



MEMORANDUM

TO: District of Columbia Zoning Commission

FROM: *JLS*
Jennifer Steingasser, Deputy Director
Development Review and Historic Preservation

DATE: June 19, 2015

SUBJECT: ZC #15-10 - Setdown Report - Consolidated PUD and Related Map Amendment from the C-M-1 District to the R-5-B District (Square 5197, Lot 809) (Deanwood Hills)

I. SUMMARY RECOMMENDATION

The Office of Planning recommends that the Zoning Commission set down for a Public Hearing Zoning Commission Case #15-10, a Consolidated PUD and related map amendment application for the “Deanwood Hills” townhouse development proposed in the Lincoln Heights Neighborhood.

The proposed R-5-B District and PUD would be not inconsistent with the maps and written elements of the Comprehensive Plan and the collaborative effort of the New Community Initiative (NCI) program in support of the Lincoln Heights-Richardson Dwelling Neighborhood¹.

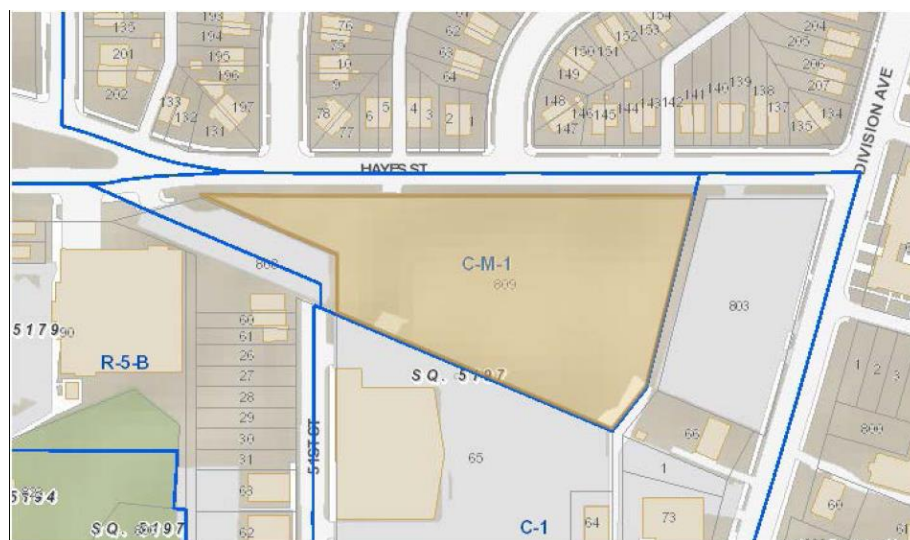
This project represents one of the key development activities currently underway as part of the neighborhood revitalization plan for Lincoln Heights, including “*the redevelopment of the Strand Theatre, 5201 Hayes Street and the submission of the US Department of Housing and Urban Development for approval of the future demolition and disposition of the Lincoln Heights property.*” The subject application is an off-site housing development project, which will be 100% funded through the Low Income Housing Tax Credit (LIHTC) program.

OP will continue to work with the applicant to provide any additional refinement to the project as the Commission may require, prior to the public hearing.

¹ <http://dcnewcommunities.org/lincoln-heights-development/>

II. LOCATION AND SITE DESCRIPTION

Address	5201 Hayes Street N.E.
Legal Description	Square 5197, Lot 809
Ward/ANC	7/ANC 7C
Lot Characteristics	The 93,540 square feet (2.1 acres) property is roughly triangular shaped with variable grade changes. The site slopes downward from Hayes Street to the rear of the site and down from east to west, with the least grade changes located in the area of the proposed parking for the units.
Zoning	The subject property is within the C-M-1 (Light Manufacturing) District and the remainder of the square is within the C-1 District. Some properties across Nannie Helen Burroughs Avenue at the rear are also within the C-1 District. To the west of the square, properties are within the R-5-B District and to the east, within the R-2 District. The proposed rezoning of the subject property to the R-5-B District would permit development of a multi-unit residential building, which would not be permitted under the C-M-1 District.
Existing Development	The lot is currently vacant. The site was formerly developed with a facility used for sorting and storage of bulk trash and recyclable material.
Adjacent Properties	The property is bounded by Hayes Street to the north, 51 st Street and a Rehab. And Wellness Center to the west, an accessory parking lot for the Tabernacle Baptist Church on the east and another church (Holy Christian Missionary Baptist Church) to the south, which fronts on Nannie Helen Burroughs Avenue.
Surrounding Neighborhood Character	The surrounding neighborhood is a mix of single-family detached and semi-detached homes, low and moderate density apartment homes and some religious institutions.



LOCATION AND ZONING MAP

III. APPLICATION-IN-BRIEF

Proposal: The applicant proposes to develop a four-story multi-family residential building with 150 units and 75 surface parking spaces on the vacant 2.1 acre parcel. (*See Project Description*)

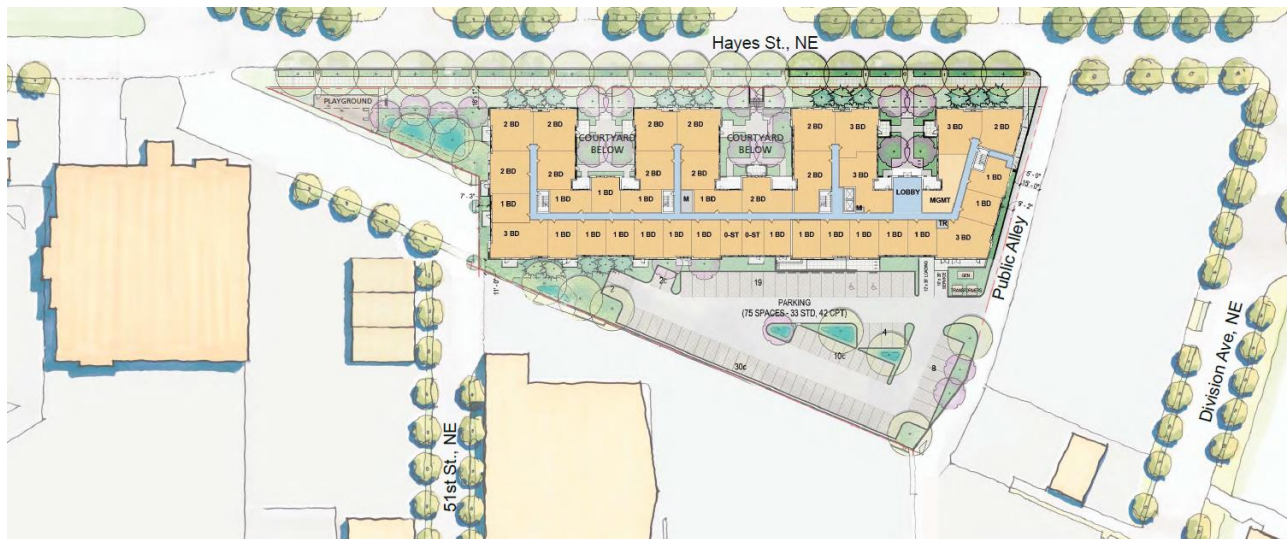
Relief and Zoning: Pursuant to 11 DCMR Chapter 24, the project would require approval for:
A related map amendment to the R-5-B District; and flexibility from the following requirements:

- Building Height (§ 2405.1)
- Side Yard (§ 405.6)
- Compact Parking Space (§ 2115.2)
- Loading (§ 2201)

IV. PROJECT DESCRIPTION

Design and Materials

The project site would be developed with a four-story, 150-unit apartment building with a partial basement. The building's height is proposed at 62 feet with a 1.63 FAR and 40% lot occupancy. The overall design follows the pattern of the grade change along Hayes Street, which is highest at the east end and lowest at the west end. Thus, the four story building steps down one level as it progresses along Hayes Street from east to west. (Exhibit 4A - Sheet A06)



SITE LAYOUT

The building would be set behind a 15-foot building restriction line and to help blend the new building into the neighborhood, the design appears as four sections as seen from Hayes Street, each separated by an open court (Exhibit 4A1-Sheet G11). A unified structure at the rear, binds the four sections along the full length of the building. Within this configuration, approximately 66 of the units would front on Hayes Street. The units at the opposite side of the double-loaded corridor would face the rear and side yards of the property. This design also evenly allocates the massing along Hayes Street, complementary to the scale of the residences to the north of Hayes

Street. The landscaped front yard and intermittent courtyards are intended to enhance the pedestrian experience along the street. The lower level units which would front on Hayes Street would have direct access from the street through the courtyard. Units which would face the side yards and the rear on the lower level would be equipped with decks for passive recreation. (Exhibit 4A2 –Sheet A16-A17)



A: Transverse Section



B: Transverse Section



Grade Changes and Building Height

Exterior elevations are proposed as a combination of fiber cement siding, masonry and metal (Exhibit 4A2- Sheet A18). Projecting masonry bays maintain a rhythm on four sides of the building, as it would be visible from both Division Avenue to the east and Nannie Helen Burroughs Avenue to the south. Sunshades, balconies and juliet balconies would be included to enhance the building's residential character along Hayes Street and would also serve as functional amenities of the design. Hayes Street would also benefit from proposed streetscape improvements, including a new 8-foot wide sidewalk, tree boxes, street lighting, planting of large shade trees and permanent street furniture.

OP has been advised by the Metropolitan Police Department (MPD) that security lighting and cameras should now be installed around the perimeter of all new development in the District to assist the MPD in crime fighting measures. The applicant has been informed of this concern.

Housing and Affordability

The proposed distribution of the housing units includes:

- All 150 units will be restricted to residents at 60% AMI or below;
- 50 of the units will be replacement units for residents of Lincoln Heights and Richardson Dwellings in accordance with the guiding principles of the [New Communities Initiative](#) and the [Lincoln Heights and New Communities Initiative Revitalization Plan](#);
- All of the replacement units, will be available to residents at 0-30% AMI

The project would be comprised of studios, one-, two-, three-, and four-bedroom units distributed as follows:

Unit Type	Replacement Units	LITHC	Floor(s)/Level	Total
Studio	0	6	lower, 2 nd & 3 rd	6
One bedroom	1	67	lower through 4 th	68
Two bedroom	18	27	lower through 4 th	45
Three bedroom	28	0	lower through 4 th	28
Four bedroom	3	0	lower only	3
Total	50	100	150	150

The applicant has explained that the exact unit sizes that the development would replace are to be determined. The families who may move in, and their unit size, will depend on families who may be ready and/or want to move. However, all of the proposed larger units will be reserved for the replacement units, since there are a substantial number of family-sized, 3 and 4 bedroom units at the current Lincoln Heights site. The revitalization plan (2006) indicated that Lincoln Heights currently has 107 three-bedroom units and 42 four bed-room units. The Richardson Dwellings public housing units include 80 three-bedroom units, 18 4 bedroom units and 24 five-bedroom units. (*Lincoln Heights and Richardson Dwellings Revitalization Plan (2006)* – Page 16)

While a primary community concern was the perception of the concentration of affordable housing, the Deputy Mayor’s Office for Economic Development (DMPED) provided the following explanation to OP regarding this project’s affordability:

“Mixed-income housing is one of the core principles for the New Communities Initiative. The project is proposed as a Low Income Housing Tax Credit (LIHTC) project, restricting the 150 units to 60% AMI. While 60% AMI is not considered low-income in the District of Columbia (for example the annual household income of a family of four making 60% AMI is \$65,520), this project would incorporate a mix of incomes, as the 100 units would have tenants who may earn 30%-60% AMI (\$32,000-\$65,000 for a family of four) and the additional 50 units would be rented by former residents of public housing earning no more than 30% AMI (\$0-\$30,000 for a family of four).

This was a policy decision based on the financials of the project and the market of the neighborhood. The LIHTC program leverages approximately \$13 million in tax credit equity that is critical to fund the \$33 million project. Without this program, the District would have to fund that additional amount to ensure the project’s feasibility. Since 60% Area Median Income (AMI) rents are comparable to market rate rents in the neighborhood (approximately \$1,200 for a 1-bedroom and \$1,500 for a 2-bedroom), it is financially feasible to make this a LIHTC project, ***restricting the rents to be “affordable,” but which are really market for the neighborhood.***”

Parking and Loading

The site's development would also include 75-off-street surface parking spaces at the rear, which would be accessible from the existing north/south, 15-foot paper alley east of the site, which would be paved and widened by easement to 20 feet. It would be joined to the existing public alley stub that exits onto Nannie Helen Burroughs Avenue. The alley would provide two-way circulation and access to the rear parking from either Hayes Street or Nannie Helen Burroughs Avenue. Loading would also be accessed from the alley.

A key concern of residents noted in the revitalization plan was that "rear areas were open to the public ... and that lack of private parking can place their vehicles in uncontrollable environments." (*Lincoln Heights and Richardson Dwellings Revitalization Plan (2006)* – Page 16). While OP would not consider installation of fencing and gates around the entire development site, OP has suggested to the applicant that they consider a keyed entry/sliding gate to secure the parking area and rear entrance to the building.

A new retaining wall (maximum height -12 feet) with guardrails would be constructed along the rear property line, which would separate the surface parking area for the existing church to the south and the proposed parking area within the project site (Exhibit A3- Sheet L06). Bio-retention areas would be placed within landscaped islands in the parking area and native plantings and shade trees are shown in some portions of the perimeter of the parking lot. Secured bicycle parking would be provided within the building's basement for up to 50 bikes. Additional details regarding the design of the retaining wall are needed prior to a public hearing.

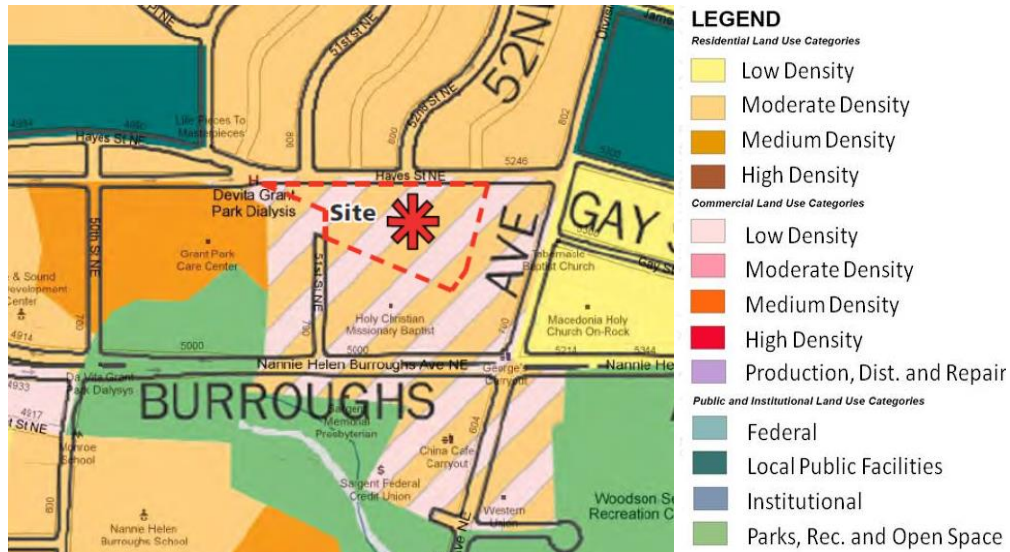
Green Design

The site's proposed green components include an extensive green roof on the 4th floor. Permeable paving for the surface parking area, on-site bio-retention and extensive landscaping, including groundcover, mixed plantings, shade trees and evergreen trees will be provided to reduce the amount of storm water that may enter the public system (Exhibit A3- Sheets L01-L08). The applicant proposes to finalize the square footage of these areas as the design is refined.

V. COMPREHENSIVE PLAN MAPS AND POLICIES

The proposed PUD must be determined by the Zoning Commission to be not inconsistent with the Comprehensive Plan and with other adopted public policies (§ 2403.4). The map amendment also should not be inconsistent with the Comprehensive Plan and other adopted policies.

A. FUTURE LAND USE MAP

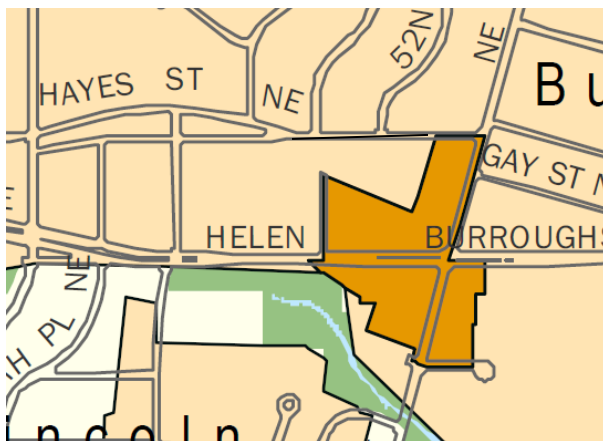


The Future Land Use Map's designation for the property is mixed-use Moderate Density Residential and Low Density Commercial. The proposed map amendment to the R-5-B District would be consistent with this designation and the site's proposed residential development.

B. GENERAL POLICY MAP

The Generalized Policy Map assigns the proposed PUD site as a *Neighborhood Enhancement Area*.

A neighborhood enhancement area anticipates a different land use and the guiding philosophy is to encourage and facilitate new development. As these areas are redeveloped, the District aspires to create high quality environments that include exemplary site and architectural design and that are compatible with... nearby neighborhoods.



The Comprehensive Plan clearly establishes a preference to convert the unused industrial land for residential purposes, and the proposed PUD aims to be not inconsistent with land use policies to implement the Plan. The proposed development would be characteristic of the surrounding neighborhood development in its scale and massing. Therefore, the proposed rezoning of a portion of the site from C-M-1 and R-5-B would be not inconsistent with the Comprehensive Plan, particularly when read in conjunction with the policies from the Plan, cited hereafter.

C. COMPREHENSIVE PLAN POLICIES

The Property is located in the Far Northeast and Southeast Area Element (FNS) of the Comprehensive Plan. There are several policies within the Area Element, which encourage residential development as proposed.

Far Northeast and Southeast Area Element (“FNS”)

Planning and Development Priorities

The low density character that typifies most Far Northeast and Southeast neighborhoods should be maintained. While it is recognized that the area contains much vacant land with the potential for infill development, this development should generally be similar in density to what exists today. This is one of the few areas in the city with opportunities to build three- and four bedroom homes suitable for families with children.^{1707.2 (a)}

While protecting established single family neighborhoods is a priority, Far Northeast and Southeast recognizes the need to provide a variety of new housing choices. Renovation and rehabilitation of the housing stock should continue to be a priority, especially for the aging post-war apartment complexes and for developments with subsidized units. In some cases ... the best approach may be to replace deteriorated multi-family housing with new housing that better meets community needs.^{1702 (d)}

FNS-1.1 Guiding Growth and Neighborhood Conservation ²⁴⁰⁸

Policy FNS-1.1.1: Conservation of Low Density Neighborhoods... *Ensure that the Comprehensive Plan and zoning designations for these neighborhoods reflect and protect the existing low density land use pattern while allowing for infill development that is compatible with neighborhood character.* ^{1708.2}

Policy FNS-1.1.2: Development of New Housing *Encourage new housing for area residents on vacant lots.... taking steps to ensure that the housing remains affordable for current and future residents.* ^{1708.3}

Land Use Element

LU-1.4: Neighborhood Infill Development ³⁰⁷ *There are hundreds of small vacant lots across the District of Columbia located away from transit stations and off of the major boulevards. ... Most of the sites were less than one acre in size. Some of this land may not be developable to the limits allowed by zoning due to site constraints such as poor access, awkward parcel shapes, and steep topography.* ^{307.1}

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}

LU-3.1.4 Rezoning of Industrial Areas: *“Allow the rezoning of industrial land for non-industrial purposes only when the land can no longer viably support industrial or PDS activities or is located such that industry cannot co-exist adequately with adjacent existing uses. ... (314.10)*

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

LU-2.3.8: Non-Conforming Commercial and Industrial Uses: *Reduce the number of nonconforming uses in residential areas, particularly those uses that generate noise, truck traffic, odors, air and water pollution, and other adverse effects. 311.10*

LU-3.1.4: Rezoning of Industrial Areas: *Allow the rezoning of industrial land for non-industrial purposes only when the land can no longer viably support industrial or PDR activities or is located such that industry cannot co-exist adequately with adjacent existing uses. Examples include ... small sites in the midst of stable residential neighborhoods. 314.10*

Housing Element

H-1.1 Expanding Housing Supply: *Expanding the housing supply is a key part of the District’s vision to create successful neighborhoods... 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*

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*

H-1.1.2: Production Incentives *Provide suitable regulatory, tax, and financing incentives to meet housing production goals. 503.3*

H-1.1.5: Housing Quality *Require the design of affordable housing to meet the same high-quality architectural standards required of market-rate housing. Regardless of its affordability level, new or renovated housing should be indistinguishable from market rate housing in its exterior appearance and should address the need for open space and recreational amenities, and respect the design integrity of adjacent properties and the surrounding neighborhood. 503.6*

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*

H-1.2.3: Mixed Income Housing: *Focus investment strategies and affordable housing programs to distribute mixed income housing more equitably across the entire city, taking steps to avoid further concentration of poverty within areas of the city that already have substantial affordable housing. 504.8*

H-1.2.4: Housing Affordability on Publicly Owned Sites: *Require that a substantial percentage of the housing units built on publicly owned sites, including sites being transferred from federal to District jurisdiction, are reserved for low and moderate income households.* 504.11

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

H-1.3 Diversity of Housing Type: *e 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....*505.2

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-1.4.4: Public Housing Renovation: *Continue efforts to transform distressed public and assisted housing projects into viable mixed-income neighborhoods, providing one-for-one replacement within the District of Columbia of any public housing units that are removed. Target such efforts to locations where private sector development interest can be leveraged to assist in revitalization.* 506.10

Environmental Protection Element

The Element provides policies and actions on ..., the restoration of our tree canopy, energy conservation, air quality, watershed protection, pollution prevention and waste management, and the remediation of contaminated sites...600.1 The overarching goal for environmental protection is: Protect, restore, and enhance the natural and man-made environment in the District of Columbia, taking steps to improve environmental quality, prevent and reduce pollution, and conserve the values and functions of the District's natural resources and ecosystems. 601.1

E-1.1.1: Street Tree Planting and Maintenance: *Plant and maintain street trees in all parts of the city, particularly in areas where existing tree cover has been reduced over the last 30 years. Recognize the importance of trees in providing shade, reducing energy costs, improving air and water quality, providing urban habitat, absorbing noise, and creating economic and aesthetic value in the District's neighborhoods.* 603.4

E-1.1.3: Landscaping: *Encourage the use of landscaping to beautify the city, enhance streets and public spaces, reduce stormwater runoff, and create a stronger sense of character and identity.* 603.6

E-1.3.1: Preventing Erosion: *Ensure that public and private construction activities do not result in soil erosion or the creation of unstable soil conditions. Support the use of retaining walls and other "best management practices" that reduce erosion hazards. ...* 605.2

E-2.2.3: Reducing Home Heating and Cooling Costs: *Encourage the use of energy-efficient systems and methods for home insulation, heating, and cooling, both to conserve natural*

resources and also to reduce energy costs for those members of the community who are least able to afford them. 610.5

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

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

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

Urban Design Element

The Urban Design element describes ways in which different aspects of the city's landscape work together... 900.1 The goal for urban design in the District is: enhance the beauty and livability of the city by protecting its historic design legacy, reinforcing the identity of its neighborhoods, harmoniously integrating new construction with existing buildings and the natural environment, and improving the vitality, appearance, and security of streets and public spaces. 901.1

UD-1.2.1: Respecting Natural Features in Development: Respect and perpetuate the natural features of Washington's landscape. In low-density, wooded or hilly areas, new construction should preserve natural features rather than altering them to accommodate development. Density in such areas should be limited and setbacks should be provided as needed to protect natural features such as streams and wetlands. Where appropriate, clustering of development should be considered as a way to protect natural resources. 904.3

UD-2.2.1: Neighborhood Character and Identity: Strengthen the defining visual qualities of Washington's neighborhoods. This should be achieved in part by relating the scale of infill development, alterations, renovations, and additions to existing neighborhood context. 910.6

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. 910.12

UD-2.2.7: Infill Development: Regardless of neighborhood identity, avoid overpowering contrasts of scale, height and density as infill development occurs. 910.15

UD-2.2.8: Large Site Development: Ensure that new developments on parcels that are larger than the prevailing neighborhood lot size are carefully integrated with adjacent sites. Structures on such parcels should be broken into smaller, more varied forms, particularly where the prevailing street frontage is characterized by small, older buildings with varying facades. 910.16

UD-2.2.10: Surface Parking: *Encourage the use of shade trees and landscaping or screening of surface parking areas. Parking should be designed so that it is not the dominant element of the street, and should be located behind development rather than in front of it.* 910.19

UD-3.2.3: Site Planning and Design Measures to Increase Security: *Encourage architectural design and site planning methods that minimize perimeter security requirements and have a reduced impact on the public realm. Such measures include separating entryways, controlling access, “hardening” of shared walls, and the selection of more resilient building materials.* 914.8

UD-3.2.4: Security Through Streetscape Design: *Develop and apply attractive, context-sensitive security measures in the design of streets, plazas, and public spaces. These measures should use an appropriate mix of bollards, planters, landscaped walls, vegetation, and street furniture rather than barriers and other approaches that detract from aesthetic quality.* 914.9

UD-3.2.5: Reducing Crime Through Design: *Ensure that the design of the built environment minimizes the potential for criminal activity. Examples of preventive measures include adequate lighting, maintaining clear lines of sight and visual access, and avoiding dead-end streets.* 914.10

Ultimately, a PUD-related map amendment development facilitated by the regulations of the R-5-B District would help achieve the applicable policies.

Lincoln Heights & Richardson Dwellings - New Communities Initiative (NCI)

Lincoln Heights and Richardson Dwellings consist of 630 public housing units. The vision for the New Communities Initiative is for vibrant mixed-income neighborhoods that address both the physical architecture and human capital needs, where residents have quality affordable housing options, economic opportunities and access to appropriate human services.

Four guiding principles lay the framework for New Communities.

- One-for-One Replacement of existing affordable housing units to ensure that there is no net loss of the existing deeply subsidized units in the neighborhood.
- The Opportunity for Residents to Return/Stay in the community to ensure that current residents will have a priority for new replacement units in effort to remain in their neighborhood.
- Mixed-Income Housing to end the concentration of low-income housing and poverty.
- Build First, which calls for the development of new housing to begin prior to the demolition of existing distressed housing to minimize displacement.

The physical redevelopment plan for Lincoln Heights/Richardson Dwellings includes over 1,400 units of mixed-income housing and 30,000 square feet of new retail spaces. While the subject site is not within the boundaries of the Lincoln Heights Revitalization Plan boundaries², as a proposed offsite housing project it anticipates adding 50 more replacement units to the 134 units already built in the neighborhood as a result of the NCI program, including:

- 70 units in the recently completed Nannie Helen at 4800 Nannie Helen Burroughs Avenue, which opened in 2013;
- 9 units in the Marley Ridge development;
- 26 units of affordable housing at the 4427 Hayes Street development, and
- 29 units of single-family, for-sale units in the Eden Place development located at the intersection of Dix Street and Eastern Avenue NE.

The site is also within the Deanwood Strategic Development Plan boundary but is not specifically referenced under the plan. However, the project would support the development priority of the plan to promote residential infill.

Relocation Planning

The Deputy Mayor's Office for Planning and Economic Development (DMPED) is currently drafting an Affordable Housing Market Plan, which outlines how residents would be selected for permanent housing. OP was informed by DMPED that during Summer 2015, in collaboration with the DC Housing Authority (DHA) and the Humans Capital Staff, a detailed draft will be created with community input. Relocation meetings are typically held several months prior to a project's lease-up when there would be weekly meetings with the development team, DHA, Human Capital staff and the prospective relocated residents. The process typically involves matching current family sizes and needs to units.

² The subject site is approximately half mile from the Lincoln Heights/Richardson Dwellings apartment complexes.

VI. ZONING

The C-M-1 Commercial-Light Manufacturing District is intended to provide sites for light manufacturing activities including warehousing, office and automotive usage at a low intensity level. It does not permit residential use or mixed use development with a residential component.

In R-5-B, a moderate height and density shall be permitted (§ 350.2). The development data proposed for the site is as follows:

Standard	R-5-B M-O-R	PUD Limits	Proposed	Flexibility
Lot Area §§ 401, 2401	None prescribed	Not less than 1 ac. (43,560 sf)	93,540 sf	None required
FAR §§ 402, 2405.2	1.8	3.0	1.63	None required
Building Height §§ 400, 2405.1	50 ft.	60 ft.	62 ft. 3ins.	Requested
Lot Occupancy § 403	60% (56,124 sf)	60%	40% (37,416 sf)	None required
Rear Yard § 404	15 ft. min.	same	79ft. (av. depth)	None required
Side Yard § 405	3"/ft. ht. 8 ft. min.	same	7 ft. and 9 ft.	Requested
Bicycle Spaces	1 space per 3 units (50 spaces)	same	50 spaces	None required
Parking § 2101	0.5 per du (75 spaces) Min. 60% as full size = 45 spaces full sized: 30 compact	same	75spaces 33 full sized, 42 compact	None required Requested
Loading § 2202	1 loading berth @ 55 ft. 1 platform @ 200 sf 1 service space @ 20 ft. deep	same	1 loading berth@ 30ft. 1 platform @ 100 sf 1 service space @ 20 ft. deep	Requested Requested None required

The following table compares the existing matter-of-right development capacity of the C-M-1 District with the requested R-5-B District regulations:

Standard	C-M-1 M-O-R	R-5-B M-O-R	R-5-B PUD	Proposal
Uses	Industrial, commercial	Residential	Residential	Residential
Height feet/stories	40 ft./3-stories	50 ft.	60 ft.	62 ft., 4 stories
FAR	3.0 (280,620 sf)	1.8 (168,372 sf)	3.0 (280,620 sf)	1.63 (157,470 sf) (152,500 sf- total building area)
Lot Occupancy %	Not specified	60%	60% (56,124 sf)	40% (37,416 sf)

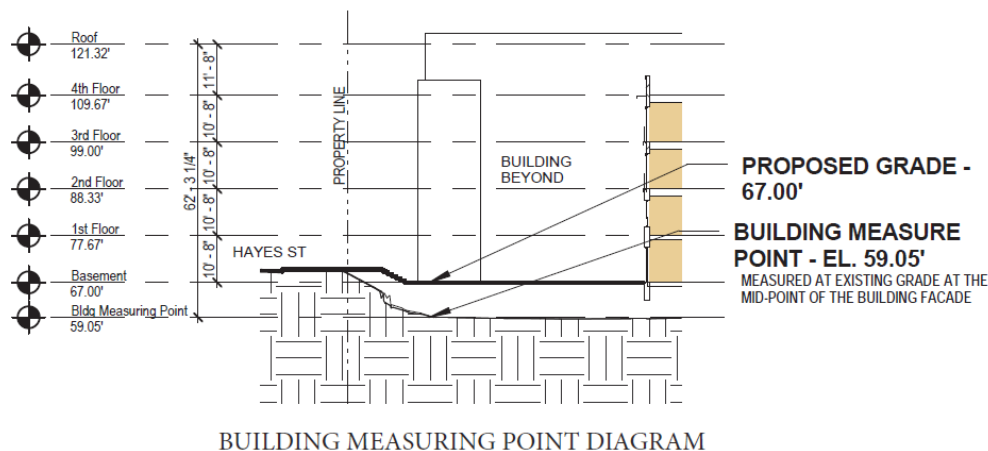
VI. FLEXIBILITY

Map Amendment

With respect to the requested map amendment, the Comprehensive Plan designates the unused industrial land for residential purposes. The New Communities Initiative also anticipates a change in land use to support the housing initiative for the Lincoln Heights/Richardson Dwellings Revitalization Plan. The proposed low rise apartment building development would be characteristic of the surrounding neighborhood development in its scale and massing. The proposed rezoning of the site from C-M-1 to R-5-B would be not inconsistent with the Comprehensive Plan, particularly when read in conjunction with the policies from the Plan, as referenced above.

Height

The building's height proposed at 62.25 feet is due in part to the existing difference in grade between the street and the site, as the height is measured from grade at the building's façade. According to the applicant's statement, the existing grade on the property falls 7 to 10 feet from the grade at the street. The proposed grade and measuring point reproduced here from the applicant's submission (Exhibit 4A1- Sheet 09) best explains the existing condition and how the height would be measured.



The 2-foot deviation would essentially accommodate the grade changes, as well as the necessity to provide typical nine foot floor-to-ceiling heights for the units.

Side Yard

The Regulations require 15-foot wide side yards and the east and west side yards would measure 9 feet and 7 feet respectively.

Parking (Compact Spaces)

The request is to permit more than the permitted number of compact parking spaces. Given the roughly triangular shape of the proposed parking area, the project seeks to accommodate all the required parking spaces on site, as well as fulfill the required landscaping for surface lots. The provision of compact spaces would enable both on-site parking and sustainable landscape features to be provided, as required by the Regulations.

Loading

The applicant proposes to provide on-site loading, except the loading berth would be 30 feet deep instead of 55 feet, and the platform would be at 100 square feet instead of 200 square feet. Since the apartment building would be primarily comprised of one- and two-bedroom units (80% of all units), the proposed size loading berth and platform are considered sufficient to service apartments where these unit types are predominant.

Other areas of requested flexibility include variations to:

- a) The range in the number of units, +/- 10% from the 150 units currently proposed;
- b) The location and design of interior components (as identified in the submission)
- c) The number, location and arrangement of parking spaces, not including a reduction in the total number of on-site spaces and the number of compact spaces no greater than 56% of the required parking;
- d) The sustainable design features, subject to the satisfaction of the Enterprise Green Communities (EGC) standard for residential buildings;
- e) The final selection of exterior materials within color ranges and material types as proposed;
- f) The final selection of all exterior signage on the building.

VII. PUD EVALUATION STANDARDS , PUBLIC BENEFITS AND AMENITIES

Sections 2403.5 - 2403.13 of the Zoning Regulations discuss the definition and evaluation of public benefits and amenities. In its review of a PUD application, §2403.8 states that *“the Commission shall 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.”* To assist in the evaluation, the applicant is required to describe amenities and benefits, and to *“show how the public benefits offered are superior in quality and quantity to typical development of the type proposed...”* (§2403.12)

Amenity package evaluation is based on an assessment of the additional development gained through the application process. The C-M-1 zone would allow development up to a 3.0 FAR, whereas the applicant is proposing 1.63 FAR for the entire site. However, the C-M-1 District does not permit any residential development. The Comprehensive Plan does not anticipate the parcel to remain industrial, and would support a moderate density residential use for the site.

The Applicant has offered the following amenities and benefits gained through the application process:

- (a) *Urban design, architecture, landscaping, or creation or preservation of open spaces - § 2403.9(a)*

Urban Design, Architecture, Landscaping

The proposed PUD would enhance the character of Hayes Street by removing a large vacant parcel and reintroduce a residential use, which was absent due to the site’s former light industrial use. It would strengthen the residential character through an improved sidewalk and its landscaping and courtyards would introduce green and landscaped open space where none currently exists. The building’s massing and scale would be appropriate within the context of the Comprehensive plan and the existing neighborhood. Connectivity between Hayes Street and Nannie Helen Burroughs Avenue would be improved through the proposed connection and improvement of the paper alley with the current dead end alley, which only exits onto Nannie Helen Burroughs Avenue. This would also be an important safety feature for the neighborhood, as it would now be a through alley, with improved lighting.

The proposed architecture would be similar to other recently completed residential development in the immediate area, including the mixed-use residential building at 4800 Nannie Helen Burroughs Avenue and the Edens Development. The architecture would update the architecture of the surrounding neighborhoods, which are comprised of a variety of architectural styles, materials and designs.

- (b) *Site planning, and efficient and economical land utilization - § 2403.9(b)*

The proposal would transform a significantly underutilized site located in a residential neighborhood. As an irregularly shaped site with variable grades, site planning is challenged to satisfy all regulations, including parking and loading facilities, while balancing the need for an efficient core and meaningful residential amenities. The proposed design attempts to utilize the available land area to effectively satisfy both residential and regulatory requirements. The inclusion of courtyard areas serve the dual purpose of providing passive recreation for families at the lower level, while providing green areas within the site. Similarly, the proposed green roof

and bio-retention areas within the parking area function as the sustainable elements that would provide on-site stormwater management.

The site's location supports the use of Metrobus as a transportation alternative to vehicle use, as it is within walking distance of six bus stops at Nannie Helen Avenue and Division Avenue, which serve a variety of routes within the District and into Maryland.

(c) Historic preservation of private or public structures, places, or parks - § 2403.9(d)

The property has no historic designation.

(d) Housing - § 2403.9(f)

The introduction of residential use in an underutilized site is consistent with planning goals for the property detailed above. The Applicant has proposed an all-affordable housing development at a maximum of 60% of the area median income, with replacement housing for residents of the Lincoln Heights/Richardson Dwellings earning 30% or less of the AMI, including large family-sized units.

(e) Environmental benefits § 2403.9(h)

The project would support the District's sustainable goals by the application of on-site stormwater management and green engineering practices, consistent with LID principles. All units would include environmentally friendly materials and fixtures to promote healthy building interiors for residents. The final project data will include all the required pervious and impervious square footage for the proposed development prior to the public hearing.

(f) Uses of special value to the neighborhood or the District of Columbia as a whole § 2403.9 (i)

The proposed pedestrian pathway, functional green space and landscaping along the Hayes Street frontage would improve the hardscape area along the though fare a well-established neighborhood. The proposed development and renovation of the alley in its entirety would provide both pedestrian and vehicular connectivity to a well-traveled Nannie Helen Burroughs corridor.

BENEFIT OR AMENITY	MITIGATION	PUBLIC BENEFIT	PROJECT AMENITY	REQUIRED	APPLICANT PROFFER
Affordable housing (IZ) 100 units @ 60-30% AMI 50 units @ 30% AMI or lower		X	X	X	
Market rate housing		X			
Superior Architecture		X	X		X
Paved and widened alley system		X	X		X
TDM Measures	X	X	X	X	
Environmental benefits, stormwater management	X	X		X	X
1 st Source Agreement		X			unclear

The applicant is continuing discussions with the ANC7C and surrounding neighbors regarding the benefit and amenities package and other topics that may be of concern, prior to the public hearing.

VII. AGENCY REFERRALS

Should the application be set down for a public hearing, the Office of Planning will refer it to the following District agencies for review and comment:

- Department of Housing and Community Development (DHCD);
- Department of Transportation (DDOT);
- Department of Public Works (DPW);
- DC Water
- Department of the Environment (DDOE);
- DC Public Schools (DCPS); and
- Metropolitan Police Department (MPD)

VIII. COMMUNITY COMMENTS

OP encourages the applicant to continue its community outreach efforts throughout the public review process. The applicant held several meetings with the Lincoln Heights and Richardson Dwellings Advisory Council beginning in January 2010 through November, 2014. Similarly, the applicant met with the ANC at their regularly scheduled meetings from September through November 2014 and continues to do so to date. (Applicant's April 13, 2015 Submission).

The most recent community outreach was held on:

- May 28, 2015: Presented at the ANC 7C Executive Committee Meeting;
- June 11, 2015: Presented at the ANC 7C General Public Meeting; and
- June 22, 2015: Presented at the Deanwood Citizens Association Meeting.

IX. Summary of OP Comments

OP supports the proposal for setdown as it is consistent with goals and objectives of the Comprehensive Plan. Although some flexibility is sought through the PUD process, the proposal is largely consistent with requirements of the requested zone and is, in fact, a less intense development than could be achieved as a matter of right. The project would increase the range of housing options within the Lincoln Heights neighborhood and add to the available family-sized units sought by the District as replacement housing.

The following summarizes OP comments from this report, all of which can be addressed prior to a public hearing.

OP Comment	Planning and/or Zoning Rationale
Provide improved drawings for the public hearing.	Improved drawings should provide realistic plan perspectives at grade, including materials to be used and landscaping treatment to depict views at the street level and its context within the neighborhood.
Provide a revised plan to include a rear security gate.	This is based on concerns expressed by the community in the plan for Lincoln Heights.
Provide more information about external lighting and security cameras for the entire building.	External lighting and cameras for the building are a security requirement recommended by MPD.
Provide revised plans including treatment of the retaining wall.	A green screen would both soften the appearance of such a large blank wall and reduce the radiant heat from such a large surface.

OP will continue to work with the applicant to ensure that remaining issues raised by the Zoning Commission at setdown are addressed prior to the public hearing.

JS/kt