and other destinations have no facilities for storing or locking bicycles. 409.4

Policy T-2.3.2: Bicycle Network. Provide and maintain a safe, direct, and comprehensive bicycle network connecting neighborhoods, employment locations, public facilities, transit stations, parks and other key destinations. Eliminate system gaps to provide continuous bicycle facilities. Increase dedicated

bike-use infrastructure, such as bike-sharing programs like Capital Bikeshare, and identify bike boulevards or bike-only rights of way. 409.9

Action T-2.3.A: Bicycle Facilities. Wherever feasible, require large new commercial and residential buildings to be designed with features such as secure bicycle parking and lockers, bike racks, shower facilities, and other amenities that accommodate bicycle users. 409.11

Action T-2.3.D: Bicycle Sharing. Support the expansion of bicycle sharing kiosks throughout the District to develop a complete bicycle-sharing network and encourage bicycling. 409.14

As indicated in the Traffic Impact Study attached hereto as Exhibit C, the proposed development will have a positive impact on traffic. As described in detail in the Traffic Impact Study, the Applicant proposes several TDM measures as a public amenity, many of which are above and beyond what is expected from DDOT. The Applicant, as part of the project, will provide an enhanced corner bus shelter on Barnaby Street and will improve and repair the sidewalk in front of the building. The development will include 30 secure bicycle parking spaces and 24 bicycle rack spaces. The Applicant will identify a project TDM Leader for planning, construction, and operations and to provide DDOT/Zoning Enforcement with annual TDM Leader contact updates. A TransitScreen will be installed in the residential lobby to keep residents and visitors informed on all available transportation choices and provide real-time transportation updates. The Applicant is working with DDOT to provide a Bikeshare Station at the Property.

D. Housing Element

The Comprehensive Plan's Housing Element includes the following policies that are supported by this project.

H-1.1 Expanding Housing Supply 503

Expanding the housing supply is a key part of the District's vision to create successful neighborhoods. Along with improved transportation and shopping, better neighborhood schools and parks, preservation of historic resources, and improved design and identity, the production of housing is essential to the future of our neighborhoods. It is also a key to improving the city's fiscal health. The District will work to facilitate housing construction and rehabilitation through its planning, building, and housing programs, recognizing and responding to the needs of all segments of the community. The first step toward meeting this goal is to ensure that an adequate supply of appropriately zoned land is available to meet expected housing needs. 503.1

Policy H-1.1.1: Private Sector Support. 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. 503.2

Policy H-1.1.3: Balanced Growth. Strongly encourage the development of new housing on surplus, vacant and underutilized land in all parts of the city. Ensure that a sufficient supply of land is planned and zoned to enable the city to meet its long-term housing needs, including the need for low- and moderate-density single family homes as well as the need for higher-density housing. 503.4

Policy H-1.1.4: Mixed Use Development. Promote mixed use development, including housing, on commercially zoned land, particularly in neighborhood commercial centers, along Main Street mixed use corridors, and around appropriate Metrorail stations. 503.5

H-1.2 Ensuring Housing Affordability 504

The District of Columbia faces numerous affordable housing challenges. It has both a disproportionate share of the region's poorest residents and the region's most rapid decline in the availability of housing to serve these residents. . . . Even neighborhoods east of the Anacostia River experienced double digit inflation [between 1999 and 2004]. . . . Economic forecasts suggest that many of the jobs that will be created in the District during the next 20 years will not provide the compensation needed to pay for housing in the city. . . . The District has been working to protect the affordability of existing housing opportunities for lower income residents and to ensure that a substantial share of the housing built in the next 20 years is affordable to District residents. 504.1-4

Policy H-1.2.1: Affordable Housing Production as a Civic Priority. Establish the production of housing for low and moderate income households as a major civic priority, to be supported through public programs that stimulate affordable housing production and rehabilitation throughout the city. 504.6

Policy H-1.2.2: Production Targets Consistent with the Comprehensive Housing Strategy, work toward a goal that one-third of the new housing built in the city over the next 20 years should be affordable to persons earning 80 percent or less of the area-wide median income (AMI). 504.7

Policy H-1.2.7: Density Bonuses for Affordable Housing. Provide zoning incentives to developers proposing to build low- and moderate-income housing. Affordable housing shall be considered a public benefit for the purposes of granting density bonuses when new development is proposed. 504.14

Action H-1.2.A: Inclusionary Zoning. Adopt an Inclusionary Zoning requirement which would require the inclusion of affordable units for low income households in new residential developments of 10 units or greater, with accompanying provisions for density bonuses and long-term affordability. Apply this requirement as fairly and uniformly as possible, providing flexibility as necessary for sites where density bonuses cannot feasibly be provided. 504.18

H-1.3 Diversity of Housing Type 505

As this trend continues, the District faces the prospect of a less diverse housing stock, with a growing share of one- and two-bedroom multi-family units and a declining share of housing large enough for families with children. In addition to the newly built housing, the conversion of single

family row houses into multiunit flats may be further eroding the supply of three and four bedroom units in the city. 505.2

Policy H-1.3.1: Housing for Families. Provide a larger number of housing units for families with children by encouraging new and retaining existing single family homes, duplexes, row houses, and three- and four-bedroom apartments. 505.6

H-2.2 Housing Conservation and Maintenance 510

[H]ousing conservation programs are particularly important for the District's seniors (residents 65 years old and above), many of whom are on fixed incomes. 510.2

H-4.2 Meeting the Needs of Specific Groups 516

Seniors. In 2000, there were 70,000 District residents over 65, including 8,500 residents over 85. As the baby boom generation matures and as average lifespan increases, the population of seniors in the District is expected to increase dramatically. At the national level, the Census projects the number of senior citizens will increase by 104 percent between 2000 and 2030—almost four times the rate of the population at large. There will be a need for a broad range of senior living environments, serving residents across the income spectrum. This will be accompanied by a need for new programs, ranging from those that help seniors “**age in place**” through home retrofits to those that provide on-site nursing and health care in a congregate environment. As already noted, higher levels of assistance will be required to help senior homeowners on fixed incomes and to protect elderly renters from displacement. 516.2

Persons with Disabilities. A disproportionately large share of the region's disabled population resides in the District of Columbia. While the city is home to just 12 percent of the region's total population, it is home to 34 percent of its low income disabled adults. In 2000, the District was home to 82,600 disabled adults—amounting to over 20 percent of its working age population. Many of these adults are unable to work due to mental or physical handicaps, and a quarter of them earned incomes below the poverty line. The number of housing units specifically designed for persons with disabilities, particularly units in facilities with services to help cope with these disabilities, is far short of the actual need. 516.3

Policy H-4.2.2: Housing Choice for Seniors. Provide a wide variety of affordable housing choices for the District's seniors, taking into account the income range and health-care needs of this population. Recognize the coming growth in the senior population so that the production and rehabilitation of publicly-assisted **senior housing that meets universal design standards** becomes a major governmental priority. Acknowledge and support the establishment of Senior Villages throughout the city that allow seniors to remain in their homes and age in-place. 516.8

Policy H-4.2.3: Neighborhood-Based Senior Housing. Encourage the production of multi-family senior housing in those neighborhoods characterized by large numbers of seniors living alone in single family homes. This will enable senior residents to remain in their neighborhoods and reduce their home maintenance costs and obligations. 516.9

Policy H-4.2.4: Barrier-Free Housing for the Disabled. Work toward a target of designing eight (8) percent of the new housing units added to the city's stock over the next 20 years specifically to meet the accessibility needs of persons with physical disabilities. These units should be spread evenly across affordability brackets. 516.10

Action H-4.2.A: Incentives for Retrofits. Create financial incentives for landlords to retrofit units to make them accessible to persons with disabilities, and to include units that are accessible in new housing construction. 516.15

Action H-4.2.B: Incentives for Senior Housing. Explore incentives such as density bonuses, tax credits, and special financing to stimulate the development of assisted living and senior care facilities, particularly on sites well served by public transportation. 516.16

The Project provides 85 additional units that are affordable to District residents and specifically designed to accommodate families, seniors, and those with disabilities. All of the affordable residential units are fully accessible Type “A” units or accessible Type “B” units to meet the needs of persons with disabilities. All units are capable of accommodating the needs of the elderly, and all of the Type “B” units are capable of quickly and easily being converted to Type “A” units, which allows residents to age in place. The requested FAR and Zone District correlates directly with the additional square footage needed to provide affordable units appropriate for families and accessible units that allow the District’s elderly and disabled residents to age in place.

E. Environmental Protection element

Policy E-2.1.1: Promoting Water Conservation. Promote the efficient use of existing water supplies through a variety of water conservation measures, including the use of plumbing fixtures designed for water efficiency, drought-tolerant landscaping, and irrigation systems designed to conserve water. 609.3

Policy E-2.2.1: Energy Efficiency. Promote the efficient use of energy, additional use of renewable energy, and a reduction of unnecessary energy expenses. The overarching objective should be to achieve reductions in per capita energy consumption by DC residents and employees. 610.3

Policy E-2.2.4: Alternative Energy Sources. Support the development and application of renewable energy technologies such as active, passive, and photovoltaic solar energy, fuel cells, and other sustainable sources. Such technology should be used to reduce the dependence on imported energy, provide opportunities for economic and community development, and benefit environmental quality. A key goal is the continued availability and access to unobstructed, direct sunlight for distributed-energy generators and passive-solar homes relying on the sun as a primary energy source. 610.6

Policy E-2.2.5: Energy Efficient Building and Site Planning. Include provisions for energy efficiency and for the use of alternative energy sources in the District’s planning, zoning, and building standards. The planning and design of new development should contribute to energy efficiency goals. 610.7

Policy E-3.1.1: Maximizing Permeable Surfaces. Encourage the use of permeable materials for parking lots, driveways, walkways, and other paved surfaces as a way to absorb stormwater and reduce urban runoff. 613.2

Policy E-3.1.2: Using Landscaping and Green Roofs to Reduce Runoff. Promote an increase in tree planting and landscaping to reduce stormwater runoff, including the expanded use of green roofs in new construction and adaptive reuse, and the application of tree and landscaping standards for parking lots and other large paved surfaces. 613.3

Policy E-3.1.3: Green Engineering. Promote green engineering practices for water and wastewater systems. These practices include design techniques, operational methods, and technology to reduce environmental damage and the toxicity of waste generated. 613.4

Policy E-3.2.1: Support for Green Building. Encourage the use of green building methods in new construction and rehabilitation projects, and develop green building methods for operation and maintenance activities. 614.2

Policy E-4.2.3: Control of Urban Runoff. Continue to implement water pollution control and “best management practice” measures aimed at slowing urban runoff and reducing pollution, including the flow of sediment and nutrients into streams, rivers, and wetlands. 619.8

The PUD project has several components that promote environmental protection and contribute to the District’s energy efficiency goals in a manner consistent with the Comprehensive Plan. The Applicant’s proposal exceeds the Green Area Ratio requirement. As stated above, the design of the proposed structure carefully implements several environmentally friendly and energy efficient elements. The project’s implementation of new stormwater management techniques as well as environmentally sensitive building construction materials and interior and exterior features enhance environmental quality and reduce energy consumption. An efficient irrigation system and reuse of water, green roofs, and installation of new street trees and flower plantar boxes aid stormwater management. Building construction materials include low energy tinted glass, thermal rated doors, use of recycled materials, LED and fluorescent lighting, an HVAC system with a high seasonal energy efficiency ratio (SEER), and a high efficiency elevator. Pervious pavements will be provided in the parking areas and the athletic track will be made of recycled rubber tires. Building and unit interiors include water saving bath and kitchen fixtures, smart power meters, LED/fluorescent lighting and smart lighting controls, and low & zero Volatile Organic Compounds (VOC) paints, energy star rated appliances and water heaters.

F. Economic Development Element

Policy ED-2.2.3: Neighborhood Shopping. Create additional shopping opportunities in Washington's neighborhood commercial districts to better meet the demand for basic goods and services. Reuse of vacant buildings in these districts should be encouraged, along with appropriately-scaled retail infill development on vacant and underutilized sites. Promote the creation of locally-owned, non-chain establishments because of their role in creating unique shopping experiences. 708.7

Policy ED-2.2.6: Grocery Stores and Supermarkets. Promote the development of new grocery stores and supermarkets, particularly in neighborhoods where residents currently travel long distances for food and other shopping services. Because such uses inherently require greater depth and lot area than is present in many commercial districts, adjustments to current zoning standards to accommodate these uses should be considered. 708.10

Policy ED-3.1.1: Neighborhood Commercial Vitality. Promote the vitality and diversity of Washington's neighborhood commercial areas by retaining existing businesses, attracting new businesses, and improving the mix of goods and services available to residents. 713.5

Policy ED-3.2.6: Commercial Displacement. Avoid the displacement of small and local businesses due to rising real estate costs. Programs should be developed to offset the impacts of rising operating expenses on small businesses in areas of rapidly rising rents and prices. 714.11

Action ED-3.2.A: Anti-Displacement Strategies. Complete an analysis of alternative regulatory and financial measures to mitigate the impacts of "commercial gentrification" on small and local businesses. Measures to be assessed should include but not be limited to income and property tax incentives, historic tax credits, direct financial assistance, commercial land trusts, relocation assistance programs, and zoning strategies such as maximum floor area allowances for particular commercial activities. 714.15

Policy ED-4.1.4: Adult Education. Increase and more effectively target resources for adult education and workforce development, vocational training, and technical training for unskilled adult workers. 716.9

Policy ED-4.2.3: Focus on Economically Disadvantaged Populations. Focus workforce development efforts on economically disadvantaged communities, particularly those with many unemployed or marginally employed residents. Assistance should also be focused on groups most in need, including persons with limited work skills, single mothers, youth leaving foster care, ex-offenders, and persons with limited English proficiency. 717.11

The proposed PUD Project promotes economic development in a manner consistent with the Comprehensive Plan, particularly the specific elements identified above. The Project's commercial space retains existing businesses at the site while attracting new businesses and improving the mix of goods and services available to nearby residents. Approval will allow infill development on an underutilized, partially vacant site, to better meet the demand for basic goods and services in the nearby area. By retaining existing commercial tenants, and improving the space in which they operate, these locally-owned, non-chain establishments are promoted and commercial displacement is avoided. Furthermore,

the Applicant intends to preserve the existing neighborhood-serving commercial uses, which prevents concerns regarding commercial gentrification and promotes diversified retail options. The Applicant will also help fulfill the District's workforce development goals by hosting several adult vocational and technical training programs in the residential business conference room for residents and neighbors. For the reasons stated, the project promotes the goals of the Comprehensive Plan's Economic Development Element.

G. Urban Design Element

The Comprehensive Plan's Urban Design element includes the following policies which are furthered by the PUD project:

Policy UD-2.2.5: Creating Attractive Facades Create visual interest through well-designed building facades, storefront windows, and attractive signage and lighting. Avoid monolithic or box-like building forms, or long blank walls which detract from the human quality of the street. (see Figure 9.12) 910.12

Policy UD-2.2.13: Urban Design Priorities Focus the District's urban design assistance efforts on neighborhoods where the original design character has been damaged by disinvestment, blight, and poor architecture. 910.24

Policy UD-3.1.7: Improving the Street Environment Create attractive and interesting commercial streetscapes by promoting ground level retail and desirable street activities, making walking more comfortable and convenient, ensuring that sidewalks are wide enough to accommodate pedestrian traffic, minimizing curb cuts and driveways, and avoiding windowless facades and gaps in the street wall. 913.14

The high levels of architectural design and quality of materials used in this project will serve as the standard for future development in the area. The creation of ground floor retail uses will encourage and foster pedestrian activity and support local businesses. Adding a corner bus depot will improve the street environment and providing space for a mural will create an attractive façade.

H. Far Southeast/Southwest Area Element

The proposed PUD and Zoning Map Amendment application is consistent with, and fosters numerous policies and action items enumerated in, the Comprehensive Plan. On April 8, 2011, the

Comprehensive Plan Amendment Act of 2010 (DC Law 18-0361) became effective. In this Law, the city Council made specific amendments to policies in the Far Southeast/Southwest Area element that specifically address the Property.

Policy FSS-1.1.4: Infill Housing Development Support infill housing development on vacant sites within the Far Southeast/Southwest, especially in Historic Anacostia, and in the Hillside, Fort Stanton, Bellevue, Congress Heights and Washington Highlands neighborhoods. 1808.5

Policy FSS-1.1.7: Retail Development Support additional retail development within the Far Southeast/Southwest, especially in Historic Anacostia, and in the neighborhood centers at Malcolm X/Martin Luther King Jr Avenue and South Capitol/Atlantic. Projects which combine upper story housing or offices and ground floor retail are particularly encouraged in these three locations. 1808.8

Policy FSS-2.6.1: Neighborhood Shopping Improvements Encourage new commercial development and adaptive reuse of existing commercial buildings in the South Capitol/Atlantic Streets commercial district. Development should provide improved commercial goods and services to the surrounding Bellevue and Washington Highlands neighborhoods. 1816.4

Policy FSS-2.6.3: Bellevue-Washington Highlands Infill Encourage refurbishment and/or replacement of deteriorating apartment complexes within Bellevue and Washington Highlands. Where buildings are removed, encourage their replacement with mixed income housing, including owner-occupied single family homes and townhomes as well as new apartments. Every effort shall be made to avoid resident displacement when such actions are taken, and to provide existing residents with opportunities to purchase their units or find suitable housing in the community. 1816.6

Furthermore, the Office of Planning's Washington Highlands Investment Plan, Resolution Number R17-0941, references the intersection of Wheeler Road and Barnaby Street as a commercial node and designates the property as a Retail Improvement Area. With regard to this and other commercial nodes, the Investment Plan states as a development strategy to, "[d]evelop merchants association or clean and safe team in commercial areas to improve safety, cleanliness, and build capacity among area businesses." It also states that these areas "still have major perception issues regarding their overall attractiveness and safety in addition to their ability to provide needed retail services. Local organizations could acquire NIF funds to apply techniques such as façade improvements, building infrastructure improvements, improvements to store interiors and improving merchandise displays, overall store cleanliness, and security in order to create more viable commercial districts."

The proposed PUD project and Zoning Map Amendment application are the embodiment of these policies. The Applicant is proposing a mixed-use project with residential above neighborhood-serving commercial. The massing and height of the buildings is respectful to the nearby lower scale residential uses and is within the matter of right density for the C-2-B Zone. The new commercial space, in conjunction with the residential above, creates an attractive and engaging street level experience along Wheeler Road as prescribed by the Far Southeast/Southwest Area Element of the Comprehensive Plan.

For these reasons, the C-2-B District is not inconsistent with the numerous policies, area elements, and goals of the Comprehensive Plan.

VI. COMMUNITY OUTREACH

The Applicant has done extensive outreach to the community. As provided in the initial application, the applicant has obtained a great deal of support including Councilmember Marion Barry and has obtained several additional Letters of Support from nearby residents, business owners, and the Congress Heights Main Streets. The Applicant has coordinated with ANC 8E and incorporated several community suggestions into the project. In addition, the Applicant has also obtained the support of several established community interest groups in Ward 8 including the Ward 8 Workforce Development Council, *see* Letter of Support from Ward 8 Workforce Development Council at Exhibit D, and the United Planning Organization (UPO), *see* Letter of Support United Planning Organization at Exhibit E.

VII. CONCLUSION

For the foregoing reasons, the Applicant submits that the consolidated PUD and Zoning Map Amendment applications meet the standards of Chapter 24 of the Zoning Regulations; are 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; satisfy the requirements for approval of a consolidated PUD and Zoning Map amendment; provide significant public benefits; and advance important goals and polices of the district of Columbia. Therefore, the consolidated PUD and Zoning

Map amendment application should be approved and adopted by the Zoning commission. Accordingly, the Applicant respectfully requests that the Zoning Commission set down this project for a public hearing.

Respectfully submitted,

GRIFFIN, MURPHY,
MOLDENHAUER & WIGGINS, LLP

By:

A handwritten signature in blue ink, appearing to read 'M. H. Moldenhauer', written over a horizontal line.

Meridith H. Moldenhauer
Eric M. Daniel
1912 Sunderland Place, N.W.
Washington, D.C. 20036
(202) 429-9000