



GOVERNMENT OF THE DISTRICT OF COLUMBIA
ADVISORY NEIGHBORHOOD COMMISSION 1B

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July 13, 2020

Office of Zoning
441 4th Street NW Suite 200S
Washington, DC 20001

--- via email ---

Re: ZC 16-11: ANCIA Response to Procedural Order Reflecting the Zoning Commission's Oral Request for Parties' Responses to Court of Appeals' Remand

COMMISSIONERS

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Members of the Zoning Commission:

As a party to the above-referenced case, ANC 1B appreciates the opportunity to provide comments on the District of Columbia Court of Appeals (the "Court") remand of Order No. 16-11 to the Zoning Commission to assist the Commission in responding to the Court's opinion.

ANC 1B defers and concurs with the response submitted by ANC 1A, Commission of direct jurisdiction, on comments specific to public submissions and testimony by both ANCs during the zoning process. ANC 1B is directly abutting the Bruce Monroe property and the proposed development. ANC 1B submitted the attached Resolution Supporting the PUD And Rezoning for Private Property - Bruce Monroe Redevelopment (Sq. 2890, Lot 849) In Ward One introduced for case ZC 16-11 on October 6, 2016.

ANC 1B is committed to providing housing opportunities to rent and buy at all income levels and end programs that have demonstrated low-income warehousing in poorly maintained properties. We believe healthier communities and vibrant neighborhoods will develop with integrated low, moderate, and market income groups and with appropriate rental and ownership programs and opportunities.

The Chair or any Commissioner, as the Chair's delegate, is authorized to represent ANC 1B before any DC agency or the Council.

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Certification:

On July 9, 2020, at a publicly noticed meeting with a quorum of 11 Commissioners present. Advisory Neighborhood Commission 1B voted to approve the transmittal to the Zoning Commission.

James A. Turner, Chair ANC 1B
Commissioner SMD 1B09

Danny Delaney, Secretary ANC 1B
Commissioner SMD 1B10

Robb Hudson, Chair Econ Dev Comm
Commissioner SMD 1B11

- c: Honorable Phil Mendelson, Chair, DC Council
Honorable Muriel Bowser, Mayor, District of Columbia
Honorable Brianne Nadeau, Councilmember, Ward 1
Honorable Kent Boese, Chair, ANC 1A
Mr. Sarosh Olpadwala, Director, DMPED

**RESOLUTION SUPPORTING THE PUD AND REZONING FOR PRIVATE PROPERTY
- BRUCE MONROE REDEVELOPMENT (SQ. 2890, LOT 849) IN WARD ONE**

WHEREAS; Park View Community Partners and the District of Columbia (the "Applicant") filed an application with the Zoning Commission seeking approval of a consolidated review and approval of a Planned Unit Development ("PUD") and a zoning map amendment to rezone a portion of Lot 849 in Square 2890 (the "Property") from the R-4 and C-2-A Districts to the R-5-B and C-2-B Districts;

WHEREAS; The Applicant proposes to redevelop the subject property with a mixed use community with a total of approximately 273 residential units, comprised of 189 apartment units, 76 senior apartment units, and 8 townhomes. The project will also include approximately 4,545 square feet of community service space. The majority of the new residential units will be subsidized housing for low or moderate income households, with approximately 90 units designated as public housing replacement units set aside for low income households earning 0% to 30% of the AMI and approximately 111 units designated as moderate income for households earning up to 60% of AMI. The remaining 72 units (i.e. 26% of the total units) will be market rate. The Subject Property and proposed development will serve as the Build-First site for the Park Morton Public Housing Community, a targeted site that is part of the District's New Community's Initiative (NCI);

WHEREAS; The goal of NCI is to create vibrant mixed-income neighborhoods that address both the physical architecture and human capital needs, where residents have quality affordable housing options, economic opportunities and access to appropriate human services. NCI provides for: One for One Replacement to ensure that there is no net loss of affordable housing units in the neighborhood; Residents have first Right of Return and Stay in the Community; Mixed-Income Housing at low, middle, and market rate to end the concentration of low-income housing and poverty;

WHEREAS; The NCI identified Square 2890; Lot 0894 as the best possible "build first" site for the Park Morton redevelopment effort on October 14, 2015 after a review of available and potentially available properties located in close proximity to Park Morton, and after meeting with community stakeholders on over 30 occasions;

WHEREAS; Square 2890; Lot 0894, has been in the portfolio controlled by the office of the Deputy Mayor for Planning and Economic Development (DMPED) since 2010;

WHEREAS; We recognize ANC1A as the Commission of primary jurisdiction on the NCI Park Morton Redevelopment. ANC1B is geographically abutting Square 2890; Lot 0894 and is granted Great Weight on development of the property;

WHEREAS; The effort to redevelop Park Morton is a decade old and critically important to ANC1A, ANC1B, and all residents living in the lower Georgia Avenue community; and,

WHEREAS; Advisory Neighborhood Commission 1B passed resolutions supporting the surplus and disposition of SQ. 2890, LOT 0894 in April 2016 and May 2016 respectively;

WHEREAS; The PUD has requested support for the following areas of flexibility from Zoning Regulations:

1. Multiple Buildings on a Single Record Lot. Pursuant to 11 DCMR § 2516, the Applicant requests flexibility to permit multiple buildings on a single record lot. The eight townhomes will be located on a single subdivided lot.

2. Side and Rear Yards. The Applicant is proposing to incorporate a new north-south private street through the Property in order to create small, walkable blocks. The Applicant is also dividing Lot 849 in order to allow for the development of the large park that abuts the Property to the south. As a result, the Applicant is requesting side yard relief for the apartment house and the two end townhomes, and rear yard relief for the apartment house and the senior building.
3. Loading. Section 2201.1 of the Zoning Regulations requires one loading berth at 30 feet deep and one loading berth at 55 feet deep; one loading platform at 100 square feet and one loading platform at 200 square feet; and one service space at 20 feet deep for the Project. The Applicant proposes to provide two loading berths at 30 feet deep, one loading platform at 100 square feet, and one service/delivery space at 20 feet deep, thus necessitating flexibility under Section 2201.1. The proposed loading facilities are appropriate for the type of residential development provided.
4. Lot Occupancy. The Applicant requests flexibility from the lot occupancy requirements for the senior building. Pursuant to 11 DCMR § 772.1, 60% lot occupancy is required, but the Applicant proposes to provide 68% lot occupancy. While the Applicant proposes to increase the lot occupancy by 8%, there is still significant open space surrounding the building due to the surrounding court, park, and surrounding streets which will provide significant light, air, and ventilation to building residents.
5. Additional Areas of Flexibility. 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 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 buildings.
 - c. To vary or reduce the number, location and arrangement of parking (vehicular and bicycle) spaces, provided that the total is not reduced below the number required under the Zoning Regulations.
 - d. To vary the sustainable design features of the Project, provided the total number of points achievable for the Project is not below 50 points utilizing the Enterprise Green Communities rating standards.
 - e. 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 that are otherwise necessary to obtain a final building permit.
 - f. To vary the features, means and methods of achieving (i) the code-required Green Area Ratio ("GAR") of 0.2, and (ii) storm water retention volume and other requirements under 21 DCMR Chapter 5 and the 2013 Rule on Storm Water Management and Soil Erosion and Sediment Control.

WHEREAS; The Applicant has offered a number of project amenities and public benefits commensurate with the development incentives and flexibility requested, the most substantial being:

1. Housing and Affordable Housing. The Project's most significant benefit is the creation of new housing, including public housing replacement units and additional new affordable housing units, consistent with the goals of the Zoning Regulations, the Comprehensive Plan, the New Communities Initiative, and the Mayor's housing initiative. The Project will provide 90 off-site

2. Side and Rear Yards. The Applicant is proposing to incorporate a new north-south private street through the Property in order to create small, walkable blocks. The Applicant is also dividing Lot 849 in order to allow for the development of the large park that abuts the Property to the south. As a result, the Applicant is requesting side yard relief for the apartment house and the two end townhomes, and rear yard relief for the apartment house and the senior building.
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 - c. To vary or reduce the number, location and arrangement of parking (vehicular and bicycle) spaces, provided that the total is not reduced below the number required under the Zoning Regulations.
 - d. To vary the sustainable design features of the Project, provided the total number of points achievable for the Project is not below 50 points utilizing the Enterprise Green Communities rating standards.
 - e. 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 that are otherwise necessary to obtain a final building permit.
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WHEREAS; The Applicant has offered a number of project amenities and public benefits commensurate with the development incentives and flexibility requested, the most substantial being:

1. Housing and Affordable Housing. The Project's most significant benefit is the creation of new housing, including public housing replacement units and additional new affordable housing units, consistent with the goals of the Zoning Regulations, the Comprehensive Plan, the New Communities Initiative, and the Mayor's housing initiative. The Project will provide 90 off-site

replacement housing units for the redevelopment of Park Morton, allowing new public housing to be built prior to the demolition of existing public housing.

2. Senior Housing. The Applicant will construct a senior building with 76 senior apartment units.
3. Creation of a Large, Permanent Park. The development will include a large new park to the immediate south of the Subject Property. The park will be developed on the remaining portion of Square 2890 and in coordination with DMPED, other applicable District agencies, ANC1A and ANC1B, and other community stakeholders.

WHEREAS; The Applicant further agrees to offer the following public benefits commensurate with the development incentives and flexibility (not outlined in the PUD application as submitted):

1. Develop the Permanent Park. The Applicant will engage in a community process, or support a community process, to develop the new park. The process will include design charrettes and programing layouts. The applicant further commits to work with ANC1A, ANC1B, and affected community members during construction and to address long-term maintenance and oversight issues, including but not limited to the following:
 - a. Feasibility of establishing a Park Partners group, which would help ensure community involvement and participation in long term maintenance and programing initiatives;
 - b. Development of a long-term maintenance plan to ensure that the park remains clean and in good repair;
 - c. Consider including amenities such as public restrooms or security cameras based on need and outcome of community process; and,
 - d. Establish and clarify the roles of ANC1A, ANC1B, and the community in reviewing organized community events and future changes to the park's programming.
2. Therapeutic Pool for Seniors. The Applicant agrees to include a therapeutic pool in the Senior building for their use.
3. Incorporate Bird Friendly Design. As the apartment structure will include a green roof, the Project will be designed and constructed in a manner that will reduce bird injury and mortality from in-flight collisions with buildings as outlined in the U.S. Green Building Council's LEED Pilot Credit 55 guidelines.
4. Enhanced Acoustical Requirements. As the apartment structure is designed to include ground floor retail space with apartment units above, the Applicant will ensure that sound transmission is controlled between the commercial space and the abutting living units to maintain the livability of the apartment units above.
5. Include Transit Smart Screens in Multifamily buildings. The large multifamily buildings will have real time transportation/smart screens installed in their lobbies to provide residents with updates on the weather, Metro rail and bus, Circulator availability, and other transit options.
6. Incorporate and Expand Capital Bikeshare. As the Capital Bikeshare station located on Columbia Road at Georgia Avenue is inadequate to the needs of the community and currently sits on the public sidewalk, the Applicant will work with DDOT to incorporate the Bikeshare station within the design of the property. Furthermore, it will site the station on a diagonal in such a way so that it can be expanded to meet increasing demand for the service.
7. Upgrade the street lighting surrounding the property along Georgia Avenue, Columbia Road, Irving Street, and the new street, will be of the Washington Upright pole design as identified and described in DDOT's *Streetlight Policy and Design Guidelines*. Pre-existing Washington Upright poles within the development area may be retained and refurbished.
8. Reduce hardscape along Columbia Road and increase tree cover. The Project will create new tree boxes in the public space along Columbia Road as well as along both sides of the new

- street connecting Columbia Road and Irving Street in compliance with DDOT standards.
9. Plant Native Trees and shrubs. The Applicant agrees to restrict landscaping on the site to native trees and plants, furthering the environmental goals of the District of Columbia. ANC1B recommends use of mature and near-mature landscaping and trees in the green space and areas facing Columbia Road. Should any plantings require replacement during a five-year period they should be replaced with mature and near-mature plantings.
 10. Include Car Sharing. The Applicant agrees to include no fewer than two (2) spaces for car share vehicles, one should be electric, on site.
 11. Naming new Street. ANC1A has recommended that the new street connecting Columbia Road and Irving Street at the west border of the property be named **Old Monroe School Place**. ANC1B suggests that street naming be considered in the same process as the park naming initiative.
 12. Park naming. As there are differing opinions on what the name should be for the new park, the Applicant commits to work with the Park Morton Steering Committee, ANC1A, and ANC1B to determine an appropriate name for the site. ANC1B supports naming the park in a manner that relates to the history of the site and surrounding community.
 13. Youth Programming. The Application agrees to provide youth programming and job training opportunities through The Community Builders' Community Life Division.
 14. Neighborhood Initiatives Funding. The Applicant agrees to provide funding support for neighborhood initiatives to be identified in collaboration with ANC1B, DMPED, DCHA, and other key stakeholders.

WHEREAS; ANC1B requests the Applicant give serious consideration to adding the following items as resident and community amenities:

1. Installation of DC Free Public WIFI accessible for up to 1.5 block radius of the center of the property.
2. Incorporate enhanced acoustical construction materials in walls and windows to reduce noise as the area transitions from a low density residential area to a higher density commercial corridor.
3. Evaluate use of solar energy generating window panels and battery storage units to public and common area lighting and security.
4. Incorporate smart city design elements into the public space and green space area:
 - a. Motion sensors that raise and lower lighting levels along paths and walkways.
 - b. Sensors that send notifications when trash and recycle cans near capacity or contain hazardous materials.
 - c. Activity sensors that can notify of inactivity which can indicate medical or health emergencies.
 - d. Irrigation and environmental management systems that can automatically adjust for nature events including rain, drought, snow by expanding and rerouting run-off, melting ice and snow on paths, and other such items.
 - e. Air sensors that can detect abnormal air quality and possible hazards.
 - f. Audio and video surveillance devices that can detect and notify specific verbal and non-verbal keywords.
 - g. Unisex Restrooms that are secured, private, and sanitized based on usage near sports areas, playground, and plaza areas.
 - h. Ensure the green space and overall property is secured physically, virtually, or a combination of techniques.
5. Installation of at least one publically accessible electric vehicle charging station.
6. Establish a five-year fund to promote vocational job training and placement, senior services, childhood development, youth mentoring, and neighborhood improvements.

7. Gain commitment from DPW for alley trash and recycle collection for residents on the north-side of the 700 Block Columbia Road, south-side of the 700 Block of Irving St, and the east-side of the 3000 Block of Sherman Avenue.
8. Partner with a health care industry partner to implement a private telehealth booth with appropriate voice, video, and vital monitoring and diagnostic devices where seniors can easily access a health provider instead of going to an emergency department, waiting for an appointment, or avoiding care. Services should include physical and mental health.
Consider also expansion to the multifamily building and possibly to the nearby community.

THEREFORE, BE IT RESOLVED THAT: Advisory Neighborhood Commission 1B supports the request for flexibility from zoning regulations and the community benefits for the items discussed above.

AND FURTHER BE IT FINALLY RESOLVED THAT: The Chair or any Commissioner as delegate of the Chair, defined on the attached, shall be authorized to communicate this resolution and testify before any agency of Government of the District of Columbia or the members of the Council of the District of Columbia.

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Certification:

After providing sufficient notice for and with a quorum of 7 or 10 present at its October 6, 2016, meeting, Advisory Neighborhood Commission 1B voted, with 7 Yeas, 0 Nays, and 0 Abstentions, to adopt the above resolution.



James A. Turner
Chair ANC 1B, Commissioner SMD 1B09



LaKisha Brown
Secretary ANC 1B, Commissioner SMD 1B04