

ZC Case No. 16-11
Bruce Monroe Site (Part of Lot 849 in Square 2890)
Proposed Public Benefits and Amenities

<u>PROFFER</u>	<u>CONDITION</u>
<p><u>Urban Design, Architecture, and Open Space (11 DCMR § 2403.9(a))</u>. The Project will implement a number of best planning practices within a site that has not seen significant improvement or redevelopment for decades. These practices include creating density to establish a renewed neighborhood, incorporating a variety of building heights and residential unit types, introducing a new private street that will enhance circulation, and establishing new open green spaces that are adequately lit and easily surveyed. The proposed architecture is appropriately scaled to match the diverse mixed-use character of the surrounding neighborhood, and the buildings will be made of high quality materials that will blend well with the surrounding urban context. The landscape design includes large courtyards, significant public space enhancements, and ample outdoor green space. Improved sidewalks along Georgia Avenue, Irving Street, and Columbia Road will provide for a better pedestrian experience through the use of street trees, landscaping, and sidewalk connections to the park and the new private street will provide a pedestrian mid-block connection with trees lining both sides.</p>	<p>The Project shall be developed in accordance with the Architectural Plans and Elevations dated January 10, 2017 (Ex. 237A), as supplemented by the Architectural Sheets dated _____ <u>February 16, 2017</u> (Ex. 246) (the “Plans”), and as modified by the guidelines, conditions, and standards of this Order.</p> <p>The overall PUD Site shall be developed with approximately 275,747 square feet of gross floor area (3.6 FAR). The apartment house shall contain approximately 191,333 square feet of gross floor area and a maximum height of 90 feet; the senior building shall contain approximately 70,817 square feet of gross floor area and a maximum height of 60 feet; and each townhome shall contain approximately 1,685 square feet of gross floor area and a maximum height of 40 feet. The total lot occupancy for the PUD Site shall be approximately 53%.</p> <p>Ninety-nine on-site parking spaces shall be provided in a parking garage below the apartment house and senior building. Sixteen surface parking spaces shall be provided on the new private street.</p> <p>The Project shall have approximately 273 residential units, with 189 units in the apartment house, 76 units in the senior building, and eight townhomes. Of the 273 total residential units, 90 units shall be public housing replacement units, 109-113 shall be workforce affordable units, and 70-74 units shall be market rate units.</p>
<p><u>Housing and Affordable Housing (11 DCMR § 2403.9(f))</u>. The Project’s most significant benefit is the creation of new housing, including public housing replacement units and additional new affordable housing units, consistent with the goals of the Zoning Regulations, the Comprehensive Plan, the New Communities Initiative, and the Mayor's housing initiative. The Project will provide 90 off-site replacement public housing units for Park Morton, allowing new public housing to be built</p>	<p><u>Prior to the issuance of a Building Permit for the apartment house</u>, the Applicant shall demonstrate to the Zoning Administrator that DMPED will convey the PUD Site to Park View Community Partners pursuant to a 99 year ground lease. The ground lease will contain a provision wherein DMPED agrees that a minimum of 44,000 square feet of land area in Square 2890, identified as a public park on Sheet G10 of the</p>

prior to the demolition of existing public housing. Coordinated redevelopment of the PUD Site and Park Morton will minimize displacement, maximize opportunities for permanent moves, allow for phased redevelopment of Park Morton to keep existing residents on-site, and spread the density of Park Morton across multiple land parcels in order to achieve a one-for-one replacement of public housing units and mixed-income development.

Pursuant to Chapter 26 of the Zoning Regulations, the Project is only required to dedicate 8% or 10% of its residential gross floor area to households earning up to 80% of the AMI.¹ In this case, the Project includes a significantly greater amount of affordable housing and at a much steeper subsidy level.

The Project includes a total of 273 residential units, of which 90 units will be public housing replacement units, 109-113 units will be workforce affordable units, and 70-74 units will be market rate. Thus, approximately 74% of the units in the Project will be devoted to affordable housing.

The Project also includes a variety of housing types to serve households of all sizes. The townhomes will each have three bedrooms; the apartment building will have studio, one-bedroom, two-bedroom, and three-bedroom units; and the senior building will have one-bedroom units. This housing mix is carefully designed to meet local demand and to contribute to a vibrant, diverse, safe, and functional neighborhood.

The breakdown of affordable housing by gross floor area and level of affordability is set forth below.

Plans, will only be used for park and recreation uses for the term of the ground lease. The Applicant shall have the right to use a portion of the park area as a temporary staging area during construction of the Project.

Prior to the issuance of a Certificate of Occupancy for the apartment house, the Applicant shall demonstrate to the Zoning Administrator that it has [done the following](#):

- a. Dedicated a minimum of 54 units in the apartment house as replacement public housing units;
- b. Dedicated a minimum of 68 units in the apartment house as workforce affordable units; ~~and~~
- c. Established the proportion of unit sizes in the apartment house according to the unit mix shown on Sheet G15 of the Plans;-
- ~~e.d.~~ [Demonstrated that the affordable housing shall be provided in accordance with the table below; and](#)
- ~~e.e.~~ [The covenant required by 11 DCMR § 2602.7\(c\) shall include a condition or conditions requiring compliance with this Condition.](#)

Prior to the issuance of a Certificate of Occupancy for the senior building, the Applicant shall demonstrate to the Zoning Administrator that it has:

- a. Dedicated a minimum of 33 units in the senior building as replacement public housing units;
- b. Dedicated a minimum of 43 units in the senior building as workforce affordable units; ~~and~~

¹ In the C-2-B District, 8% of residential gross floor area is required to be devoted to households earning up to 80% of the AMI. In the R-5-B District, 10% of residential gross floor area is required to be devoted to households earning up to 80% of the AMI. See 11 DCMR §§ 2603.1 and 2603.2.

- c. Designated all of the units within the senior building as one-bedroom units;
- d. [Demonstrated that the affordable housing shall be provided in accordance with the table below; and](#)
- e. [The covenant required by 11 DCMR § 2602.7\(c\) shall include a condition or conditions requiring compliance with this Condition.](#)

Prior to entering into a contract for the lease or purchase of the first townhome completed as part of the Project, the Applicant shall demonstrate to the Zoning Administrator that it has:

- a. Dedicated a minimum of three of the townhomes as replacement public housing units; and
- b. Designated all of the townhomes as three-bedroom units;
- c. [Demonstrated that the affordable housing shall be provided in accordance with the table below; and](#)
- d. [The covenant required by 11 DCMR § 2602.7\(c\) shall include a condition or conditions requiring compliance with this Condition](#)

The public housing and workforce affordable units shall maintain affordability for [the life of the Project](#) ~~minimum of 99 years~~. A breakdown of the public housing, workforce affordable, and market-rate units shall be established in accordance with the table below.

During development of the Project, and for the life of the Project, the Applicant shall comply with the applicable relocation and reentry requirements for public housing replacement units

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set forth in Resolution No. 16-06 “To Adopt and Re-entry Policies for New Communities Initiative Developments,” as adopted and enforced by DCHA.

Residential Unit Type	GFA/Percentage of Total	Units	Income Type	Affordable Control Period	Affordable Unit Type
Total	275,747 sf of GFA (100%)	273			Rental
Market Rate	71,694 sf of GFA (26%)	70-74	Market Rate	NA	Rental
Public Housing Replacement Units	90,997 sf of GFA (33%)	90	HUD Requirements/ LIHTC Rules	99-yearsLife of the Project	Rental
Affordable Housing	113,056 sf of GFA (41%)	109-113	Up to 60% AMI	99-yearsLife of the Project	Rental

Environmental Benefits (11 DCMR § 2403.9(h)). The Project promotes environmental sustainability by implementing a variety of sustainable design features. The proposed site plan opens the PUD Site to the surrounding community by creating a new private street, ensuring increased pedestrian access to public transportation options, and maximizing green park space. The Project also provides environmental benefits consistent with the recommendations of 11 DCMR § 2403.9(h), including new landscaping, street tree planting and maintenance, energy efficient and alternative energy sources, methods to reduce stormwater runoff, and green engineering practices. The Project will be designed to integrate a host of sustainable features, such that the apartment house and senior building will be certified with a minimum of 57 points under the EGC standards, and the townhomes will be certified with a minimum of 50 points under the EGC standards. *See* Conceptual EGC scorecard included with the Plans.

The Project shall include new landscaping, street tree planting and maintenance, energy efficient and alternative energy sources, methods to reduce stormwater runoff, and green engineering practices, in accordance with the landscape, park, open space, and streetscape designs included as Sheets [—G21, A11B, A11C, A21B, A21C, A27-A30, and L01-L11](#) of the Plans.

Prior to the issuance of a Building Permit for the apartment house, senior building, and townhomes, respectively, the Applicant shall register each building with Enterprise to commence the Enterprise Green Communities certification process.

Prior to the issuance of a Certificate of Occupancy for the apartment house, the Applicant shall furnish a copy of its Enterprise Green Communities certification application to the Zoning Administrator. The application shall indicate that the apartment house has been designed to include a minimum of 57 points under the Enterprise Green Communities standards.

Prior to the issuance of a Certificate of Occupancy for the senior building, the

	<p>Applicant shall furnish a copy of its Enterprise Green Communities certification application to the Zoning Administrator. The application shall indicate that the senior building has been designed to include a minimum of 57 points under the Enterprise Green Communities standards.</p> <p><u>Prior to entering into a contract for the lease or purchase of the first townhome completed as part of the Project</u>, the Applicant shall furnish a copy of its Enterprise Green Communities certification application to the Zoning Administrator. The application shall indicate that the townhomes have been designed to include a minimum of 50 points under the Enterprise Green Communities standards.</p>
<p><u>Employment and Training Opportunities (11 DCMR § 2403.9(e))</u>. The Applicant has indicated that expanding employment opportunities for residents and local businesses is a priority of the Applicant. Therefore, the Applicant will (i) enter into a Certified Business Enterprise (“CBE”) Agreement with the District Department of Small and Local Business Development (“DSLBD”); (ii) enter into a First Source Employment Agreement with the District Department of Employment Services (“DOES”), consistent with the First Source Employment Agreement Act of 1984; and (iii) meet the U.S. Department of Housing and Urban Development’s (“HUD”) Section 3 requirements by providing job training, employment, and contract opportunities for low- or very-low income residents in connection with development of the Project. The Commission finds that execution of these agreements constitutes a public benefit under 11 DCMR § 2403.9(e).</p>	<p><u>Prior to the issuance of a Building Permit for each of the apartment house, senior building, and townhomes, respectively</u>, the Applicant shall submit to the Zoning Administrator a copy of the executed CBE Acknowledgement Form, included as Ex. 237I; and (ii) a copy of the executed First Source Employment Agreement with DOES, included as Ex. 237H.</p> <p><u>Prior to commencing construction of any building on the PUD Site</u>, the Applicant shall demonstrate to the Zoning Administrator that it has entered into a Section 3 Plan that benefits low-income and very low-income District residents and/or businesses.</p>
<p><u>Transportation Benefits (11 DCMR §2403.9(c))</u>. The Applicant incorporated a number of elements into the Project that will promote effective and safe access to the PUD Site, convenient connections to public transit services, and on-site amenities that encourage pedestrian and bicycle activity. The Project includes a new north-south private street that connects Irving Street to Columbia Road, thus creating new access points and enhanced circulation in the square. The new street will have sidewalks on both sides, incorporate pedestrian-</p>	<p><u>Prior to the issuance of a Certificate of Occupancy for the apartment house or senior building (whichever is first) and for the life of the Project</u>, the Applicant shall demonstrate to the Zoning Administrator that it has constructed a new north-south private street that connects Irving Street to Columbia Road, with a 22-foot travel lane, 16 on-street parking spaces in a 7-foot parking lane, canopy trees in a 6-foot tree strip, and six-foot sidewalks, in accordance with Sheets</p>

oriented streetscape features, establish improved facilities for vehicles, bicyclists, and pedestrians, and increase community safety. The overall Project incorporates designs for enhanced sidewalks and streetscapes, which will encourage pedestrian activity and improve walkability.

Vehicle parking will primarily be provided below-grade to preserve green space and minimize spill-over parking onto the surrounding streets. Access to the parking and loading facilities will be made from the private street. Ample and secure long- and short-term bicycle parking will be provided.

The Applicant will also install the following infrastructure improvements, as requested by DDOT:

- a. Install pavement marking enhancements to a stop bar on Georgia Avenue at Hobart Place to better delineate stopping locations as a means to manage queue lengths; and
- b. Install pavement markings (i.e. “puppy tracks”) at the study area intersections along Georgia Avenue, subject to DDOT approval;

In addition to the transportation amenities described above, the Applicant will implement the following transportation demand management (“TDM”) strategies to reduce travel demand:

- a. Offer each apartment unit and townhome an annual carsharing membership or an annual Capital Bikeshare membership for a period of three years;
- b. Provide, as a one-time incentive, 189 helmets for apartment building occupants and eight helmets for townhome occupants;

G10-11, G17, G21, and L08 of the Plans.

For the life of the Project, the Applicant shall maintain the private street consistent with DDOT standards.

Prior to the issuance of a Certificate of Occupancy for either the apartment house or senior building (whichever is first), and for the life of the Project, Applicant shall demonstrate to the Zoning Administrator that it has:

- a. Installed pavement marking enhancements to a stop bar on Georgia Avenue at Hobart Place; and
- b. Installed pavement markings (i.e. “puppy tracks”) at the study area intersections along Georgia Avenue, subject to DDOT approval.

The Applicant shall implement the TDM measures as follows:

- a. **For the first three years of operation of the apartment house**, the Applicant shall offer each apartment unit either one annual carsharing membership or one annual Capital Bikeshare membership;
- b. **For the first three years of operation of each townhome**, the Applicant shall offer to each townhome either one annual carsharing membership or one annual Capital Bikeshare membership.
- c. **Prior to the issuance of a Certificate of Occupancy for the apartment house**, the Applicant shall demonstrate to the Zoning

<p>c. Offer a pre-loaded \$10 SmarTrip card for each residential unit in the apartment house, senior building, and townhome, at the initial sale or lease of each unit;</p> <p>d. Unbundle the cost of parking spaces from the cost of lease or purchase of the market-rate units;</p>	<p>Administrator that it has purchased 189 bicycle helmets for use by apartment house occupants.</p> <p>d. <u>Prior to entering into a contract for lease or purchase of the first townhome completed as part of the Project</u>, the Applicant shall demonstrate to the Zoning Administrator that it has purchased eight bicycle helmets for use by townhome occupants.</p> <p>e. <u>Prior to the issuance of a Certificate of Occupancy for the apartment house</u>, the Applicant shall demonstrate to the Zoning Administrator that it has purchased 189 pre-loaded SmarTrip cards to be offered at the initial sale or rental of each unit.</p> <p>f. <u>Prior to the issuance of a Certificate of Occupancy for the senior building</u>, the Applicant shall demonstrate to the Zoning Administrator that it has purchased 76 pre-loaded \$10.00 SmarTrip cards to be offered at the initial sale or rental of each unit.</p> <p>g. <u>Prior to entering into a contract for lease or purchase of the first townhome completed as part of the Project</u>, the Applicant shall demonstrate to the Zoning Administrator that it has purchased eight pre-loaded \$10.00 SmarTrip cards to be offered at the initial sale or rental of each townhome.</p> <p>h. <u>Prior to the issuance of a Certificate of Occupancy for the apartment house, and for the life of the Project</u>, the Applicant shall demonstrate to the Zoning Administrator that it has included in the residential leases for the market-rate units a provision that the cost of residential parking is unbundled from the cost of lease or purchase of each market-rate residential unit.</p>
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<p>e. Provide two on-street carsharing spaces on the new private street;</p> <p>f. Provide a bicycle repair station in the apartment building;</p> <p>g. Install a transit screen in the lobby of the apartment house and senior building (two total);</p> <p>h. Post all TDM commitments online;</p> <p>i. Designate a TDM leader;</p>	<p>i. <u>Prior to entering into a contract for lease or purchase of the first townhome completed as part of the Project, and for the life of the Project,</u> the Applicant shall demonstrate to the Zoning Administrator that it has included in the residential leases for the market-rate townhomes a provision that the cost of residential parking is unbundled from the cost of lease or purchase of each market-rate townhome.</p> <p>j. <u>Prior to the issuance of a Certificate of Occupancy for either the apartment house or senior building (whichever is first), and for the life of the Project,</u> the Applicant shall demonstrate to the Zoning Administrator that it has designated two-on street parking spaces along the new private street to a car-share company.</p> <p>k. <u>Prior to the issuance of a Certificate of Occupancy for the apartment house, and for the life of the Project,</u> the Applicant shall demonstrate to the Zoning Administrator that it has installed a bicycle repair station within the apartment building.</p> <p>l. <u>Prior to the issuance of a Certificate of Occupancy for the apartment house and for the life of the Project,</u> the Applicant shall demonstrate to the Zoning Administrator that it has installed a transit screen in the lobby of the apartment house.</p> <p>m. <u>Prior to the issuance of a Certificate of Occupancy for the senior building and for the life of the Project,</u> the Applicant shall demonstrate to the Zoning Administrator that it has installed a transit screen in the lobby of the senior building.</p> <p>n. <u>Prior to the issuance of a Certificate of Occupancy for either the apartment house or senior building (whichever is</u></p>
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<p>j. Provide 90 long-term and 16 short-term bicycle parking spaces;</p> <p>k. Provide six shopping carts for multi-family residential tenants to run daily errands; and</p> <p>l. Establish a Georgia Avenue address for the apartment house, such that the apartment house will not be RPP-eligible.</p>	<p><u>first), and for the life of the Project,</u> the Applicant shall demonstrate to the Zoning Administrator that it has (i) posted all of the Project’s TDM commitments online, and (ii) designated a TDM leader for the Project.</p> <p>o. <u>Prior to issuance of a Certificate of Occupancy for either the apartment house or senior building (whichever is first),</u> the Applicant shall demonstrate to the Zoning Administrator that it has (i) installed 90 long-term and 16 short-term bicycle parking spaces on the PUD Site, and (ii) purchased six total shopping carts for residents of the apartment house and senior building.</p> <p>p. <u>Prior to the issuance of a Certificate of Occupancy for the apartment house, and for the life of the Project,</u> the Applicant shall demonstrate to the Zoning Administrator that it has established a Georgia Avenue address for the apartment house, such that the apartment house will not be RPP-eligible.</p>
<p><u>The Project as a Public Benefit.</u> Finally, the Commission finds that the Project itself is also a benefit to the community and to the District as a whole. By constructing replacement Park Morton public housing units at the PUD Site, the two projects will eliminate involuntary displacement, foster true income diversity, and succeed in being the first District project that meets all four of the goals of the New Communities Initiative (one-for-one replacement, build-first, mixed-income, and right to return). The proposal to create a mix of housing types at various income levels, while maintaining public green space on both sites, will foster new development that is wholly inclusive of the surrounding community. <i>See, e.g.</i> Z.C. Order No. 12-16, Finding of Fact No. 72(a), stating that “the Commission further finds that the rest of the neighborhood and the overall urban fabric benefits by</p>	<p>The Project shall be developed in accordance with the Plans to provide 90 public housing replacement units, 109-113 workforce affordable units, and 70-74 market rate units, and the Applicant shall comply with all applicable relocation and reentry requirements for public housing set forth in Resolution No. 16-06. The Applicant shall also ensure that a minimum of 44,000 square feet of land area in Square 2890 is used for park and recreation uses.</p>

developing a vibrant mixed-use development.”