

MEMORANDUM

TO: District of Columbia Zoning Commission
FROM: ^{JLS} Jennifer Steingasser, Deputy Director, Development Review and Historic Preservation
Stephen Cochran, Project Manager
DATE: April 2, 2021
SUBJECT: Hearing Report for Zoning Commission Case No. 20-12, Consolidated Planned Unit Development and Related Map Amendment at 400 I Street, SW (Square 499, Lot 52)

I. RECOMMENDATION

The Office of Planning (OP) **recommends the Zoning Commission** (the Commission) **approve** the application for a consolidated Planned Unit Development (PUD) and a related map amendment from the R-3 zone to the MU-2 zone for the construction of a mixed-use project at 400 I Street, S.W.

The principal public benefits would include the construction of 123 units of affordable senior housing to add to the near Southwest's existing stock of affordable housing and the retention of the community-oriented Westminster Presbyterian Church on its current site.

II. OVERVIEW OF RELATIONSHIP TO COMPREHENSIVE PLAN AND OTHER REGULATIONS

On balance, the proposal would be not inconsistent with the Comprehensive Plan. This is detailed in Section VI of this report and the report's Appendix and is summarized in this section.

While the proposal would not necessarily be consistent with the current Generalized Future Land Use Map (FLUM) designation of moderate density residential, a PUD is evaluated on the strength of its overall relationship to the full Comprehensive Plan, both text and maps. This PUD relationship to the current FLUM would be more than balanced by the proposal's furtherance of the following elements and policies in the Comprehensive Plan:

- The Framework Element's citation of the critical need for new affordable housing, which is identified as a *high-priority public benefit in the evaluation of residential PUDs* (Framework Element, Section 224.);
- Multiple policies in other Citywide Elements and the Area Element, including the:
 - Land Use Element
 - Housing Element
 - Transportation Element
 - Environmental Protection Element
 - Arts and Culture Element
 - Urban Design Element, and the

- Lower Anacostia Waterfront/ Near Southwest Area Element.

The individual policies within these elements that the proposal would address are noted in Section VI.A (pages 8 and 9) of this report.

Comprehensive Plan Proposed Amendments

This application was set down in July 2020, when it appeared that the Council of the District of Columbia (the Council) would soon complete its consideration of amendments to the Comprehensive Plan that had been transmitted to it in February 2020. Council consideration is now anticipated to occur in the latter part of April 2021. The approval of the amendments recommend to the FLUM and to the Lower Anacostia Waterfront/ Near Southwest Area Element would further strengthen the proposed PUDs relationship to the Comprehensive Plan. The FLUM change (to Medium Density Residential/Low Density Commercial for the site) and additional Area Element language would simply incorporate into the Comprehensive Plan the recommendations in the Southwest Small Area Plan (SAP) that the District Council adopted in 2015. Details on the project's relationship to the proposed Comprehensive Plan amendments are in Section VI. B (pages 9 and 10).

The application also satisfies the PUD criteria specified in Subtitle X, Chapter 3 (see Section VIII, pages 15-21 of this report) and would be consistent with the pattern of approved PUD developments between I and M Streets, SW near the Waterfront Metro Station.

III. SUMMARY OF REMAINING CONCERNS AND INFORMATION REQUESTS

The project would have one building with two towers, which this report refers to a western tower (also known as the market rate tower) and an eastern tower (also known as the senior tower or the affordable tower). These are labelled in Figure 1 on page 4. All street references are to the Southwest quadrant.

Some additional information and clarification is needed prior to the public hearing. The major items are summarized in this section and are noted *in italics* throughout this report.

- OP remains concerned about the absence of IZ or affordable units in the western tower and continues to ask the applicant to provide units in that tower or to demonstrate why that is not feasible even though the project would be exempt from IZ because of tax exempt bonds and/or Low Income Housing Tax Credits (LIHTC) for the eastern tower's affordable senior units;
- The applicant should proffer that the project will achieve a LEED Gold v4 level;
- Provide additional information about the stated infeasibility of installing solar panels, including the provision of an additional solar study and a discussion of consultations with the Department of Energy and the Environment (DOEE)
- Provide an arborist's assessment of the impact of the project on the trees and public space in the District-owned land to the south;
- Distinguish between public space improvements that would be required in a matter-of-right project and those that are additional, either because of DDOT requests or because the items are proffers (Exhibit 21 A6, Sheet L001);

- Provide an upper limit to number of parking spaces for which flexibility is requested;
- Provide additional information about the single proposed laundry room and its layout (Exhibit 21 A1, Sheet A-1.4) and further explain why providing individual washer/drying units or communal facilities on additional floor is infeasible;
- Several design concerns, which are noted in Section VIII. A. 1 (pages 16, 17).

OP also has concerns about some of the minor requests for project flexibility. These are detailed in Section VII. C (pages 14, 15).

IV. SITE, AREA AND PROJECT OVERVIEW

Address:	400 I Street, S.W.	Legal Description:	Square 499, Lot 52
Property Size:	30,375 square feet		
Current Zoning:	R-3	Requested PUD-Related Zone:	MU-2
Ward, ANC:	Ward 6 ANC 6D		
Comp. Plan Area:	Lower Anacostia Waterfront/Near Southwest Area		
Comp. Plan FLUM Map:	Moderate Density Residential ¹		
Comp. Plan Policy Map:	Neighborhood Conservation Area		
Small Area Plan:	Medium-Density Res./Low Density Comm. in conjunction with a PUD		

Site Characteristics: The essentially level rectangular property is bordered by public streets or publicly-owned land on all sides: I Street to the north, Makemie Place to the west, public parkland 4th Street on the east, and a public greenway to the south connecting public parks along the south side of I Street.

Existing Use of Property: The church occupies the eastern part of the property and the church's surface parking lot is to the west. The church is used for worship services and community activities.

Neighborhood Context: The site is two blocks north of the Waterfront Metro station. Development to the south of I Street SW includes 8 to 11 story office buildings and apartments with ground floor retail that are parts of PUDs comprising the MU-8-zoned "town center". North of I Street, R-3 zoned rowhouses and RA-2-zoned garden apartments predominate. However, directly across I Street from the site is the Amidon-Bowen public elementary school and the site of approved PUD 17-21 with its related map amendment to MU-4.

The "Duck Pond" public park is to the west and there is an RA-4-zoned 90' high apartment complex across 6th Street from that park. Directly east, across 4th Street from the site, is the R-3-zoned Christ United Methodist Church and east of that is the under-construction Southwest library and park and the Greenleaf Dwellings.

¹ The Mayor's recommendation for Comprehensive Plan updates, which are now being considered by the Council of the District of Columbia recommend a FLUM change to Medium-Density Residential / Low Density Commercial. This recommendation is based on the Southwest Neighborhood Small Area Plan the Council-adopted in 2015.

The existing Westminster Church site is part of an integrated design from the mid-20th century urban renewal plan for a linear park stretching from 1 Street to 5th Street SW with anchor parks at either end, a central park at 4th Street and church sites at four locations within the park area. The District-owned grassy public areas in front of the churches flanking 4th Street are remnants of the original design for that park as are the District-owned walkways and landscaped paths adjacent to the PUD site's southern boundary.

Proposed Project Site Plan: The general site plan is illustrated in the applicant's most recent architectural plans (Exhibit 23A1, Sheet A-0.3A) and below. For a full description of the site, context and proposed development, refer to the OP Setdown Report at Exhibit 11 and the Zoning Analysis and Project Profile in Section V of this report.

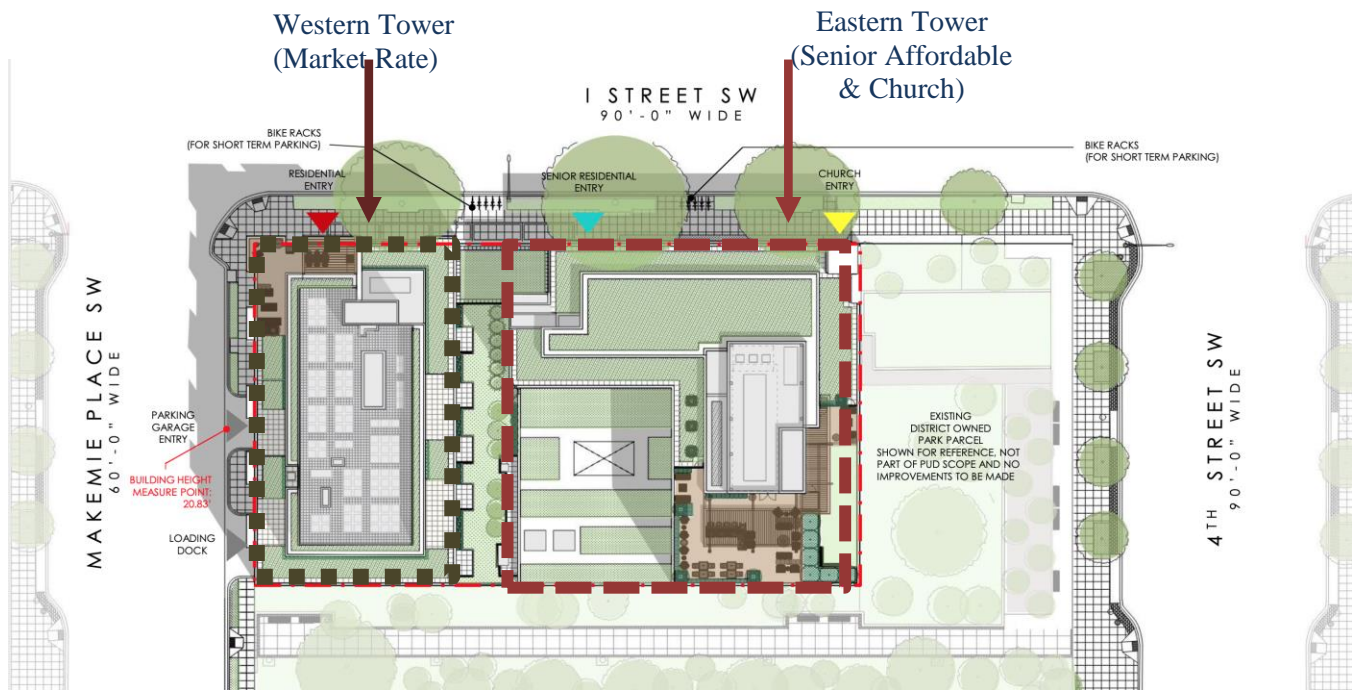


Figure 1. Site Plan and Towers

V. APPLICANT RESPONSES TO CONCERNS RAISED BY THE COMMISSION OR OP

ITEM	APPLICANT RESPONSE	OP COMMENT
Provide Additional analysis confirming project is not inconsistent with Comp. Plan	Extensive analysis provided. See Exhibit 15, pages 2 and 3 and Exhibit 15E.	Response sufficiently addresses request. See additional analysis in this OP report.

ITEM	APPLICANT RESPONSE	OP COMMENT
<p>Affordable housing proffer: Further justify proposed affordable housing plan. Address IZ distribution concerns or propose alternative. Clarify the sq.ft. in each tower – including penthouse residential space – used to calculate IZ requirement Delineate units to be reserved as IZ units</p>	<p>Justification submitted at Exhibit 15, pages 3 – 6. This justification notes that the western (market rate) tower subsidizes the eastern (senior affordable) tower, and that decreasing the number of market-rate units by adding IZ to the western tower would undercut feasibility of providing senior units in the western tower. The eastern tower requires tax-exempt bonds and LIHTC financing, exempting project from IZ until financing restrictions expire. Project will, however, provide 88,805 more sq.ft. of affordable (senior) housing than required for an MU-2 building by IZ.</p> <p>Location of Future IZ Units shown in Exhibit 15, Sheets A-0.1 C & D.</p>	<p>The applicant has sufficiently demonstrated the more-than-required extent of proposed affordable housing <i>However, the applicant has not demonstrated the infeasibility of including IZ units in the western tower. After the financing control period expires the applicant has committed to providing only the required amount of IZ units. OP has asked the applicant to provide additional information on this.</i></p> <p>Response sufficiently addresses IZ location and square footage.</p> <p><i>OP has also asked for information about the layout of the A-3 tier of eastern tower (senior) units. See comments in Design discussion of this report (Section VIII. A. 1).</i></p>
<p>Additional Sustainability Consultation with DDOE re LEED Gold feasibility and consideration of solar panels</p>	<p>The market tower is proposed to be LEED certified and is designed to meet LEED Silver v4, which is the rough equivalent of LEED Gold 2009. Senior tower is proposed to be Enterprise Green Communities certified.</p> <p>The applicant states that rooftops lack adequate space for solar panels. Given shading, the roof area that could accommodate panels would generate less than 2% of building’s energy consumption and not justify expense.</p>	<p><i>Insufficient Response on LEED. PUDs are intended to provide public benefits beyond by-right projects. This is important for sustainability as well as for housing affordability. The applicant is encouraged to pursue LEED Gold v4.</i></p> <p><i>Re solar panels, applicant should provide shading study assessing feasibility, and consult further with DOEE.</i></p>
<p>Provide square footages of different green roof types</p>	<p>Provided. A total of 11,668 SF on 2nd, 3rd, penthouse and roof levels. (Exhibit 23A6, Sheet A-10.2)</p>	<p>Response sufficiently addresses request.</p>

ITEM	APPLICANT RESPONSE	OP COMMENT
<p>Re-examine design aspects, including: simplification of architectural embellishments; size and lighting of cross on east tower; provision of more presence for church entrance; absence of balconies or terraces for individual units; simplification / integration of two tower facades; modulation of height and additional setbacks on I Street; enhancement of ground level of southern façade; redesign fire control and pump rooms to provide more openness for I Street façade; reconsider providing only a single laundry facility for senior tower. Concern was also expressed about the darkness of the brick between the towers.</p>	<p>The most recent design includes:</p> <ul style="list-style-type: none"> • Removal of the architectural embellishment on the west tower; • Simplified facades and better integration of tower colors and materials; • Additional balconies, to 52% of the affordable units; • Fully-glazed bay windows in market rate units; • Lighting information; • Removal of one upright element at the corner at the entrance, somewhat modified lettering, and additional lobby artwork that would be visible from 4th Street. <p>The layout of church facilities remains as does the architectural embellishment and cross at the corner of 4th and I Streets. The applicant states that church prefers to “be a church” rather than to “look like a church”.</p>	<p>The elimination of the western architectural embellishment, the simplification of the façades, the redesign of the fire control and pump rooms, and the addition of balconies are responsive to expressed concerns.</p> <p><i>Please see Section VIII.A.1 of this report for further OP comments on the project’s design.</i></p>
<p>Explain why stair towers cannot meet penthouse regulations and clarify if western architectural embellishment meets setback requirement</p>	<p>Stair locations were revised to meet setback requirements and the western architectural embellishment has been eliminated.</p>	<p>The response sufficiently addresses the concerns. The applicant requests no setback relief and only relief for one stair tower to have a sloped roof.</p>
<p>Explain the need for the lot occupancy and rear yard relief</p>	<p>The ground floor serves three distinct functions, plus back of house uses. It would be difficult to accommodate these functions and provide most church facilities on the ground level without occupying most of the lot. A significant portion of the first-floor roof is devoted to green space or recreation space for residents. The impact of the relief would be minimal given that the property is open to streets on two sides, and fronts on parks/open space on the two sides. The 45-foot depth of the District-owned open space on the south side provides adequate separation from the apartment building to the south.</p>	<p>The response sufficiently addresses the concerns. The building conforms to lot occupancy requirements above the first floor.</p>

ITEM	APPLICANT RESPONSE	OP COMMENT
Examine potential impact on public park walkway and plantings to south.	This property is owned by the District of Columbia. The applicant will work with the appropriate agencies to assess the construction's potential impact on this space and may contribute funds to further the design or implementation of new landscaping of the space.	<i>The applicant should provide an arborist's assessment of potential construction impacts on trees adjacent to the applicant's southern property line and should specify the amount and recipient of the potential contribution.</i>
Provide preliminary assessment of which proposed improvements in public space would not otherwise be required by the District	Proposed public space improvements supplied (Exhibit 23A6, Sheet L 002)	<i>No distinction made between required and proffered improvements.</i>
Provide "Condition-ready" list of church programs that are to be continued or expanded and the duration of the commitment	Provided at Exhibit 15K	The response sufficiently addresses the concerns
File a transportation report	This has been provided (Exhibit 21)	The response appears to be sufficient. Further assessment will be provided by DDOT.
Specify parameters of requested parking flexibility.	53 spaces are required by the regulations and 60 are currently proposed. The applicant requests flexibility to provide no fewer than the minimum number of parking spaces required by the regulations.	The response addresses concerns about the minimum number of spaces. <i>The submission does not provide a maximum number of spaces that would be permitted by the flexibility.</i>
Consult ZA on whether relief is needed for - 16% driveway grade - glass railing atop NW bay projection	ZA rulings affirming permissibility have been sent to OP. The NW bay has been modified and railing has been set back.	The response sufficiently addresses the concerns.
Further explain how quality of design and materials is superior to what would be provided if project not developed as a PUD	No provided.	<i>A response has not been provided.</i>
Respond to request for commitment to First Source Agreement and CBE	The applicant has committed to a First Source agreement for the project and to a CBE agreement for the affordable senior tower.	The response sufficiently addresses the concerns.

ITEM	APPLICANT RESPONSE	OP COMMENT
Provide signage details, including proposed limits on size and location of signage	Provided (Exhibit 23A6, Sheets A-9.0 – A-9.4)	The response sufficiently addresses the concerns. <i>OP has asked the applicant to include a prohibition on interior digital signage that would be visible from outside of the building.</i>
Provide materials samples	Provided (Exhibit 23A4, Sheets A- 4.0-A-5.6)	The response sufficiently addresses the concerns. <i>OP has asked the applicant to consider using a warmer tone for some panels on the eastern (senior) tower. (See design discussion Sec. VIII..A.1, below).</i>

VI. RELATIONSHIP OF THE APPLICATION TO THE COMPREHENSIVE PLAN AND OTHER ADOPTED PLANS.

Section III of OP’s Setdown Report (Exhibit 11) provided an analysis of the relationship between the proposed project, the Comprehensive Plan’s existing and proposed Generalized Future Land Use Map (FLUM) and Generalized Policy (Policy) Map, the Southwest Small Area Plan (SAP) and the current written elements of the Comprehensive Plan. This analysis is attached to this hearing report. This section of the OP report summarizes that analysis and updates it to reflect proposed amendments to the Lower Anacostia Waterfront/Near Southwest Area Element.

A. Current Comprehensive Plan

As analyzed in OP’s setdown report and noted above, the proposed PUD would, in balance, be not inconsistent with the Comprehensive Plan’s Policy Map, Citywide Elements, Area Element, the SAP or nearby development. This relationship would be further strengthened by aspects of the Comprehensive Plan amendments now nearing a preliminary vote by the Council.

While the 90-foot high, 7.06 FAR project would not typically comport with the site’s Moderate Density Residential designation on the current FLUM, the Comprehensive Plan is intended to be read as a whole and this is balanced by the strength of its conformance with other parts of the Comprehensive Plan, especially:

Framework Element

- The critical need for new affordable housing units identified as *high-priority public benefits in the evaluation of residential PUDs* (Section 224.9)

Land Use Element

- *Station Areas as Neighborhood Centers*
- *Development Around Metrorail Stations* (Land Use Policy LU-1.3.2)
- *Housing Around Metrorail Stations* (Land Use Policy LU-1.3.3)

- *Transitional and Buffer Zone Districts (Land Use Policy LU-2.3.4)*

Housing Element

- *Balanced Growth (Policy H-1.1.3)*
- *Housing Quality (Policy H-1.1.5)*
- *Affordable Housing Production as a Civic Priority (Policy H-1.2.1)*
- *Non-Profit Involvement (Policy H-1.2.6)*
- *Housing Choice for Seniors (Policy H-4.2.2)*
- *Neighborhood-Based Senior Housing (Policy H-4.2.3)*

Transportation Element

- *Discouraging Auto-Oriented Uses (Policy T-1.2.3)*

Environmental Protection Element

- *Street Tree Planting and Maintenance (Policy E-1.1.1)*
- *Landscaping (Policy E-1.1.3)*
- *Using Landscaping and Green Roofs to Reduce Runoff (Policy E-3.1.2)*
- *Support for Green Building (Policy E-3.2.1)*

Arts and Culture Element

- *Performance and Events in Non-Traditional Settings (Policy AC-1.1.6)*

Urban Design Element

- *Reinforcing the L'Enfant and McMillan Plans (Policy UD-1.1.2)*
- *Neighborhood Character and Identity (Policy UD-2.2.1)*
- *Areas of Strong Architectural Character (Policy UD-2.2.2)*
- *Transitions in Building Intensity (Policy UD-2.2.4)*
- *Maintaining Façade Lines (Policy UD-2.2.6)*

B. Comprehensive Plan Proposed Amendments

Further, as noted above, the proposal would be not inconsistent with the site's Medium Density Residential / Low-Density Commercial designation on the FLUM being considered by the Council.

In this instance, the proposed FLUM amendment is more relevant to the application than the 2012 FLUM. The recommended FLUM revisions would be a direct reflection of language in the community-led Southwest Small Area Plan (SAP) that the Council adopted in 2015. That SAP explicitly designates the Westminster Presbyterian Church site and the Christ United Methodist Church site across 4th Street as appropriate for mixed-use medium density residential and low-density commercial uses² as long as developments of that intensity are approved in conjunction with a PUD. (See SAP, TC.4, TC, 5 and TC.6).

The intention to incorporate this SAP into the Comprehensive Plan's Lower Anacostia Waterfront/Near Southwest Area element is made explicit in the following proposed Comprehensive Plan policy amendments:

² Places of worship are permitted under both designations.

1914.5 Policy AW-2.5.2: Southwest Neighborhood Plan. Implement the policies and recommendations of the Southwest Neighborhood Plan. Use the Southwest Neighborhood Plan as a framework for guiding public investment and evaluating new development per plan recommendations and design guidelines.

The proposed Area Element amendments would also strengthen the relationship between the PUD and the Area Element:

1914.11 Policy AW-2.5.8: Southwest Arts and Culture. Grow and support Southwest as a premier arts and cultural destination, leveraging existing institutions, such as Arena Stage and the Anthem concert venue to attract new creative uses in both temporary and permanent locations and to reinforce I Street SW as a cultural corridor.

The Westminster Presbyterian Church has long-supported community arts and cultural programming, including a highly-regarded jazz series. The Church has pledged the continuation of these programs in the PUD application. With the Blind Rhino and upcoming art museum near South Capitol and I Streets, the new library at 3rd and I Streets and the possible Shakespeare Theater facilities at 5th and I Streets, the PUD would contribute to reinforcing I Street as a cultural corridor.

1914.7 Policy AW-2.5.4: An Equitable and Inclusive Southwest Neighborhood. Ensure that Southwest remains an exemplary model of equity and inclusion for all races, ages, abilities, and income levels and enhances all residents' well-being. Support and encourage affordable and equitable access to housing with a range of housing types to support families, older adults, single persons, persons with disabilities, and artists. Encourage more inclusive options for transit and more accessible public realm design.

and

1914.14 Policy AW-2.5.11: Affordable and Family-Sized Housing in Southwest. Promote a mix of affordable and market rate residential units that better serve community needs in Southwest. Prioritize the creation of a greater number of affordable units than the Inclusionary Zoning requirement or more family-sized units as part of a community benefits agreement for any PUDs and by targets on District-controlled sites that exceed overarching affordable housing requirements.

The project would further the above two proposed Area Element policies by increase the number of affordable housing units for the elderly by 123. This which would provide 86,925 more square feet of affordable housing than would be required by IZ. However, including near-term affordable units and future IZ units within only one of the two towers and for only one age-group may diminish the project's furtherance of these two policies, and some of the objectives of the IZ regulations. The promotion of these policies and conformance with the IZ regulations would be significantly stronger if IZ units – particularly two- or three-bedroom IZ units --were also included in the western (market rate) tower now and in the future.

VII. ZONING ANALYSIS

The site is zoned R-3 and the applicant is requesting a PUD-related zoning map amendment to MU-2. Below is a table comparing the proposal to the existing R-3 zone and requested MU-2 PUD potential:

A. Table 1: Existing and Proposed Zoning, Development Potential, and Proposed Development.
 (Based on applicant's summary figures).

Item	R-3 Zone - By Right	MU-2 PUD with IZ	Proposed	(+) or (-) from Existing By-Right or PUD	Complies w/ MU-2 PUD?
Lot Size (SF)	2,000 min.	15,000 min.	36,015	n/a	Complies
Height (ft.) above measuring pt.	40 max.	90 max.	90 + penthouse	+ 50 ft.	Complies
FAR Total	1.8 max.	8.64	7.05	+ 5.25 FAR	Complies
FAR non-res.	0	4.69	0.6	n/a	Complies
Lot Occ. Of total site	60% max.	90%	98%, 1 st floor 87%, 2 nd floor 76% floors 3 - 10	+ 30%	Relief Requested from G 304.1 for 1st floor
Total GFA	54,675	262,440	Total: 214,338	+157,663	Complies
Non- Res. SF	n/a	108,045	Church:18,513	n/a	Complies
Residential SF	54,675	162,067	Total: 195,825 (West Tower: 90,000 East Tower: 102,236 SF)	+ 141,150	Complies
Res. Units	~30	~ 260	123 Senior Affordable 99 Market Rate	~+ 230	Complies
IZ SF	10% of res. GFA at 60% MFI = 5468	8% of GFA at 60% MFI if rental or 80% MFI if for-sale, plus 8% of habitable residential penthouse space total of 15,379 SF. Exempt while senior tower under tax-exempt bond & LIHTC restrictions.	No IZ units in either tower while 123 affordable units are governed by public financing restrictions; 15,846 SF in East Tower only after restrictions expire	+ ~10,400 SF over by-right. 467 SF more than required for PUD. Above does not include non-IZ affordable senior housing	Relief Requested from C 1005.5
Roof Structures	n/a	1 roof structure, with additional permitted per elevator core, or	2 penthouses, each serving a separate elevator core. Multiple Heights	n/a	Relief requested from, G 303.2 for

Item	R-3 Zone - By Right	MU-2 PUD with IZ	Proposed	(+) or (-) from Existing By-Right or PUD	Complies w/ MU-2 PUD?
		roof level differing \geq 1 floor ; Uniform heights; 20' in 1 story + 2 nd story for mechanicals; Vertical walls; 1:1 setback from exterior walls	West Tower: 10', 11'6", 16, 20'. East Tower: 8', 10', 11', 20'. Sloping penthouse roof atop west wall of senior tower to accommodate stair tower while meeting setback requirements		multiple penthouse heights and portion of penthouse with sloped roof
Side Yard (ft.)	8 ft.	Not required	None provided	-8 ft.	Complies
Rear Yard (ft.)	20'	At least 12' starting 20' above grade required	0	complete	Relief Requested from G 305
Open Court (ft.)	n/a.	If provided, the greater of 4 in / ft. of ht. or 125 = 27'6"	80 ft	n/a	Complies.
Non-Bicycle (Vehicular) Parking	1 per dwelling unit	With 50% C 702.1(a) transit reduction TOTAL 53 Church: 1 / 10 seats = 26 Mkt. Rate Res.: 1 / 3 du's over 4 = 16 Affordable Elderly: 1 / du's = 11 Total 53	TOTAL 60 Res.: 95 - 129 Church: 26 Mkt Rate: 30 Affordable Elderly: 4 (40 standard, 16 compact, 4 accessible (2 van)	7 more than required for PUD	Complies
Bicycle Parking	n/a	Total 76 long-term 19 short-term	Total 76 long-term 20 short term	As required	Complies
Loading Residential and Non-Residential	n/a	TOTAL, ALL USES 1 berth @ 30'; 1 delivery space @ 20'; 1 100 sf platform	TOTAL, ALL USES As required	As required	Complies
GAR	20% pervious	0.3	0.3	--	Complies

B. Requested Zoning Relief

Subtitle C § 1500.9 Penthouse Relief: In the most recently submitted plans, all stair towers and other roof structures meet setback requirements without needing relief. The applicant is requesting relief from requirements that penthouse walls be vertical and of a single equal height. The applicant states that the varied heights of the penthouses enable the majority of the penthouses to be at a lower height than the 20 feet that would otherwise be permitted, and that the sloping roofline of the staircase tower on the senior building would enable it to meet code requirements for location while meeting 1:1 setback requirement from court walls and exterior walls. OZ has no objection to the request.

Subtitle G § 304.1 Lot Occupancy Relief: Lot occupancy relief is requested for the ground floor. The ground floor serves three distinct functions. The church wishes to provide as many of its facilities and services as possible on the ground floor. The ground floor must also provide the entrance lobby, an office and service space for the eastern (senior) tower, similar functions and some amenity space for the western (market rate) tower, bicycle storage, plus loading facilities and vehicle parking access for both towers. The applicant notes that all floors but the first would comply with lot occupancy requirements and that the site is surrounded by streets or public-owned space on all sides. Shifting functions from the first floor to reduce its lot occupancy could also reduce the number of market rate and/or senior affordable units on the upper floors. OZ has no objection to the request.

Subtitle G § 305.1 Rear Yard Relief: Complete rear yard relief is requested. The applicant cites the same justification for this relief as it does for Subtitle G § 304.1 relief. As above, the requested relief is likely to have little negative impact as the site is surrounded by streets or parks and is separated from the apartment building to the south by over 60 feet. OZ has no objection to the request.

Subtitle C § 1005.5 Concentration of IZ Unit Relief: Per Subtitle C § 1001.6 (a) the project is exempt from IZ until the expiration of restrictions associated with government financial assistance for the project. However, the applicant must designate what will become the future IZ units in the seniors building, according to the requirements that will apply when the units do become subject to IZ. The applicant has designated which of the affordable senior units would eventually become IZ units. These would not be overly concentrated in any part of the eastern (senior) tower.

However, as previously noted, there would be no IZ units in the western tower. Because both towers are one building for zoning purposes, such an arrangement would require relief from Subtitle C § 1005.5, as the IZ units would be concentrated in one portion of the building – the eastern (senior) tower. The applicant has stated but not demonstrated that the inclusion of IZ units in the western (market rate) tower would increase the financial difficulty of building the new church space and would reduce the cross-subsidy needed to make the affordable senior units in the eastern tower feasible – even with tax exempt bonds and/or LITHC financing. The applicant has also not demonstrated that it would not be feasible to locate any of the future IZ units in the western (market rate) tower when the financing arrangements for the eastern (senior) tower no longer exempts the entire project from IZ. OP could understand the infeasibility of converting some market rate condominiums to IZ condominiums in the future, but the applicant's recent filings do not state that the market rate tower would be a condominium.

OP has very serious reservations about this request and has repeatedly asked the applicant to provide more information about why including IZ units in the western (market rate) tower would make the

overall project infeasible now and why IZ distribution requirements could not be met in the future if both towers were rental properties.

C. Requested Design Relief

The applicant requests 12 areas of design flexibility. (See Exhibit 3, pages 21, 22) for exact wording of requests; the word(s)). Most of these are requests that have accompanied other PUDs the Commission has approved. OP generally recommends approval of them, *but with modifications or comments for six requests (a, b, c, f, g, i). In particular, OP does not recommend approval to permit a 10% reduction in the number and mix of affordable dwelling units, as would be permitted by request "a", below.*

- a. To provide a range in the number of residential units to plus or minus 10% in the Residential Tower and plus or minus 10% in the Senior Tower
 - i. OP does not object to this, *provided the square footage reserved for IZ is not reduced.*
- b. To vary the location and design of all interior components, including amenities, partitions, structural slabs, doors, hallways, columns, stairways, mechanical rooms, elevators, and toilet rooms, and to vary the layout and exact size of the Church facilities, provided that the variations do not materially change the exterior configuration of the building, and to vary the layout and exact square footage of the Church;
 - i. OP does not object to this, *provided the square footage reserved for the Church does not decrease by more than 10%.*
- c. To make refinements to the garage configuration, including the layout, number of parking spaces, and/or other elements, so long as the number of parking spaces does not decrease below the minimum level required by the Zoning Regulations;
 - i. OP does not object to this, *provided the applicant, in consultation with DDOT, stipulates a maximum number for any increase in parking spaces.*
- d. To vary the final selection of the colors of the exterior materials based on availability at the time of construction, provided such colors are within the color ranges proposed in the approved Plans;
 - i. OP does not object to this.
- e. To make minor refinements to the locations and dimensions of exterior details that do not substantially alter the exterior design shown on the approved Plans. Examples of exterior details would include, but are not limited to, doorways, canopies, railings, windows, and skylights;
 - i. OP does not object to this.
- f. To vary the color, font, and message of the proposed signage, provided that the maximum overall dimensions and signage materials are generally consistent with those shown on the approved Plans;
 - i. OP does not object to this, *provided there is no significant change in the proposed location of the signage and no signage is located above the second floor.*
- g. To vary the number and mix of affordable units if the total number of dwelling units changes within the range of flexibility requested, provided that the location and proportionate mix of the affordable units will substantially conform to the layout shown on the approved Plans;

- i. OP has no objection to this, *provided the number, square footage and mix of units reserved for Inclusionary Zoning are not decreased;*
 - h. To vary the location, attributes, and general design of the approved streetscape to comply with the requirements of, and the approval by, the DDOT Public Space Division; and
 - i. OP does not object to this.
 - i. To vary the approved sustainable features of the Project, including the final layout of the landscape elements, provided the total number of LEED and/or Enterprise Green Communities points achievable for the Project does not decrease below the minimum required for the LEED and/or Enterprise Green Communities standards specified by the order.
 - i. OP does not object to this, *but strongly encourages the applicant to work with DOEE to increase the LEED level for the western tower and the sustainability of the overall project.*

VIII. 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.*” (Subtitle 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.

A. 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.*” Subtitle X § 305.5 provides a summary of categories for PUD benefits and amenities.

The applicant’s list of public benefits and project amenities is on pages 28 – 33 of its original Statement in Support (Exhibit 3), as supplemented by later filings (Exhibits 15 and 23).

1) *Superior urban design and architecture*

The proposed building covers the site on the first floor, primarily for church-related facilities, and places two towers above this for the different residential programs. In many respects, the use of two towers makes the single building appear as if two, which helps to break down the mass of the I Street frontage. Above the first floor and the eastern section's mezzanine level the towers would take L shapes, with the open sections facing south to the linear park.

The applicant has responded satisfactorily to many design concerns raised by the Commission or OP. Among them:

- The northern facades on I Street have been simplified.
- Balconies have been added to over 50% of the senior units;
- The architectural embellishment on the western tower has been eliminated;
- Rooftop elements have been relocated and now meet all 1:1 setback requirements;
- The church entrance has been somewhat modified by the removal of pylon at the northeast corner of the building and the addition of artwork to the lobby that would be visible from outside;
- Details have been provided on the proposed lighting for the tower on the northeast corner
- Materials on the lower level of the southern façade have been upgraded;
- The fire control and pump rooms have been relocated, making for greater transparency into the I Street ground floor.

Overall, the proposed building continues to take many of design cues from recent nearby buildings. This is particularly true for the market rate tower's choice of materials and colors and its use of bay projections, all of which are similar to existing buildings on 4th Street. However, *the applicant has not responded to the setdown request for a fuller explanation of the design's and materials' superiority to a matter-of-right project.*

With respect to other elements for which additional consideration had been suggested at setdown, as well as some new considerations:

- The glass tower / architectural embellishment at the northeast corner has been retained with no notable changes.
- The church entrance remains the same size and scale as before, but the use of channel glass between the first and second floors may help to emphasize the entrance, as had been requested. *The applicant should clarify if this would be back-lit;*
- The approximately 95-foot-high cross embedded in the northern end of the eastern façade and embellishment of the senior building has been retained. It appears from Exhibit 23 A2 Sheet A-2.1 that the cross would be backlit by the glass tower and lighting behind the cross' left arm. *The applicant should clarify the backlighting of all parts of the cross on the I Street façade of the eastern tower (Exhibit 21 A2, Sheet A-2.1);*
- With one exception the color choices do not appear to be inconsistent with other buildings on 4th Street. Light tones were retained for the I Street and 4th Street facades of the eastern

- tower. *The applicant should consider providing a warmer tone to the Fiber Cement Pearl White panels (Exhibit 21 A4, Sheet A-4.0A Material 2B; Sheets A-4.1 and A-4.2) in these areas to better tie in with the colors of the western tower and existing buildings on 4th Street;*
- The senior tower continues to have only one laundry room for all 123 units. It would be located on the third floor. *OP continues to encourage the applicant to consider the provision of additional laundry facilities within units or to expand the number of communal laundry facilities;*
 - OP is uncertain about the practical functioning of the irregular layout and window placement of the A-3 tier units in the eastern tower (Exhibit 21 A1, Sheets A-0.1 C and D), and has *asked the applicant to provide a diagram of a possible typical layout of furniture in and light available to these units;*
 - There do not appear to be additional setbacks on I Street, which had been suggested to reinforce the transitional nature of the requested MU-2 zone. However, as noted above, the architectural embellishment on the western tower has been eliminated, reducing the apparent height of that tower;
 - The fiber cement panels on I Street between the two towers remain dark fiber cement panels. OP does not object to this, but a concern had been raised at setdown. However, *the applicant should reconsider the dark color of the western wall of the open court (eastern wall of western tower – Exhibit 21 A4, Sheet A-4.6) and its impact on the view from and reflectivity of light to the eastern tower;*
 - The western tower retains the full-glass bay projections, as previously designed. The market rate tower does not have any balconies. The applicant notes that the residents will have access to a rooftop terrace and will be across Makemie Place from a public park. *OP continues to encourage the applicant to provide some private outdoor space for western tower units;*
 - To improve the appearance of the ground level facing the Duck Pond Park, OP has *suggested the applicant redesign the vehicular garage door to be similar to what is shown for the loading area (Exhibit 21 A4, Sheet A-5.6) and commit to keeping both doors closed when not in use.*

As noted in Section VII.C. OP also has concerns about some of the Design Flexibility requests.

2) *Superior landscaping, or creation or preservation of open spaces*

The project would include the public space improvements usually required by the District Department of Transportation's Public Space Committee. *While the public space improvements may include items not required by DDOT, these have not been highlighted.*

The building would have terraces on at least two levels, would include 11,668 square feet of green roof areas, and would have shade trees atop lower-level roofs.

OP had asked the applicant to examine the potential impact of the building and its constructions on the trees long the linear park pace adjacent to the southern building wall. The applicant has not submitted an arborist's report or assessed potential impact.

3) *Site planning and efficient and economical land utilization*

By locating the church and its support functions on the ground floor of the building the applicant has been able to make efficient use of the entire site for the two L-shaped residential towers. Their layout makes effective use of the site and provides sufficient light and surrounding space for all units; the double-loaded corridor design and site planning is very efficient and economical.

Locating the parking entrance and loading facilities on Makenzie Street avoids interruptions on the more heavily travelled 4th Street and I Street. Because these vehicular entrances are across from a public park *the applicant will need to take special care with the appearance of doors to these facilities and ensure they remain closed when not in use.*

4) *Housing*

The project would provide 99 units of market rate rental or condominium housing (the west tower): 9 studios, 50 one-bedroom, 24 one bedroom plus den and 16 two-bedroom.

5) *Affordable housing*

Residential Unit Type	Res. GFA; % Total	Units	Income Type	Affordable Control Period	Affordable Unit Type	Notes
Residential Total	GSF	222				
Market Rate	GSF	99				Rental or Condo
IZ Total Required @ 8% of Res. GFA	15,836 GSF	~12-15 @ ~ 1,000 SF	Low	Same as below	Rental or Condo	
IZ Total Provided	15,835 SF GSF	30 @ ~ 500 SF	Low	Project duration, after expiration of affordable housing financing control period		
Affordable, Not IZ	92,537 GSF	93	Low	n/a	n/a	Likely senior affordable for life of building

In addition to the retention of the church, the most significant public benefit of the project would be the provision of 123 senior affordable units in the eastern tower. These units would be non-IZ affordable housing built with District tax exempt bonds and/or District-administered LIHTC funding. The senior housing would be targeted to senior households earning no more than 60% of the area's Median Family Income (MFI). There would be 34 studios and 89 one-bedrooms.

During the LIHTC control period (typically 30-40 years) the approximately 92,537 square feet of affordable housing in the eastern tower would be significantly more than IZ would require for the R-3 zone or for the entire project under the requested MU-2 zone. The level of affordability would

also be deeper for some units. After the control period expires approximately 15,835 square feet of IZ units would be required.

The design clearly separates the affordable housing in the east tower from the market rate housing in the western tower— something contrary to the objectives of the Inclusionary Zoning ordinance and District policy. Each tower is a separate entity atop a common base. Each has a separate entrance and separate elevator cores. The towers have no shared facilities other than a corridor from each tower leading to a common loading dock and garage. While the proposal would not meet the physical distribution requirements of the IZ regulations, because the towers are part of one building they would meet IZ's absolute numerical and income requirements. *OP continues to strongly encourage the applicant to incorporate IZ units within the western tower, beginning at project occupancy.*

6) *Environmental and sustainable benefits*

The applicant states that the project's sustainability commitment would be to LEED Silver v4 for the market rate tower and certification under the Enterprise Green Community standards for the senior tower. Since achieving LEED Silver certification is a requirement of the District's Green Building Act of 2006 and the Enterprise Green Community's LEED Silver equivalency is standard for projects that receive public funding, *OP had encouraged the applicant to make a firm commitment to achieving LEED Gold v4 certification if it wished environmental benefits to be considered a public benefit. The applicant has not to date done this.*

The project would have 11,886 SF of green roof but would not have solar panels. *OP continues to encourage the applicant to have further discussions with DOEE to discuss solar panels and other green building initiatives that could be incorporated into the project.*

As noted above, the potential impact of the building on the park corridor to the south still needs to be examined.

7) *Uses of special value to the neighborhood or the District of Columbia as a whole*

The project would contribute to the District-wide goal of producing affordable housing, particularly for older citizens.

It would also enable Westminster Church to remain in the community on its present site. On pages 32 and 33 of Exhibit 3 and in Exhibit 15K the applicant notes the ways in which the church functions as a de facto community center and the myriad benefits the church- sponsored programs bring to the neighborhood and the District. These include:

- Jazz and blues presentations;
- Providing and subsidizing a community based cater and food service training operation;
- Supporting youth-oriented DC Court-ordered community service programs;
- Housing and subsidizing a weekly domestic violence clinic, weekly Narcotics Anonymous meeting and weekly health and fitness programs for seniors;
- Hosting and subsidizing a harm-reduction program for at-risk residents who are drug users;
- Hosting a Trans-Pride Festival;

- Regularly providing free services for funerals, weddings and other gatherings in the neighborhood;
- Providing space for meetings of various community organizations;
- Making annual contributions to support Amidon-Bowen school programs;
- Providing low-cost to no-cost housing for visitors to public rallies and marches;
- Hosting public meetings
- Permitting off-hour use of the parking lot for members of the community;
- Providing space for visual and performing arts by and for members of the community with lesser access to such programs.

Exhibit 15K lists the minimum community programs which the church has agreed to continue as part of the PUD. Additional programs are likely to be provided.

The following table summarizes the public benefits and notes additional information or consideration needed about the proposed benefits after setdown.

TABLE 3: ITEM	MITIGA- TION	PUBLIC BENEFIT	PROJECT AMENITY	REQUIRED	IS IT A PROFER?
Market rate housing	No	Yes. ~ 52,000 more SF than by-right in existing R-3 zone.	No	No, but inherent in project	No
Retention of Church and Related Facilities	No	Yes	Yes for related facilities	No, but core part of project	Yes, although it is a retention of existing programs.
Affordable Housing for Seniors. ~ 93,000 SF More Affordable Housing @ 50% and 60% MFI than under R-3	No	Yes	No	No, but inherent in financing of project	Yes
Superior Architecture	No	Possibly.	Possibly	Yes	No

TABLE 3: ITEM	MITIGA- TION	PUBLIC BENEFIT	PROJECT AMENITY	REQUIRED	IS IT A PROFER?
Public Space Improvements	Partially	Yes	Yes	Mostly. Non- mandatory improvements not specified	Possibly
Environ- mental Benefits	No	Yes	No	Yes	No

B. Mitigation of Potentially Adverse Impacts

The applicant should *provide information assessing the potential impact of the project and its construction on the line of trees along the public walkway at the southern edge of the project.*

The transportation-related mitigation measures included in Exhibit 21 will be evaluated in a separate report from the District Department of Transportation (DDOT). The applicant is also in discussions with the ANC about transportation and parking measures outside the scope of a potential Order.

IX. OTHER DISTRICT AGENCY COMMENTS

No other District agencies had commented at the time OP completed this report.

X. ANC COMMENTS

ANC 6D had submitted a letter supporting setdown of the application (Exhibit 10) but had not submitted a recommendation on the application at the time OP completed this report.

XI. PUBLIC COMMENTS

At the time OP completed this report, the file contained four letters of support from organizations (Exhibits 15H, 15I, 15J and 25), two letters of support from members of the DC Council (Exhibits 15F and 15G) and one letter of support from a member of the general public.

APPNDIX: Additional Comprehensive Plan Analysis from OP Setdown Report

APPENDIX: ANALYSIS OF APPLICATION’S RELATIONSHIP TO THE COMPREHENSIVE PLAN AND OTHER PUBLIC PLANS (from Exhibit 11: OP Setdown Report – July 17, 2020)

The Guidelines for Using the Generalized Policy Map and the Generalized Future Land Use Map (FLUM) (Chapter 2 Framework Element, Section 226) note 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.

When considered in this broad context the proposed PUD and map amendment would be not inconsistent with the map designations. This assessment is based on the combination of the depth of the affordable housing benefits, the extent of the public benefits accruing from the retention of the church and its community services and the unusual pending status of proposed FLUM changes that would be consistent with the requested PUD-related map amendment.

Generalized Future Land Use Map (FLUM), the Framework Element and the Southwest Small Area Plan

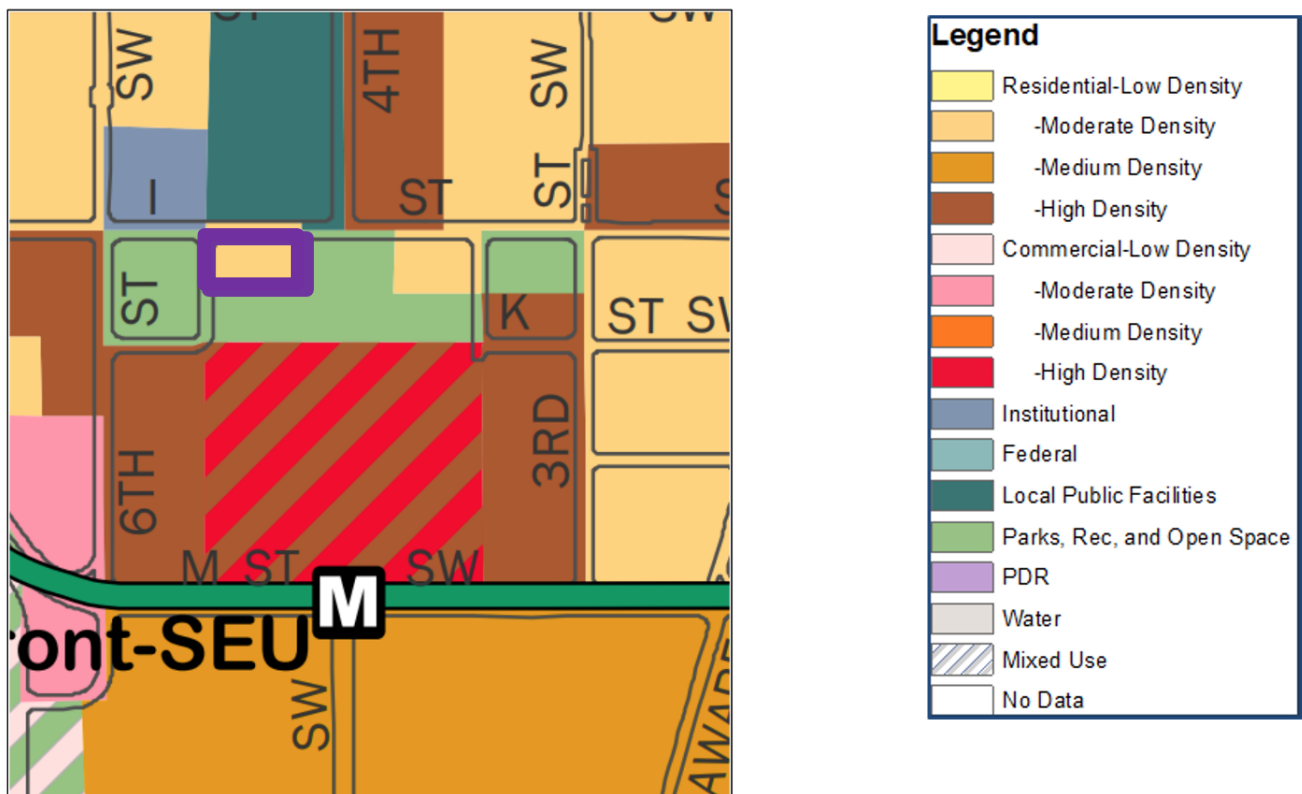


Figure 1. 2012 Adopted FLUM With Site Outlined in Purple

The current (2012) Future Land Use Map (FLUM) indicates that the site is appropriate for Moderate Density Residential use. This category is defined in 10-A DCMR § 225.4 of the existing Framework

Element as applying to neighborhoods with row houses and low-rise apartment buildings, and some single-family houses, as well as older multi-story apartment buildings that pre-date current zoning or land use designations. Typical zones include what, after 2016, are the R-3, RF and RA-2 zones, although “other zones may also apply” according to the Framework element. The new Framework element adopted by the Council of the District of Columbia (the Council) in 2019 (10-A DCMR § 227.6) but not yet enacted by the Congress, also suggests that the types of uses noted above are not “exclusively” the types of uses appropriate to moderate density residential areas.

While the proposed PUD and its requested MU-2 map amendment may not comport with the existing Comprehensive Plan’s description of a moderate density residential land use, an amendment to the Comprehensive Plan that is based on a Council approved Small Area Plan suggests the applicant’s site is appropriate for the medium density development proposed by the applicant.

The Comprehensive Plan amendments currently before Council recommend amending the FLUM to show the site as appropriate for a mix of Medium Density Residential and Low-Density Commercial uses. Consideration of these amendments by the Council has been delayed due to disruption caused by the current pandemic.

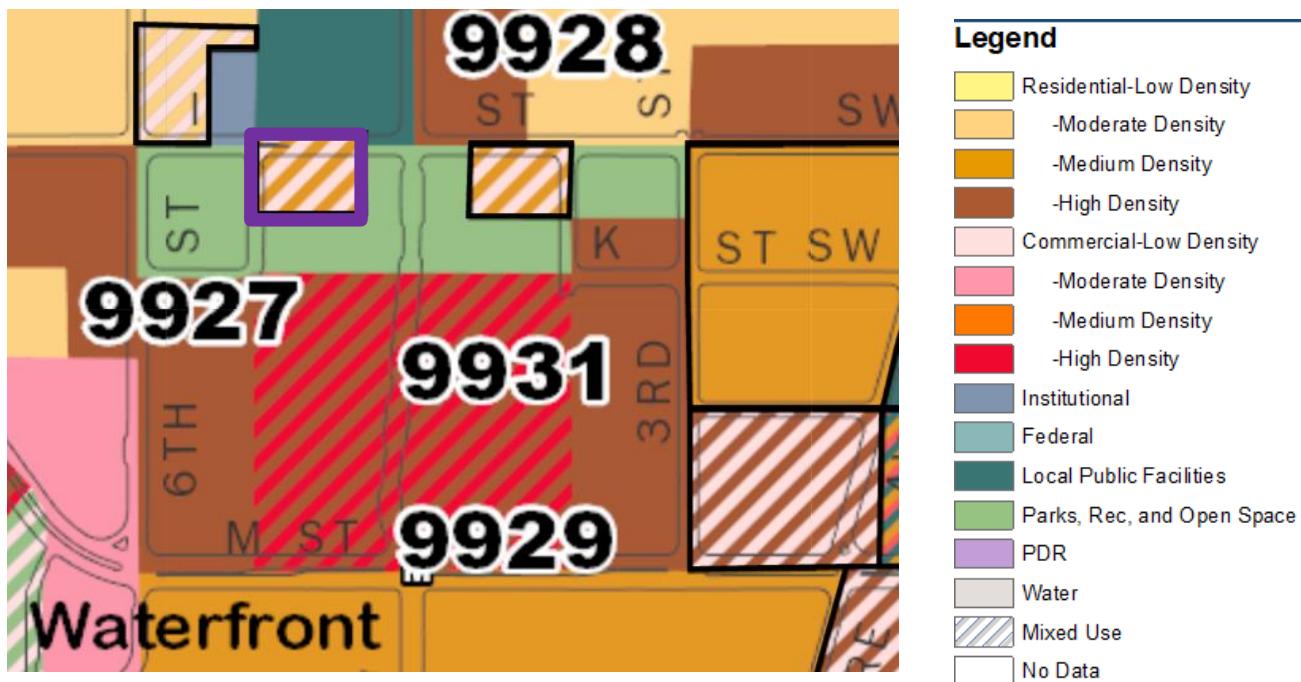


Figure 2. Proposed 2020 FLUM with Site Outlined in Purple

Normally OP would be reluctant to cite a not-yet-approved FLUM before it has become officially adopted. In this instance, however, OP believes the proposed FLUM amendment is more germane than the 2012 FLUM. The recommended FLUM revisions are directly related to the recommendations in the Southwest Small Area Plan (SAP). That SAP (Figure 3, below) explicitly designates the Westminster Presbyterian Church site and the Christ United Methodist Church site across 4th Street as appropriate for mixed-use medium density residential and low-density commercial uses if approved in conjunction with

a PUD . (SAP, TC.4, TC, 5 and TC.6). That designation also permits churches and other places of worship. The Council adopted this SAP in July 2015. While a Small Area Plan is only advisory to the Comprehensive Plan, the Council’s approval of the SAP four years ago signaled its intentions for the future land use designation of this site. The now-recommended FLUM amendment would simply incorporate this decision into the full Comprehensive Plan.



Figure 3. Future Land Use Change Designations, Southwest Small Area Plan Adopted by Council of the District of Columbia, July 14, 2015 (Site in Purple)

The proposed 7.07 FAR and 90-foot height would be within the upper range of what is considered appropriate for medium density land uses.

Generalized Policy Map

While sharply delineating the Westminster Presbyterian site as suitable for medium density and change, the Small Area Plan retains the neighborhood conservation designation shown in the Comprehensive Plan’s generalized policy map for the rest of the immediate area. The Generalized Policy Map (Fig. 3) designates the site as part of a Neighborhood Conservation Area (NCA).

The guiding philosophy in Neighborhood Conservation Areas is to conserve and enhance established neighborhoods. Limited development and redevelopment opportunities do exist within these areas but they are small in scale. The diversity of land uses and building types in these areas should be maintained and new development and alterations should be compatible with the existing scale and

architectural character of each area. Densities in Neighborhood Conservation Areas are guided by the Future Land Use Map. (DCMR 10 § 223.5)

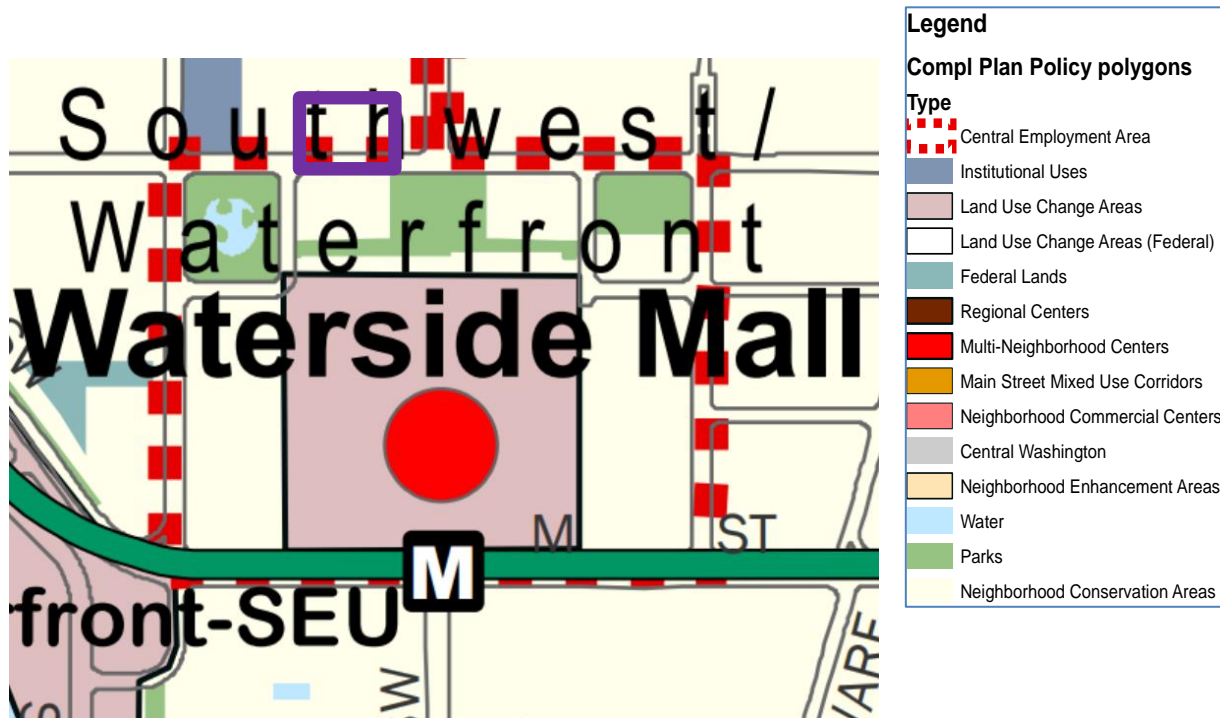


Figure 4. Comprehensive Plan Generalized Policy Map

Within the area bounded by 4th, 7th, G and M Streets, SW, development south of I Street has residential and office buildings ranging from 90 to 110 feet high that were approved as PUDs. With one exception, development north of I Street has rowhouses or low-and mid-rise apartment buildings. The proposed project would be a 90-foot-high building south of I Street. That height would be transitional between the 110-foot height of the apartment building immediately to the south and both the 48-foot-tall apartment building approved for the corner of 6th and I Streets, SW and the townhouses north of that building. The proposed PUD would, thereby, be not inconsistent with the development pattern in the Neighborhood Conservation Area.

A. COMPREHENSIVE PLAN WRITTEN ELEMENTS

The proposed project would, on balance, also be not inconsistent with written elements of the current Comprehensive Plan. The Land Use, Transportation, Housing, Urban Design and Lower Anacostia Waterfront/Near Southwest Area Element include policies and recommended actions with which the proposal is congruent. The proposal would:

- be transit-oriented (policies LU-1.3 and T-1.1.4);
- retain the church as an important community anchor (LU 2.3.6) and
- provide new housing and retail uses where now there is a surface parking lot behind the church (policies LU-2.1.3, CW 1.1.1, CW-1.1.4, CW-1.1.9, H-1.1.1, H-1.1.4 and, to some extent H-1.2.3);

- employ architectural and urban design using high-quality materials, varied massing and fenestration and attention to ground floor details and public benefits affecting pedestrians (policies UD 2.2.1, 2.2.7 and UD- 2.2.5);
- enhance environmental and sustainability objectives through the various green elements that would be built into a project intended for LEED-Silver equivalency (policies E- 1.1.1, E-1.1.3, and E-2.2.1); and
- generally be consistent with policies supporting the Southwest Waterfront and its major streets (AW-1.1.9)

As discussed below, the general furthering of policies relating to land use, senior and affordable housing, transportation and the retention of important neighborhood elements more than outweighs possible inconsistencies with aspects of the urban design element and with housing policy action H-1.2.A relating to the uniform distribution of Inclusionary Zoning units.

1. Citywide Elements of the (Current) Comprehensive Plan

Chapter 1 - Land Use

The Land Use Chapter provides the general policy guidance on land use issues across the District.

Policy LU-1.3.1: Station Areas as Neighborhood Centers

Encourage the development of Metro stations as anchors for economic and civic development in locations that currently lack adequate neighborhood shopping opportunities and employment...

Policy LU-1.3.2: Development Around Metrorail Stations

Concentrate redevelopment efforts on those Metrorail station areas which offer the greatest opportunities for infill development and growth, particularly stations in areas with weak market demand, or with large amounts of vacant or poorly utilized land in the vicinity of the station entrance. Ensure that development above and around such stations Eastern Market Metrorail Station emphasizes land uses and building forms which minimize the necessity of automobile use and maximize transit ridership while reflecting the design capacity of each station and respecting the character and needs of the surrounding areas. 306.11

Policy LU-1.3.3: Housing Around Metrorail Stations

Recognize the opportunity to build senior housing and more affordable “starter” housing for first-time homebuyers adjacent to Metrorail stations, given the reduced necessity of auto ownership (and related reduction in household expenses) in such locations. 306.12

4th Street has been a designated neighborhood center for almost 70 years. The existing and approved medium-density mixed-use development near the Waterfront Metro station has continued the 50-year-old development pattern of 4th Street between I and M being the commercial center of the Southwest neighborhood. The proposed project would add to the balance of uses in this center by providing

guaranteed affordable housing for senior citizens, market rate housing, and the retaining a neighborhood-anchoring church and its variety of cultural, community and service offerings.

The retention of this church is also consistent with the importance that Land Use Policy 2.3.6 places on the retention of Places of Worship and Other Religious Facilities as “neighborhood anchors and sources of spiritual guidance”.

Policy LU-2.3.4: Transitional and Buffer Zone Districts

Maintain mixed use zone districts which serve as transitional or buffer areas between residential and commercial districts, and which also may contain institutional, non-profit, embassy/chancery, and office-type uses. Zoning regulations for these areas (which currently include the SP-1 and SP-2 zones) should ensure that development is harmonious with its surroundings, achieves appropriate height and density transitions, and protects neighborhood character. 311.6

The application emphasizes that the project and its requested MU-2 zoning will be consistent with Policy LU-2.3.4 Transitional and Buffer Zone Districts. The requested MU-2 zone district is a transitional zone (11 DCMR Section 300.1) and the project will be less tall and somewhat less intense in its uses than the development to the south. Unlike other existing and planned buildings on these blocks of 4th Street, it will not include ground floor commercial uses. However, OP has recommended that the applicant explore design changes that would further modulate the height of the building on I Street.

Chapter 4 Transportation

The Transportation Element provides policies and actions to maintain and improve the District’s transportation system and enhance the travel choices of current and future residents, visitors and workers.

Policy T-1.2.3: Discouraging Auto-Oriented Uses

Discourage certain uses, like “drive-through” businesses or stores with large surface parking lots, along key boulevards and pedestrian streets, and minimize the number of curb cuts in new developments. Curb cuts and multiple vehicle access points break-up the sidewalk, reduce pedestrian safety, and detract from pedestrian-oriented retail and residential areas (10 DCMR § 404.8).

The proposed project would be within two blocks of the Metro station and bus lines on 4th, I and M Streets. It would replace the existing surface lot behind the church with 60 enclosed parking spaces. To minimize disruptions to vehicular and pedestrian traffic, all parking and loading curb cuts would be located along Makemie Street, to the west. That street is one-block long and has a lower traffic count than any of the three streets bordering the project.

Chapter 5 Housing

The Housing Element describes the importance of housing to neighborhood quality in the District of Columbia and the importance of providing housing opportunities for all segments of our population.

Policy H-1.1.3: Balanced Growth

Strongly encourage the development of new housing on surplus, vacant and underutilized land in all parts of the city. Ensure that a sufficient supply of land is planned and zoned to enable the city to meet its long-term housing needs, including the need for low- and moderate-density single family homes as well as the need for higher-density housing (10A DCMR § 503.3).

Policy 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 (10A DCMR § 503.6).

Policy H-1.2.1: Affordable Housing Production as a Civic Priority

Establish the production of housing for low and moderate-income households as a major civic priority, to be supported through public programs that stimulate affordable housing production and rehabilitation throughout the city (10A DCMR § 504.6).

Policy H-1.2.6: Non-Profit Involvement

Actively involve and coordinate with the nonprofit development sector, increasing their capacity to produce affordable housing. Enter into partnerships with the non-profit sector so that public funding can be used to leverage the creation of affordable units (10A DCMR § 504.13).

Policy H-1.3.1: Housing for Families

Provide a larger number of housing units for families with children by encouraging new and retaining existing single-family homes, duplexes, row houses, and three- and four-bedroom apartments (10A DCMR § 505.6).

Policy H-2.1.1: Protecting Affordable Rental Housing

Recognize the importance of preserving rental housing affordability to the well-being of the District of Columbia and the diversity of its neighborhoods. Undertake programs to protect the supply of subsidized rental units and low-cost market rate units (10A DCMR § 509.5).

Policy H-4.2.2: Housing Choice for Seniors

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

Policy H-4.2.3: Neighborhood-Based Senior Housing

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

The proposed project would add 222 housing units to the neighborhood – 123 of which would be reserved for seniors earning no more than 60% of the median family income, with some of those being reserved for 50% AMI households. With the church downstairs and its continued commitment to offering social services, music performances and art displays the senior residents would have extensive opportunities for becoming part of a supportive network of neighbors.

While the market rate portion of the project contain a range of studio to two-bedroom units, all of the senior affordable units would be either one-bedroom or “junior bedroom” units. There would be no three-bedroom units in either tower.

OP notes one area in which the project does not seem fully consistent with an aspect of the Comprehensive Plan’s Housing chapter.

Action H-1.2.A: Inclusionary Zoning

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

The Inclusionary Zoning (IZ) regulations in 11 DCMR Subtitle C, Chapter 10 are a direct result of this Comprehensive Plan recommendation. The IZ programs strives for IZ units to be distributed equitably throughout a project in furtherance of the “as fairly and uniformly as possible” language in Action H-1.2.A. While taken as a whole the project would meet the IZ requirements, the project completely separates the market rate units from the affordable units by having a market rate tower with one entrance and an affordable senior tower with a separate entrance. The towers would share only the fact that they would be built atop a common first floor primarily housing church facilities, amenity spaces for the market rate tower and loading docks serving both towers.

The required portion of the affordable senior units would become IZ units after the expiration date of the financing mechanism assisting the senior tower’s construction. The applicant has not committed to distributing these IZ units throughout both towers at that time. If the application is set down, OP will continue to strongly encourage the applicant to include IZ units within the market rate tower.

Chapter 6 Environmental Protection

The Environmental Protection Element addresses the protection, restoration, and management of the District’s land, air, water, energy, and biologic resources.

Policy 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 (10A DCMR § 603.4).

Policy 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 (10A DCMR § 603.6).

Policy E-3.1.2: Using Landscaping and Green Roofs to Reduce Runoff

Promote an increase in tree planting and landscaping to reduce stormwater runoff, including the expanded use of green roofs in new construction and adaptive reuse, and the application of tree and landscaping standards for parking lots and other large paved surfaces (10A DCMR § 613.3).

Policy E-3.2.1: Support for Green Building

Encourage the use of green building methods in new construction and rehabilitation projects, and develop green building methods for operation and maintenance activities. ^{614.2}

The applicant states that the western residential tower would meet LEED Silver Standards and the Eastern senior tower would meet the Enterprise Green Community standards (Architectural Drawings Sheet LD 0.1). The applicant does not state what standard the overall building would meet when blending the market rate, senior and church uses. OP encourages the applicant to also consider the use of solar panels.

Chapter 9 Urban Design

The Urban Design Element addresses the District's physical design and visual qualities.

Policy UD-1.1.2: Reinforcing the L'Enfant and McMillan Plans

Respect and reinforce the L'Enfant and McMillan Plans to maintain the District's unique, historic and grand character. This policy should be achieved through a variety of urban design measures, including appropriate building placement, view protection, enhancement of L'Enfant Plan reservations (green spaces), limits on street and alley closings (see Figure 9.3), and the siting of new monuments and memorials in locations of visual prominence. Restore as appropriate and where possible, previously closed streets and alleys, and obstructed vistas or viewsheds. 903.7

Policy 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

Policy UD-2.2.2: Areas of Strong Architectural Character

Preserve the architectural continuity and design integrity of historic districts and other areas of strong architectural character. New development within such areas does not need to replicate prevailing architectural styles exactly but should be complementary in form, height, and bulk. 910.7

Policy UD-2.2.6: Maintaining Facade Lines

Generally maintain the established facade lines of neighborhood streets by aligning the front walls of new construction with the prevailing facades of adjacent buildings. Avoid violating this pattern by placing new construction in front of the historic facade line, or by placing buildings at odd angles to the street, unless the streetscape is already characterized by such variations. Where existing facades are characterized by recurring placement of windows and doors, new construction should complement the established rhythm. 910.14

The proposed building would further the urban design objectives. 4th Street, S.W. is a L'Enfant street. It had been closed between I and M Street for several decades and was reintroduced in conjunction with an adjacent PUD. While the design does not relate to the nearby mid-century modern projects with their three-part composition of tower / low-rise / open space, the proposed building's being built to the eastern property line would reinforce the 4th Street right-of-way at a scale appropriate to nearby more recent and planned construction. The proposed facade materials – particularly the use of terracotta panels – would relate to other buildings on 4th Street.

Policy UD-2.2.4: Transitions in Building Intensity

Establish gradual transitions between large-scale and small-scale development. The relationship between taller, more visually prominent buildings and lower, smaller buildings (such as single family or row houses) can be made more pleasing when the transition is gradual rather than abrupt. The relationship can be further improved by designing larger buildings to reduce their apparent size and recessing the upper floors of the building to relate to the lower scale of the surrounding neighborhood. 910.11

The design is somewhat consistent with this policy. It attempts to reduce the scale of the project by breaking up the mass into two towers. The transitional nature of the building would be enhanced by the provision of step-backs or step-downs that are indicative of the transitional nature of the requested MU-2 zone and the lower scale of existing and planned buildings across I Street. At 117 feet and back-lighted, the architectural embellishment at the corner of 4th and I Streets would emphasize height over scale transition.

Chapter 14 Arts and Culture

Policy AC-1.1.6: Performance and Events in Non-Traditional Settings

Encourage the provision of spaces for performances and art events in neighborhood parks, community centers, schools, transit stations, residential developments and public areas in private development. This can help reach new audiences and increase access to the arts for people in all parts of the city. 1403.7

Supportive of Arts and Culture policies, the Westminster Presbyterian Church has long sponsored a well-regarded jazz performance program and other musical programs. This would continue in the proposed facility. The church facilities would also include an art gallery.

2. Lower Anacostia Waterfront/Near Southwest Area Element

The proposed development is located within the Lower Anacostia Waterfront/Near Southwest Area Element. The proposal would particularly further the following policy:

Policy AW-2.1.6: Waterside Mall

Support the redevelopment of Waterside Mall with residential, office, and local-serving retail uses. The site should be strengthened as a retail anchor for the surrounding Southwest community. Its redesign should restore 4th Street SW as part of the city street grid, and improve aesthetics, circulation, and connectivity to surrounding uses. 1911.12

When built, the existing church structure flanked the Town Center Park, which was an integral part of the Waterside Mall development and the closing of 4th Street. That park was significantly modified when 4th Street was reopened. Development of a more intense use on the site that helps to frame the reopened 4th Street would not be inconsistent with this Area Element policy for the revitalization of 4th Street.