

DEANWOOD TOWN CENTER

**STATEMENT
OF THE APPLICANT
TO THE
DISTRICT OF COLUMBIA ZONING COMMISSION
FOR A
CONSOLIDATED PLANNED UNIT DEVELOPMENT
AND ZONING MAP AMENDMENT**

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I. INTRODUCTION

The Warrenton Group (the “Applicant”) on behalf of the owners of the properties located 5110-5140 Nannie Helen Burroughs Avenue, NE (Square 5197, Lots 1, 64, 65, and 73) (collectively, the “Property”), submits this statement and the attached documents in support of its application to the Zoning Commission for the District of Columbia (the “Commission”) for the consolidated review and approval of a planned unit development (“PUD”) and related Zoning Map amendment to rezone the Property from the MU-3 to the MU-4 Zone. The Property is located in the northeast quadrant of the District and within the boundaries of Advisory Neighborhood Commission (“ANC”) 7C01.

The Property consists of two parcels separated by a public alley and totaling approximately 85,510 square feet of land area. Parcel 1, located on the west side of the alley, consists of 71,891 square feet, and is improved with the Holy Christian Missionary Baptist Church and a carry-out restaurant. Parcel 2, located on the east side of the alley, consists of 13,619 square feet, and is improved with a four-story office building. Immediately to the south, across Nannie Helen Burroughs Avenue, is the historic Strand Theater, the site for the Strand Residences PUD (ZC Case No. 17-10), and Sargent Memorial Presbyterian Church. Immediately to the north of the Property is the Deanwood Hills residential development (ZC Order No. 15-10), which is currently under construction. The Property is well served by several Metrobus routes, including six routes within 0.2 miles of the Property.

As shown on the Zoning Map attached hereto as Exhibit B, the Property is presently zoned MU-3. The Applicant proposes to rezone the Property to the MU-4 Zone, which is consistent with the Comprehensive Plan's Future Land Use Map designation of the Property as Low Density Commercial/Moderate Density Residential on the Comprehensive Plan Future Land Use Map (*see Exhibit C*) and the *Lincoln Heights & Richardson Dwellings New Communities Initiative*

Revitalization Plan, which was approved by the City Council on December 19, 2006, pursuant to Resolution No. 16-923 (the “New Communities Plan”), which encourages rezoning the Property to C-2-B (MU-5-A under the Zoning Regulations of 2016) (*see Exhibit D*). The requested map amendment is also consistent with the Comprehensive Plan's Generalized Policy Map designation for the Property of Main Street Mixed Use Corridor (*See Exhibit E*).

The Applicant proposes to redevelop the Property as mixed used development on two parcels. Parcel 1 will be improved with a building containing approximately 10,000 square feet of retail at the ground level; approximately 170,600 square feet of residential, generating approximately 151 units; and 143 covered parking spaces. The maximum building height will be 65 feet and the density will be 3.47 floor area ratio (“FAR”). Parcel 2 will be improved with a building containing approximately 6,000 square feet of retail at the ground level; approximately 39,000 square feet of residential generating approximately 32 units; and 3 surface parking spaces. The maximum building height will be 63 feet and the density will be 3.32 FAR.

Of the 183 units proposed for the development, 61 will be replacement units for the Lincoln Heights and Richardson Dwellings residential communities controlled by the DC Housing Authority (“DCHA”). The replacement units include 32 three-bedroom units, six four-bedroom units, and two five-bedroom units. Of the remaining of the units, 104 will be a mix of units reserved for households not exceeding 60% of the median family income (“MFI”) and 18 will be market rate units.

As set forth below, this statement and the attachments meet the filing requirements for a PUD and Zoning Map Amendment application under Subtitle X, Chapter 3 of the District of Columbia Zoning Regulations.

II. PROJECT DESCRIPTION

A. The Warrenton Group

The Applicant is The Warrenton Group, a privately held real estate development firm that specializes in mixed-income residential and mixed-use developments. “Redevelopment for real change” has been the guiding principle for delivering high quality, impactful projects since the firm was created in 1997. The firm focuses its resources and experience on transforming urban neighborhoods throughout the Washington, D.C. Metropolitan Area. The Warrenton Group is also the applicant for the Strand Residences PUD (ZC Case No. 17-10) across from the Property on the south side of Nannie Helen Burroughs Avenue, and the developer for the Deanwood Hills community currently under construction immediately north of the Property.

The Warrenton Group’s development partner for this project and the Strand Residences PUD is NHP Foundation. The NHP Foundation is a not-for-profit real estate organization dedicated to preserving and creating sustainable, service-enriched multifamily housing that is both affordable to low and moderate income families and seniors, and beneficial to their communities. The NHP Foundation is based in Washington, DC, but has a national presence. It was founded in 1989 and owns more than 8,000 units in 15 states and the District of Columbia. In the District, the NHP Foundation currently owns more than 500 units in five properties and is actively developing almost 800 units in four properties.

B. PUD Components

Parcel 1

As shown on the architectural plans and elevations attached hereto as Exhibit A (the “Plans”), the PUD will include a mixed-use development across two parcels. Parcel 1, consists of 71,891 square feet, and will be redeveloped with a building containing approximately 10,000 square feet of ground floor retail; approximately 170,600 square feet of residential, generating

approximately 151 units; and 143 covered parking spaces. The building will include four and five-bedroom residences that will front on 51st Street. The maximum building height will be approximately 65 feet and the density will be 3.47 FAR. The building will also have 52 long-term bicycle parking spaces and 11 short-term bicycle parking spaces in the building in accordance with the Zoning Regulations. Loading will also be accommodated by two 30-foot loading berths, an adjacent 100 square foot loading platform, and one service delivery space.

Parcel 2

Parcel 2 consists of 13,619 square feet and will be redeveloped with a building containing approximately 6,000 square feet of ground floor retail; approximately 39,000 square feet residential, generating approximately 32 units; and 3 surface parking spaces. An additional 16 required parking spaces will be located on Parcel 1, as permitted by Subtitle C § 701.8. The maximum building height will be 63 feet and the density will be 3.32 FAR. The building will have 12 long-term bicycle parking spaces and 4 short-term bicycle parking spaces in accordance with the Zoning Regulations. Loading will be accommodated by a 30 foot loading berth and an adjacent 10 square-foot loading platform.

Penthouse/Alley

All portions of the penthouses on both buildings will be set back 1:1 from the edge of the roof upon which is it located, in accordance with the Zoning Regulations. In addition, the Applicant will widen the existing 12-foot wide public alley in between the two parcels from 12 feet to 20 feet. The additional 8 feet will be achieved by the creation of a public access easement along the eastern edge of Parcel 1. Access to the parking and loading will be from the widened alley.

Streetscape

The streetscape design along Nannie Helen Burroughs Avenue will comply with the District Department of Transportation Streetscape Guidelines and will include an 8- to 14-foot sidewalk, large tree boxes, street lighting, and appropriate site furnishings. The 14-foot sidewalk along the retail section of the building will preserve the existing bus stop and allow for gathering and dining space along the retail frontage. An accessible walk and generous entry invites visitors and residents into the lobby, and landscape areas between the sidewalk and the building will be planted with native plants to delineate between the residential portion of the building and the retail. The residential streetscape along 51st provides small paver patios at each entry separated by landscaped areas planted with native plants and small ornamental trees. The streetscape along Division Avenue also includes similar plantings and ornamental trees that provide a buffer between the 10-foot sidewalk and the residential entry.

Courtyard

The site will be landscaped with native or adaptive species, and will provide access and useable space around the site for both lots. In addition to the streetscape improvements, a courtyard amenity space will be provided for residents. The design of the courtyard is focused on providing a natural play environment for young residents and gathering space for all generations. The organic forms of the courtyard design offer visual interest from above, a circuitous path for exercise, and flexible spaces for gathering and play. A mounded landscape area in the center of the courtyard adds height and texture to the space. Two lines of trees along the edge of the amenity space provide shade and privacy between the upper units and the courtyard below. Material changes delineate the courtyard spaces which include a play area, a small gathering space, and a larger gathering space. The play area utilizes natural elements to encourage imaginative play.

C. Project Design

The Project is designed to restore and enhance the urban fabric of the Deanwood neighborhood. The two buildings create a strong street edge along Nannie Helen Burroughs Avenue and help establish an active pedestrian experience through the provision of neighborhood serving retail. As a result, the Project will result in the development of Nannie Helen Burroughs Avenue as a mixed-use “main street” in Deanwood.

The building on Parcel 1 is separated into two facades types to break down the scale of the building and provide an engaging pedestrian streetscape. The west façade is residential in character and contains landscaped areas in front of the building which highlight the individual unit entrances and stoops. The west façade also contains canopies and juliet balconies, which further enforces the residential nature of the building. The eastern façade contains large storefront openings, a continuous canopy, and a dramatic roof overhang. The building on Parcel 2 contains another façade type, which further enhances the streetscape since it contains a continuous signage band and corner entrance. Both buildings have masonry facades at the ground floor, which continue up to the 4th floor. The building on Parcel 1 contains setbacks at the 4th floor help to lower the scale and modulate the building’s massing.

Parking is largely located underneath the courtyard of the building located on Parcel 1. This 24,600 square foot courtyard will be made available to the residents of both building and includes flexible spaces for gathering and play. The ground floor lobby/amenity area of the building on Parcel 1 will include the leasing office and other amenity spaces that will serve both buildings and includes a club room, fitness area, and kids activity area.

The streetscape design along Nannie Helen Burroughs Avenue will include a sidewalk that varies in width from 8 feet to 14 feet and the sidewalks along Division Avenue will be 10 feet wide. Both streetscapes will include large tree boxes, street lighting, and appropriate site furnishings. The large 14-foot sidewalks adjacent to the retail portions of the Project will help preserve the location of the existing bus stop and allow for gathering and dining space adjacent to the retail frontage.

The main entrance to the Project includes an accessible walk and generous entry and all of the landscaped areas between the sidewalk and the buildings will be planted with native plants to delineate between the residential portion of the building and the retail. The residential units with individual entryways along the 51st Street streetscape will also include paver patios at each entry separated by landscaped areas planted with native plants and small ornamental trees.

D. Development Standards Under the Existing MU-3 Zoning

The Property is currently zoned MU-3. The MU-3 Zones are intended to permit low-density mixed-use development and provide convenient retail and personal service establishments for the day-to-day needs of a local neighborhood, as well as residential and limited community facilities with a minimum impact upon surrounding residential development. 11-G DCMR § 400.2. The MU-3 Zone is subject to the following development standards:

- Height: 40 feet and 3 stories; 40 feet for a PUD. 11-G DCMR § 403.1; 11-X DCMR § 303.7.
- Density: 1.0 FAR; 1.2 FAR with Inclusionary Zoning (“IZ”), with a maximum of 1.0 FAR for non-residential use; and 1.44 FAR for a PUD, with a maximum of 1.34 FAR for non-residential use. 11-G DCMR § 402.1; 11-X DCMR § 303.3
- Lot Occupancy: The maximum lot occupancy for residential use is 60% and 100% for non-residential use. 11-G DCMR § 104.1.

E. Development Standards Under the Proposed MU-4 Zoning

The Applicant proposes to rezone the Property to the MU-4 Zone, which is subject to the following development standards:

- Height: 50 feet, with no limit on the number of stories; and 65 feet for a PUD. 11-G DCMR § 403.1; 11-X DCMR § 303.7.
- Density: 2.5 FAR; 3.0 FAR with IZ, with a maximum non-residential FAR of 1.5; and 3.6 FAR for a PUD, with a maximum non-residential FAR of 2.01. 11-G DCMR § 402.1; 11-X DCMR § 303.3.
- Lot Occupancy: The maximum lot occupancy for residential use is 60% and 75% with IZ; and 100% for non-residential uses. 11-G DCMR § 404.1.
- Rear Yard: The minimum rear yard is 15 feet. 11-G DCMR § 405.2.
- Side Yard: No side yard is required for a building or structure other than a detached single dwelling unit or semi-detached single dwelling unit; however, if a side yard is provided it shall be at least two inches wide for each one foot of height of the building but no less than five feet. 11-G DCMR § 406.1.
- Parking for Residential, multiple dwelling unit: 1 space per 3 dwelling units in excess of 4 units. 11-C DCMR § 701.5.
- Parking for Retail: In excess of 3,000 square feet, 1 space per each 1,000 square feet of gross floor area. 11-C DCMR § 701.5.
- Bicycle Parking for Residential Apartment: 1 space for each 3 dwelling units (long term); 1 space for each 20 dwelling units (short term). 11-C DCMR § 802.1.
- Bicycle Parking for Retail: 1 space for per 7,500 square feet (long term); 1 space per 3,500 square feet (short term). 11-C DCMR § 802.1.
- Loading for Residential More than 50 Units: 1 loading berth, 1 loading platform and 1 service/delivery space. 11-C DCMR § 902.2.
- Loading for Retail with 5,000 to 20,000 square feet of gross floor area: 1 loading berth, 1 loading platform and 1 service/delivery space. 11-C DCMR § 902.2.
- Green Area Ratio (“GAR”): The minimum required GAR is 0.3. 11-G DCMR § 407.1.

F. Tabulation of Development Data

The tabulation of the PUD's development data is included on Sheet G10 of the Plans attached hereto as Exhibit A.

G. Flexibility under PUD Guidelines

The PUD process was created to allow greater flexibility in planning and design than might otherwise not be possible under conventional zoning procedures. As permitted by 11-X DCMR § 303.1, the Commission may grant such flexibility in its discretion.

1. Rear Yard

The Applicant requests flexibility to provide a minimum rear yard of 8 feet, 7 inches for portions of the rear yard of the building on Parcel 1 where a rear yard of 15 feet is required pursuant to Subtitle G, Section 406.1 of the Zoning Regulations. The Applicant's request for flexibility is only requested for a small portion of the rear yard as shown on Sheet G12 of the Plans. The requested flexibility is necessary to provide a building with a regular geometry in relationship to Nannie Helen Burroughs Avenue. The 8 foot, 7 inch rear yard will not reduce the amount of light or air available to the building's residents since the Applicant is providing an approximately 24,7000 square foot landscaped central courtyard.

2. Side Yard

The Applicant requests flexibility to provide a minimum side yard of 8 feet on the west side of the building on Parcel 1 where a side yard of 10 feet, 10 inches feet is required pursuant to the Zoning Regulations. The proposed side yard will not reduce the amount of light or air available to the building's residents since the Applicant is providing an approximately 24,600 square foot landscaped central courtyard and the side yard is adjacent to 51st Street. The minimum 8 foot side yard allows the Applicant to provide stoops and landscaped entrances to enhance the residential character of 51st Street.

The Applicant requests flexibility to provide a side yard of 8 feet on the west side of the building on Parcel 2, where a side yard of 10 feet, 6 inches is required pursuant to Subtitle G, Section 406.1 of the Zoning Regulations. The side yard will not reduce the amount of light or air available to the building's resident since the Applicant is providing a rear yard with an average depth of 45 feet and the side yard is adjacent to the alley being widened to 20 feet. The buildings on Parcel 1 and Parcel 2 will be separated by 38 feet as a result of the widened alley.

3. Additional Areas of Flexibility

The Applicant has made every effort to provide the highest level of detail in the drawings to convey the quality and appropriateness of the PUD's design and uses for this location. Nonetheless, some flexibility is necessary with respect to certain details. Thus, the Applicant requests modest flexibility in the following areas:

- (a) To be able to provide a range in the number of residential units of plus or minus 10%;
- (b) To make refinements to the garage configuration, including layout and number of parking spaces and other elements, so long as the number of parking spaces provided is at least the minimum number of required spaces, and also does not equal or exceed double the number of spaces required by the Zoning Regulations;
- (c) To vary the location and design of all interior components, including partitions, structural slabs, doors, hallways, columns, stairways, and mechanical rooms, provided that the variations do not change the exterior configuration of the building;
- (d) To vary the final selection of the exterior materials within the color ranges and material types as proposed, based on availability at the time of construction without reducing the quality of the materials; and to make minor refinements to exterior details, locations, and dimensions, including: window mullions and spandrels, window frames, doorways, glass types, belt courses, sills, bases, cornices, railings, canopies and trim; and any other changes in order to comply with all applicable District of Columbia laws and regulations or that are otherwise necessary to obtain a final building permit;
- (e) To vary the location, attributes and general design of the streetscape incorporated in the PUD to comply with the requirements of and the approval by the DDOT Public Space Division;

- (f) To construct the PUD in either one or two phases;
- (g) To make refinements to exterior materials, details and dimensions including belt courses, sills, bases, cornices, railings, roof, skylight, architectural embellishments and trim, venting, window mullions and spacing, or any other changes to comply with the District of Columbia Building Code or that are necessary to obtain a final building permit or any other applicable approvals;
- (h) To vary the font, message, logo, and color of the proposed signage, provided that the maximum overall dimensions and signage materials do not change from those shown on the approved Plans; and
- (i) To locate retail entrances in accordance with the needs of the retail tenants and vary the façades as necessary within the general design parameters proposed for the PUD and to vary the types of uses designated as “retail” use on the approved Plans to include the following use categories: (i) Retail (11-B DCMR § 200.2(cc)); (ii) Services, General (11-B DCMR § 200.2(dd)); (iii) Services, Financial (11-B DCMR § 200.2(ee)); and (iv) Eating and Drinking Establishments (11-B DCMR § 200.2(j)).

III. THE PROJECT MEETS THE STANDARDS OF THE ZONING REGULATIONS AND PUD REQUIREMENTS

A. Standards Applicable to an Application for a Zoning Map Amendment

The Zoning Act sets forth a number of criteria that must be applied by the Commission when adopting and amending the Zoning Regulations and Zoning Map. The Zoning Act states that the Zoning Regulations are designed to "promote the health, safety, morals, convenience, order, prosperity, or general welfare of the District of Columbia and its planning and orderly development as the national capital" D.C. Code § 6-641.01 (2001). The Zoning Act further provides that:

[z]oning maps and regulations, and amendments thereto, shall not be inconsistent with the comprehensive plan for the national capital, and zoning regulations shall be designed to lessen congestion in the street, to secure safety from fire, panic, and other dangers, to promote health and the general welfare, to provide adequate light and air, to prevent the undue concentration of population and the overcrowding of land, and to promote such distribution of population and of the uses of land as would tend to create conditions favorable to health, safety, transportation, prosperity, protection of property, civic activity, and recreational, educational, and cultural opportunities, and as would tend to further economy and efficiency in the supply of public services. Such regulations shall be made with reasonable

consideration, among other things, of the character of the respective districts and their suitability for the uses provided in the regulations, and with a view to encouraging stability of districts and of land values therein.

D.C. Code § 6-641.02 (2001). The Commission must apply those standards and criteria in determining whether to approve a requested map amendment. The proposed rezoning of the Property to the MU-4 Zone in conjunction with the PUD, as requested herein, will promote each of the purposes described above. “A PUD-related zoning map amendment shall be considered flexibility against which the Zoning Commission shall weigh the benefits of the PUD.” 11-X DCMR § 303.12.

B. PUD Process is Appropriate Mechanism for the Project

The PUD process is the appropriate mechanism for guiding the development of the Property. It allows the PUD to be developed within the statutory purview of the Zoning Commission while at the same time providing opportunities for input from various agencies and parties. Through the PUD process, the Office of Planning and other District agencies will have the opportunity for greater participation in the fulfillment of the District’s planning objectives for this area. Similarly, nearby property owners and area residents will have the opportunity to express their views about the proposed PUD. Accordingly, the use of the PUD process gives the community and District agencies an opportunity to work with the Applicant to ensure a well-planned PUD.

C. PUD Requirements under Subtitle X, Chapter 3 of the Zoning Regulations

1. Area Requirements under Subtitle X § 301.1

The Property consists of two parcels with a total land area of approximately 85,510 square feet where a minimum of 15,000 square feet of land area is required pursuant to 11-X DCMR § 301.1.

2. FAR and Height Requirements under Subtitle X § § 303.3 and 303.7

Subtitle X § 303.1 of the Zoning Regulations permits a maximum density for a PUD in the MU-4 Zone of 3.6 FAR, with a maximum non-residential FAR of 2.01. Parcel 1 will be developed at a density of 3.47 FAR, of which 0.14 FAR is for non-residential use. Parcel 2 will be developed at a density of 3.32 FAR, of which 0.44 FAR is for non-residential use. Thus, the PUD conforms with the PUD FAR allowances set forth in 11-X DCMR § 303.1.

Subtitle X § 303.7 of the Zoning Regulations permits a maximum building height of 65 feet for a PUD in the MU-4 Zone. As shown on the Plans, the building on Parcel 1 has a height of 65 feet and the building on Parcel 2 has a height of 63 feet, and therefore the PUD conforms to the requirements of 11-X DCMR § 303.7.

3. Impacts of the PUD under Subtitle X § 304.4(a)

The PUD will have a favorable impact on the surrounding area. The PUD will redevelop an underutilized site with a design that carefully considers the nearby uses and overall context. The PUD will provide new housing opportunities to District residents, including new affordable housing, and will help to continue the revitalization of the surrounding neighborhood by providing replacement units for the nearby Lincoln Heights and Richardson Dwellings residential communities. The PUD will also not have any unmitigated adverse traffic impacts on the surrounding neighborhood.

4. Not Inconsistent with Comprehensive Plan Under Subtitle X § 304.4(b)

As discussed at length below in Section IV, the PUD is not inconsistent with the District of Columbia Comprehensive Plan.

D. Public Benefits and Project Amenities

The PUD guidelines require the evaluation of specific public benefits and PUD amenities for a proposed PUD. Public benefits are defined as "superior features of a proposed planned unit

development that benefit the surrounding neighborhood or the public in general to a significantly greater extent than would likely result from the development of the Property under the matter of right provisions...." 11 DCMR Subtitle X § 305.2. A PUD amenity is further defined as "one type of public benefit, specifically a functional or aesthetic feature of the proposed development that adds attractiveness, convenience or comfort of the PUD for occupants and immediate neighbors." 11 DCMR Subtitle X § 305.10. Additionally, when deliberating the merits of a PUD application, the Zoning Commission is required to "judge, balance and reconcile the relative value of the PUD amenities and public benefits offered, the degree of development incentives requested, and any potential adverse effects according to the specific circumstances of the case." 11 DCMR Subtitle X § 304.3. Public benefits and PUD amenities may be exhibited in a variety of ways and may overlap with a furthering of the policies and goals of the Comprehensive Plan.

The PUD will help to achieve a number of the goals of the PUD process by creating a mixed-use, mixed-income, transit-oriented development. These and the other significant public benefits and amenities, described in more detail below, reflect and implement the goals of the PUD process, enhance the surrounding community, and benefit the District.

1. Affordable Housing (X-§ 305.5(g)). The PUD will result in the creation of new housing, including additional affordable housing units, consistent with the goals of the Zoning Regulations, the Comprehensive Plan, and the Mayor's housing initiative. If the Property was redeveloped as a matter of right under the existing MU-3 zone district, the development would only generate approximately 10,261 square feet of affordable housing reserved for households with incomes not exceeding 60% of MFI. However, the PUD will result in approximately 168,100 square feet of gross floor area devoted to households with incomes not exceeding 60% of MFI and 97,300 square feet of gross floor area for households with incomes at 30% of MFI, which serve as

replacement units for the Lincoln Heights and Richardson Dwellings residential communities. This is a significantly greater amount of affordable housing, and at deeper levels of affordability, than would have been required if the Property was redeveloped as a matter-of-right under the existing MU-3 zone.

2. Employment and Training Opportunities (X-§ 305.5(h)). The Applicant will enter into a First Source Employment Agreement with the Department of Employment Services, which requires that District residents are given priority for new jobs created by municipal financing and development programs. The Applicant will also enter into a Small Business Enterprise Agreement with the District Department of Small and Local Business Development to ensure that a preference is made to District-based firms pursuing District government issued procurement opportunities.

3. Environmental Benefits (§ 305.5(k)). The PUD will meet the requirements of the *Enterprise Green Communities* standard for residential buildings. It will employ environmentally sustainable strategies as called for in the Green Communities standard such as high efficiency mechanical systems, lighting, and windows; low flow plumbing systems; and energy star appliances; low emitting and recycled construction materials; pervious pavement; an extensive upper green roof and an intensive green roof at the courtyard. A healthy environment for the buildings' residents will be created using safe non-toxic materials and properly ventilating spaces to prevent exposure to mold and other contaminants.

4. Uses of Special Value to the Neighborhood or the District as a Whole ((§ 305.5(q)). The proposed development implements the "Physical Plan" element of the New Communities Plan. Among other things, the plan calls for 140 replacement units for the Lincoln Heights and Richardson Dwellings properties, in order for those properties to be redeveloped with new mixed-income residential communities. The 61 replacement units programmed for the PUD will add to

the 41 replacement units at 4800 Nannie Helen Burroughs, the 50 replacement units under construction at Deanwood Hills at 5201 Hayes Street (ZC Order No. 15-10), the 35 replacement units programmed for the Providence Place PUD (ZC Case No. 17-08), and the 28 replacement units programmed for the Strand Residences at 5127-5131 Nannie Helen Burroughs Avenue (ZC Case No. 17-10).

The PUD also promotes the strategies and objectives of the Deanwood/Great Streets Nannie Helen Burroughs Avenue NE & Minnesota Avenue NE Strategic Development Plan, dated March 2008, and approved by the City Council on July 15, 2008 (the “Deanwood Strategic Development Plan”). The Deanwood Strategic Development Plan was created as a complementary piece to the District of Columbia’s Comprehensive Plan for the Deanwood study area.

The Development Framework for the Deanwood Strategic Development Plan identifies four primary strategies, including promoting residential infill along Nannie Helen Burroughs Avenue, which will be achieved under the PUD. Also, the plan calls for neighborhood serving retail at the intersection of Nannie Helen Burroughs and Division Avenue, which will also be achieved under the PUD. Moreover, the project is designed with relatively small retail spaces in order to promote small business retention and growth.

IV. COMPLIANCE WITH THE COMPREHENSIVE PLAN

The PUD advances the purposes of the Comprehensive Plan, is consistent with the Future Land Use Map and Generalized Policy Map, complies with the guiding principles in the Comprehensive Plan, and furthers a number of the major elements of the Comprehensive Plan.

A. Purposes of the Comprehensive Plan

The purposes of the Comprehensive Plan are six-fold: (1) to define the requirements and aspirations of District residents and, accordingly, influence social, economic and physical development; (2) to guide executive and legislative decisions on matters affecting the District and

its citizens; (3) to promote economic growth and jobs for District residents; (4) to guide private and public development in order to achieve District and community goals; (5) to maintain and enhance the natural and architectural assets of the District; and (6) to assist in conservation, stabilization, and improvement of each neighborhood and community in the District. D.C. Code §1-245(b).

The PUD significantly advances these purposes by promoting the social, physical and economic development of the District through the provision of a high-quality mixed-use PUD with ground floor retail and community space on the Property, without generating any adverse impacts.

B. Future Land Use Map – Moderate Density Residential/Low Density Commercial

The Future Land Use Map of the Comprehensive Plan designates the Property for Mixed-Use Moderate Density Residential and Low Density Commercial. A portion of the Future Land Use Map is attached hereto as Exhibit C. As described in the Framework Element of the Comprehensive Plan, the Moderate Density Residential category 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. In some of the older inner city neighborhoods with this designation, there may also be existing multi-story apartments, many built decades ago when the areas were zoned for more dense uses (or were not zoned at all). The R-3, R-4, R-5-A Zone Districts are generally consistent with the Moderate Density Residential category; the R-5-B district and other zones may also apply in some locations.

10A DCMR § 225.4. The Low Density Commercial category is:

used to define shopping and service areas that are generally low in scale and character. Retail, office, and service businesses are the predominant uses. Areas with this designation range from small business districts that draw primarily from the surrounding neighborhoods to larger business districts uses that draw from a broader market area. Their common feature is that they are comprised primarily of one- to three-story commercial buildings. The corresponding Zone districts are generally C-1 and C-2-A, although other districts may apply.

The Framework Element of the Comprehensive Plan provides that the Land Use Map is not a zoning map. *See* 10A DCMR § 226.1(a); *see also* Z.C. Order No. 11-13; Z.C. Order No. 10-28. Whereas zoning maps are parcel-specific and establish detailed requirements for setback, height, use, parking, and other attributes, the Future Land Use Map does not follow parcel boundaries and its categories do not specify allowable uses or dimensional standards. *Id.* By definition, the Map is to be interpreted broadly. *Id.* Furthermore, the land use category definitions describe the general character of development in each area, citing typical building heights (in stories) as appropriate. The granting of density bonuses (for example, through Planned Unit Developments) may result in heights that exceed the typical ranges cited here. *Id.* at § 226.1(c).

Thus, in evaluating the proposed map amendment, the Property should be viewed in context and not as an isolated parcel. When taken in context with the surrounding neighborhood, the Applicant's proposal to rezone the Property from the MU-3 Zone to the MU-4 Zone in order to construct an apartment house with replacement units for Lincoln Heights and Richardson Dwellings, is consistent with the Comprehensive Plan's designation of the Property, particularly given the fact that the MU-4 (previously, the C-2-A Zone) is specifically identified as a corresponding zone district in Low-Density Commercial Designation.

C. Lincoln Heights & Richard Dwellings New Communities Initiative Revitalization Plan

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 well as approved small area plans. *Id.* at § 266.1(d). The New Communities Plan (page 39) specifically recommends that the Property be rezoned to the C-2-B District, which corresponds to the MU-5-A Zone under the Zoning Regulations of 2016. The relevant portion of the New Communities Plan is attached hereto as Exhibit D. The New Communities Plan also

specifically recommends that the Property be redeveloped as part of the “Town Center” and depicts the redevelopment of the Property with a six-story building and ground floor retail. Thus, when taken in context with the surrounding neighborhood, the Applicant's proposal to rezone the Property from the MU-3 Zone to the MU-4 Zone to construct the proposed PUD is less dense than the development called for in the New Communities Plan. Thus, the PUD and related map amendment is consistent with the designation of the Property on the Comprehensive Plan and the New Communities Plan designation for the Property.

D. Generalized Policy Map – Main Street Mixed-Use Corridor

The Generalized Policy Map of the Comprehensive Plan designates the Property as a Main Street Mixed Use Corridor. A portion of the Generalized Policy Map is attached hereto as Exhibit

E. Main Street Mixed Use Corridors are:

traditional commercial business corridors with a concentration of older storefronts along the street. The service area for Main Streets can vary from one neighborhood (e.g., 14th Street Heights or Barracks Row) to multiple neighborhoods (e.g., Dupont Circle, H Street, or Adams Morgan). Their common feature is that they have a pedestrian-oriented environment with traditional storefronts. Many have upper story residential or office uses. Conservation and enhancement of these corridors is desired to foster economic and housing opportunities and serve neighborhood needs. Any development or redevelopment that occurs should support transit use and enhance the pedestrian environment.

10A DCMR § 223.14. The proposed map amendment will help implement the policies embodied in the Generalized Policy Map by strengthening the Nannie Helen Burroughs / Division Avenue Main Street Corridor through the redevelopment of underutilized and blighted parcels into an active and productive use. Redevelopment of the Property will benefit the existing businesses in the neighborhood and the District, generally. Furthermore, redevelopment of the Property will result in improvements to the public realm adjacent to the Property, thus improving pedestrian circulation along this portion of Division Avenue.

E. Compliance with Guiding Principles of the Comprehensive Plan

The PUD is consistent with the guiding principles in the Comprehensive Plan for managing growth and change, creating successful neighborhoods, and building green and healthy communities, as set-forth in the Comprehensive Plan.

1. Managing Growth and Change. In order to manage growth and change in the District, the Comprehensive Plan encourages diversity and asserts that the District “cannot sustain itself by only attracting small, affluent households. To retain residents and attract a diverse population, the city should provide services that support families [and prioritize] sustaining and prompting safe neighborhoods... and housing for families.” 10A DCMR § 217.2. Diversity also means maintaining and enhancing the District’s mix of housing types... [with] housing developed for households of different sizes, including growing families as well as singles and couples.” 10A DCMR § 217.3. The Comprehensive Plan also states that redevelopment and infill opportunities along corridors is an important part of reinvigorating and enhancing neighborhoods. 10A DCMR § 217.6. The PUD is fully consistent with each of these goals since the PUD results in redevelopment of the Property into a vibrant, mixed-use, mixed-income development intended to attract a diverse population of residents.

2. Creating Successful Neighborhoods. One of the guiding principles for creating successful neighborhoods is to protect, maintain, and improve residential neighborhoods. 10A DCMR § 218.1. The preservation of existing affordable housing and the production of new affordable housing both are essential to avoid a deepening of racial and economic divides in the city. 10A DCMR § 218.3. Public input in decisions about land use and development is an essential part of creating successful neighborhoods, from development of the Comprehensive Plan, to implementation of the Plan's elements. 10A DCMR § 218.8. The PUD furthers these goals because it will simultaneously protect and improve the existing residential neighborhood while

producing new affordable housing on a vacant and underutilized site. The Applicant has engaged neighborhood stakeholders, and will continue to do so as part of the PUD process, to ensure that redevelopment of the site creates a positive impact on the neighborhood.

3. Building Green and Healthy Communities. One of the guiding principles for building green and healthy communities is that building construction and renovation should minimize the use of non-renewable resources, promote energy and water conservation, and reduce harmful effects on the natural environment. 10A DCMR § 221.3. The PUD will be certified under the *Enterprise Green Communities* standard for residential buildings to meet the applicable Green Building Act Requirements. The Green Building Act states that the Enterprise Green Communities standard was developed for affordable housing, and shall be used for projects with at least 15% District financing. The PUD will employ environmentally sustainable strategies as called for in the Green Communities standard such as: high efficiency mechanical systems, lighting, and windows; low flow plumbing systems; and energy star appliances; low emitting and recycled construction materials; pervious pavement; an extensive upper green roof and an intensive green roof at the courtyard. A healthy environment for the buildings' residents will be created using safe non-toxic materials and properly ventilating spaces to prevent exposure to mold and other contaminants.

F. Land Use Element

For the reasons discussed above, the PUD supports the following policies of the Land Use Element of the Comprehensive Plan:

Policy LU-2.1.3: Conserving, Enhancing, and Revitalizing Neighborhoods. In designing the PUD, and consistent with this policy element, the Applicant has sought to balance the housing supply in the area and expand neighborhood commerce with the parallel goals of protecting the neighborhood character and restoring the environment.

Policy LU-2.2.4: Neighborhood Beautification. Policy LU-2.2.4 encourages PUDs to improve the visual quality of the District's neighborhoods. The development of the Property along with surrounding streetscape will be a major improvement to its current condition. In addition, the PUD will activate the streetscape along Nannie Helen Burroughs Avenue through the provision of retail uses.

Policy LU-2.1.3: Conserving, Enhancing, and Revitalizing Neighborhoods. Consistent with this policy element, the PUD will increase housing supply, protect the neighborhood character, and restore the environment. The PUD achieves this policy's goal of "creating successful neighborhoods" through the redevelopment of the Property, including the surrounding streetscape.

G. Transportation Element

The overarching goal of the Transportation Element is to create a safe, sustainable, efficient and multi-modal transportation system that meets the access and mobility needs of District residents, the regional workforce, and visitors; supports local and regional economic prosperity; and enhances the quality of life for District residents. *See* 10A DCMR § 401.1. The PUD is uniquely situated to help further several policies and actions of the Transportation Element of the Comprehensive Plan as follows:

Policy T-2.3.3: Bicycle Safety and Action T-2.3-A: Bicycle Facilities. This element encourages new developments to include bicycle facilities. The Applicant proposes to provide secure long term and short term indoor bicycle parking as an amenities that will accommodate and encourage bicycle use.

Policy T-3.1: Transportation Demand Management. The primary purpose of a TDM plan is to reduce the number of vehicles using the road system while providing a variety of mobility options to those who wish to travel. The Property is well served by several Metrobus routes, including six routes within 0.2 miles of the Property. The Applicant will work with DDOT to formulate a TDM Plan to encourage residents and visitors to use public transportation and bicycle options in the area.

H. Housing Element

The overarching goal of the Housing Element is to "[d]evelop and maintain a safe, decent, and affordable supply of housing for all current and future residents of the District of Columbia." 10A DCMR § 501.1. The PUD will help achieve this goal by advancing the policies discussed below.

Policy H-1.1.3: Balanced Growth. In furtherance of this policy, the Applicant proposes to develop new housing underutilized land. The housing will help the city meet its long-term housing needs, including the need for more affordable housing.

Policy H-1.1.5: Housing Quality. The PUD will generate a total of approximately 183 residential units in a new environmentally-conscience building that respects the design of the surrounding neighborhood.

Policy H-1.2.1: Affordable Housing as a Civic Priority. The PUD is consistent with the primary goal of Policy H-1.2.1 of increasing the production of housing for low and moderate income households.

Policy H-1.3.1: Housing for Families. The PUD supports Policy H-1.3.1 by providing 32 three-bedroom units, six four-bedroom units, and two five-bedroom units in order to accommodate families.

Policy H-1.4.4: Public Housing Renovation. Redevelopment of the Property will establish a community that incorporates 61 new replacement units for Lincoln Heights and Richardson Dwellings.

H. Environmental Protection Element

The Environmental Protection Element addresses the protection, restoration, and management of the District's land, air, water, energy, and biologic resources. This element provides policies and actions on important issues such as energy conservation and air quality, and specific policies that include the following:

Policy E-2.2.1: Energy Efficiency: Promotes the efficient use of energy, additional use of renewable energy, and a reduction of unnecessary energy expenses;

Policy E-3.1.2: Using Landscaping and Green Roofs to Reduce Runoff: Promotes an increase in tree planting and landscaping to reduce stormwater runoff, including the expanded use of green roofs in new construction;

I. Economic Development Element

The Economic Development element addresses the future of the District's economy and the creation of economic opportunity for current and future District Residents. 10A DCMR § 700.1. The PUD will help achieve this goal by advancing the policies discussed below.

Policy ED-3.2.1: Small Business Retention and Growth: Encourages the retention, development, and growth of small and minority businesses through a range of District-sponsored technical and financial assistance programs.

Policy ED-4.2.12: Local Hiring Incentives: Has a stated goal of maintaining requirements for resident job training and placement for PUDs built and/or operated with any form of public subsidy/loan, grant or other incentives.

The Applicant will enter into First Source Employment Agreement and Small Business Enterprise Agreement. The First Source Employment Agreement Act of 1984, requires that District residents are given priority for new jobs created by municipal financing and development programs. The Small Business Enterprise Agreement ensures that a preference is made to District-based firms pursuing small, District government issued procurement opportunities.

J. Urban Design Element

The goal of the Comprehensive Plan's Urban Design Element is to:

[e]nhance the beauty and livability of the city by protecting its historic design legacy, reinforcing the identity of its neighborhoods, harmoniously integrating new construction with existing buildings and the natural environment, and improving the vitality, appearance, and security of streets and public spaces.

10A DCMR § 901.1. In keeping with this objective, the Applicant designed the PUD to integrate with the character of the surrounding including the pending and recently approved PUDs in the vicinity of the Property. Additionally, the development will bring new residents to this section of the Nannie Helen Burroughs corridor, creating more eyes on the street and enhancing safety. These aspects of the development promote Policy UD-2.2.1: Neighborhood Character and Identity; Policy UD-2.2.7: Infill Development; Policy UD-3.2.5: Reducing Crime Through Design.

K. Infrastructure Element

The Infrastructure Element provides policies and actions on the District's water, sanitary sewer, stormwater, solid waste management, energy, and telecommunication systems. 10A DCMR § 1300.1. The overarching goal for infrastructure is to provide high-quality, efficiently managed and maintained, and properly funded infrastructure to serve existing development, as well as future change and growth. 10A DCMR § 1301.1 The PUD will help achieve this goal by advancing the policies discussed below.

Policy IN-1.2: Modernizing Water Infrastructure: In conjunction with DC Water, the District must consider the impacts of new development and ensure that water infrastructure will be able to meet future demand. Planned improvements to the water system involve normal maintenance to replace aging water distribution mains and small diameter pipes, and upgrades to keep pace with population growth and new development. This may also include the addition of new water storage facilities, increasing the capacity of certain water mains, and upgrading pump stations.

Policy IN-2.1.1: Improving Wastewater Collection: Provides for the safe and efficient collection of wastewater generated by the households and businesses of the District. Ensure that new development does not exacerbate wastewater system deficiencies, and instead supports improved system efficiency and reliability.

Policy IN-6.1.3: Developer Contributions: Requires that private developers fund the necessary relocation or upgrading of existing utilities to address limitations with existing infrastructure on or adjacent to proposed development sites. For necessary upgrades to water and

wastewater infrastructure, developers should contribute to the cost of extending utilities to the PUD site or upgrading existing utilities to the specifications necessary for their proposed PUD.

The Applicant will be required to coordinate with all applicable public utilities and District agencies during the permitting process, including DC Water, to ensure that adequate services will be available for the existing and new uses. The Applicant will also pay any required costs/fees associated with securing required utility permits for the PUD. As a result, the PUD is not inconsistent with the Infrastructure Element.

L. Far Northeast and Southeast Area Element

The Property is located within the Far Northeast & Southeast Area Element of the Comprehensive Plan. Far Northeast and Southeast is known for its stable, attractive neighborhoods and its diverse mix of housing. 10A DCMR § 1700.2. Planning and development priorities in the Far Northeast and Southeast Area include providing a variety of new housing choices. 10A DCMR § 1707.2. The PUD is consistent with a number of specific policies as well, including Policy FNS-1.1.2: Development of New Housing and Policy FNS-1.1.3: Directing Growth.

V. CONCLUSION

For the reasons stated above, the Applicant submits that the PUD and Zoning Map amendment applications meet the standards of Subtitle X, Chapter 3 of the Zoning Regulations and are consistent with the purposes and intent of the Zoning Regulations and Zoning Map. Accordingly, the Applicant requests that the Zoning Commission determine that the application has merit and that a public hearing on the application should be scheduled.

Respectfully submitted:

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