



TERRACE MANOR REDEVELOPMENT LP

APPLICATION TO THE DISTRICT OF COLUMBIA ZONING COMMISSION FOR
REVIEW AND APPROVAL OF A CONSOLIDATED PLANNED UNIT DEVELOPMENT

September 26, 2019

DEVELOPMENT TEAM

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PREFACE

This statement and the attached documents support the application of Terrace Manor Redevelopment LP (the “Applicant”) to the Zoning Commission for consolidated approval of a Planned Unit Development for the property known as 3301 23rd Street SE (Square 5894, Lot 63) (the “Property”). The Property is located in the Randle Heights neighborhood of Southeast, D.C. in Ward 8 and is zoned RA-1. The Property is currently improved with the dilapidated Terrace Manor apartment complex, which consists of 12 buildings with a total of 61 units. The Applicant proposes to demolish these buildings and replace them with a single apartment building with approximately 130 units, all of which will be affordable housing units with a maximum median family income (“MFI”) of 60% (the “Project”).

This PUD application is consistent with the District of Columbia Comprehensive Plan, D.C. Law 16-300, 10A DCMR (Planning and Development) § 100 et seq. (2006) (the “Comprehensive Plan”), as well as numerous goals and policies of the District of Columbia. This Project will benefit the District through affordable housing, exemplary architecture, and sustainable design commensurate with the increase in density resulting from the PUD process.

Submitted in support of this application are completed application forms, a copy of the notice of intent to file a PUD that was mailed to surrounding property owners and parties (with the certification of mailing and list of property owners), architectural drawings, plans, and elevations of the proposed project, and a map depicting the Zone Districts for the Property and surrounding area. As set forth below, this statement and the attached documents meet the filing requirements for a PUD application under Chapter 3 of Subtitle X and Chapter 3 of Subtitle Z of the District of Columbia Zoning Regulations.

I. INTRODUCTION

A. *Summary of Requested Action*

This statement and the attached documents support the application of Terrace Manor Redevelopment LP (the “Applicant”) to the Zoning Commission for consolidated approval of a Planned Unit Development (“PUD”) for the property known as 3301 23rd Street SE (Square 5894, Lot 63) (the “Property”). The Property is located in the Randle Heights neighborhood in Southeast, D.C. in Ward 8, within the jurisdiction of Advisory Neighborhood Commission (“ANC”) 8E and located across Savannah Street from ANC 8B. The Property is owned by the Applicant. The Property is located south of Suitland Parkway, near the D.C.-Maryland boundary and consists of approximately 100,265 square feet, or 2.3 acres, of land area. The Property is located in RA-1 Zone District.

The Property is currently improved with the dilapidated Terrace Manor apartment complex consisting of 12 buildings (which are 3+ stories tall) with a total of 61 units. The Applicant proposes to demolish these buildings and replace them with a single apartment building with approximately 130 units, all of which would be affordable housing units with a maximum median family income (“MFI”) of 60% (the “Project”). The Project will also contain approximately 60 below grade parking spaces and bicycle storage.

The total gross floor area included in the Project is approximately 127,400 square feet, for a total Floor Area Ratio (“FAR”) of 1.27. The Project will occupy approximately 31.6% of the Property. The Project will be constructed to a building height of approximately 47 feet, seven (7) inches. The RA-1 Zone District permits a maximum FAR of 1.29 and a maximum building height of 60 feet for a PUD project. Therefore, the Applicant is not seeking the full amount of height and density that is permitted through the PUD process.

The Future Land Use Map of the Comprehensive Plan locates the Property in the Moderate Density Residential land use category. The Applicant will use the PUD process to increase the permitted FAR and height on the Property consistent with the Comprehensive Plan.

B. The Applicant

The Applicant is an affiliate of WC Smith. WC Smith is a Washington, D.C.-based multidisciplinary real estate firm, providing integrated real estate services to the Washington metropolitan area since 1968. The company has a long history of working to improve the neighborhood surrounding Terrace Manor, including revitalizing the Villages of Parklands apartment complex, building Park Vista, spearheading the creation of Town Hall Education Arts Recreation Campus (“THEARC”), bringing a full-service grocery store to the Shops at Park Village, intensive clean up and rehabilitation of Oxon Run Park, and improvements to a number of local schools.

In 1991, WC Smith acquired The Villages of Parklands Apartments, located in Congress Heights, about ½ mile from the Terrace Manor site. The 54-acre rental complex was over 60% vacant and plagued with crime, drugs and gang activity. Over the last 20 years, WC Smith has directed an incredible transformation of the Parklands community by providing rental and homeownership opportunities for more than 2,500 residents. As part of the community improvements, WC Smith built D.C.’s first splashpark in Parklands and redeveloped an adjacent shopping center, the Shops at Park Village, providing a 66,000-square foot Giant supermarket and the neighborhood’s first new sit-down restaurant in many years. In 1997, WC Smith formed a nonprofit to build THEARC, a \$27 million, 110,000 SF state of the art cultural, arts, recreation, and education campus on Mississippi Ave SE.

In the 50 years since WC Smith was established (as William C. Smith & Co. Inc.) the development, commercial brokerage, and finance divisions have completed over \$2 billion of real estate, both new construction and renovations. The property management division maintains 10,000+ residential units as well as a portfolio of office and commercial properties. The company has developed over 7,000 units of multi-family housing in the District of Columbia area and has over \$800 million of development in production. WC Smith is a DC Certified Business Enterprise (“CBE”).

C. Project Goals and Objectives and the Benefits of Using the PUD Process

Consistent with the goals of the District as outlined in the Land Use Element of the Comprehensive Plan, the Applicant intends to redevelop the Property with a multifamily residential project on the Property to replace the existing dilapidated buildings currently occupying the site. The Project will provide 130 units of affordable housing to replace the existing 61 units for the tenants who previously lived at the Property, with an additional 69 units provided to serve the significant need for affordable housing in this area and in the District as a whole.

The PUD process outlined in Chapter 3 of Subtitle X of the Zoning Regulations serves as the appropriate means of achieving the above objectives, because the PUD process provides the community and District agencies with the tools needed to ensure that the Project is well-designed and best meets the needs of the community while making sure that the density and uses are appropriate and the architecture is compatible with the surrounding neighborhood.

II. THE PROPOSED PUD PROJECT

A. Site Location

The Property consists of approximately 100,265 square feet of land area located at the northwest corner of Savannah Street and 23rd Street SE. As detailed below, the Property includes a significant change in grade from the south to the north. The Property is located in the Randle

Heights neighborhood of Southeast Washington in Ward 8. Forested green space abuts the Property to the east and west and an on-ramp for Suitland Parkway is located across 23rd Street SE to the north of the Property. To the south across Savannah Street SE is a shopping center that includes a supermarket, liquor store, restaurant, and daycare. The surrounding neighborhood primarily consists of three- and four-story garden apartment buildings to the west and attached and semi-detached single-family dwellings to the southeast.

Property immediately to the east and west of the Property is located in the RA-1 zone. The shopping center across Savannah Street to the south of the Property is zoned MU-3A, surrounded by areas zoned R-2 and RA-1 further south and east.

B. Project Background and Description

The Property and the immediate area surrounding the Property have been plagued with buildings and activities that have not been a positive contributor to the surrounding community. Loitering, drug use, and illicit activities were unfortunately commonplace. The Property was previously owned by Sanford Capital, and the Applicant, an affiliate of WC Smith, acquired the Property in 2017. The buildings, which were constructed in the 1940's, were severely dilapidated at the time of sale, with only 13 tenants in occupancy. Those tenants have since been relocated to nearby WC Smith properties and Terrace Manor is currently 100% vacant. WC Smith representatives met with the former tenants and Bread for the City, the residents' legal counsel, in January 2018 to discuss their intent to move forward with a plan to demolish the existing buildings and construct the Project. The tenant association unanimously supported the project.

The Applicant received approval from the Board of Zoning Adjustment ("BZA") in 2018 in Case No. 19733 for new residential development in the RA-1 zone for a similar residential building, but with 128 (± 5) units and a building height of 40 feet. However, as plans for the Project developed further, the Applicant determined that additional height and density was necessary in

order for the Project to be financially feasible and best serve the former tenants and area residents. Specifically, the Project will provide close to the same number of units as originally approved by the BZA – 130 units vs. 128 (± 5) units – but with a greater number of larger, two-bedroom units than previously proposed. Specifically, the previous proposal provided a unit mix of: 78 one-bedrooms; 39 two-bedrooms; and 11 three-bedrooms. The Project now proposes a unit mix of 65 one-bedrooms; 54 two-bedrooms; and 11 three-bedroom units.

The Project will consist of 100% affordable housing units, with a maximum MFI level of 60%. Amenities will include a 24-hour front desk, fitness center, club room/business center, bicycle storage, package room, and an on-site rental office. In addition to the onsite amenities, residents will have access to THEARC and the splashpark at Villages of Parklands, as well as the ability to access the Parklands Shuttle Bus. The Project will add much needed, high-quality, energy-efficient housing to the area. The Applicant has a proven track record in providing affordable housing throughout the District, as well as in the neighborhoods immediately surrounding the Property. The 2.3-acre site is adjacent to a larger mixed-income development known as the Villages of Parklands, which is also owned and managed by WC Smith.

As shown in the architectural plans included as Exhibit I, the Project will be a single L-shaped building. The Property has a change in elevation of approximately 31 feet from the south end to the north end of the proposed building. The building has a measured height of 47 feet, seven (7) inches (the building height measuring point is shown on Sheet 3-7 of Exhibit I). The building will include 44 long term bicycle parking spaces, as well as seven (7) short term spaces. The new proposed building will include elevator access to upper floors and 5% Uniform Federal Accessibility Standards (“UFAS”) units. The Project will achieve LEED Silver standards. The

Project will include 60 below-grade parking spaces accessed via a new curb cut on Savannah Street SE.

As stated above, the Project will be constructed to a FAR of 1.27 and a height of 47 feet, seven (7) inches. The RA-1 Zone District permits a maximum FAR of 1.29 and a maximum building height of 60 feet for a PUD project. The information provided in Exhibit I as well as the summary of development data attached as Exhibit B illustrate the Project's satisfaction of the zoning standards.

The Applicant will be requesting funding from the District Department of Housing and Community Development ("DHCD"), as well as Low-Income Housing Tax Credit/bond financing through the D.C. Housing Finance Agency ("DCHFA"), to develop the Project, and thus the Project will be exempt from Inclusionary Zoning requirements pursuant to Subtitle C § 1001.6(a). However, pursuant to Subtitle C § 1002.6, the Project will utilize the bonus density authorized under the Inclusionary Zoning regulations and the PUD regulations.

C. Community Outreach and Response

The Applicant has engaged in community outreach efforts prior to filing the application, including meetings with the former tenants and Bread for the City, the residents' legal counsel, and presenting to ANC 8E regarding the Project, as well as outreach to ANC 8B, which is located across Savannah Street SE to the south of the Property. The Applicant will meet with the Office of Planning, the District Department of Transportation, and other relevant District agencies, as necessary, as this application proceeds. The Applicant presented at a monthly ANC 8E meeting on September 9, 2019, and the Applicant will continue its outreach with the community throughout the processing of this application.

D. Flexibility Under the PUD Guidelines

The PUD process was created to allow greater flexibility in planning and design than is possible under conventional zoning procedures. Under Subtitle X, Section 303.11, the PUD regulations specifically allow the Zoning Commission discretion to approve any zoning relief to development standards other than height and maximum density. The Project does not require relief from any development standards in the Zoning Regulations.

III. PLANNING ANALYSIS

A. Mayor's Housing Order

On May 10, 2019, Mayor Bowser issued an executive order (*See* Office of the Mayor, HOUSING INITIATIVE, Mayor's Order 2019-036 (May 10, 2019) (the "**Mayor's Housing Order**") which outlined her administration's aggressive and commendable goals for increasing housing production in the District. The Mayor's Housing Order noted that, "Increased housing production and preservation is required to address growth and ensure the District lives up to its values of being diverse and inclusive. To do this, the District must create 36,000 new residential units by 2025. Meeting the City's affordable housing needs will require that at least 12,000 of [sic.] new residential units are affordable to low income households and that the District preserve an additional 6,000 affordable housing units."

The Project is entirely consistent with, and significantly advances, the Mayor's goal of creating 36,000 new residential units by 2025. The Project is exactly the type of new development necessary to achieve the laudable housing goals of the Mayor's Housing Order. The Project alone achieves over 1 percent of the Mayor's goal of new residential units that are affordable to low income households and helps address the District's compelling need for new housing and in particular, new permanently affordable housing.

B. Land Use Impact

As detailed in Section V, the proposed PUD Project is fully consistent with the goals and policies of the Comprehensive Plan for the District of Columbia. Specifically, the Project will create 130 units of affordable housing, meeting a significant need for additional affordable housing in the area and the District as a whole. The height and density of the Project are appropriate given the Comprehensive Plan's Future Land Use Map designation of Moderate Density Residential. The additional height and density, above the matter-of-right standards for the RA-1 Zone District, gained through this PUD application are truly minor and will have no adverse land use impacts on the Property or the surrounding area. The Project will improve the Randle Heights neighborhood and provide replacement housing for the former tenants of the existing dilapidated apartment complex on the Property. The Project will have a positive land use impact that is consistent with the Comprehensive Plan and other planning goals of the District of Columbia.

C. Zoning Impact

As shown on the Proposed Zone District Plan included in Exhibit I, the proposed height and density of the Project are within that permitted for a PUD in the RA-1 Zone District. As discussed more fully in Section V, the Future Land Use Map of the Comprehensive Plan locates the Property in the Moderate Density Residential land use category, which supports the existing RA-1 zoning.

D. Environmental Impact

As more specifically detailed in Exhibit E, no adverse environmental impact will result from the construction of the Project. The Project will include features attaining LEED-Silver certification for the Project. The Project will also meet the Green Area Ratio and stormwater management requirements. The Project will also have a solar array on the roof as well as a green roof.

E. Facilities Impact

The proposed Project will not have an adverse impact on the facilities that it will rely on for service. The Property is served by the 30S and 32 Metrobus routes, which pick up directly across Savannah Street from the Property. The 60 parking spaces included in the Project provide the appropriate balance of meeting the parking needs of the residents of this Project, while not overburdening the amount of traffic using the surrounding street network. The Applicant believes that the existing public streets are adequate to accommodate the additional vehicular trips generated by the residents of this Project and their guests.

IV. PUD EVALUATION STANDARDS

A. Public Benefits and Project Amenities

Section 304.3 of Subtitle X notes: “In deciding a PUD application, the Zoning Commission must 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.” Section 305 of Subtitle X provides categories of public benefits and project amenities for review by the Zoning Commission. The objective of the PUD process is to encourage high-quality development that provides public benefits and project amenities by allowing applications greater flexibility in planning and design than may be possible under matter-of-right zoning.

The proposed Project will achieve the goals of the PUD process by providing new affordable housing units in a well-designed and attractive building that revitalizes a currently dilapidated and vacant site, enhances the surrounding public space, and improves public facilities near the Property. The degree of development incentives requested, 0.19 FAR and 7 feet 7 inches of building height, are quite minor when weighed against the significant public benefits of the Project.

1. Housing

Pursuant to Section 305.5(f) of Subtitle X of the Zoning Regulations, the PUD guidelines state that the production of housing (which includes housing that exceeds what is required through matter-of-right development; or includes three-bedroom units) is a public benefit that the PUD process is designed to encourage. The Project provides such housing and will create approximately 130 new residential units, replacing the 61 units of the existing buildings, which are in a severe state of disrepair.

2. Affordable Housing

Pursuant to Section 305.3(g) of Subtitle X, the production of affordable housing above what is required under the Inclusionary Zoning (“IZ”) regulations is considered a public benefit of a PUD project. The Project will be entirely devoted to affordable housing, well above the minimum that would be required under Inclusionary Zoning, and units will be set aside at 60% MFI, creating approximately 130 units of affordable housing. This affordable housing commitment is also entirely consistent with the goals of the Mayor’s Housing Order which notes that “within the existing planned unit development process, affordable housing shall be treated as a top priority public benefit.”

3. Superior Urban Design and Architecture

Section 305.5(a) of Subtitle X lists urban design and architecture as categories of public benefits and project amenities for a PUD. As shown on the detailed plans, elevations, and renderings included in Exhibit I, the proposed Project exhibits many characteristics of exemplary urban design. The building will be clad in a blend of split-face CMU, brick, fiber cement, and vinyl siding. Subtle shifts in the massing and materials help to break up the façade and refer back to the existing building fabric of the Randle Heights neighborhood.

4. Site Planning, and Efficient and Economical Land Utilization

Pursuant to Section 305.5(c) of Subtitle X of the Zoning Regulations, “site planning and efficient and economical land utilization” are public benefits and project amenities to be evaluated by the Zoning Commission. The site is currently dilapidated, vacant, and underutilized. The site in its current state is an eyesore detracting from the surrounding residential development. The proposed Project has been carefully developed to provide residents with an attractively designed apartment building that benefits the neighborhood aesthetically and is well-sited on the lot, with appropriate setbacks and open green space preserved on the site.

5. Environmental and Sustainability Benefits

Section 305.5(k) of Subtitle X states that environmental benefits are considered to be public benefits and project amenities of a PUD. The Project will provide a number of environmental benefits that improve sustainability of the site and contribute to the sustainability of the neighborhood. These sustainability features include a commitment to achieve LEED Silver. The envelope and building systems will be extremely energy efficient, and the interiors will offer excellent air quality for the future residents. Over 18,000 SF of sedum green roof tied to advanced stormwater management infrastructure and landscaping with 100% native plantings together add another layer of environmental stewardship and superior urban design. Additionally, the Applicant proposes rooftop solar arrays for the building.

6. Comprehensive Plan

According to Section 305.5(r) of Subtitle X, public benefits and project amenities include “other ways in which the proposed planned development substantially advances the major themes and other policies and objectives of any of the elements of the Comprehensive Plan.” As described in greater detail in Section V, the Project is consistent with and furthers many goals and policies of the Comprehensive Plan.

B. Public Benefits of the Project

Section 305.3 of Subtitle X requires the Applicant to demonstrate how the public benefits offered are superior in quantity and quality to typical developments of the type proposed. This application achieves the requirement of this provision by offering:

- Housing,
- Affordable housing,
- Superior Urban Design and Architecture,
- Exemplary site planning,
- Sustainable development features,

For the reasons set forth above, the Project contains numerous public benefits and project amenities that are superior to typical developments.

V. COMPLIANCE WITH THE COMPREHENSIVE PLAN

The proposed PUD is consistent with and fosters numerous goals and policies of the Comprehensive Plan.

The purposes of the District elements of the Comprehensive Plan for the National Capital are to: (1) Define the requirements and aspirations of District residents, and accordingly influence social, economic and physical development; (2) Guide executive and legislative decisions on matters affecting the District and its citizens; (3) Promote economic growth and jobs for District residents; (4) Guide private and public development in order to achieve District and community goals; (5) Maintain and enhance the natural and architectural assets of the District; and (6) Assist in the conservation, stabilization, and improvement of each neighborhood and community in the District.

D.C. Code § 1-306.01(b) (2006). The proposed Project significantly advances these purposes by furthering the social, physical, and economic development of the District through the development of an all-affordable multifamily residential building on the Property serving the significant need for such housing in the immediate area and the District as a whole.

A. Citywide Elements

1. Framework Elements and Maps

The Framework Element provides guidelines for using the Future Land Use Map. This Element states that the Future Land Use Map should be interpreted “broadly” and notes that the zoning for an area should be guided by the Future Land Use Map interpreted in conjunction with the text of the entire Comprehensive Plan. The Framework Element also clearly provides that density and height gained through the PUD process are bonuses that may exceed the typical ranges cited for each category. 10A DCMR § 226(c).

On the Future Land Use Map, the Property is mapped for Moderate Density Residential land use. The Moderate Density Residential designation “is used to define the District’s row house neighborhoods, as well as its low-rise garden apartment complexes. The designation also applies to areas characterized by a mix of single family homes, 2-4 unit buildings, row houses, and low-rise apartment buildings.” *Id.* § 225.4. “The R-3, R-4 [current RF], R-5-A [current RA-1 Zone districts are generally consistent with the Moderate Density Residential category; the R-5-B [current RA-2] district and other zones may also apply in some locations.” *Id.*

On the Generalized Policy Map, the Property is designated as a “Neighborhood Conservation Area.” Neighborhood Conservation Areas are “primarily residential in character. Maintenance of existing land use and community character is anticipated over the next 20 years. Where change occurs, it will be modest in scale and will consist primarily of scattered site infill housing, public facilities, and institutional uses. Major changes in density over current (2005) conditions are not expected but some new development and reuse opportunities are anticipated.” *Id.* § 223.4. The Framework Element further provides,

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.

Id. § 223.5.

In this case, the Future Land Use Map and Generalized Policy Map designations both support the Project and requested PUD density of 1.27 FAR and height of 47 feet, seven (7) inches. The Project will maintain the general level of residential development currently permitted on the site and in the immediate vicinity, while also providing additional units of affordable housing above what was previously provided on the Property. Thus, the Project is consistent with the Framework Element.

2. Land Use Element

The proposed Project advances several policies of the Land Use Element. Specifically, the Land Use Element encourages orderly neighborhood revitalization and stabilization (10A DCMR § 309.7, LU-2.1.2 Neighborhood Revitalization) and appropriately balancing the goals of increasing the housing supply while still protecting neighborhood character, with the overarching aim being to “create successful neighborhoods” in all parts of the city (*Id.* § 309.8, LU-2.1.3 Conserving, Enhancing, and Revitalizing Neighborhoods). In addition, the Land Use Element advocates for reducing the number of vacant and abandoned buildings in the city, including through demolition, when necessary (*Id.* § 310.4, LU-2.2.3 Restoration or Removal of Vacant and Abandoned Buildings). The Project will achieve all of these goals by revitalizing the site through the replacement of the existing severely dilapidated apartment complex on the Property. In so doing, the Project will make a significant contribution toward overall restoration of the surrounding neighborhood while also more than doubling the affordable housing stock represented by the existing buildings when they were in use.

3. Other Elements

This PUD application is also consistent with policies in the Housing, Urban Design, and Environmental Protection Elements. The Housing Element advises encouraging private sector investment to provide new housing to meet the present and future needs of District residents (10A DCMR § 503.2, H-1.1.1 Private Sector Support) and promotes the goal of developing new housing on vacant and underutilized land (*id.* § 503.4, H-1.1.3 Balanced Growth). In addition, the Housing Element advocates striving for a goal that one-third of new housing in the District be affordable at the 80% MFI level (*id.* § 504.7, H-1.2.2 Production Targets) and promotes using zoning incentives to encourage the development of low- and moderate-income housing (*id.* § 504.14 H-1.2.7 Density Bonuses for Affordable Housing). Here, the Project will revitalize a currently vacant and previously-neglected site with a new all-affordable building serving income levels even deeper than the 80% MFI target suggested in the Housing Element. In line with the policy set forth above, this application requests a modest increase in height and allowable density to achieve this end.

In addition, the Project will further policies outlined in the Urban Design Element to strengthen the visual qualities of the District's neighborhood (*id.* § 910.6, UD-2.2.1 Neighborhood Character and Identity) by restoring the Property with a new, visually attractive residential building to replace the existing blighted complex. Finally, the Project will further goals provided in the Environmental Protection Element by providing rooftop solar arrays on the building, as well as a green roof and bioretention facilities for stormwater retention.

B. Far Northeast and Southeast Area Element

The Property is within the Far Northeast and Southeast Area Element. This element encourages new housing for area residents on vacant lots, among other places, and the rehabilitation of existing housing, while taking steps to ensure that the housing remains affordable

for current and future residents (10A DCMR § 1708.3, FNS-1.1.2 Development of New Housing). The Project will further these goals by revitalizing the Property with new housing targeted to residents at the 60% MFI level, helping to support the supply of affordable housing in the area.

VI. CONCLUSION

For the foregoing reasons, the Applicant submits that the enclosed application meets the standards of Chapter 3 of Subtitle X and Chapter 3 of Subtitle Z of the Zoning Regulations; is consistent with the purposes and intent of the Zoning Regulations and Map; will enhance the health, welfare, safety, and convenience of the citizens of the District of Columbia; satisfy the requirements for approval of the included application; provides significant public benefits; and advances important goals and policies of the District of Columbia. Therefore, the PUD application should be approved and adopted by the Zoning Commission.

Accordingly, the Applicant respectfully requests that the Zoning Commission set the PUD application down for a public hearing at the earliest possible date.

Respectfully submitted,

GOULSTON & STORRS, PC

/s/
Paul A. Tummonds

/s/
Lawrence Ferris

Date: September 26, 2019