

HEARING REPORT

TO: District of Columbia Zoning Commission

FROM: Michael Jurkovic, AICP, Development Review Specialist
JL for Jennifer Steingasser, Deputy Director, Development Review and Historic Preservation

DATE: July 12, 2024

SUBJECT: ZC Case 23-29: Hearing Report for Zoning Commission Case No. 23-29, Consolidated Planned Unit Development and Related Map Amendment from RA-1 to RA-2 at 4337-4347 & 4353-4363 Martin Luther King Jr. Avenue SW and 201-211 & 200-210 Elmira Street SW

I. RECOMMENDATION

The Office of Planning (OP) recommends the Zoning Commission (ZC) **approve** the application for a consolidated Planned Unit Development (PUD) with a PUD-related map amendment from RA-1 to RA-2. On balance, the proposal would not be inconsistent with the Comprehensive Plan and the Bellevue Small Area Plan, and the filing generally meets the requirements of 11 DCMR Subtitle X, Chapter 3.

II. BACKGROUND

The subject site is comprised of four properties at 4337-4347 & 4353-4363 Martin Luther King Jr. Avenue SW and 201-211 & 200-210 Elmira Street SW and is approximately 213,748 square feet in area. It is currently developed with four 2-3-story apartment buildings totaling 156 units constructed in about 1943.

At its March 28, 2024 public meeting, the ZC set down for a public hearing this consolidated PUD request, including the PUD-related map from RA-1 to RA-2. The PUD would allow the redevelopment of the site as four 5-story apartment buildings with partially habitable penthouses, which would total 821 units. Of those, 17% units have been proffered as Inclusionary Zoning (IZ) units at 60% MFI, and up to 137¹ would be on-site tenant relocation units.

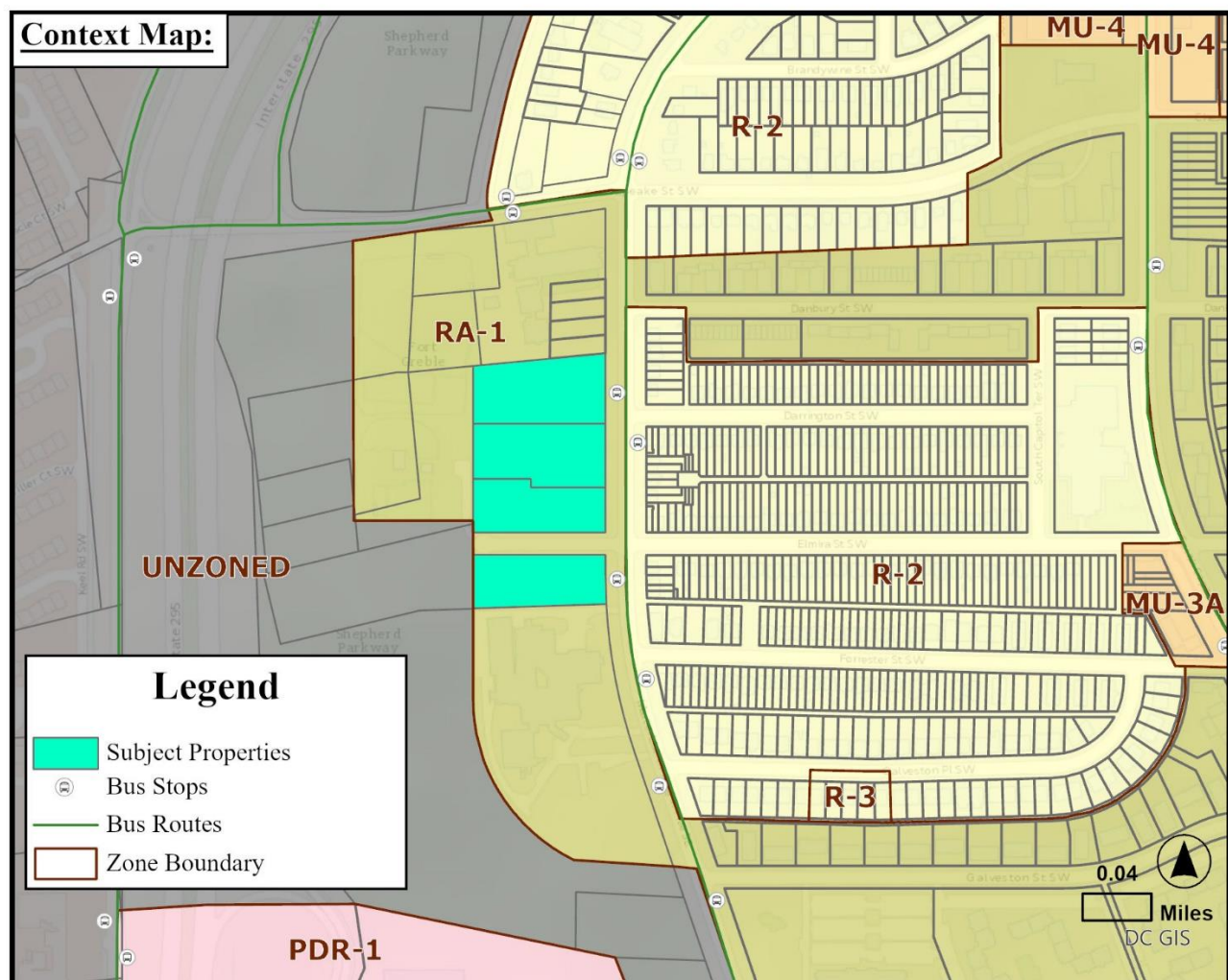
Since being setdown, the application has been amended, to include:

- A new mid-block crossing at Elmira Street to provide a safe pedestrian crossing for Building 1 tenants to access the amenities and daycare between Building 2 & 3.

¹ At the time of application 137 of the existing 156 units were occupied.

- A proposed Fort Greble Park Gateway sign at the corner of Martin Luther King Jr. Avenue and Elmira Street, as well as at the western end of Elmira Street.
- Additional outdoor amenities outside of the confined courtyard.
- Explanation regarding the Two Heritage trees, previously proposed to be relocated, that will no longer be moved. Per DDOT-Urban Forestry Division (UFD), the trees are not in the proper condition to be relocated due to decay and hollowing; and
- Refinement of the proposed IZ unit flexibility requested by the applicant.

III. CONTEXT MAP



IV. RESPONSES TO OP AND ZONING COMMISSION COMMENTS FROM SETDOWN

The following summarizes Zoning Commission and OP comments from the time of setdown and the applicant response.

| | Comment | Applicant Response | OP Response |
|---------|--|---|---|
| ZC 1 | More information regarding the Penthouse Design flexibility requested. | In addition to page A22 of Exhibit 2I3 in the record, the included Exhibit [21B4] has diagrams of the requested flexibility for the mechanical penthouse height. These diagrams show that the flexibility is minor, restricted to the elevator overruns on each building, and needed to facilitate access to the habitable penthouse space that includes residential units. As shown on page A21 in Exhibit [21B4] , the elevator overruns for which the flexibility is requested will have setbacks significantly greater than 1:1 from the roof edges facing all streets and the private driveway, thereby effectively eliminating their visibility from rights-of-way. Further, as described on page A22.1 in Exhibit [21B4] , the taller overruns are necessary to accommodate both the elevator mechanical equipment and space above the elevator cab to allow equipment maintenance workers. Absent the requested relief, the Applicant would have to redesign each building and either reduce unit count or the amount of habitable penthouse space for residents. Accordingly, the requested flexibility to allow mechanical penthouse heights of 18.5 feet is necessary and justified. | The additional information provided is responsive to the request. OP's analysis of this request and other requested flexibility is provided below; OP recommends approval of the requested flexibility. |
| ZC 2 | Additional information detailing the ongoing outreach efforts. | The Applicant has conducted extensive community outreach regarding the Project, as discussed in detail in the Applicant's initial submission on pages 20-24 in Exhibit 2 of the case record, including meetings with current residents and ANC 8D beginning in Fall 2023. Since the initial application filing, the Applicant has continued and expanded its outreach to neighbors and other community stakeholders. Engagement is ongoing, and the Applicant will continue its engagement efforts throughout the project's entitlement, permitting, and construction phases. A timeline with details of further community engagement since initial submission is included [at Exhibit 12B] . | Applicant has provided an update detailing the additional outreach that they have conducted, most recently at Exhibit #21 at page 2. |
| ZC 3 | Potential to increase the percentage of 3-bedroom units to 10%. | The Applicant studied providing more three-bedroom units, but is unable to commit to more than 8% of the units, primarily because it would reduce the overall unit count in the project. This outcome would be detrimental to the greater goal of providing more high-quality housing units in | Acknowledged – OP accepts the applicant's unit count and unit mix as proposed. Given the size of the development, 8% of the units will be a significant contribution to 3 |

| | Comment | Applicant Response | OP Response |
|------|--|--|---|
| | | this location. Further, 8% of the units as three-bedrooms is consistent with what the Applicant expects the market demand to be for this project based on its experience with its other buildings in Ward 8 and an analysis of the market. It is worth highlighting that the Applicant's commitment to 8% of the units as three-bedrooms is a significant proffer and greater proportion of the units than almost any other market-rate apartment project or apartment PUD. | bedroom units, which will include some affordable and replacement units. |
| ZC 4 | Explanation of plan to relocate two heritage trees. | Two heritage trees are located at the north end of the Property where future "Building 4" will be located. The Applicant previously proffered relocation of these two heritage trees to Fort Greble Park. However, the Urban Forestry Division ("UFD") has since visited the Property and diagnosed these two heritage trees with decay, hollows, and hazardous conditions, and recommended that they be removed rather than relocated. Accordingly, the Applicant will remove the trees per UFD's recommendation. See page L02 of the Updated Plans for details. | OP defers to the UFD's recommendation. |
| ZC 5 | Details regarding the Stormwater Management Strategy past District requirements. | The project's stormwater management plan is shown on pages C21-C25 in Exhibit 2I6 in the case record. In addition, the included Exhibit E shows the stormwater management plan with more explanation and highlights of the features. The proposed stormwater management plan exceeds the District of Columbia's Department of Energy and Environment (DOEE) requirement. Using a combination of green roofs, bio-retention facilities, and tree plantings, the proposed stormwater management plan goes beyond what is required by the District. For Building 1, the stormwater management retention is at 101.42%, or an extra 392 gallons retained. For Buildings 2 & 3, the stormwater management retention is at 102.54%, or an extra 1,711 gallons retained. For Building 4, the stormwater management retention is at 102.81%, or an extra 1,111 gallons retained. | Applicant has provided Stormwater Management Plans which indicate that the proposed development would exceed the District's requirements for Stormwater Management. |

| | Comment | Applicant Response | OP Response |
|---------|---|---|--|
| ZC 6 | Details regarding the Landscaping Plan past District requirements. Specifically how the Landscaping Plan will be designed to be suitable for all 4 seasons. | A planting palette and renderings, showcasing the plants that will surround the Project through all four seasons and how they will interact with one another to create a cohesive experience, is included at [Exhibits # 21B6 & 21B7]. These images and palette are intended to be representative of the plantings for the project's entire landscape plan in the four seasons. | The applicant has provided landscaping plans which detail the seasonality of the proposed plantings. |
| OP 1 | Creation of a park gateway for Fort Greble Park at the intersection of MLK Jr. Ave. and Elmira St. | Pages [2-7] in the included [Exhibit 21B6] show additional renderings of the proposed signage at the intersection of Elmira St. and MLK Jr. Ave. as well as that at the park's entrance. The proposed sign at the intersection of Elmira Street and MLK Jr. Ave. is an elegant and high-quality design that clearly marks the presence of Fort Greble Park and creates an inviting gateway and introduction to the park for both visitors and passers-by. Similarly, the proposed sign at the west end of Elmira Street is the same design type that will clearly and elegantly mark the park's entrance to welcome visitors and encourage them to take advantage of this high-quality amenity. | Applicant's has proposed two signs one for wayfinding and another as a gateway to Fort Greble Park. |
| OP 2 | Provisions of outdoor amenities outside the confined courtyard. | Included as [Pages 6, 8, & 9 in the included Exhibit #21B6 are renderings that highlight] the added programming and activation of the outdoor the public space surrounding the project. These features are also included in the plan view at page 5 in Exhibit D. Specifically, the Applicant improved the outdoor public space with the addition of patios, benches, lighting, and other features to enhance the outdoor experience and accommodate the congregation of residents and visitors in this space. | The applicant has provided renderings which show that benches are being provided near building entrances along Elmira Street and the proposed private drive. |
| OP 3 | Further information regarding the programming of the interior courtyard as it relates to provisions of light and air reaching the space. | The large central courtyard between Buildings 2 and 3 will be the primary amenity space for the project and will include approximately 27,170 square feet of space. With approximately 5,845 square feet of the courtyard being outdoor amenity space, the central courtyard will be a welcoming and inviting space for project residents containing lush and diverse landscaping, active and passive recreation areas, visual interest, and ample open space for light and air to both visitors and residents facing the courtyard. At a maximum height of 93 feet and a width of approximately 102 feet, it is a dynamic and unique amenity with grand open spaces, gathering areas, and recreation | The applicant has provided additional renderings which provide more detail of the desired programming and new diagrams which show the proposed scale. |

| | Comment | Applicant Response | OP Response |
|---------|---|--|---|
| | | facilities. Additional renderings of the courtyard, which illustrate the high-quality experience for both residential units facing and visitors within it, are included at pages [A07– A13 in Exhibits #21B1 & 21B2.] Further, as a point of reference to demonstrate the grand expanse of the courtyard, as shown on page A12.6 of [Exhibits #21B1 & 21B2], the width of the courtyard – approximately 102 feet – is roughly equivalent to the width of 14th Street NW downtown, which is lined by significantly taller buildings and still receives ample light and air. | |
| OP 4 | Confirmation of the intent to meet the minimum bicycle parking requirements. | The project will include the minimum number of required bicycle parking spaces under Subtitle C § 802.1, which is 274 long-term spaces and 41 short-term spaces based on a unit count of 821. The final number of provided bicycle parking spaces will be based on the final unit count provided in accordance with the requested unit count flexibility. The Applicant is not seeking any relief from the bicycle parking requirements. | The applicant has responded to the OP request for additional information, and has confirmed that they will meet the minimum bike parking requirements. |
| OP 5 | Additional information in the tenant relocation plan as it relates to distribution of existing tenants throughout the site. | <p>The Applicant has a robust plan for tenant relocation and return, which is in the case record at Exhibit 2G. As described in the relocation plan, all existing Martin’s View residents will have advisory services, packing and relocation assistance, and the right to return to the project at current rents (that may increase only in accordance with what rent control allows). Also, the Applicant has a comprehensive project phasing plan, which is described on pages 6-7 in Exhibit 2G in the case record and shown on page A06 in Exhibit 2I1 in the case record.</p> <p>In short, all residents in the existing Building 1 will be relocated to existing Buildings 2, 3, and 4 while the new Building 1 is constructed. Then, residents in existing Buildings 2, 3, and 4 will be relocated to new Building 1 while new Buildings 2, 3, & 4 are constructed. Further, once the entire project is complete (new Buildings 1, 2, 3, & 4), original residents of the prior Buildings 2, 3, and 4 will be given the option, at the Applicant’s cost, to relocate from new Building 1 to the corresponding new Buildings 2, 3, & 4 (e.g., residents of prior Building 2 may relocate to new Building 2).</p> | OP generally agrees with the applicant’s on-site tenant relocation strategy. The ability to provide on-site tenant relocation and the right to return to the new buildings are important. It will both prevent an over concentration of the preserved units while also giving tenants some choice in where they will be reside in the proposed development as it progressed towards completion. |

V. DEVELOPMENT CAPACITY OF EXISTING AND PROPOSED ZONES

| | Existing Zone RA-1 | Proposed Zone RA-2 PUD | Proposed Dev't RA-2 PUD |
|--------------------------------------|--|---|--|
| Lot Area F§202 | N/A | N/A | 213,748 sq.ft. (4.9 acres) |
| Height X§303.7/ F§203.2 | 40 ft. (3 stories) | 50 ft. | 60 ft. |
| Penthouse FAR C§1505 | N/A | 0.4 max. not included in total FAR | 0.4 |
| Penthouse Height F §205.1 | 12 ft. (1 story) | 12 ft. except 15 ft. for penthouse mechanical space | 12 ft. except 18.5 ft. for penthouse mechanical space |
| Total FAR F §203/ X§303.3(b) | 0.9 or 1.08 with IZ | 2.59 with IZ | 2.59 |
| Gross Floor Area | 230,847 sq.ft. max. | 554,034 sq.ft. max. | 553,928 sq.ft. |
| Open Court Width F §209 | 4 in. per 1 ft. of height of court but not less than 15 ft. (Closed Court) | | conforming |
| Rear Yard F §207.1 | 20 ft. min. | 4 in. per 1 ft. of principal building height, but not less than 15 ft. min. | 20 ft. min. |
| Side Yard F §208.3 | 2 side yards of 3 in. per 1 ft. of building height but not less than 8 ft. | Not required; 4 ft. min. if provided | Not required; 4 ft. min. if provided |
| Lot Occupancy F § 210.1 | 40% | 60% | 54% |
| Parking C § 701.5 | 1 per 3 dwelling units in excess of 4 units = 272 | | 276 spaces |
| Bicycle Parking C § 802 | 1 long-term space / 3 d.u. = 274 min.; 1 short-term space for each 20 d.u. = 41 min.; 1 long-term & 1 short- term per 10,000 sq. ft. of Daytime Care = 1 long-term & 1 short term | | Application indicates it will be conforming |
| Loading: Delivery Space C § 901 | 1 min. | 1 min. | 1 each for buildings 1, 2&3, 4 |
| Loading: Loading Space C § 901 | 1 required | 1 min. | 1 each for buildings 1, 2&3, 4 |
| GAR F §211 | 0.4 min. | 0.4 min. | 0.4 |
| Use U § 401.1 & 421 | Apartment House permitted by Sp. Ex.; Child Development Center (Daycare) permitted by-right | Apartment House and Child Development Center (Daycare) permitted by-right | Apartment House and Child Development Center |

Requested Flexibility

Design Flexibility

OP does not object to the following Flexibility Item as it pertains to the applicant's proffer of a 17% IZ set aside at 60% MFI, detailed further in [Exhibit #22](#):

- **Inclusionary Zoning Units:**
To satisfy the IZ development standards under Subtitle C § 1005 and the IZ floor area set aside requirements across the entire Project as opposed to individual phases or Buildings, provided that at least 13% if the residential floor area per Building is devoted to IZ units.

OP does not object to the following Design Flexibility Items:

- **Interior Components:**
To vary the location and design of all interior components, including partitions, structural slabs, doors, hallways, columns, stairways, atria, and mechanical rooms, provided that the variations do not change the exterior configuration of the building as shown on the plans approved by the order.
- **Exterior Materials – Color:**
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 shown on the plans approved by the order.
- **Exterior Details – Location and Dimension:**
To make minor refinements to the locations and dimensions of exterior details that do not substantially alter the exterior configuration of the building or design shown on the plans approved by the order. Examples of exterior details would include, but are not limited to, doorways, canopies, railings, and skylights.
- **Number of Units:**
To provide a range in the approved number of residential dwelling units plus or minus ten percent (10%), provided that (1) the total square footage of the Project's residential dwelling units shall not be reduced, and (2) the percentage of gross floor area square footage reserved for affordable housing shall not be reduced.
- **Parking Layout:**
To make modifications to the parking configuration, including layout and to vary the number of parking spaces plus or minus ten percent (10%) so long as the number of automobile and bicycle parking spaces is at least the minimum number of spaces required by the Zoning Regulations.
- **Streetscape Design:**
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 Review Division or the Public Space Committee.

- Sustainable Features:
To vary the approved sustainable features of the Project, provided the total number of LEED points achievable for the Project does not decrease below the minimum required for LEED Gold.
 - GAR Calculation and Satisfaction:
To vary the features to satisfy the GAR requirement and to satisfy the GAR requirement across the entire Project as opposed to individual phases or Buildings, and satisfaction of the GAR requirement shall be determined upon completion of all four Buildings in the Project.
 - Unit Type Distribution:
To vary unit types contained in the Project and in individual Buildings, provided that at least eight percent (8%) of all units in the Project are three bedrooms,
- a) ***Zoning Flexibility from the Penthouse Height Development Requirement (X § 303)***

OP does not object to the applicant's requested Zoning Flexibility, analysis of which is provided below:

303.1 As part of the PUD process, the Zoning Commission may grant relief from any building development standard or other standard referenced in the zone reference table with the exception of use regulations. Housing and arts credits are considered use regulations and are not eligible for flexibility through the PUD process.

The applicant has requested relief from the Maximum Penthouse Height Development Requirement of the RA-2 zone, F § 205.1.

303.14 As part of any PUD, the applicant may request the Zoning Commission to grant an area variance to permit additional height and density beyond that permitted by this section. The Zoning Commission shall apply and not deviate from the variance standard stated at Subtitle X, Chapter 10.

Extraordinary or Exceptional Situation or Condition Resulting in Practical Difficulty

Extraordinary or Exceptional Situation or Condition

In order to accommodate the elevator over-ride, the applicant attests that a hydraulic system would not be able to accommodate the distance which the proposed elevators would cover - 85 feet. Being unable to utilize a hydraulic system the development must utilize an overhead pulley system which would require relief as it would need an additional 3.5 feet over mechanical penthouse height. The desired intensity of development and the limitations of a compact elevator solution as described by the applicant would result in an exceptional situation.

Resulting Practical Difficulty

The applicant attests that if the zoning flexibility is not granted then elevator access would either not extend throughout the entirety of the buildings and would make either the two levels of underground parking or penthouse habitable space unfeasible. Without a viable

alternative to the proposed overhead pulley system, there would be a practical difficulty in the feasibility of the proposed development.

No Substantial Detriment to the Public Good

As shown on page A22 of [Exhibit #21B4](#), the applicant's proposes to mitigate any potential impact from the additional penthouse height through exceeding the required setbacks from the walls of the building below. As shown, the proposed overruns should not be visible from surrounding public ways and should not result in any impacts to light and air of surrounding properties.

No Substantial Impairment to the Intent, Purpose, and Integrity of the Zoning Regulations

Granting of the applicant's requested flexibility which is within the range of flexibility allowed in the RA-1 and RA-3 zones should not result in Substantial Impairment to the Intent, Purpose, and Integrity of the Zoning Regulations in this instance. The basic intent of the penthouse mechanical space provisions are to minimize their visual impact. In this case, the relief would allow a more workable solution without resulting in an inappropriate building bulk, particularly as seen from public ways. The proposed height would not exceed a penthouse height anticipated in many zones.

b) Flexibility from Validity of Order

OP does not object to the applicant's Phasing proposal:

The PUD shall be valid for a period of two years from the effective date of this Order within which time an application shall be filed for a building permit for Building 1. Construction on Building 1 must begin within three years of the effective date of this Order. Then, within two years after the completion of Building 1, defined as the date of issuance of a final certificate of occupancy, an application shall be filed for a building permit for Buildings 2 and 3. Construction on Buildings 2 and 3 must begin within three years after the completion of Building 1. Finally, within two years after the completion of Buildings 2 and 3, defined as the date of issuance of a final certificate of occupancy, an application shall be filed for a building permit for Building 4. Construction on Building 4 must begin within three years after the completion of Buildings 2 and 3.

The applicant is not requesting flexibility to extend the normal two years to obtain a building permit, but rather flexibility to allow for the proposed phasing of the development. Such phasing is typical for larger multi-building PUDs such as this, and in this case would allow for on-site relocation of residents during the construction process.

VI. COMPREHENSIVE PLAN THROUGH A RACIAL EQUITY LENS

Title 11 Subtitle X § 304.4(a) requires that a PUD, inclusive of a map amendment, be not inconsistent with the Comprehensive Plan. A full description of the Comprehensive Plan, and analysis of the proposal against its maps and policies is provided in the OP set down report ([Exhibit 10](#)).

A. COMPREHENSIVE PLAN MAPS

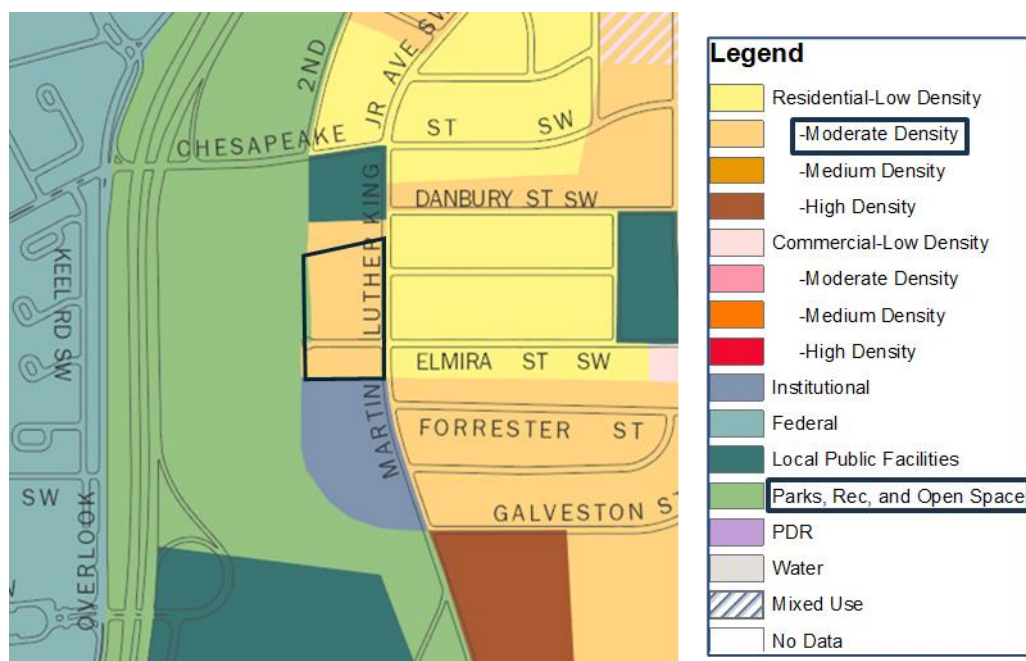
As described in the Guidelines for Using the Generalized Policy Map and the Future Land Use Map (Chapter 2 Framework Element, Section 226, Attachment III), "*Generalized Policy Map and Future Land Use Map are intended to provide generalized guidance for development and conservation decisions and*

are considered in concert with other Comprehensive Plan policies.” Additionally, “. . . the zoning of any given area should be guided by the Future Land Use Map, interpreted in conjunction with the text of the Comprehensive Plan, including the Citywide Elements and the Area Elements.”

As described below, the proposed PUD and map amendment would not be inconsistent with the map designations.

Generalized Future Land Use Map (FLUM)

The Future Land Use Map (FLUM) indicates that the site is predominantly appropriate for Moderate Density Residential, with a small sliver of the site on the west side for Parks, Rec, and Open Space. The map is intended to be read as generalized, and the proposed buildings would appear to be entirely located on the moderate density residentially designated portion of the site.

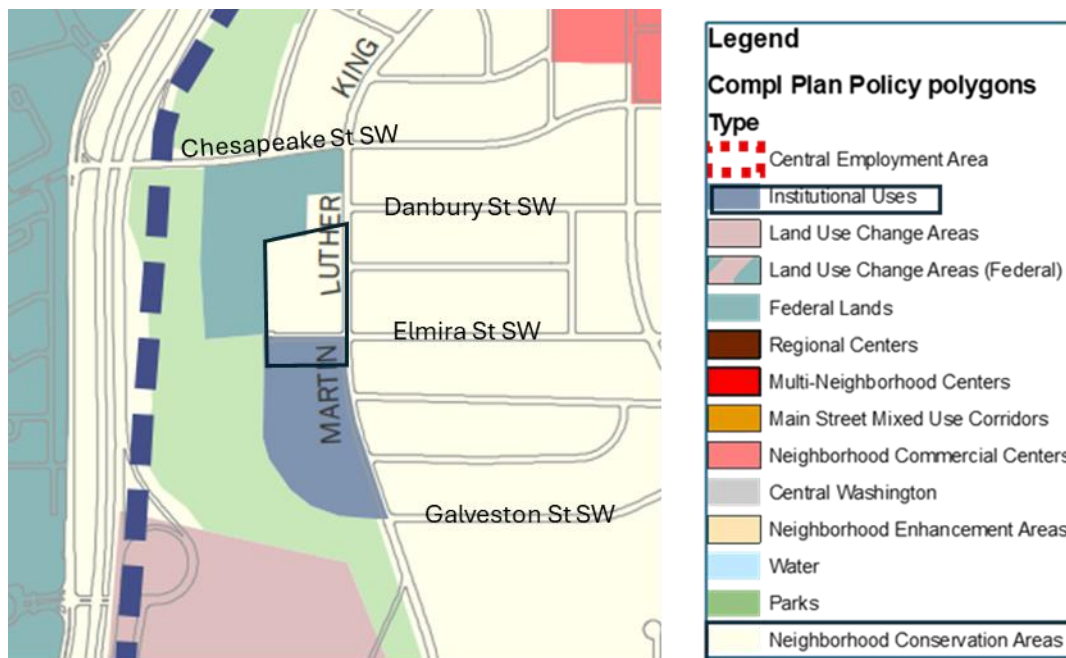


The proposed PUD and map amendment would not be inconsistent with the Moderate Density Residential FLUM land use recommendation for the site, which encourages a mix of residential uses including low-rise apartments. The proposed RA-2 zone is a residential apartment zone that is specifically listed in the Framework Element as being consistent with the moderate density residential designation (227.7). As such, RA-2 is a zone that is appropriate for the site.

Although the proposed buildings would not appear to be located on the narrow portion on the west end of the site which has a FLUM designation of Parks, Rec, and Open Space; however the proposal addresses this designation as well, in terms of how it relates to and supports the neighboring Fort Greble Park.

Generalized Policy Map

The Generalized Policy Map indicates that the subject property is located mainly within a Neighborhood Conservation Areas, with a portion within an area designated for Institutional Uses.



The proposed PUD and map amendment would be not inconsistent with the Generalized Policy Map recommendation for the site. The proposal would further goals and objectives of the Neighborhood Conservation Areas; specifically for the maintenance of existing land uses, modest infill housing, and a diversity of land use and building types while being guided by the FLUM designation. This development would maintain the existing housing on-site while adding additional affordable and market-rate units as well as a day-care facility.

Although the site is currently developed with residential buildings, a portion of the site at its south end is designated on the Generalized Policy Map for Institutional Use. As with the FLUM, the Generalized Policy Map is intended to be read broadly to provide general policy direction, and not to be read specifically like a zoning map. In this case, the Institutional designation appears to relate to the medical facility located directly to the south of the subject site. OP does not believe that this is intended to promote a conversion of this portion of the site from residential to institutional, particularly given the clear direction on the FLUM that the subject site is appropriate for moderate density residential use.

B. COMPREHENSIVE PLAN POLICES THROUGH A RACIAL EQUITY LENS

The Comprehensive Plan requires an examination of zoning actions through a racial equity lens. The direction to consider equity “as part of its Comprehensive Plan consistency analysis” indicates that the equity analysis is intended to be based on the policies of the Comprehensive Plan and part of the Commission’s consideration of whether a proposed zoning action is “not inconsistent” with the Comprehensive Plan.

For this, the Zoning Commission has developed a four part Racial Equity Toolkit for Applicants and OP to utilize in evaluation of actions brought before the Commission. Please also refer to the OP Setdown Report at [Exhibit 10](#), and the applicant’s Racial Equity analysis at [Exhibit 2](#).

Part 1 – Guidance regarding the Comprehensive Plan

Citywide Elements of the Comprehensive Plan

As noted above, the proposal would be not inconsistent with both Comp Plan Generalized Policy Map and Future Land Use Map. The proposed development is also, on balance, not inconsistent with the Citywide and Area Elements of the Comprehensive Plan. For the full text of each policy statement referenced, please refer to the OP Setdown Report.

Chapter 3 Land Use

The application includes a PUD-related rezoning of RA-1 zoned land to RA-2, which would result in a moderate increase in development potential consistent with the FLUM designation. This should reduce the vulnerability of the existing and future tenants by redeveloping the existing site with greater sustainability and healthier living conditions, while allowing existing residents to remain on the site during and after construction. The redevelopment would maintain and increase housing along a designated bus corridor, Martin Luther King Jr. Avenue, while introducing a mixed-income low-rise apartment buildings to an area consisting mainly of smaller apartment houses and single family attached dwellings. Further, the development would help to accommodate population growth while maintaining existing affordability through its on-site tenant relocation plan and IZ commitment.

Chapter 4 Transportation

The application would increase the amount of available market-rate and affordable units with direct access to the priority bus corridor along Martin Luther King Jr. Avenue. Along with the accommodation for bicyclists, the applicant has committed to installing the infrastructure necessary for 20% of the below-grade parking to be EV ready. Additionally, the Applicant commits to utilizing multimodal standards rather than traditional vehicle standards during their Comprehensive Transportation Review in coordination with DDOT.

Chapter 5 Housing

The proposed redevelopment of the site would include about 821 dwelling units, and 17% of its Gross Floor Area (GFA) would be dedicated to affordable housing at 60% Median Family Income (MFI) in addition to the Habitable Penthouse dedication at 50% MFI. In addition, of the 156 units on site, 137 will be subject to on-site relocation at the same rents currently paid. This will help to avoid the displacement of existing residents on the site, and in the neighborhood. To accommodate families, the proposal would increase the number of three-bedroom units to sixty-three (63) from the existing twelve (12), while also provided 123 accessible units to accommodate both existing and future senior tenants. Although the proposal would not include home-ownership opportunities, the provision of a mixed income development, including the on-site accommodation of existing renters, is also an important District policy objective. Therefore, on balance, the application would not be inconsistent with these Comprehensive Plan Housing Actions and Policies.

Chapter 6 Environmental Protection

The development would be designed to achieve LEED Gold certification and mitigate heat island effects in part by reducing the overall of impervious surfaces on-site through the utilization of green-roofs and the relation of parking below-grade. The applicant is encouraged to continue to work with

DOEE regarding green building initiatives, and the potential for minimizing demolition and construction environmental impacts and recycling or re-use of materials on-site. The applicant is also encouraged to work with Urban Forestry towards improving the tree canopy by providing additional trees on site and on adjacent public space. Furthermore, the applicant will encourage the use of EVs by residents through the installation of charging stations in the below-grade parking and installing infrastructure to accommodate a minimum of 20% of the below grade parking for future charging stations. Therefore, the application should not be inconsistent with these Comprehensive Plan Environmental Protection Actions and Policies.

Chapter 8 Parks Recreation and Open Space

In an effort to enhance Fort Greble Park the applicant would provide wayfinding signage at the intersection of Martin Luther King Jr. Avenue and Elmira Street with the goal of creating a welcoming entrance to the Park. Further, the applicant will improve the pedestrian and visual access to the Park through a pedestrian-friendly private driveway with alignment to Darrington Street SW and entrance signage at the western end of Elmira Street.

Chapter 9 Urban Design

The proposed redevelopment should reinforce the overall form and identity of Martin Luther King Jr. Avenue while not resulting in a building massing or scale which overpowers the lower-scale residential uses to the east of the site. The development would have an assortment of indoor and outdoor amenities located at the center of buildings 2 and 3. The east-west orientation of the buildings should minimize the impacts to Fort Grable Park. Lastly, the development will remove the existing curb cuts and align the private road with Darrington Street.

Chapter 12 Educational Facilities

The applicant proposes to devote space to a new daycare facility which will front on Martin Luther King Jr. Avenue and would provide both on- and off-site residents access to child care. Therefore, the application should not be inconsistent with these Comprehensive Plane Educational Facilities Actions and Policies.

Far Southeast Southwest Area Element

The proposed development will replace a total of 156 apartment units originally constructed in the 1940s with a new development comprised of 821 units and a daycare. Existing and future residents will be able to benefit from the numerous on- and off-site, including proximity to parks, services, and mass transit. The development will be LEED Gold certified with 100% building electrification on-site storm water retention, green roofs, solar panel, and drought-tolerant landscaping. The applicant has provided details surrounding their intent to relocate existing residents on-site.

Part 2 – Applicant/Petitioner Community Outreach and Engagement

The applicant has provided details of their outreach efforts starting at [Exhibit #2](#), pages 20-24, and most recently at [Exhibit #12B](#). This includes, importantly, residents of the existing building, ANC 8D, adjacent properties, and area residents. The applicant has also created a [project website](http://www.imaginemvdc.com) at www.imaginemvdc.com.

The filing notes at [Exhibit #21](#) the community engagement events which have occurred since the submission filed on April 17, 2024.

Part 3 – Disaggregated Data by Planning Area

Part 3 of the Racial Equity Tool asks for disaggregated data to assist the Commission in its evaluation of zoning actions through a racial equity lens for the planning area. The data source is the 2012-2016 and 2018-2022 American Community Survey 5 Year Estimates by Planning Area available via the OP State Data Center ([ACS DATA](#)). Part 3 also asks if the planning area is on track to meet affordable housing goals.

Please note that that numbers below have changed since OP’s Setdown report which utilized the 2017-2021 data source as 2018-2022 had not yet been made available.

Data Trends Over Time

Analysis of census data over time can yield insights into trends in the planning area. The following data compares the 2018-2022 American Community Survey data with data from the 2012-2016 American Community Survey (ACS), available from OP’s State Data Center. Each table below covers both 5-year periods and compares the data for the Far Southeast/Southwest Planning Area (FSE/SW) planning area, in which the subject site is located, with District-wide data.

Population by Race or Ethnicity

Table 1 shows that in the 2012-2016 period, the Far Southeast/Southwest Planning Area had a population of 73,882. The population is estimated to increase to 112,477 by 2045. In the 2012-2016 period, Black residents formed the largest portion of the population at 91% of the area’s residents, which is significantly higher than District-wide.

In the 2018-2022 period, Black residents continued to make up the largest portion of the population but the number of Black residents decreased, and the percentage fell to 87.75%. Most other groups saw an increase or retained their percentage of the population, particularly people who identified as “two or more races”. The data indicates that the population in the Planning Area is becoming slightly more diverse.

Table 1: Population/Race or Ethnicity Districtwide and the Far Southeast/Southwest Planning Area (2012-2016 and 2018-2022)

| Race or Ethnicity | Districtwide 2012-2016 | FSE/SW Area 2012-2016 | Planning Area Percent | Districtwide (2018-2022) | FSE/SW Area (2018-2022) | FSE/SW Area Percent |
|---|---------------------------|-----------------------------|-----------------------------|-----------------------------|-------------------------------|---------------------------|
| Population | 659,009 | 73,882 | 11.21% | 670,587 | 72,294 | 10.78% |
| White alone | 266,035 | 3,934 | 5.32% | 265,633 | 3,822 | 5.29% |
| Black alone | 318,598 | 67,562 | 91.44% | 297,101 | 63,441 | 87.75% |
| American Indian and Alaskan Native alone | 2,174 | 78 | 0.10% | 2,209 | 171 | 0.24% |
| Asian alone | 24,036 | 197 | 0.27% | 27,067 | 469 | 0.65% |

| Race or Ethnicity | Districtwide 2012-2016 | FSE/SW Area 2012-2016 | Planning Area Percent | Districtwide (2018-2022) | FSE/SW Area (2018-2022) | FSE/SW Area Percent |
|--|---------------------------|-----------------------------|-----------------------------|-----------------------------|-------------------------------|---------------------------|
| Native Hawaiian and Other Pacific Islander alone | 271 | 13 | 0.0% | 420 | 11 | 0.01% |
| Some other race alone | 29,650 | 1,139 | 1.54% | 30,879 | 1,223 | 1.69% |
| Two or more races | 18,245 | 958 | 1.3% | 47,278 | 3,158 | 4.37% |
| Hispanic or Latino | 69,106 | 1,807 | 2.44% | 77,168 | 2,449 | 3.39% |

Median Income

The median income of the Far Southeast/Southwest Planning Area was significantly lower than that of the District in both the 2012-2016 and 2018-2022 time periods (Table 2). However, the planning area saw an approximately \$12,000 increase between time periods. Although there was an increase in income, the increase was lower than the Districtwide amount.

Although the average income for Black residents increased significantly between the two time periods, it did not increase to the level that it has Districtwide, though it has increased at a faster pace than the district as a whole. White and Hispanic/Latino residents had higher median incomes over the both time periods. Those identifying as “Some other race” and “Two or more races” have seen the lower increase than that of most other race/ethnicity segments and have the lowest median income of all segments of the population in the 2018-2022 time period.

Table 2: Median Income Districtwide and in the Far Southeast/Southwest Planning Area (2012-2016 and 2018-2022)

| Median Income | Districtwide 2012-2016 | FSE/SW Area 2012-2016 | Districtwide (2018-2022) | FSE/SW Area (2018-2022) |
|--|---------------------------|--------------------------|-----------------------------|----------------------------|
| Median Household Income | \$72,935 | 30,991 | \$101,722 | \$43,284 |
| White alone | \$119,564 | 78,612 | \$160,745 | \$155,972 |
| Black or African American alone | \$ 40,560 | 29,425 | \$ 75,942 | \$69,751 |
| American Indian and Alaskan Native alone | \$ 51,306 | 31,070 | \$ 60,390 | N/A |
| Asian alone | \$ 91,453 | 60,324 | \$123,660 | N/A |
| Native Hawaiian and Other Pacific Islander alone | NA | 87,500 | N/A | N/A |
| Some other races | \$ 48,047 | 30,766 | \$ 61,851 | \$35,922 |
| Two or more races | \$ 83,243 | 37,532 | \$ 108,455 | \$48,421 |
| Hispanic or Latino | \$ 60,848 | 32,266 | \$ 94,203 | \$92,937 |

Housing Tenure

The cost of housing in the District can limit the ability to provide housing for many household types. Only a small amount of the total land area (28.1 percent) is dedicated to residential use, and

this scarcity of land limits the availability of housing and opportunities for new housing. This in turn can intensify housing cost burdens for lower- and moderate-income residents. The Comprehensive Plan further notes that “*residents of color are a majority of lower-income households in the District and, therefore, face a disproportionate share of the problems caused by housing insecurity and displacement*” (206.4).

Between 2012-2016 and 2018-2022, the percentage of owner occupancy in the District rose slightly, 40.7% to 41.4%, while in the Far Southeast and Southwest Planning Area there was a more substantial increase from 18.8% to 23.4%. The Homeownership increases for Black and “Two or more races” households are the lowest among the Planning Area, although homeownership rates increased, as it did for most races and ethnicities, including for Hispanic and Asian households. Low ownership rates and higher renter occupancy rates seem to correlate with income status.

Table 3 - Owner Occupied Households Districtwide and in the Far Southeast/Southwest Planning Area

| Owner Occupancy | Districtwide 2012-2016 | FSE/SW Area 2012-2016 | Districtwide (2018-2022) | FSE/SW Area (2018-2022) |
|--|---------------------------|--------------------------|-----------------------------|----------------------------|
| Total Owner Occupied | 40.7% | 18.8% | 41.4% | 23.4% |
| White alone | 47.8% | 17.5% | 47.4 | 34.9 |
| Black or African American alone | 35.9% | 19.0% | 35.9% | 22.4 |
| American Indian and Alaskan Native alone | 32.8% | 0.0% | 25.8% | 41.9 |
| Asian alone | 39.4% | 9.0% | 42.4% | 60.9 |
| Native Hawaiian and Other Pacific Islander alone | 9.1% | 0.0% | 64.2% | 0.0% |
| Some other races | 17.5% | 9.5% | 26.6% | 19.9% |
| Two or more races | 32.7% | 22.6% | 43.9% | 25.4% |
| Hispanic or Latino | 30.9% | 18.4% | 35.3% | 45.2% |

Table 4: Renter Occupied Households Districtwide and in the Far Southeast/Southwest Planning Area

| Renter Occupancy | Districtwide 2012-2016 | FSE/SW Area 2012-2016 | Districtwide (2018-2022) | FSE/SW Area (2018-2022) |
|--|---------------------------|--------------------------|-----------------------------|----------------------------|
| Total Renter Occupancy | 59.3% | 81.2% | 58.6% | 76.6% |
| White alone | 52.2% | 82.5% | 52.6% | 65.1% |
| Black or African American alone | 64.1% | 81% | 64.1% | 77.6% |
| American Indian and Alaskan Native Alone | 67.2% | 100.0% | 74.2% | 58.1% |
| Asian alone | 60.6% | 91% | 57.6% | 39.1% |

| Renter Occupancy | Districtwide 2012-2016 | FSE/SW Area 2012-2016 | Districtwide (2018-2022) | FSE/SW Area (2018-2022) |
|---|---------------------------|--------------------------|-----------------------------|----------------------------|
| Native Hawaiian and Other Pacific Islander alone | 90.9% | 100% | 35.8% | 100.0% |
| Some other races | 82.5% | 90% | 73.4% | 80.1% |
| Two or more races | 67.3% | 77.4% | 56.2% | 74.7% |
| Hispanic or Latino | 69.1% | 81.6% | 64.7% | 54.8% |

Median Age

Relative to the District, the Planning Area has a higher percentage of children, and a lower percentage of seniors, although the percentage of senior residents rose significantly while the percentage of children decreased between the two time periods. The percentage of disabled residents remains higher than that of the District as a whole, although the disability rate of the Planning Area had a slight decrease from the previous time period.

Table 5: Special Populations in the Planning Area and District

| Special Populations | Districtwide 2012-2016 | FSE/SW Area 2012-2016 | Districtwide 2018-2022 | FSE/SW Area 2018-2022 |
|-------------------------------|---------------------------|--------------------------|---------------------------|--------------------------|
| Persons 65 or Older | 11.4% | 7.5% | 12.6% | 10.6% |
| Persons Under 18 Years | 17.4% | 30.7% | 18.5% | 30.2% |
| Disability Rate | 11.3% | 17.9% | 10.98% | 17.04% |

General Economic Characteristics

Generally, Table 6, below, shows that the unemployment rate, the percentage of cost burdened households, and the poverty rate all improved in the District and in the FSE/SW Planning area during this time period, but the rates for the planning area remain higher than for those of the District as a whole. In 2012-2016, the unemployment rate in the Planning Area was at 22.8%, which was more than twice the rate of the District at 8.7%. The cost burden for housing in the Planning Area was approximately 18 percentage points higher than that of the District in 2012-2016 time period, though it remains at over 50% of all households in the 2018-2022 time period it is decreasing at a slightly faster pace than the district as a whole. The greater decrease in cost burdened households is likely attributable to the Planning Area's continued overachievement in its Housing Equity goals, shown in figure 1. Similarly, the poverty rate improved in both the District and more so in the Planning Area, but remained at roughly twice the Districtwide rate in the FSE/SW.

Although disaggregated data for these indicators is not available, the Comprehensive Plan notes that residents of color represent a majority of lower-income households in the District and, therefore, face a disproportionate share of problems caused by housing insecurity and displacement (Framework Element § 206.4). Therefore, it may be inferred that Black households would make up a higher percentage of cost burdened households in this planning area, and correspondingly, would be more likely to benefit from the retention and replacement of existing affordable units, and the provision of new affordable housing that this proposal would provide.

Table 6: General Economic Characteristics of the Planning Area and District

| Characteristic | Districtwide 2012-2016 | Planning Area 2012-2016 | Districtwide (2018-2022) | Planning Area (2018-2022) |
|--|---------------------------|----------------------------|-----------------------------|------------------------------|
| Unemployment Rate | 8.7% | 22.8% | 7.1% | 17.7% |
| Cost Burdened Households ² | 38.6% | 56.1% | 36.1% | 51.96% |
| Poverty Rate | 17.9% | 38.2% | 15.1% | 29.97% |

Progress Toward Meeting the Mayor's 2025 Housing Equity Goals

New Affordable Housing Units Since 2019 by Planning Area

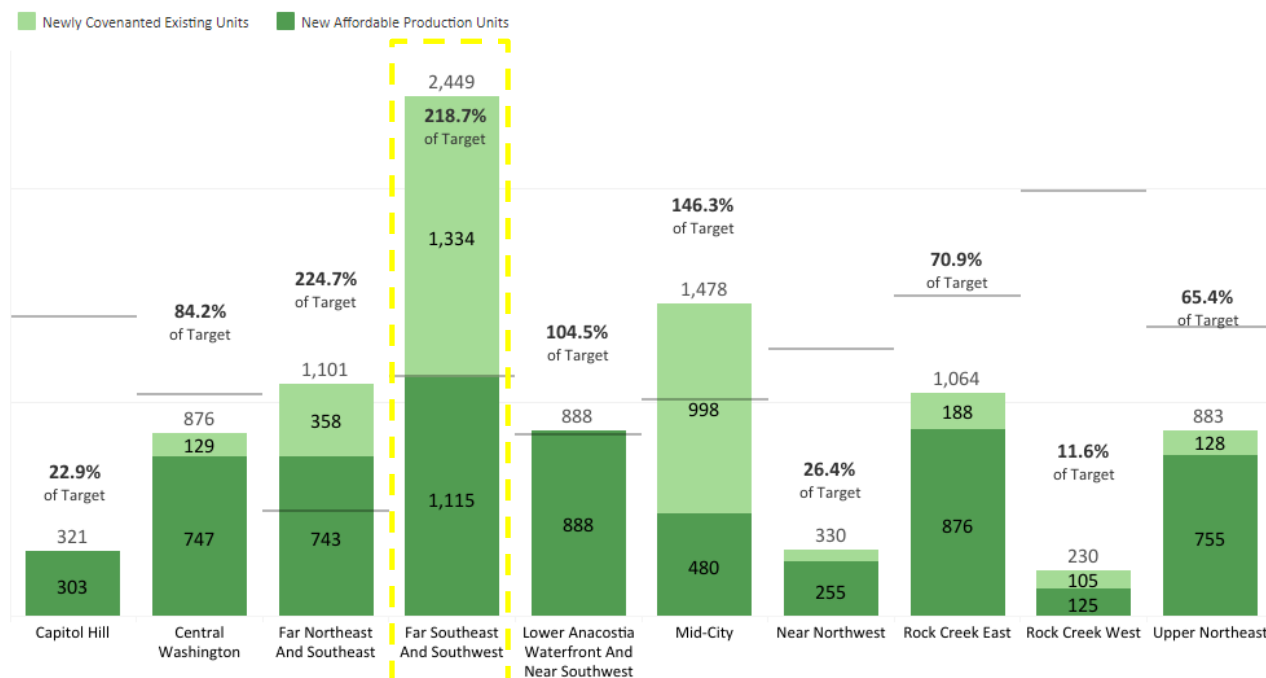


Figure 1 - [DMPED 36,000 by 2025 Dashboard](#)

Figure 1, above, from the [DMPED 36,000 by 2025 Dashboard](#), shows the Far Southeast Southwest Planning Area currently exceeds the Mayor's 2025 affordable housing goal. This proposed PUD and map amendment, would maintain the existing 156 units at their current rents and add approximately 665 more units to the FSS Planning Area, which would further contribute to exceeding the the Mayor's 2025 goal for this area, and meeting both housing and affordable housing goals for the District as a whole. It is also important to note that the housing equity goals are designed to achieve a minimum of 15% in a planning area, and that they are minimums only.

² Percentage of households spending 30% or more of their income on housing and essential utilities.

Part 4 – Zoning Commission Evaluation Factors

According to the Racial Equity Tool, the Commission will use the following criteria, themes and questions, along with the above data, in its evaluation of a zoning action’s consistency with the Comprehensive Plan, as viewed through a racial equity lens.

What Comprehensive Plan policies related to racial equity will potentially be advanced by approval of the zoning action?

As noted above and in the OP Setdown Report, the proposal would further many policy statements of the Comprehensive Plan, including policies within the Land Use, Transportation, Housing, Environmental Protection, Parks, Recreation and Open Space, and Urban Design Citywide Elements as well as the Far Southeast and Southwest Area Element, including when viewed through a racial equity lens. The full list and text of the policies identified by OP are at [Exhibit 10](#).

What Comprehensive Plan policies related to racial equity will potentially not be advanced by approval of the zoning action?

While the proposed PUD would not directly further many policy and action statements of the Comprehensive Plan, including ones of the Far Southeast Southwest Area Element, OP identified policies associated with the provision of affordable owner-occupied opportunities in this area as being a policies this proposal would not address. While home-ownership opportunities would be supported by OP, this is mitigated by the proposed housing proffers to provide new affordable housing options, and a commitment to allowing exiting residents of the buildings to remain on the site both during construction and in the future.

When considering the following themes/questions based on Comprehensive Plan policies related to racial equity, what are the anticipated positive and negative impacts and/or outcomes of the zoning action? Note: Additional themes may also apply.

| Factor | Question | OP Response |
|---------------------|--|--|
| Direct Displacement | Will the zoning action result in displacement of tenants or residents? | The site is currently developed with residential uses but the existing residents would not be displaced, temporarily or permanently, by this PUD. The owner of the property has been in discussions with the existing residents, and Exhibit #2G describes the proposed tenant relocation plan and construction phasing plan that would allow existing residents to remain on the site during redevelopment and following redevelopment. There are no on-site commercial businesses, so there would be no displacement of retail tenants. |

| Factor | Question | OP Response |
|-----------------------|--|---|
| Indirect Displacement | What examples of indirect displacement might result from the zoning action? | <p>The future provision of additional market rate and affordable housing should provide new opportunities for housing in the neighborhood for lower and middle-income residents. The Comprehensive Plan recognizes that without increased housing, the imbalance between supply and demand will drive up housing prices in a way that creates challenges particularly for low-income residents. The PUD results in an affordable housing requirement beyond what would be required by IZ under the current RA-1 zone.</p> <p>The proposed PUD provides a clear path to increase the housing supply, increase IZ unit production, and increase the market-rate units available that could be used in conjunction with other District tools while limiting indirect displacement of existing low-income residents</p> |
| Housing | <p>Will the action result in changes to:</p> <ul style="list-style-type: none"> ▪ Market Rate Housing ▪ Affordable Housing ▪ Replacement Housing | The zoning action would result in more market rate and affordable units housing on the site than exists under the current zoning with the implementation of IZ. The applicant has committed to working with existing residents to ensure they can remain on the site, and to maintain the existing rental rates. The proposal would also increase the supply of larger, 3 bedroom units in the neighborhood. |
| Physical | <p>Will the action result in changes to the physical environment such as:</p> <ul style="list-style-type: none"> ▪ Public Space Improvements ▪ Urban Design Improvements ▪ Streetscape Improvements ▪ Mid-Block Crossing | It is not likely that the proposed rezoning would result in negative impacts to the physical environment. The applicant has detailed their intentions to enhance the streetscape leading to the Fort Greble Park, so that it will be easier to locate and access. Further, the applicant has detailed how their proposal should reinforce the existing character of the corridor. |
| Access to Opportunity | <p>Is there a change in access to opportunity?</p> <ul style="list-style-type: none"> ▪ Job Training/Creation ▪ Healthcare ▪ Addition of Retail/Access to New Services | <p>The redevelopment of the site is mainly residential, consistent with the existing character of the site and the direction of the FLUM. However, the redevelopment would include a new childcare facility to serve residents of the site and the broader neighborhood.</p> <p>Additionally, the site is located on a priority bus corridor, so the new housing units could also support</p> |

| Factor | Question | OP Response |
|-----------|--|--|
| | | the District's goals of enabling more housing, including affordable housing, in proximity to safe, affordable, and reliable transportation. |
| Community | How did community outreach and engagement inform/change the zoning action? | The applicant describes their efforts to engage with the public resulted in two dedicated senior spaces within the proposed amenity area, a senior fitness area and senior lounge. Furthermore, the applicant states that they are evaluating additional options to support the senior population. |

C. SMALL AREA PLANS

Bellevue Small Area Plan

The proposal is located within the Bellevue “Embracing the Revitalization” Small Area Plan (SAP), which was adopted by Council in December, 2009. Though the proposal is not within any of the three prioritized redevelopment areas indicated in the SAP, it should contribute to the Housing Goal of the SAP by redeveloping the site resulting in affordable rental units through the PUD benefits package, including both new IZ units and a separate dedication to maintain the rental rates of existing tenants. Additionally, the proposal would reinforce the desired east-west connectivity of Darrington Street, SW with the proposed private roadway.

D. SUMMARY OF PLANNING CONTEXT ANALYSIS

On balance, the proposed PUD would not be inconsistent with the Comprehensive Plan and would further the District's efforts towards meeting its housing goals by providing new housing for existing residents and providing additional market rate and affordable housing than would be permitted by the existing RA-1 zone. The proposal would allow exiting residents of the rental buildings to remain on the site both during construction and in the future. The consolidated PUD with the map amendment would be a new opportunity for the provision of housing to help advance racial equity and opportunity.

VII. PUD EVALUATION STANDARDS

The purpose and standards for Planned Unit Developments are outlined in 11 DCMR, Subtitle X, Chapter 3:

- 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.*

304.3 *In deciding a PUD application, the Zoning Commission shall judge, balance, and reconcile the relative value of the public benefits and project amenities offered, the degree of development incentives requested, and any potential adverse effects according to the specific circumstances of the case.*

304.4 *The Zoning Commission shall find that the proposed development:*

- (a) *Is not inconsistent with the Comprehensive Plan and with other adopted public policies and active programs related to the subject site;*
- (b) *Does not result in unacceptable project impacts on the surrounding area or on the operation of city services and facilities but instead shall be found to be either favorable, capable of being mitigated, or acceptable given the quality of public benefits in the project; and*
- (c) *Includes specific public benefits and project amenities of the proposed development that are not inconsistent with the Comprehensive Plan or with other adopted public policies and active programs related to the subject site.*

Regarding the criteria of X § 304.4, the PUD and the resulting development would generally not be inconsistent with the Comprehensive Plan. Any potential impacts of the additional density would be outweighed by the significant benefits of the project, including replacement housing for existing residents and the provision of new housing and affordable housing opportunities, enhancements to the public realm, and improved environmental performance. In addition, the project would not result in unacceptable impacts on the surrounding area in terms of its built form. The Applicant should continue to work with DDOT and OP public space planners on the final details for public space design.

Public Benefits and Amenities:

The proposal would result in a higher amount of density and height than what would be permitted under the existing RA-1 zone. However, the proposed zone is not inconsistent with Comprehensive Plan direction for this site.

| | Exiting RA-1 | RA-2 PUD | Proposed PUD | DIFFERENCE |
|--------------------------|--------------------------------|--------------------------------------|---------------------|-------------------|
| Height: | 40 ft. / 3 stories | 50 ft. max.; 60 ft. through a PUD | 60 ft. | +20 ft. |
| FAR | 0.9 or 1.08 with IZ | 2.59 with IZ | 2.59 | +1.51 |
| Gross Floor Area w/IZ | 230,848 sq.ft. max. with IZ | 554.034 sq.ft. | 553,938 sq.ft. | +323,090 sq.ft. |

As such, the applicant is gaining building height and density through the PUD and requested map amendment, as well as flexibility from specified zoning regulations.

Subtitle X Section 305 of the Zoning Regulations discuss the definition and evaluation of public benefits and amenities. *“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”* (§ 305.2). *“A project amenity is one (1) type of public benefit, specifically a functional or aesthetic feature of the proposed development that adds to the attractiveness, convenience, or comfort of the project for occupants and immediate neighbors”* (§ 305.10). Section 305.5 lists several potential categories of benefit proffers, and states that *“(a) project may qualify for approval by being particularly strong in only one (1) or a few of the categories in [that] section, but must be acceptable in all proffered categories and superior in many”* (§ 305.12).

The Commission “*shall deny a PUD application if the proffered benefits do not justify the degree of development incentives requested (including any requested map amendment)*” (§ 305.11).

The Applicant’s benefit and amenities package is in the Applicant’s Statement at [Exhibit 2](#) and identifies categories of benefits from Subtitle X § 305.5 which would apply to the project. The Applicant Supplemental Statement at [Exhibit 21](#) provides an update of the package.

OP analysis of those proposed benefits is below, also referencing Subtitle X § 305.5.

(a) Superior urban design and architecture

The project’s urban design and architecture would be a public benefit. The proposed plans should create a more cohesive urban fabric than what exists between the existing structures and Fort Greble Park. Gaps are provided in the massing of the enclosed courtyard between Building 2 & 3 that delineates the form of the buildings from the street as two buildings. Each of the four proposed buildings have district architecture but will share a common fabric of design which blends brick into each façade so that the development does not starkly contrast with neighboring brick buildings. Balconies will be distributed equally across the proposed facades.

(f) Housing...

(1) Exceeds the amount that would have been required through matter-of-right development under existing zoning;

The proposed development would include about 821 units, significantly more than exist today or would be possible under the existing zoning. The new housing units will help to address housing goals for the District, and provide a broader range of new housing opportunities for area residents. The proposal also includes new replacement housing units for existing residents of the site.

(3) Provides units with three (3) or more bedrooms;

The proposal includes a proffer that at least 8%, approximately 63, of the total units will be three-bedroom units.

(g) Affordable housing

The applicant has proffered an Inclusionary Zoning set aside of 17% of the residential Gross Floor Area (GFA) at 60% MFI in addition to the Penthouse Habitable Space, which would require units at 50% MFI. Based on the information supplied in this application, this proffer should result in at least 130 IZ units at 60% MFI of which there will be approximately 26 studios, 59 1BR, 30 2BR, and 15 3BR units. The applicant’s proffer exceeds the typical 8-12.5% set aside requirement for a by-right IZ development in a RA-2 zone.

In addition to the IZ proffer the project will preserve up to 137 existing naturally occurring affordable units through the proposed on-site relocation plan. This will allow the existing 137 tenants of units in the current buildings to relocate on-site at their existing rents.

(i) Social services and facilities

The proposal provides a dedicated 5,500 square foot space for a child daycare which will serve the public and operate during normal business hours at least 5 days each week for 50 weeks per calendar year

(k) Environmental and sustainable benefits...

(5) Meeting the minimum standards for Leadership in Energy and Environmental Design (LEED) Gold certification.

The project intends to meet the environmental design standards set at the Leadership in Energy and Environmental Design (LEED) Gold level. The applicant has provided at page A41 of [Exhibit #21B5](#) a LEED checklist indicating that the project will exceed the minimum requirements for the Gold certification with at least 62.5 credits when 60 is required.

(l) Streetscape plans

The Project offers four-season landscaping and streetscape improvements along its frontage on Martin Luther King Jr. Avenue and Elmira Street. In the latest submittal the applicant has expanded this proffer to include a mid-block crossing primarily for the safe pedestrian access between Building 1 and Building 2&3. As a whole, these improvements should serve to encourage pedestrian traffic and emphasize Fort Greble Park.

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

The application includes the proffer of two signs which will serve to highlight Fort Greble Park. One will serve as a wayfinding sign at the corner of MLK Jr. Avenue and Elmira Street. The other will highlight the park's entrance at the western end of Elmira Street.

In summary, OP finds that the benefits, amenities and proffers, principally the affordable and replacement housing, three-bedroom unit commitment, site design, and Fort Greble Signage improvements, would be commensurate with the related map amendment and the considerable amount of flexibility requested through the PUD.

VIII. AGENCY COMMENTS

OP circulated project information to District agencies and has had discussions with Department of Housing & Community Development (DHCD), District Department of Transportation (DDOT), Department of Park and Recreation (DPR), Fire and EMS Department (FEMS). In addition, OP arranged an agency meeting, inviting representatives of all notified agencies to participate of those the following agencies were in attendance: DHCD, DDOT, DPR, Department of Energy and the Environment (DOEE), Department of Public Works (DPW), and DC Water. These discussions are reflected in this report.

As of the writing of this report DDOT-Urban Forestry Division provided OP with a report regarding the site's Street and Special/Heritage trees. OP has been informed that the Information from said report would be referenced in DDOT's Comprehensive Transportation Review.

IX. ANC COMMENTS

ANC 8D has provided a letter in support to the record at [Exhibit #20](#).

X. COMMUNITY COMMENTS

As of the date of this report, there are no submissions from members of the community.