

MEMORANDUM

TO: District of Columbia Zoning Commission

FROM: ^{JLS} Jennifer Steingasser, Deputy Director Development Review & Historic Preservation

DATE: February 13, 2017

SUBJECT: Final Report - ZC #14-18A RIA (Brookland Manor, Block 7)
First Stage PUD Modification and Second Stage PUD

I. SUMMARY RECOMMENDATION

Mid-City Financial (applicant) requests modifications to the approved First Stage Planned Unit Development (PUD) (ZC 14-18) for Brookland Manor and a Second Stage PUD for Block 7. The development has been renamed “RIA.” The modification to the First Stage approval would include a reduction in height of the buildings, a replacement of two-over-two units with an apartment building and an increase in the lot occupancy of the block. The Second Stage PUD addresses the specific design for the buildings on the block and provides additional information regarding the development of Block 7.

At its November 14, 2016 public meeting, the Zoning Commission reviewed the proposal and set the case down for a public hearing. The proposal is not inconsistent with the overall intent of the First Stage PUD to create a mixed income community with a variety of housing types, improved urban design, connectivity and open/green spaces, and is not inconsistent with the Comprehensive Plan.

The Office of Planning (OP) recommends **approval** of the requested modification to the First Stage PUD and the Second Stage PUD, subject to the provision of additional information regarding the requested flexibility for an increase in lot occupancy.

II. SUMMARY OF OFFICE OF PLANNING AND ZONING COMMISSION COMMENTS AT SETDOWN

The following is a summary of issues identified at set down by OP and the Zoning Commission and an analysis of the resolution. Where applicable, additional or more detailed OP analysis is provided later in the report.

| Comment | Response | Analysis |
|---------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Provide a justification for the roof structure not meeting the setback requirement on Building B. | The drawings have been revised the drawings and the relief is no longer necessary. | At set down, the applicant stated the need for flexibility from the required setback was to meet the drive aisle requirements for the below grade parking. The parking layout has been revised and the elevator core adjusted so that the penthouse meets all the required setbacks. The changes to the parking resulted in a loss of three parking spaces. However, the parking provided would still exceed the required number of spaces |
| Address the blank walls to the rear of the buildings | The applicant has revised the plans showing rustication on the wall at the base of buildings and on all the courtyard walls (Exhibit 24E2, pages A20 to A23) | The textures of the building walls have been extended to the entire base of the south façade and the courtyard walls have similar brick masonry. |
| Provide perspectives looking down the alley | (Exhibit 24E2, pages A14b and A14c) | The applicant has provided views of the alley from 14 th Street on the west and from Brentwood Road on the west. |
| Provide material boards | Material boards will be provided at the public hearing. | Material boards will be provided at the public hearing. |

III. OTHER CHANGES SUBSEQUENT TO SETDOWN

In addition to design changes requested by the Zoning Commission the applicant has made revisions to further improve the building design which include:

- A cornice added to the top of the bays on the north and east elevations of Building A;
- Additional balconies added to the east elevation on Building A;
- Bay projections added to the fourth floor on the north and west elevations of Building B; and
- Juliet balconies added to third floor on the north and west elevations of Building B;

IV. SITE AND SURROUNDING AREA

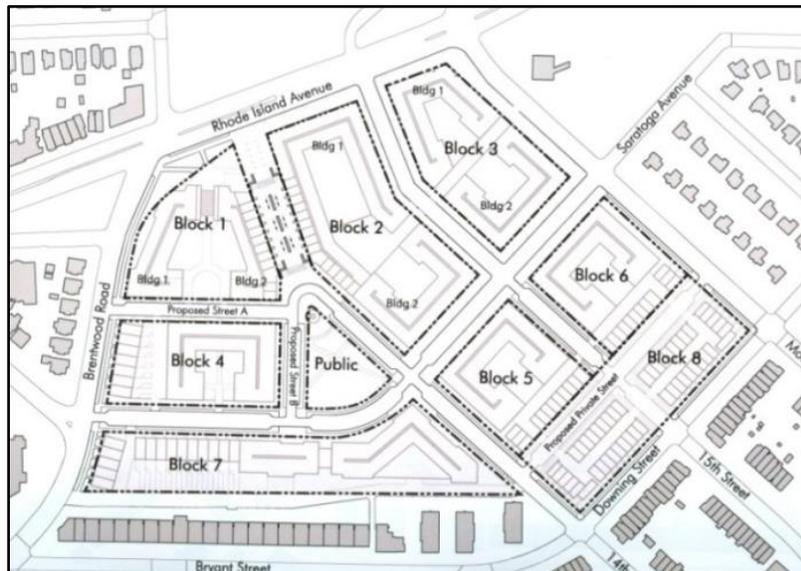
The entire approximately 20 acre RIA site (Brookland Manor and Brentwood Village Shopping Center) site is generally bounded by Rhode Island Avenue to the north; Montana Avenue to the east; Downing Street and Saratoga Avenue to the south; and Brentwood Road to the west. The site developed with the Brookland Manor Apartments consisting of nineteen apartment buildings with approximately 535 units (one to five bedrooms) and the Brentwood Village Shopping Center. Many of the apartments are vacant and the shopping center has been demolished.

The First Stage PUD was approved for a design that would have the property resubdivided into eight blocks. The subject of the Second Stage review is Block 7 (Square 3953 Lots 1, 2 and 3)

which has Saratoga Avenue, NE to the north, 14th Street, NE to the east, Brentwood Road, NE to the west and an east-west alley to the south.



Brookland Manor and Brentwood Village Shopping Center



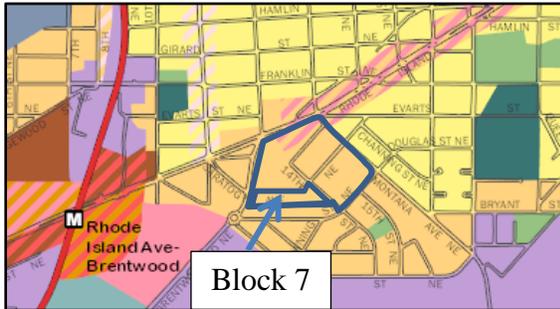
Blocks

V. COMPREHENSIVE PLAN

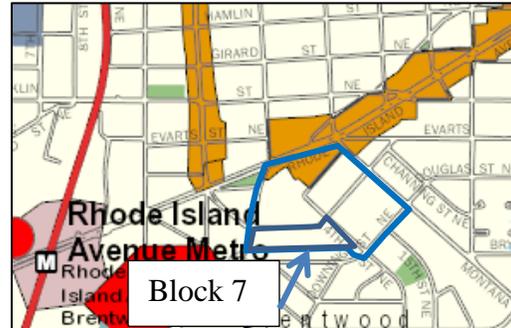
The Commission found during its review of the first stage PUD that the RIA project is not inconsistent with the Comprehensive Plan and the Plan's Generalized Land Use Map or the Future Land Use Map. The current Second Stage PUD application is generally consistent with the First Stage and even with the proposed modification does not detract from project's correlation with major tenets of the Plan. The proposal would further a number of the major policies from the Comprehensive Plan elements such as the Land Use; Transportation; Parks, Recreation and Open Space; Urban Design; and Mid City Area Element as shown in the Appendix I of this report.

Future Land Use Map

The Future Land Use Map identifies this portion of the site for moderate density residential, while the Generalized Policy Map designates the area as a Neighborhood Conservation Area.



Future Land Use Map



Generalized Policy Map

Moderate density residential is described as:

. . . : 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. 225.4

The proposed RA-2/PUD on the site which would be developed with apartments would not be inconsistent with the moderate density residential recommendation.

Neighborhood Conservation Area is described as:

Neighborhood Conservation areas have very little vacant or underutilized land. They are primarily residential in character. Maintenance of existing land uses 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 . . . 223.4

The Generalized Policy Map designations are reflective of the existing apartment development on the site and anticipated that there would be some change at a modest scale. The change from the two-over-two units to the apartments continues to not be inconsistent with the Neighborhood Conservation Area as the building heights at a maximum of 51 feet and 3.0 FAR would continue to be at a moderate scale. The use would also continue to be residential.

VI. BACKGROUND

The Zoning Commission approved a First Stage PUD for the entire project on September 10, 2015 which established the PUD-related zoning for the property, the site plan, the general use mix, the general massing of buildings, the maximum heights for buildings and the maximum FAR for the entire development and each block.

Many of the residential tenants in the development receive project-based Section 8 subsidies, while some receive Housing Choice Vouchers from the District’s Department of Housing and Community Development (DHCD) and a small segment receive no assistance. At the time of approval, the applicant stated that there were 503 occupied units; the applicant projects that through natural attrition there will be 424 occupied units at the beginning of construction in 2018. As of September 9, 2016 there are 438 occupied units.

In the First Stage PUD, the applicant proposed to transform the site into a mixed-income, mixed-use community with 1,760 units. The development would include a mixture of apartment, two-over-two, and rowhouse buildings ranging in height from 45 feet to 65 feet. The building heights would transition down from Rhode Island Avenue towards the southern portion of the site which is adjacent to existing lower density residences.

VII. PROPOSAL

The proposed modification is of significance. Subtitle Z § 703.5 defines a modification of significance as “*a modification to a contested case order or the approved plans of greater significance than a modification of consequence.*” Modifications of significance require the filing of an application and a hearing pursuant to Subtitle Z § 704. The Zoning Regulations also describe a Second Stage PUD as a detailed review that examines the architecture of the proposed buildings, uses within the buildings, design of open spaces, site circulation, site infrastructure and compliance with the intent and purposes of the PUD process, the Regulations and the First Stage PUD.

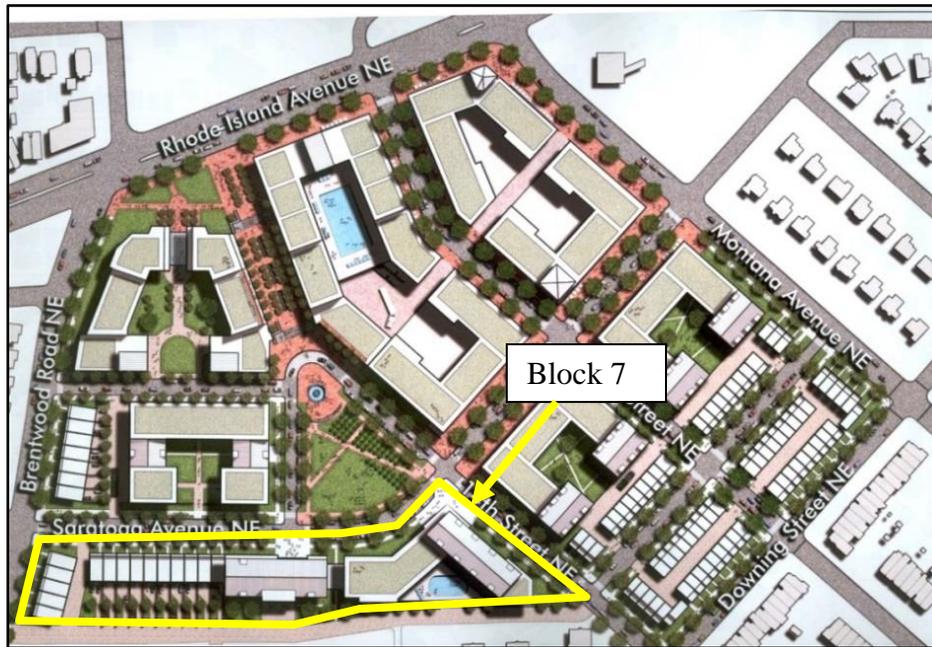
The table below outlines the areas of change between the standards approved in the First Stage PUD and the modifications.

| | 1 st Stage PUD | Proposed Modification and 2 nd Stage PUD |
|-------------------------|------------------------------------------------------------------|---------------------------------------------------------------------------|
| Lot Area | 111,807 sf. 72,444 sf. apartments 39,363 sf. rowhouses | 114,485 sf. Building A - 56,970 sf. Building B - 57,515 sf. |
| Building Square Footage | 217,332 sf. apartments 83,400 sf. two-over-two rowhouses | Building A - 169,342 sf. Building B - 172,266 sf. |
| Lot Occupancy | 61% | Building A - 70% Building B – 73 % |
| FAR | 3.0 2.1 | Building A - 2.97 Building B - 3.0 |
| Building Height | 60 ft. | Building A - 49.33 ft. Building B – 51 ft. |
| Number of Stories | 5-story - apartments 4-story - two-over-two rowhouses | 4-story –apartment buildings |
| Number of Units | 286 apartments 28 two-over-two rowhouses TOTAL – 314 units | Building A - 131 apartments Building B - 200 apartments Total – 331 |

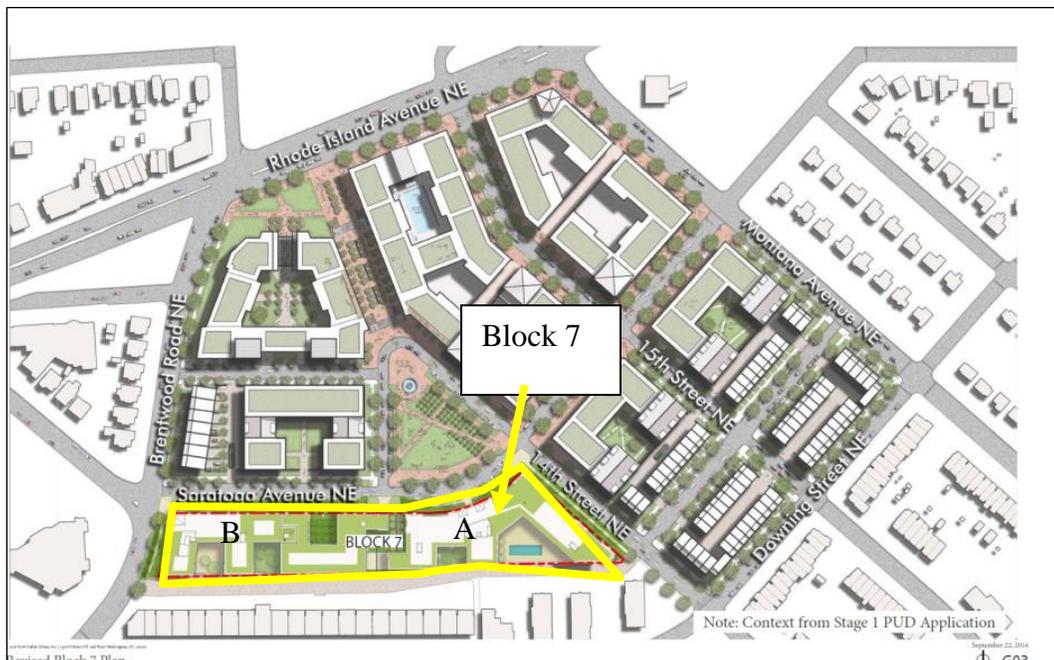
First Stage Modification

The First Stage PUD approved Block 7 for a mixture of 28 two-over-two rowhouse units, a small 28-unit apartment building and a second apartment building with 150 to 200 senior apartments as shown on the Site Plan below.

The applicant requests a modification to the approved plan to replace the two-over-two rowhouse units with an apartment building. The Block would now be developed with two apartment buildings with the senior building relocated to the western portion of the block while the second apartment building would be on the eastern portion of the block as shown on the Site Plan below. The senior building, Building A, would have 200 units and Building B would have 131 units.



Approved Block 7 Site Plan



Proposed Block 7 Site Plan

Change of Unit Type: In the First Stage PUD, the applicant committed to a build-first program to the extent possible and to retain the existing residents on-site during construction. The applicant states that in order to demonstrate their commitment to retaining the residents on-site and to place the existing residents into new units as soon as possible the proposed modification is essential. Replacing the two-over-two units would enable a greater number of persons who currently reside on the property to be relocated on-site, instead of off-site, as other portions of the property are redeveloped. The proposed senior housing would be provided as planned albeit in a new location. OP supports the applicant's commitment to a build-first program and supports the change in unit type to accommodate the movement of residents into new units.

Unit Count and Affordability: The modification to Block 7 would allow a larger number of units to be constructed in this first phase, 331 vs. 316 units. Of the 331 units proposed, 265 units would be deeply affordable and reserved for occupants eligible for participants in the Section 8 program. In this phase, Block 7 would have a concentration of affordable units, 200 units for seniors in Building B and 65 of the 131 units in Building A. The applicant requests the flexibility to reallocate affordable units in Building A in later phases to have the affordable units distributed equitably throughout the entire RIA development. Ultimately Building A would have 25 units (19 percent) Section 8 units while Building B would continue to have 100 percent (200 units) Section 8 seniors. OP does not object to the requested flexibility for the reallocation of the affordable units in Building A at a later date to allow for the even distribution of affordable units throughout the entire RIA development but recommends a minimum number of units be established for Building A and that a comprehensive update on the affordable units be provided with each subsequent phase two submittal.

Lower Building Height: The height of the buildings would be lowered from five to four-stories, while increasing the lot occupancy for 61% to 71% to better accommodate the increased number of units. The reduction in heights would make the building more compatible with the three-story flats and garden apartments to the south of Block 7. The lower buildings would also provide a better transition to the higher buildings proposed for the future development of the northern blocks.

Below Grade Parking: With the change from the two-over-two units, a north-south alley proposed on the western portion of the Block is no longer necessary and has been removed. Secondly, the at-grade parking would also be eliminated and all parking will now be below grade accessed from the alley to the rear of the buildings.

Second Stage PUD

The new proposal for Block 7 consists of two, four-story buildings, Building A having 200 senior units and Building B having 131 units. The senior building would have one- and two-bedroom units while the Building B would have a combination of studios, one-, two- and three-bedroom units with both building having heights of 51 feet. A majority of the resident would be current Brookland Manor residents relocated according to the relocation plan for the predominantly Section 8 residents (Exhibit 1G) which allows residents to remain on the site during construction and be relocated to their new homes through the phased development.

Building A, on the eastern portion of the block, would have 131 units with a mix of studios, one-, two-, and three-bedroom units. 65 of the 131 units would be affordable. The building's Mediterranean revival style has its entrance highlighted by two central towers. The bays and balconies offer the units some outdoor space as well as provide eyes on the street and would allow

residents views into the future community park. Along the rear of the building, there would be a courtyard with a swimming pool a second courtyard for more passive recreation. The roof terrace for the residents would provide for activities such as grilling, lounge seating, and gaming areas.

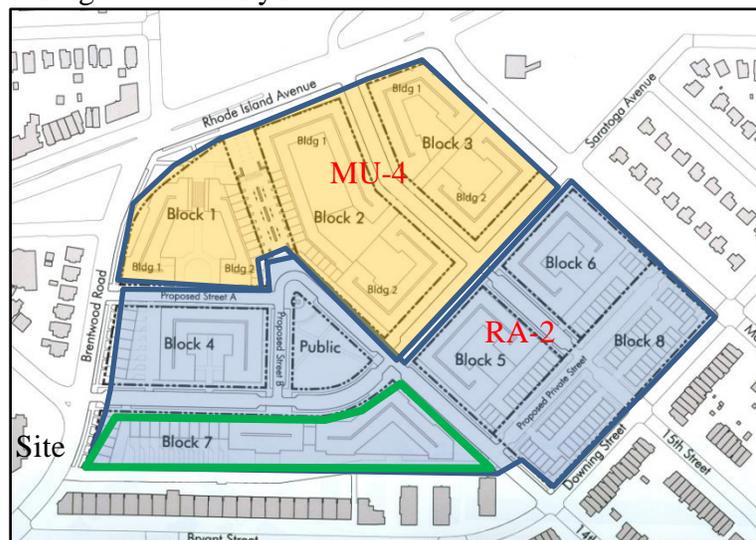
Building B, on the western portion of the Block would contain 200 affordable units consisting of one- and two-bedroom units. All the units would be for seniors and would have items to facilitate senior such as being ADA compliant, more handicapped spaces. The Applicant also intends to use first floor amenity space for health and wellbeing and other social services. The landscaping in the three courtyards would be designed for passive recreation and would features such as a Japanese style rock garden, coy pond and other features to support the tranquility of an aging population.

The red brick on the building with a tall corner entry tower and its distinct base, two-story middle, and one story top with smaller arched windows gives the building an industrial style. Due to the topography of the site which rises along Saratoga Avenue, NE, Building B is divided into two portions with the eastern portion lower than the western portion. The first floor of the western end of Building B contains parking and the main lobby and amenity space for that portion of the Building is at the same level as the second floor of Building A.

The buildings are designed to integrate outdoor areas for passive recreation and help activate the rear of the buildings which are adjacent to the alley and across from the rear yards of the flats and garden apartment. This would help to activate all sides of the buildings and provide eyes on all sides of the building and help in its security. The areas around the buildings would be extensively landscaped with a combination of trees, shrubs, ground cover, and flowering plants. The central courtyard between the two buildings would all for partial public access and includes seating among an alley of trees.

VIII. ZONING

Under ZC 14-18 the RA-2/PUD zone was established for the subject property. The RA-2 zone provides for moderate height and density residential uses.



Block 7 would be subdivided so each building would be on a separate lot. The tables below show a comparison of the RA-2/PUD standards and how each building meets the standard:

Building A - Apartment Building

| | RA-2/PUD Standards | PROPOSAL |
|--------------------------------------|----------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|
| Area, Subtitle X § 301.1 | 1 ac. min. (43,560 sq. ft.) | 58,970 sq. ft. |
| Open Court Width, Subtitle F § 202.1 | 4 ins./foot of height but not less than 10 ft. Required: 16.33 ft. minimum | 59.5 ft. and 63.41 ft. |
| FAR, Subtitle X § 303.3 | (2.44 max.) 3.0 max. ¹ | 2.97 |
| Height, Subtitle X § 303.7 | 60 ft. max. | 49.33 ft. |
| Lot Occupancy, Subtitle F § 304.1 | 60% max. | 71%, Relief Requested |
| Rear Yard, Subtitle F § 305.1 | 4 ins./ft. of height of building but not less than 15.83 ft. | 17 ft. |
| GAR, Subtitle F § 307.1 | 0.4 | 0.4 |
| Parking Spaces, Subtitle C § 701.5 | Multifamily: 1 per 3 units in excess of 4 units TOTAL = 44 | 68 spaces |
| Bicycle Spaces, Subtitle C § 802.1 | Long-Term – 1/3 units – 44 Short Term - 1/20 units - 7 | 44 spaces 7 spaces |
| Loading, Subtitle C § 901.1 | 1-30 ft. berth 1-100 sf. platform 1-20 ft. service space | 1-30 ft. berth 1-100 sf. platform 1-20 ft. service space |
| Penthouse, Subtitle C § 1500 | FAR – 0.4 FAR habitable space Height – 12 ft./ 15 ft. for penthouse mechanical space Setback - 1:1 | No habitable space 15 ft. 1:1 |

Building B - Senior Building

| | RA-2/PUD Standards | PROPOSAL |
|------------------------------------------------|---------------------------------------------------------------------------------------------------|------------------------------------------------|
| Area, Subtitle X § 301.1 | 1 ac. min. (43,560 sq. ft.) | 57,515 sf. |
| Open Court Width, Subtitle F § 202.1 | 4 ins./foot of height but not less than 10 ft. Required: 16.83 ft. minimum | 55.0 ft. and 59.0 ft. |
| FAR ² Subtitle X § 303.3 | 3.0 max. | 3.0 |
| Height, Subtitle X § 307. | 60 ft. max. | 51 ft. |
| Lot Occupancy, Subtitle F § 304.1 | 60% max. | 73%, Relief Requested |
| Rear Yard, Subtitle F § 305.1 | 4 ins./ft. of height of building but not less than 15 ft. | 17 ft. and 21.5 ft. |
| GAR, Subtitle F § 307.1 | 0.4 | 0.4 |
| Parking Spaces Subtitle C § 701.5 | Publicly Assisted housing for elderly/handicapped: 1/3 units in excess of 4 units TOTAL = 33 | 48 spaces |
| Bicycle Spaces, Subtitle C § 802.1 and § 802.2 | Long-Term – 1/3 units for the first 50 spaces = 50 1/6 after first 50 spaces = 8 Total = 58 | Long Term - 10 spaces, Relief Requested |

¹ Maximum approved in First Stage PUD.

² Maximum approved in First Stage PUD.

| | Short Term - 1/20 units - 10 | Short Term = 10 spaces |
|------------------------------|----------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|
| Loading, Subtitle C § 901.1 | 1-30 ft. berth 1-100 sf. platform 1-20 ft. service space | 1-30 ft. berth 1-100 sf. platform 1-20 ft. service space |
| Penthouse, Subtitle C § 1500 | FAR – 0.4 FAR habitable space Height – 12 ft./ 15 ft. for penthouse mechanical space Setback - 1:1 | No habitable space 15 ft. 1:1 |

IX. SPECIAL EXCEPTION AND VARIANCE

As seen on the tables above, both buildings exceed the lot occupancy allowed and the long term parking spaces in Building B, senior building had been reduced. Pursuant to Subtitle X § 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. . . . as well as* Subtitle X §§ 303.11, 303.11 and 303.14 the applicant has requested special exception review for not providing the number of the long term parking spaces in the senior building and variance relief from the lot occupancy requirement for both buildings.

Lot Occupancy

In the First Stage PUD, a lot occupancy of 61% was approved for Block 7. In this proposal, a modification of the approved lot occupancy as well as the variance to have a lot occupancy in excess of that permitted by the RA-2/PUD is requested so that Building A would have a lot occupancy of 71% and Building B would have a lot occupancy of 73%. The proposal meets the requirements of three-part test of Subtitle X § 1000 as follows:

1. Exceptional Situation Resulting in a Practical Difficulty

Subsequent to the first stage approval, the applicant undertook further studies of the relationship of the proposed apartment buildings, the height in particular, to the lower scale flats and garden apartments to the south and to the community park to be constructed in a later phase to the north. In order to be more compatible to the future open space and the adjacent duplexes, the height of the buildings were reduced from 60 feet to 51 feet and 49.33 feet. With the reduction in height there was still the need to accommodate a significant amount of replacement units in this phase. Additional information should be provided to detail the exceptional situation of the site that will result in a practical difficulty.

2. No Substantial Detriment to the Public Good

Subject to additional information establishing an exceptional difficulty that would result in a practical difficulty, an increase in lot occupancy would not negatively impact the light and air of the existing residents to the south of to the future adjacent uses as the buildings would still meet the required setbacks and would be separated from the existing residents to the south by a 20-foot wide public alley and from the church to the west by Brentwood Road. For future phases of RIA, the building would also be separated by Saratoga Avenue to the north and 14th Street to the east.

3. No Substantial Harm to the Zoning Regulations

The lot occupancy requirements are part of the development standards to provide for adequate light and air and prevent the undue concentration of population (Subtitle A § 101). In this case, a

variance to the maximum permitted lot occupancy is minimal and the applicant has been able to integrate a significant amount of open space areas around and between the buildings and therefore not substantially impairing the intent of the lot occupancy in this zone.

Long Term Bicycle Parking (Building B)

Subtitle C, § 807.1 provides flexibility from the bicycle requirements when providing the number of bicycle parking spaces when it is unnecessary due to a lack of demand. Further, Subtitle C, § 807.2 allows, by special exception that:

. . . a full or partial reduction in the minimum number of long-term or short term bicycle parking spaces required for a use or structure, subject to the general requirements of Subtitle X, the limitations of Subtitle C § 807.3, and the applicant's demonstration of any of the following:

(b) The use or structure will generate demand for less bicycle parking than the minimum bicycle parking standards require, as a result of:

(1) The nature of the use or structure;

The bicycle parking regulations do not provide for a differential between an age-restricted apartment building and a non-restricted building. Building B would require a total of 58 spaces; however, in a building dedicated to seniors only, the applicant asserts that many seniors would not be using these bicycle spaces. Therefore, the applicant has requested a reduction in the number of long term bicycle parking spaces from 50 to 10. The proposal includes the required 10 short term spaces.

X. PURPOSE AND PUD EVALUATION STANDARDS

The purpose of the PUD is outlined in 11 DCMR, Subtitle X § 300.1 and states that the PUD process is:

“to provide for higher quality developments through flexibility in building controls, including building height and density, provided that a 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.”*

The First Stage PUD was approved based on the conclusion that the flexibility requested and granted would result in a project that is superior to the existing development and what could be achieved as a matter-of-right. As outlined above, the project's scale and density in this Second Stage proposal is not inconsistent with the Comprehensive Plan. The proposal to redevelop the site would maintain a significant number of the existing low income residents and includes a new road network that will assist with improved safety, security and connectivity throughout the development and thereby improving the needs of residents.

XI. PUBLIC BENEFITS

The objectives of a PUD are to permit flexibility of development in return for the provision of superior public benefits, provided the PUD process is not used to circumvent the intent and purposes of the Zoning Regulations.

Subtitle X, § 304 and § 305 of the Zoning Regulations outlines the evaluation standards of a PUD and public benefits and project amenities. In its review of a PUD application, § 304.3 states that *“the Commission shall judge, balance, and reconcile the relative value of public benefits the project amenities and public benefits offered, the degree of development incentives requested, and any potential adverse effects according to the specific circumstances of the case.”* Subtitle X, § 305.5 outlines how the benefits may be provided and the applicant has offered a number of benefits a complete analysis of which OP will provide if the application is set down.

§ 305.5(a), (b), (c) - Urban design, architecture, landscaping, open spaces and site planning

The overall urban design of RIA in the First Stage PUD and in particular at this time, Block 7, would be a significant improvement over the existing layout of the development. The building materials would be predominantly masonry with the use of siding limited to portions of the buildings which are not very visible for the adjacent streets. The building uses embellishments, articulations, color, balconies to create two interesting buildings whose architecture would set the tone for the remainder of the development. The extensive landscaping on the perimeter of the buildings as well as within the open court areas would provide a complementary setting.

§ 305.5(f), (g) - Housing and affordable housing

Block 7 would provide 331 new residential units of which 265 units would be affordable, all 200 senior units and 65 units in Building A. The affordable units in Building A would be reduced to 25 ultimately as the remainder of the project is developed and affordable units are redistributed in all the buildings. A significant number of the affordable units would be reserved for households eligible to participate in HUD’s Section 8 program with affordability levels at 30% of AMI or lower, 200 of the deeply affordable units would be the senior units.

Block 7 would produce 217,966 square feet of housing over what would be allowed as a matter of right (Exhibit 1, page 43, table). In addition, the IZ requirement would be 15,445 square feet of which 7,728 square feet would be for households at 50% of AMI and 7,728 square feet would be for households at 80% of AMI. Instead, the applicant is proposing 237,458 square feet of affordable housing in Buildings A and B most of which would be to Section 8 eligible residents, many of which would be for household with incomes of 30% or below of AMI (Exhibit 1, page 44, table).

Building B, the senior building, would be for senior on the Section 8 program and would have 182, one-bedroom units and eight, two-bedroom units with unit sizes ranging from 500 square feet up to 850 square feet. Building A would have a combination of three-studios; 58, one-bedroom units; 50, two-bedroom units; and 19, three-bedroom units with unit sizes ranging from 500 square feet up to 1,400 square feet.

A request was made for the applicant to provide information on the location of the initial 65 affordable units but the applicant states that because 40 of the 65 units would only be available as affordable units a decision had not been made as to their location. OP encourages the applicant to maintain the distribution of the affordable units throughout the building even though it is a temporary situation.

§ 305.5(h) – Employment and training

The applicant has committed to a First Source Employment Agreement with DOES and states that the signed agreement is expected to be provided at the public hearing.

§ 305.5(i) – Social Services and Facilities

The applicant currently provides a number of social services for the residents and has committed to assessing the current programs to determine where and how to direct resources for the greatest impact. The applicant has outlined events and activities which they hosted, contributed to or made donations to for the residents and the community and has indicated that they would continue with these programs in addition to others as necessary.

§ 305.5(j) – Space for Special Uses

Both buildings have spaces on the Site Plan identified as “amenity” space which the applicant say could be used for a variety of educational or social uses as well as indoor space to recreate and relax.

§ 305.5(k) – Environment and sustainable benefits

The overall RIA development was approved for LEED ND Silver certification in the First Stage PUD and it is anticipated that individual buildings would perform at a greater level as each building is assessed individually and other sustainable design techniques are incorporated into the development. For this phase, the 2015 Enterprise Green Communities standard is being used. The project would perform at a high level of sustainability as it is targeting 85 points where 35 points is needed for certification. The plans indicate that the development would include the use of stormwater management systems, green roofs, permeable pavers and other sustainable features in the buildings. Additional information would be provided in the DDOE report.

§ 305.5(q) – Uses of Special Value to the Neighborhood or the District of Columbia

The applicant states that the ability of qualified residents to be relocated to new units on the site, the retention of qualified residents on the site during construction and a construction management plan are uses of special value and that they will continue to work with the residents and the ANC regarding these benefits.

XII. CONSISTENCY WITH THE FIRST STAGE PUD

ZC 14-18 Order outlines specific information which shall be provided at each Second Stage Review. The following summarizes how the applicant is addressing the relevant conditions of approval:

A. PROJECT DEVELOPMENT

...

3. . . The maximum building height for the buildings on Block 7 shall not exceed 60 feet. . .

The proposed building heights on Block 7 would be 51-feet.

B. PUBLIC BENEFITS

1. **For so long as the project exists**, the Applicant shall provide the following affordable housing:
 - a. If the Section 8 contract remains, the Applicant's affordable housing obligations shall be as follows:
 - (1) There shall be at least 384 affordable units, of which 373 shall be Section 8 units and 11 shall be "inclusionary units" within the meaning of 11 DCMR § 2602;
 - (2) Of the 373 Section 8 units, 150 to 200 of such units shall be in the Senior Building, which shall contain no other type of unit;
 - (3) The remaining Section 8 units shall be in the multi-family buildings; that at least 10% of each multi-family building's units shall be Section 8 units; and

Building B would contain 200 Section 8 units exclusively for seniors while Building A would have 131 units of which 65 would be Section 8 units. Although Building A would have a significant number of Section 8 residents, as other phases of RIA are constructed, the residents would be relocated and ultimately only 19 percent of the units in Building A would be dedicated to Section 8 residents.

2. *The Applicant shall abide by the terms of the tenant relocation and construction phasing plan as detailed at Exhibit 104B of the record in this case.*

The tenant relocation and construction phasing plan (ZC 14-18, Exhibit 104B) identifies Block 7 as being in Phase 1 of the redevelopment of the property. The plan envisioned a mixture of a senior apartment building with 150–200 units, a smaller 80 unit market rate apartment building and 28 two-over-two units or townhouses for a total of 286 units. In order to place residents in new and improved residences the applicant has requested a modification to have the 200-unit senior apartment building and a second building with 131 units and has provided at Exhibit 1G a revised tenant relocation and construction phasing plan.

0. *The applicants in all second-stage PUD applications shall enter into a First Source Employment Agreement with the Department of Employment Services ("DOES").*

The applicant has committed to providing a First Source Employment Agreement with DOES at the public hearing.

C. Second-Stage Applications

1. *In addition to the information requested by 11 DCMR § 2406.12, (now Subtitle Z § 300.12) the Applicant shall submit the following with each second-stage application:*
 - a. *Updated information regarding the phasing of the project, which shall include the approximate scheduling and development priorities at that time;*

The applicant has provided the information at Exhibit 1G.

- b. *For each second-stage application that includes a multi-family building, the following:*

- (1) *A table showing the bedroom sizes and square footages for each unit type similar in format to the table in Exhibit 75A containing this information for existing units.*
- (2) *For the affordable units the applicant shall:*
 - (A) *Indicate the number and location of the units; and*
 - (B) *Provide a table indicating the proposed unit sizes, number of bedrooms of each and the corresponding AMI level;*

The applicant has provided the information at Exhibit 1G.

- d. For the second-stage application for the Senior Building the Applicant shall:*
 - (1) *Indicate the number of units; and*
 - (2) *Provide a table indicating the proposed unit sizes, number of bedrooms of each, and the corresponding AMI level;*

The applicant has provided the information at Exhibit 1G.

- e. A progress report regarding the status of the tenant relocation process and construction phasing plan detailed at Exhibit 104B.*

The applicant has provided the information at Exhibit 1G.

- f. A detailed description of the programs for children and seniors that will be provided in that project;*

The applicant has outlined in a general fashion the existing programs that would be continued in the new development. The applicant states that a survey will be undertaken to assess the current programs to determine where and how to direct resources for the greatest impact.

- g. A copy of the fully executed First Source Employment Agreement with DOES;*

The applicant states that a fully executed First Source Employment Agreement with DOES will be provided at the public hearing.

- h. A progress report regarding the construction of the Pedestrian Walk and Community Green.*

The pedestrian walk and community green would be constructed in a later phase.

D. Transportation Mitigation Measures

1. The Applicant will abide by the following Transportation Mitigation measures:

- f. Coordinate with DDOT during all second-stage PUD applications on the following issues:*
 - (1) *Amount and size of loading facilities;*
 - (2) *Maneuvering analyses of trucks to and from loading facilities;*
 - (3) *Amount of off-street parking (this may require an inventory and occupancy count of on-street facilities to help determine the appropriate amount of parking and potential spillover impacts);*
 - (4) *Layout of internal streets, including curbside management;*

- (5) *Transportation Demand Management plans for each building;*
- (6) *Amount of secure off-street bicycle parking in each building;*
- (7) *Locations and amount of on-street bicycle racks; and*
- (8) *Locations for Capital Bikeshare stations.*

The applicant has provided a Transportation Plan which addresses the required mitigation measures and is being assessed by DDOT.

XIII. AGENCY REFERRALS

OP requested assessment of the proposal from various agencies and the following agencies provided comment:

1. Department of the Environment (DDOE) provided comments under separate cover (Exhibit 33).
2. DC Water stated that the project would be adequately served by water and sewer connections and that dependent on the age of the infrastructure, the applicant would be required to replace old infrastructure. Additional review would be done at the time of permitting. (Attachment 2)
3. Department of Housing and Community Development stated a formal commitment that the Section 8 contract shall remain in effect perpetually or at least 40 years, and/or that if the Section 8 contract is no longer in effect, perpetual affordable units will be provided (Attachment 3)
4. Fire and Emergency Medical Services Department (FEMS) recommended that fire access to the development is not compromised and be in accordance with the Fire code (Attachment 4).
5. DDOT will provide comments under separate cover.

Metropolitan Police Department (MPD) did not provide an assessment.

X. COMMUNITY COMMENTS

The property is within ANC-5E. AT the time of this report no submission from the ANC has been provided. Persons in support and in opposition had provided submissions to the record.

ATTACHMENT I - Comprehensive Plan Elements

The proposed development also meets or furthers many of the elements and policies of the Comprehensive Plan as outlined below.

Chapter 3 - Land Use Element

LU-2.1.3: Conserving, Enhancing, and Revitalizing Neighborhoods

Recognize the importance of balancing goals to increase the housing supply and expand neighborhood commerce with parallel goals to protect neighborhood character, preserve historic resources, and restore the environment. The overarching goal to “create successful neighborhoods” in all parts of the city requires an emphasis on conservation in some neighborhoods and revitalization in others.

Policy LU-2.2.4: Neighborhood Beautification

Encourage projects which improve the visual quality of the District’s neighborhoods, including landscaping and tree planting, facade improvement, anti-litter campaigns, graffiti removal, improvement or removal of abandoned buildings, street and sidewalk repair, and park improvements. 310.5

The proposed development would lead to the revitalization of the neighborhood through improved buildings, increased housing supply with a mix of unit types and sizes as well as the increased landscaping and useable open spaces around the buildings. Block 7 would also include improved street and pedestrian connectivity. The proposed modification allows the buildings to be scaled with a massing that would lessen potential impacts on adjacent residential developments.

Chapter 4 - Transportation Element

T-1.1.4: Transit-Oriented Development *Support transit-oriented development by investing in pedestrian-oriented transportation improvements at or around transit stations, major bus corridors, and transfer points. 403.10*

T-2.3.1: Better Integration of Bicycle and Pedestrian Planning *Integrate bicycle and pedestrian planning and safety considerations more fully into the planning and design of District roads, transit facilities, public buildings, and parks. 409.8*

The location is served by a number of bus routes. The new streets associated with this phase of the development would be improved with pedestrian and bicycle ways that would begin to a network that would link the neighborhood internally and externally.

Chapter 5 - Housing Element

H-1.1.5: Housing Quality *Require the design of affordable housing to meet the same high-quality architectural standards required of market-rate housing. Regardless of its affordability level, new or renovated housing should be indistinguishable from market rate housing in its exterior appearance and should address the need for open space and recreational amenities, and respect the design integrity of adjacent properties and the surrounding neighborhood. 503.6*

As seem on the plans submitted, the architectural quality of the affordable, senior housing is of a high standard similar to Building A which would be majority market rate units. The building on

Block 7 would set the stage for other buildings to come in later stages of the development. and standards required of market-rate housing.

H-1.2.1: Affordable Housing Production as a Civic Priority Establish the production of housing for low and moderate income households as a major civic priority, to be supported through public programs that stimulate affordable housing production and rehabilitation throughout the city. 504.6

H-1.2.3: Mixed Income Housing Focus investment strategies and affordable housing programs to distribute mixed income housing more equitably across the entire city, taking steps to avoid further concentration of poverty within areas of the city that already have substantial affordable housing. 504.8

The proposal would contain housing with differing affordable \

H-1.3.1: Housing for Families Provide a larger number of housing units for families with children by encouraging new and retaining existing single family homes, duplexes, row houses, and three- and four-bedroom apartments. 505.6

Building B would provide a mixture of unit types including three-bedroom units for families.

H-1.4.4: Public Housing Renovation Continue efforts to transform distressed public and assisted housing projects into viable mixed-income neighborhoods, providing one-for-one replacement within the District of Columbia of any public housing units that are removed. Target such efforts to locations where private sector development interest can be leveraged to assist in revitalization. 506.10

The proposed development would include a substantial number of new residences over the existing development and would provide units for a variety of unit types to serve families of varying sizes, ages and incomes.

Chapter 6 - Environment Protection Element

E-1.1.3: Landscaping Encourage the use of landscaping to beautify the city, enhance streets and public spaces, reduce stormwater runoff, and create a stronger sense of character and identity

E-3.1.2: Using Landscaping and Green Roofs to Reduce Runoff Promote an increase in tree planting and landscaping to reduce stormwater runoff, including the expanded use of green roofs in new construction and adaptive reuse, and the application of tree and landscaping standards for parking lots and other large paved surfaces. 613.3

E-3.1.3: Green Engineering Promote green engineering practices for water and wastewater systems. These practices include design techniques, operational methods, and technology to reduce environmental damage and the toxicity of waste generated. 613.4

The overall RIA development would be LEED ND Silver certified. For this phase, the 2015 Enterprise Green Communities standard is being used. The plans indicate that the development would include the use of stormwater management systems, green roofs, permeable pavers and other sustainable features in the buildings.

Chapter 9– Urban Design

UD-2.3.1: Reintegrating Large Sites *Reintegrate large self-contained sites back into the city pattern. Plans for each site should establish urban design goals and principles which guide their subsequent redevelopment. 911.2*

The proposed redevelopment of RIA Plan introduces smaller blocks with a new street grid that connects to the surrounding community. The variety of unit types and styles are places so as to be compatible to the topography of the site as well as the adjacent residences and institutional uses.

Chapter 24 – Upper Northeast Area Element

Policy UNE-1.1.4: Reinvestment in Assisted Housing

Continue to reinvest in Upper Northeast’s publicly-assisted housing stock. As public housing complexes are modernized or reconstructed, actions should be taken to minimize displacement and to create homeownership opportunities for current residents. 2408.5

The proposed development would be completely demolished and replaced with a new development that provides better connectivity, would be safer for the residents and would meet the housing needs of families of varying incomes and sizes and would be at a density that is not inconsistent with the Future Land Use Map.

ATTACHMENT 2 – DC Water



Permit Operations

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY | 1100 4th STREET, SW | SUITE 310 | WASHINGTON, DC 20024

February 10, 2017

Maxine Brown
Development Review Specialist
DC Office of Planning
1100 4th Street, S.W., Suite E650
Washington, DC 20024

Re: Zoning Commission Case# 14-18A
Square 3953
Lots 1, 2, and 3

Dear Ms. Brown:

Please consider this letter as DC Water's response to the Zoning Commission's request for comments on Case# 14-18A. The proposed building(s) are generally not representative of the size, floor area, density, and/or use of the existing buildings adjacent to and/or in the vicinity of the project site. Therefore, the water and sewer demands for the proposed building(s) will likely be dissimilar to the existing water and sewer demands of the buildings adjacent to and/or in the vicinity of the project site. There is existing public water and sewer infrastructure located within 250 feet of the project site, therefore, the public water and sewer infrastructure is considered available per DCMR 12.

It should be noted the District Building Code requires individual water and sewer services to individual lots. Water service meters and sewer service clean-outs should be located within public space. Please note that as a part of the redevelopment conditions DC Water has identified that the existing 8" diameter unlined cast iron water main in Saratoga Avenue NE should be brought to standard mechanical joint ductile iron pipe. This has been the standard for water main construction since the mid 1960's. Replacement of this line is unlikely to be included in a DC Water's Capital Improvement Program in the immediate future. The applicant may at their option elect to replace or extend the public water systems, at their expense, to meet their project needs, or wait until DC Water replaces the water systems.

The response above describes the existing water and sewer infrastructure, and DC Water's evaluation of that infrastructure, as it currently exists per the date of this letter. A final determination of the existing public system's ability to support the proposed project cannot be made until detailed plans are submitted to DC Water for review.

dcwater.com

Maxine Brown
Zoning Commission Case# 14-18A
February 10, 2017

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If you have any questions or need further details, please do not hesitate to contact me at 202-646-8610 or email me at Brian.McDermott@dcwater.com.

Sincerely,



Brian T. McDermott, P.E.
Director, Permit Operations

cc:

ATTACHMENT 3 – Email for DHCD

Brown-Roberts, Maxine (OP)

From: Bulmash, Gene (DHCD)
Sent: Friday, February 10, 2017 8:59 AM
To: Brown-Roberts, Maxine (OP)
Subject: Brookland Manor - ZC 14-07B

Maxine,

Great to meet you in person yesterday. As requested, my only comment on the proposed second stage PUD for Brookland Manor is that if it isn't already documented somewhere, it would be nice to see a formal commitment that the section 8 contract shall remain in effect perpetually or at least 40 years, and/or that if the section 8 contract is no longer in effect, what perpetual affordable units will be provided.

If you have any questions or need anything further, let me know. Thanks & cheers,

Gene

Gene M. Bulmash, Inclusionary Zoning Program Manager
Department of Housing and Community Development
1800 Martin Luther King Jr. Avenue, SE
Washington, DC 20020
(202) 442-7168, phone
(202) 645-5884, fax
gene.bulmash@dc.gov

PUBLIC SAFETY SURVEY: Let us know about your experiences and opinions regarding public safety in Washington, DC. Take the 10-minute survey [Here](#). #SaferStrongerDC

Attachment 4 – Memorandum for FEMS

GOVERNMENT OF THE DISTRICT OF COLUMBIA
FIRE AND EMERGENCY MEDICAL SERVICES DEPARTMENT
OFFICE OF THE FIRE MARSHAL
1100 4th STREET SW, SUITE E700, WASHINGTON, DC 20024



MEMORANDUM

TO: Maxine Brown-Roberts
Senior Development Review Specialist

FROM: Tony L. Falwell *TF*
Battalion Fire Chief / Asst. Fire Marshal
FEMS Office of the Fire Marshal

DATE: January 30, 2017

SUBJECT: Zoning Commission Case 14-18A for Stage 2, PUD for Brookland Manor (RIA), Block 7.

This written correspondence is being forwarded to your office to address Zoning Commission Case 14-18A for Stage 2, PUD for Brookland Manor (RIA), Block 7 that was submitted to the FEMS Office of the Fire Marshal for review and comment. Based on FEMS review, the following findings are being brought forth:

FEMS Office of the Fire Marshal has no objection to this development project being approved if the following requirements are adhered to:

- 1.) Fire access to all referenced lots and squares, their adjacent properties, lots, and squares or any newly constructed building thereon is not compromised and is maintained and developed in accordance with *Chapter 5 Fire Service Features, Section 503 Fire Apparatus Access Roads and Appendix "D"* of the International Fire Code (IFC) 2012 edition.
- 2.) No existing or newly installed FD connections and fire hydrants can be obstructed/ blocked in a way that will prevent emergency access to the reference lots and squares.