

MEMORANDUM

TO: District of Columbia Zoning Commission

FROM: Karen Thomas, Project Manager
JLS
Jennifer Steingasser, Deputy Director, Development Review and Historic Preservation

DATE: December 1, 2017

SUBJECT: Preliminary Report on Zoning Commission Case No. 17-19, Consolidated Planned Unit Development and Related Map Amendment from MU-3 to MU-4 for 5110-5140 Nannie Helen Burroughs Avenue, NE (Square 5197, Lots 1, 64,65, 73)

I. RECOMMENDATION

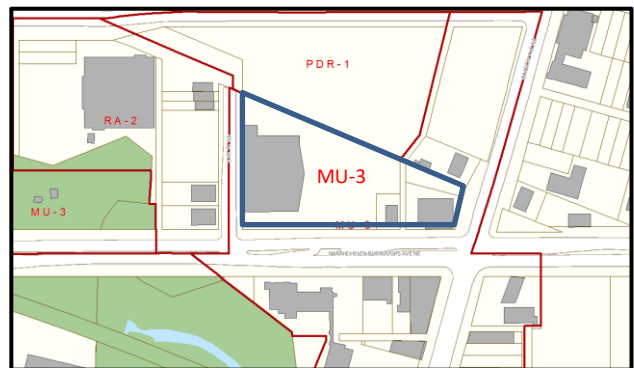
The Office of Planning (OP) recommends the Commission **set down** the application by The Warrenton Group for a consolidated PUD with a PUD-related map amendment from MU-3 to MU-4, to construct the Deanwood Town Center mixed-use development at 5110-5140 Nannie Helen Burroughs Avenue, NE.

The proposal is generally not inconsistent with the Comprehensive Plan and the filing generally meets the requirements of 11DCMR Subtitle X, Chapter 3. Submission by the applicant of the following clarification and additional information is needed prior to the public hearing of this application:

- Response to the design recommendations noted on page 16 of this report;
- Additional information on the requested/potential phasing of the project;
- Response to the concerns expressed by DOEE regarding the relationship between the floodplain and Enterprise Green Communities requirements;
- Response to efforts to improve on the minimum standards for sustainability;
- Materials samples; and
- Other information / materials as may be requested by the Zoning Commission at the setdown meeting.

II. AREA DESCRIPTION

Address	5110-51140 Nannie Helen Burroughs Avenue NE
Ward, ANC	Ward 7; ANC 7C
Comprehensive Plan Area	Far Northeast and Southeast Area Element
General Context	The two-parcel site is located within the Lincoln Heights neighborhood, on the southeast corner of Nannie Helen Burroughs Avenue and Division Avenue.



III. SITE DESCRIPTION

Property Size	Approximately 85,510 square feet of land area
Current Zoning	MU-3
Site Characteristics	The overall development lot consists of 2 parcels separated by a public alley. Parcel 1 (west of the alley) is bounded by 51 st Street to the west and Parcel 2 (east of the alley) is bounded by Division Avenue to the east. The topography of both parcels is relatively flat and rises at the rear where there is a retaining wall separating Parcel 1 from the new development to the north of the site (ZC 15-10: Deanwood Hills).
Existing Use of Property	The property is developed with a church use and a restaurant on Parcel 1 and a 4-story office building on Parcel 2.

IV. PROJECT DESCRIPTION

Applicant	The Warrenton Group
Proposed Zoning	MU-4
Proposed Use of Property	Mixed-use development consisting of ground floor retail and residential uses

	Proposal	
	Parcel 1	Parcel 2
Building Height (ft.)	65 ft.	63 ft.
FAR		
Residential	3.33	2.88
Retail	0.14	0.44
Total	3.47	3.32
GFA (sq. ft.)		
Residential	239,700 sf.	39,200
Retail	10,000 sf.	6,000 sf.
Total	249,700 sf.	45,200 sf.
Residential Units	151 units	32 units

This project is one in a series of five PUD’s that seek to enhance Deanwood and adjacent Lincoln Heights neighborhoods. The town center development at the intersection of two main arterials would help create a safe and walkable pedestrian environment in an area where there is little pedestrian activity between 4800 Nannie Helen Burroughs and the intersection at Division Avenue.

The proposed buildings on Parcels 1 and 2 along the avenue, would provide a residential apartment context above ground floor retail. On 51st Street, the structure changes with the application of walk-up units. The building’s materials, including brick from the ground level to the 4th floor and cementitious panels above, helps in minimizing the building’s scale (Exhibit 4A3, Sheet A25). A wide courtyard at the rear of the larger parcel’s building would be available for passive recreation for residents of both buildings. A play area for younger residents would also be located at the edge of the courtyard. Amenity space within the larger building would also accommodate a club room, fitness area and kid’s room.

Proposed retail is intended to be neighborhood serving and would be targeted primarily to small, local business enterprises. Parking for both retail and residential uses would be located below grade and would be accessed via the alley between both buildings. The smaller parcel would accommodate 3 above-grade parking spaces also accessible from the alley. Bicycle use and alternative modes of transportation would be encouraged through the application of transportation demand measures (TDM) including transit screens in the buildings’ lobbies.

V. PLANNING CONTEXT

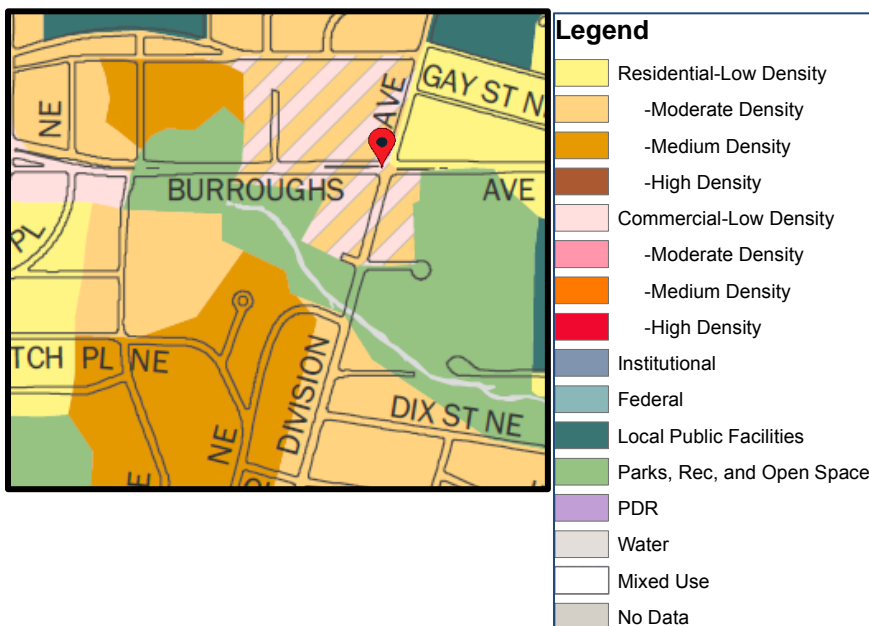
As described in the Introduction (Chapter 1 Introduction, Section 103, Attachment I), the Comprehensive Plan is the centerpiece of a “Family of Plans” that guide public policy in the District. The Introduction goes on to note three “Tiers” of Planning (Chapter 1 Introduction, Section 104, Attachment II), including:

- a. Citywide policies
- b. Ward-level policies
- c. Small area policies.

A. COMPREHENSIVE PLAN MAPS

As described in the Guidelines for Using the Generalized Policy Map and the Future Land Use Map (Chapter 2 Framework Element, Section 226), the maps are intended to provide generalized guidelines for development decisions. They are to be interpreted broadly and are not parcel-specific like zoning maps; i.e. the maps, in and of themselves, do not establish detailed requirements or permissions for a development’s physical characteristics including building massing or density; uses; or support systems such as parking and loading. They are to be interpreted in conjunction with relevant written goals, policies and action items in the Comprehensive Plan text, and further balanced against policies or objectives contained in relevant Small Area Plans and other citywide or area plans.

Generalized Future Land Use Map (FLUM)



The Future Land Use Map (FLUM) indicates that the site is appropriate for mixed-use, moderate density residential and low density commercial uses. The MU-4 zone (previously the C-2-A zone in the 1958 zone regulations) is a moderate density commercial zone identified in § 225 of the Comprehensive Plan’s Citywide Element, where the FLUM categories are described in detail.

In combination with section 225.21 of the Comp Plan text which reads:

A variety of zoning designations are used in Mixed Use areas,

depending on the combination of uses, densities, and intensities... Residential uses are permitted in all of the commercial zones, however, so many Mixed-Use areas may have commercial zoning. 225.21

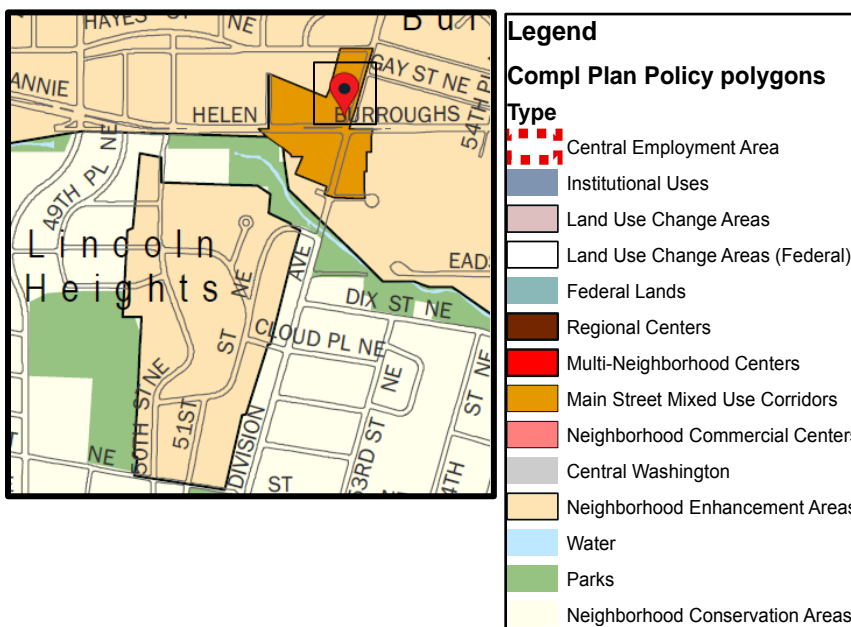
Mixed Use Categories: *The Future Land Use Map indicates areas where the mixing of two or more land uses is encouraged. The particular combination of uses desired in a given area is depicted in striped patterns, with stripe colors corresponding to the categories defined on the previous pages. The Mixed Use category generally applies in the following three circumstances:*

- a. *Established, pedestrian-oriented commercial areas which also include substantial amounts of housing, typically on the upper stories of buildings with ground floor retail or office uses;*
- b. *Commercial corridors or districts which may not contain substantial amounts of housing today, but where more housing is desired in the future. The pattern envisioned for such areas is typically one of pedestrian-oriented streets, with ground floor retail or office uses and upper story housing; and*
- c. *Large sites (generally greater than 10 acres in size), where opportunities for multiple uses exist but a plan dictating the precise location of these uses has yet to be prepared. 225.18*

The general density and intensity of development within a given Mixed Use area is determined by the specific mix of uses shown. If the desired outcome is to emphasize one use over the other (for example, ground floor retail with three stories of housing above), the Future Land Use Map may note the dominant use by showing it at a slightly higher density than the other use in the mix ... 225.19

A variety of zoning designations are used in Mixed Use areas, depending on the combination of uses, densities, and intensities. ... 225.21

Generalized Policy Map



The Generalized Policy Map and Future Land Use Map are intended to provide generalized guides for development and conservation decisions.

The Generalized Policy Map shows the site in a Main Street Mixed Use Corridor described as:

“... traditional commercial business corridors with a concentration of older storefronts along the street. The service area for Main Streets can vary from one neighborhood (e.g., 14th Street Heights or Barracks Row) to multiple neighborhoods (e.g.,

Dupont Circle, H Street, or Adams Morgan). Their common feature is that they have a pedestrian-oriented environment with traditional storefronts. Many have upper story residential or office uses. Conservation and enhancement of these corridors is desired to foster economic and housing opportunities and serve neighborhood needs. Any development or redevelopment that occurs should support transit use and enhance the pedestrian environment. 223.14

The requested map amendment to the MU-4 zone would not be inconsistent with the FLUM. The MU-4 would permit moderate-density, compact mixed-use development with an emphasis on residential use. It would conform to the mixed-use category, where the site is located on a commercial corridor, “*which does not contain a substantial amount of housing today, but where more housing is desired in the future.*” The proposed 5-story building with a 0.2 commercial FAR and a maximum of 3.33 residential FAR, would be well within the general PUD parameters of the mixed-use designation for moderate density residential and low density commercial uses.

B. COMPREHENSIVE PLAN WRITTEN ELEMENTS

Far Northeast and Southeast Area Element (“FNS”)

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

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)

While protecting established single-family neighborhoods is a priority, Far Northeast and Southeast recognizes the need to provide a variety of new housing choices. 1707 (b)

FNS-1.1 Guiding Growth and Neighborhood Conservation 2408

Planning and Development Priorities...While protecting established single family neighborhoods is a priority, Far Northeast and Southeast recognizes the need to provide a variety of new housing choices ... The commercially zoned land along the Nannie Helen Burroughs, Minnesota Avenue, and Pennsylvania Avenue “Great Streets” corridors also offer opportunities for somewhat denser uses than exist today. These areas may provide opportunities for apartments, condominiums, townhomes, assisted living facilities and other types of housing, provided that measures are taken to buffer adjacent lower density neighborhoods, address parking and traffic issues, and mitigate other community concerns. 1707.2 (b)

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

FNS-1.1.2: Development of New Housing - Encourage new housing for area residents on vacant lots....and on underutilized commercial sites along the area’s major avenues... taking steps to ensure that the housing remains affordable for current and future residents. 1708.3

FNS-1.1.3: Directing Growth - Concentrate employment growth in Far Northeast and Southeast, including office and retail development, around the Deanwood, Minnesota Avenue and Benning Road Metrorail station areas, at the Skyland Shopping Center, and along the Nannie Helen Burroughs Avenue, Minnesota Avenue, Benning Road, and Pennsylvania Avenue SE “Great Streets” corridors. Provide improved pedestrian, bus, and automobile

access to these areas, and improve their visual and urban design qualities. These areas should be safe, inviting, pedestrian-oriented places. 1708.4

FNS-1.1.4: Retail Development- *Support the revitalization of the neighborhood commercial areas listed in Policy FNS-1.1.3 with new businesses and activities that provide needed retail services to the adjacent neighborhoods and that are compatible with surrounding land uses.* 1708.5

In addition to the Area Elements, the project furthers many other policies in the City Wide Elements:

Land Use Element

LU-1.4: Neighborhood Infill Development 307.

Infill development on vacant lots is strongly supported in the District of Columbia, provided that such development is compatible in scale with its surroundings and consistent with environmental protection and public safety objectives. In residential areas, infill sites present some of the best opportunities in the city for "family" housing and low-to-moderate-density development. In commercial areas, infill development can fill gaps in the streetwall and create more cohesive and attractive neighborhood centers. 307.2

LU-2.13: Conserving, Enhancing, and Revitalizing Neighborhoods *Recognize the importance of balancing goals to increase the housing supply and expand neighborhood commerce with parallel goals to protect neighborhood character, preserve historic resources, and restore the environment. The overarching goal to "create successful neighborhoods" in all parts of the city requires an emphasis on conservation in some neighborhoods and revitalization in others.* 309.8

LU-2.4.5: Encouraging Nodal Development *Discourage auto-oriented commercial "strip" development and instead encourage pedestrian-oriented "nodes" of commercial development at key locations along major corridors. Zoning and design standards should ensure that the height, mass, and scale of development within nodes respects the integrity and character of surrounding residential areas and does not unreasonably impact them.* 312.9

LU-2.4.6: Scale and Design of New Commercial Uses *Ensure that new uses within commercial districts are developed at a height, mass, scale and design that is appropriate and compatible with surrounding areas.* 312.10

This redevelopment project would function as an infill project by presenting a unified streetwall at a prominent intersection in Ward 7. It would help to revitalize neighborhood commerce at an appropriate scale for the surrounding residential neighborhoods.

Transportation Element

T-1.2.1: Boulevard Improvements *Continue to work across District agencies to beautify and stabilize selected boulevards by implementing coordinated transportation, economic development, and urban design improvements.* 404.6

The project would support the District Department of Transportation, as well as other agencies' efforts to revive a once vibrant main street in the Ward through coordinated efforts anticipated under the Lincoln Heights small area plan and the Deanwood Strategic Development Plan.

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-1.1.4: 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-1.1.5: 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 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-1.3.1: 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

H-2.1.5: Long-Term Affordability Restrictions *Ensure that affordable housing units that are created or preserved with public financing are protected by long-term affordability restrictions and are monitored to prevent their transfer to non-qualifying households. Except where precluded by federal programs, affordable units should remain affordable for the life of the building, with equity and asset build up opportunities provided for ownership units.* 509.9

The proposal presented by the Warrenton Group has been an example for private sector support in the provision of housing and affordable housing as a civic priority. In partnership with the Department of Housing and Community Development (DHCD) and the District's Housing Authority (DCHA), the applicant is supporting the expansion of the housing supply, at both market rate and low-income

affordability. This would ensure a mixed-income project with long term affordability restrictions as desired by the Comprehensive Plan's Housing Element.

Environmental Protection Element

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-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

The project would improve on the existing site conditions, which do not currently have the benefit of the District's new initiatives for environmental performance envisioned by the Plan. The project site is within a 100-year floodplain as identified by the Department of the Environment and Energy (DOEE) and the applicant will continue to work with the agency to strengthen sustainability elements of the design to exceed the minimum requirements for energy efficiency and stormwater management for the project's long-term viability.

Economic Development

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-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

The applicant has committed to promote small business retention and growth in the design by providing relatively small retail spaces to attract business start-ups within a neighborhood context. The Deanwood Strategic Plan calls for neighborhood serving retail at this intersection and the provision of new retail space is anticipated to improve the mix of goods and services to the surrounding neighborhood desired by the Comprehensive Plan.

Urban Design Element

UD-2.2 Designing for Successful Neighborhoods ⁹¹⁰: *Not all neighborhoods have a strong sense of identity, however. Some are negatively affected by dilapidated buildings, poorly maintained properties, vacant storefronts, and worse. These problems may be exacerbated by the absence of landscaping and street trees. Infill development and the adaptive reuse of historic buildings in such areas create a real opportunity to establish a stronger identity, and to create neighborhood centers where they are lacking today.* ^{910.2}

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}

The design of the buildings on both parcels relate to the scale of infill development across Nannie Helen Burroughs Avenue currently under review by the Commission (ZC 17-10). The town center concept would function as an anchor at the intersection, to provide an attractive facade at the corner to complement the historic Strand Theatre building on the opposite corner of the avenue. The proposed designs are appropriate in scale and do not exceed the zoning requirements for height or density. Both buildings, would help strengthen the urban fabric of the neighborhood, in reviving the commercial center, while providing housing to help support future commercial activity at a commercial node.

C. SMALL AREA PLANS

LINCOLN HEIGHTS/RICHARDSON DWELLINGS NEW COMMUNITIES REVITALIZATION PLAN (Small Area Plan):

The redevelopment plan recognizes the project site as part of Site B projected for mixed-use development. The plan recommended a zone change to the C-2-B District (ZR 1958) (now MU-5-A) to support the plan's proposal for increased density including housing and retail in support of the town center concept for the Nannie Helen Burroughs/Division Avenue intersection. The Plan addresses the redevelopment of the Lincoln Heights neighborhood and states:

- *“The lack of publicly-owned land in the neighborhood can impact the development called for in this plan. As a result, implementation of this plan will require significant public-private partnership to develop private land or implement a public land assemblage. Options for new development under the plan include DCHA properties; public-private partnerships for land development at the Town Center site; ...” (New Communities: Lincoln Heights & Richardson Dwellings: Executive Summary – Page 2)*

- *Scenario 1- Baseline Plan*

Development at the Town Center site, to be constructed at the intersection of Nannie Helen Burroughs and Division Avenues, would include mixed-use buildings with multi-family residential (condominium/apartment) above retail and office space. (NC: LH&RD SAP – Physical Plan- Page 22)

- *Scenario 2- Alternate Plan – Page 35*

Multi-family buildings will be located in the Town Center The advantages and plan for using multi-family buildings are as follows:

- *More units (greater density) in areas that have special amenities like proximity to parks, shopping and mass transit.*
- *Greater density on the flatter areas of irregular sites.*
- *Opportunity for housing that can best accommodate residents with physical impairments, particularly those who cannot negotiate stairs.*
- *More eyes on the street in areas that might otherwise be isolated.*

- *Zoning Changes - Page 37*

To accomplish the proposed development, certain zoning requirements governing the height, size and uses of buildings within the neighborhood will need to be revised, particularly related to density. The following images and explanations detail the zoning changes necessary to support the plan. Although the required zoning is shown by individual parcel, developers of each area are likely to consider re-zoning through the planned unit development (PUD) process.

- *Baseline Plan: Town Center*

The existing mix of uses near the Nannie Helen Burroughs and Division Avenues intersection is currently subject to a mix of zones. Scenarios 1 and 2 identify this intersection as the major off-site development opportunity to support the proposed concentration of housing. This also provides an opportunity for the higher density of transit-oriented development in this otherwise residential community. An up-zoning from the mix of uses to C-2-B (MU-5A) is required for the intersection to support the proposed concentration of housing.

- *Development and Finance - Page 41, 42*

Residents were clear that the existing retail in the neighborhood fails to meet their needs for a high quality, enjoyable shopping experience. This plan, therefore, calls for the development of approximately 30,000 square feet of higher quality retail to be located in the new Town Center at the intersection of Nannie Helen Burroughs and Division Avenues. Residents recognized that sufficient support for this proposed new retail can only come from intensive new development of housing at the intersection.

- *Town Center at Nannie Helen Burroughs & Division Avenues – Page 43*

The area surrounding the intersection of Nannie Helen Burroughs and Division Avenues is one of the primary offsite development locations for the required replacement units. Most of the land is privately owned. As such, the District government will either have to establish partnerships with private and non-profit owners to develop their land in accordance with the Town Center program established in this plan, or the city will have to pursue acquisition of the land.

D. SUMMARY OF PLANNING CONTEXT ANALYSIS

This project would further the Guiding Principles for Managing Growth and Change (Comprehensive Plan page 2-23, numbers 3, 4, 6 and 7), and for Creating Successful Neighborhoods (Comprehensive Plan page 2-24, numbers 10 and 15).

The proposed project would be not inconsistent with many other written elements of the Comprehensive Plan. The Citywide Elements, Land Use, Transportation, Housing, Environmental, Urban Design and the Far Northeast Area Elements include policies and recommended actions, which the proposal supports. The PUD also supports several policies of the Comprehensive Plan because of the PUD’s relationship to the Lincoln Heights/Richardson Dwellings New Community Initiative. The project provides 61 replacement-housing units for Lincoln Heights/Richardson Dwellings, as well as additional housing through the PUD.

VI. ZONING ANALYSIS

The site is currently zoned MU-3; the applicant is requesting a PUD-related zoning map amendment to the MU-4 zone, which is not inconsistent with the Comprehensive Plan, including the FLUM designation of mixed-use, moderate density residential and low-density commercial. Below is a table comparing the existing (MoR) and proposed PUD zone to the proposed; ([Exhibit 4A1- Sheet G09](#))

	MoR - Existing Zone MU-3	Proposed Zone MU-4 PUD:	Proposal	Deviation from MoR	Flexibility
Height (ft.) G § 403	40 ft.	65 ft.	65 ft.	25 ft.	None Required
FAR G § 402					
<u>Residential</u>	1.2 (IZ)	3.0 (IZ)	3.33	2.13	None Required
<u>Non-Residential</u>	1.0	1.5	0.14	-0.86	None Required
IZ Units (See Pg. 18) or Exhibit 4A1 Sheet G 13	10% GFA	10% GFA	10% GFA	0	None Required
Lot Occupancy G § 404.1	60 % (IZ)	75 % (IZ)	52 %	-8.0 %	None Required
Parking C § 701.5 Exemptions from min. parking requirement applied per C § 702 (c) (4) within 0.25 mls of a priority corridor	<u>Parcel 1:</u> Residential: 0.33 paces/du = 51 Retail: 1 sp./1,000sf in xs. of 3,000 sf. = 10 <u>Parcel 2:</u> Residential 10.7 req'd Retail: 6,000 x 1.33 = 8	Same Same	<u>Parcel 1:</u> 143 spaces - 99 full-size, 44 compact. <u>Parcel 2:</u> 3 spaces	<u>Parcel 1:</u> 31 spaces req'd per C § 702 (c)(4) Deviation = +113 spaces <u>Parcel 2:</u> Deviation = -7 spaces	None Required

Bicycle Parking C § 802					
<u>Long Term Residential</u>	<u>Parcel 1:</u> 1 space per 3 DU (151/3= 51 required) <u>Parcel 2:</u> 32/3 = 11 req. 1 per each 10,000 sf	Same	Provided as required	No deviation	None Required
Retail	<u>Parcel 1:</u> (10,000 / 10,000 = 1 required) <u>Parcel 2:</u> 6.000/10,000 = 1 required.	Same	Provided as required		
<u>Short Term Residential</u>	<u>Parcel 1:</u> 1 space per 20 DU (151/20 = 8 required) <u>Parcel 2:</u> 11 required	Same	Provided as required	No deviation	None Required
Retail	<u>Parcel 1:</u> 1 space per each 3,500 sf (10,000 / 3,500 = 3 req'd) 6,000/3,500 = 2 req'd.	Same	Provided as required		
Loading C § 902.2					
<u>Residential</u>	<u>Parcel 1:</u> 1 loading berth @ 12'x30' 1 platform @ 100 sf 1 service space @ 20' deep <u>Parcel 2 :</u> Residential Loading not required	Same	<u>Parcel 1:</u> As required <u>Parcel 2:</u> residential loading not req'd	No deviation	None Required
<u>Retail</u>	<u>Parcel 1:</u> 1 loading berth @ 12'x30' 1 platform @ 100 sf <u>Parcel 2:</u> 1 loading berth @ 12'x30' 1 platform @ 100 sf	Same	Provided as required		
GAR G § 407.1	0.30	0.30	0.30	0	None Required
Rear Yard G § 405	20 ft.	15 ft.	Less than 15 ft.	Less than 15'	Requested
Side Yard G § 406 None required If provided 2'' /ft. ht. not less than 5 feet	<u>Parcel 1:</u> 10 ft. 10'' <u>Parcel 2:</u> 10 ft. 6''	10 ft. 10 ft. 6''	Less than 10 ft. 8 ft.	Variable- less than 10 ft. 1ft. 6''	Requested

Requested Zoning Flexibility

The applicant requests the following flexibility:

1. PUD-related map amendment from MU-3 to MU-4

Under the requested PUD related-zoning the applicant has requested permission to build a residential structure that would be taller and denser than could be constructed under the site's matter-of-right MU-3 zoning.

Title 11 DCMR (Zoning), Subtitle G, § 400.2 states:

The MU-3 zone is intended to permit low-density mixed-use development; and provide convenient retail and personal service establishments for the day-to-day needs of a local neighborhood, as well as residential and limited community facilities with a minimum impact upon surrounding residential development.

Title 11 DCMR (Zoning), Subtitle G, § 400.3 states:

The MU-4 zone is intended to permit moderate-density mixed-use development; provide facilities for shopping and business needs, housing, and mixed uses for large segments of the District of Columbia outside of the central core; and be located in low- and moderate-density residential areas with access to main roadways or rapid transit stops.

The MU-4 zone would therefore be considered consistent with the moderate density residential land use designation of the striped Future Land Use Map under the guidance provided in applying the three tiers of planning discussed prior.

Within the context of the related map amendment, the proposed project also seeks flexibility from:

- 2. Rear Yard:** 15 feet minimum required; 8 feet 7 inches provided on Parcel 1 (in parts).
- 3. Side Yard:** 10 feet 10 inches, minimum required; 8 feet provided on Parcel 1 and Parcel 2 on the west sides of the buildings on those parcels. Exhibit 4A1 Sheet G11.
- 4. Additional Flexibility:** The applicant also requests flexibility to:
 - Construct the PUD in one or two phases;
 - Provide a range in the number of residential unit (+/- 10%);
 - Vary the location of the design of interior components...;
 - The refine the exterior materials within the color ranges and minor refinement to details;
 - Vary the location and attributes of the streetscape design - DDOT's comments would be requested;
 - Signage – changes to font, message logo and color without changes to the maximum overall dimensions (Sheet A30);
 - Locate the retail entrances in accordance with the needs of the retail tenants.

In general, the requested PUD flexibility from the rear and side yards is not immediately concerning, given the site plan and its general location at a corner, where it is well set back from the developing residential structure at the rear and no other residential structure abuts the property (Exhibit 4A1 Sheet G08).

OP expresses concern about the PUD's elements of design requested under additional flexibility. In addition, the applicant should confirm that the number of affordable units would remain consistent, as proposed at setdown. The applicant would need to provide additional information for the public hearing report regarding the PUD's phasing request.

OP will provide more detailed analysis prior to a public hearing.

VII. PUD EVALUATION STANDARDS

The Zoning Regulations define a Planned Unit Development (PUD) as “*A plan for the development of residential, institutional, and commercial developments, industrial parks, urban renewal projects, or a combination of these, on land of a minimum area in one (1) or more zones irrespective of restrictions imposed by the general provisions of the Zoning Regulations, as more specifically set forth in Subtitle X, Chapter 3.*” (B-28). The purpose and general standards for a Planned Unit Development are established in Subtitle X 300:

- 300.1 The purpose of the planned unit development (PUD) process is to provide for higher quality development through flexibility in building controls, including building height and density, provided that the PUD:*
- (a) Results in a project superior to what would result from the matter-of-right standards;*
 - (b) Offers a commendable number or quality of meaningful public benefits; and*
 - (c) Protects and advances the public health, safety, welfare, and convenience, and is not inconsistent with the Comprehensive Plan.*
- 300.2 While providing for greater flexibility in planning and design than may be possible under conventional zoning procedures, the PUD process shall not be used to circumvent the intent and purposes of the Zoning Regulations, or to result in action that is inconsistent with the Comprehensive Plan.*

Additional Entitlements Gained Through the Proposed PUD:

	MoR	PUD	DIFFERENCE
Height:	40 ft. 3 stories	Parcel 1: 65 ft., 5 st. Parcel 2: 63 ft., 5 st.	25 ft., 2 stories 23 ft., 2 stories
GFA (IZ)	Parcel 1 86,269.20 sf. Parcel 2 16,342.80 sf.	249,461.77 sf. 45,215.08 sf.	163,192.57 sf. 28,872.28 sf.
Total =	102,612 sf.	294,676.85 sf.	+192,064.85 sf
Lot Occupancy:	60 % (res.) 100% (non res.)	Parcel 1 52 % Parcel 2 67%	-15 % +7 %
Uses:	convenient retail and personal service establishments for needs of a local neighborhood;	Same as MoR	None

Public Benefits and Amenities:

Chapter X Section 305.2 states that *“Public benefits are superior features of a proposed PUD that benefit the surrounding neighborhood or the public in general to a significantly greater extent than would likely result from development of the site under the matter-of-right provisions of this title.”*

Chapter X Section 305.5 provides a summary of categories for PUD benefits and amenities. The applicant has proffered the following (refer to Exhibit 4A1) for the proposed PUD:

(a) Superior urban design and architecture

The infill project to develop both parcels would improve the current pedestrian realm from its current state through the proposed design and the streetscape elements. A more uniform streetwall and related landscaping would present a more cohesive pedestrian environment. The building would mimic the scale of the proposed Strand Theatre (across NHB Avenue) to provide a sense of place at the intersection anticipated under the small area plan. The design also applies materials to sensitively attempt a second façade above the fourth floor. The façade fronting 51st Street would appear as separate residences for the 4 and 5 bedroom units, with separate entrances to each unit.

While the design is responsive to its context, OP recommends the following for strengthening the design:

- Consider bay projections for a row character along 51st Street;
- Consider the provision of canopies for the individual units;
- Consider the provision of low rise railing/fencing to demarcate private spaces in fronts of the individual units;
- Provide individual address numbers for the units; and
- Provide clarity of the brick detailing on the ground floor, (brick panel or veneer). (Exhibit Sheets A24-A27)

(b) Superior landscaping, or creation or preservation of open spaces

Additional landscaping would improve on the streetscape upgrades made by DDOT along Nannie Helen Burroughs Avenue and Division Avenue, consistent with new development throughout the city. The project would contribute to a continuous and enlivened streetscape at the busy intersection. Proposed landscaping should seek to soften the edges of the approximately 21 feet wide sidewalk.

A landscaped courtyard of mixed-plantings, mixed materials of wood deck tiles and precast pavers, would frame and activate the large courtyard both for passive recreation, and a play area for younger residents. (Sheets L01-L14).

(c) Site planning and efficient and economical land utilization

The property’s existing uses would be transformed to create an active town center with residential units to help activate an area where the community expressed the need for such activity under the small area plan. The combined lots are on major bus routes to two metro stations, which provide access to the wider metro area including Virginia and Maryland. Sixty-one replacement-housing units would provide the former residents of Lincoln Heights and Richardson Dwellings the option to return to their neighborhood. Units would be available to other residents at 60% MFI, which provides the opportunity for affordable housing around accessible transit.

(f) Housing that

- (1) Exceeds the amount that would have been required through matter-of-right development under existing zoning;*
- (2) Includes senior housing; or*
- (3) Provides units with three (3) or more bedrooms;*

The project would provide affordable housing in excess of that required through a matter of right and provide units with up to 5 bedrooms, as explained hereafter in (g). The 61 replacement units would be distributed in both buildings and would be affordable/non IZ units at 30% MFI. Replacement units would include: 32, 3-bedroom units; 6, 4-bedroom units; and 2, 5-bedroom units.

(g) Affordable housing

Development of the property as a matter of right would generate approximately 29,500 square feet of affordable housing under the Inclusionary Zoning (IZ) requirements. As rental, the IZ units would be reserved for households not exceeding 60 % MFI and if the units were for sale they would be reserved for households not exceeding 80% MFI.

However, this PUD will result in approximately 294,900 square feet of gross floor area devoted to households with incomes not exceeding 60% of MFI. This is a significantly greater amount of affordable housing, and at deeper levels of affordability, than would have been required if the site was developed as a matter-of-right. Market rate and affordable/non IZ units would be provided as shown by the applicant’s submission Exhibit 4A1 Sheet G 13.

Residential Unit Type	Floor Area/ % of Total*	Units	Income Type	Affordable Control Period	Affordable Unit Type	Notes
Total	294,900 / 100%	183	Mixed			
Affordable Non-IZ**	29,500/ 10%	8	Up to 60% of MFI	Life of the Project	Rental	Exempt Affordable Units

Residential Unit Type	Floor Area/ % of Total*	Units	Income Type	Affordable Control Period	Affordable Unit Type	Notes
						Pursuant to Sub. C, Sec. 1001.6
Affordable Non-IZ / Replacement Units	97,300/ 33%	61	Up to 60% of MFI		Rental	Subject to HAP Contract with DCHA***
Affordable Non-IZ	168,900/ 57%	104	Up to 60% of MFI	Life of the Project	Rental	
Market	29,500/ 10%	18	Market	Life of the Project	Rental	

Refers to the residential gross floor area, but the floor area may be adjusted to subtract the building core factor.

*** If the IZ exemption is denied, these units will be Inclusionary Zoning units instead of Affordable Non-IZ units.*

**** These will be replacement units for the Lincoln Heights and Richardson Dwellings communities. The HAP contract will determine the actual number of replacement unit and the control period for those units.*

OP considers the affordable housing benefit beyond the minimum IZ requirement a benefit of the PUD.

(h) Employment and training opportunities;

The applicant’s submission explains that District residents would be given priority for new jobs created by municipal financing programs as required under their contracted First Source Agreement. In addition, the applicant will enter into a Small Business Enterprise Agreement to provide opportunities for District-based firms.

(k) Environmental and sustainable benefits

This development would apply the Enterprise Green Communities (EGC) standard for residential buildings. New storm water management facilities would be installed where none exists, as the majority of this site is within a 100-year floodplain (as noted by DOEE). DOEE also commented to OP that EGC standards exclude projects located within a 100-year floodplain. Thus, the project would need a specific exemption from Enterprise to meet the criteria. Alternatively, LEED would be an option. In addition, the applicant could consult with DOEE on various incentives for exceeding minimum requirements for storm water and solar installations. The project will meet the required GAR score (0.30) for the zone.

The applicant is expected to meet with DOEE on the issues noted above.

(q) Uses of special value to the neighborhood or the District of Columbia as a whole; and

This PUD would add a significant number of replacement units under PUD development (one completed) targeted for Lincoln Heights for a total of 205 units within the neighborhood.

(r) Other public benefits and project amenities

The applicant is continuing its efforts to identify other public benefits beyond the affordable housing provided, including working with local neighborhood retailers to determine the neighborhood's retail preferences.

In general, OP finds that the PUD benefits and amenities are sufficient for setdown. The applicant is continuing to work with the community to address retail needs, which would benefit the neighborhood. OP suggests that a marketing plan be included or discussed prior to final action.

The applicant should continue to work closely with OP, other Agencies, the ANC and other community groups to develop a full proffer that is commensurate with the flexibility requested, for submission prior to the setting of a date for a public hearing on this case. OP will provide detailed analysis of the benefits and amenities proffer prior to a public hearing.

VIII. MATTERS REQUIRING ADDITIONAL CLARIFICATION

The following identified issues should be sufficiently resolved by the applicant prior to a public hearing, to ensure that District agencies, the ANC, and the public have a reasonable opportunity to review a complete and comprehensive submission as final recommendations and comments to the Commission are being formulated.

OP will continue to work with the applicant to ensure the submissions of the following additional information prior to the public hearing in this case, as noted in this report and summarized below:

- Responses to the design recommendations noted on page 16 of this report;
- Additional information on the requested/potential phasing of the project;
- Responses to the concerns expressed by DOEE regarding the floodplain and Enterprise Green Communities requirements;
- Response to efforts to improve on the minimum standards for sustainability;
- Provide materials samples; and
- Other information / materials as may be requested by the Zoning Commission at the setdown meeting.

IX. AGENCY REFERRALS

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

- Department of Energy and the Environment (DOEE)
- Department of Housing & Community Development (DHCD)
- District Department of Transportation (DDOT)

- Department of Parks and Recreation (DPR)
- DC Public Schools (DCPS)
- Department of Public Works (DPW)
- Department of Employment Services (DOES);
- Fire and Emergency Medical Services Department (FEMS)
- Metropolitan Police Department (MPD)
- DC Water
- WMATA

JLS/kt

Attachment I

Comprehensive Plan Chapter 1 - Introduction

The Family of Plans 103

The Comprehensive Plan can be thought of as the centerpiece of a “Family of Plans” that guide public policy in the District (See Figure 1.1). In the past, there has been a lack of clarity over the relationship between the Comprehensive Plan and the many other plans prepared by District agencies. This has reduced the Plan’s effectiveness and even resulted in internal inconsistencies between agency plans.
103.1

Under the DC Code, the Comprehensive Plan is the one plan that guides the District’s development, both broadly and in detail. Thus it carries special importance in that it provides overall direction and shapes all other physical plans that District government adopts. In fact, all plans relating to the city’s physical development should take their lead from the Comprehensive Plan, building on common goals and shared assumptions about the future. For example, the growth projections contained in the Comprehensive Plan should be incorporated by reference in other plans that rely on such forecasts.
103.2

As the guide for all District planning, the Comprehensive Plan establishes the priorities and key actions that other plans address in greater detail. The broad direction it provides may be implemented through agency strategic plans, operational plans, long-range plans on specific topics (such as parks or housing), and focused plans for small areas of the city. 103.3

The Comprehensive Plan is not intended to be a substitute for more detailed plans nor dictate precisely what other plans must cover. Rather it is the one document that bridges all topics and is Where appropriate, this Comprehensive Plan includes cross-references and text boxes to highlight other documents in the “Family of Plans.” Some examples include the federally-mandated State Transportation Plan (known as the “Transportation Vision Plan”), the Historic Preservation Plan, the Parks and Recreation Master Plan, and the Public Facilities Plan. Other agency plans may be guided by Comprehensive Plan policies but are outside of the city government’s direct control. These include the District of Columbia Public Schools Master Facilities Plan. 103.6

Attachment II

Comprehensive Plan Chapter 1 - Introduction

The Three “Tiers” of Planning 104

Since the late 1980s, the District has maintained a three-tiered system of city planning comprised of:

- a. Citywide policies*
- b. Ward-level policies*
- c. Small area policies. 104.1*

In the past, the Comprehensive Plan has been the repository for the citywide and ward-level policies. The small area policies, meanwhile, have appeared in separately bound “Small Area Plans” for particular neighborhoods and business districts. As specified in the city’s municipal code, Small Area Plans provide supplemental guidance to the Comprehensive Plan and are not part of the legislatively adopted document. 104.2

The 2006 Comprehensive Plan retains three geographic tiers but incorporates a number of changes to improve the plan’s effectiveness and readability. Probably the most important change is the replacement of “Ward Plans” with “Area Elements.” While Ward Plans were an effective way to express local priorities within the Comp Plan, the boundaries changed dramatically in 1990 and 2000 due to population shifts. Redistricting will occur again after the Censuses in 2010, 2020, and so on. Moreover, the city’s wards are drawn to ensure an equal number of residents in each Council district rather than to provide a coherent rationale for planning the city. Thus, places like Downtown Washington (divided by a ward boundary) and the Anacostia River (divided by four ward boundaries) have been covered in multiple places in past Comprehensive Plans. This has resulted in redundancy and fragmented policies for many of Washington’s most important places. The relationship between the Comprehensive Plan and the three tiers is described below. 104.3

Tier One: The Citywide Elements

The Comprehensive Plan includes 13 Citywide Elements, each addressing a topic that is citywide in scope, followed by an Implementation Element. 104.4

Tier Two: The Area Elements

The Comprehensive Plan includes 10 Area Elements, shown on Map 1.1. Taken together, these ten areas encompass the entire District of Columbia. ... 104.5

Although the Citywide and Area Elements are in separate sections of this document, they carry the same legal authority. The Area Elements focus on issues that are unique to particular parts of the District. Many of their policies are “place-based,” referencing specific neighborhoods, corridors, business districts, and local landmarks. However, the policies are still general in nature and do not prescribe specific uses or design details. Nor do the Area Elements repeat policies that already appear in the citywide elements. They are intended to provide a sense of local priorities and to recognize the different dynamics at work in each part of the city. 104.6

Tier Three: The Small Area Plans

As noted above, Small Area Plans are not part of the Comprehensive Plan. As specified in the DC Code, Small Area Plans supplement the Comprehensive Plan by providing detailed direction for areas ranging

in size from a few city blocks to entire neighborhoods or corridors. In the past, Small Area Plans have been prepared for places in the city where District action was necessary to manage growth, promote revitalization, or achieve other long-range planning goals. Examples include the H Street NE corridor, the Takoma Metro station area, and the Shaw/Convention Center area. Small Area Plans are adopted by the DC Council by resolution. The Comprehensive Plan is adopted in a different manner—by legislation—and becomes part of the DC Municipal Regulations. 104.8

In the future, additional Small Area Plans will be developed. The Implementation Element of this Comprehensive Plan outlines where and under what conditions such plans should be undertaken. Existing Small Area Plans are cross-referenced in the Comprehensive Plan Area Elements and should be consulted for further detail about the areas they cover. 104.9