

Bruce Monroe Redevelopment
Z.C. Case No. 16-11
Compliance with the Comprehensive Plan

Summary of Analysis

The Applicant proposes to redevelop the Subject Property with a total of 273 new residential units, the majority of which will be subsidized housing for low or moderate income households. The Subject Property and proposed development will serve as the “build-first” site for the Park Morton Public Housing Community, which is a targeted site that is part of the District’s New Community’s Initiative.

For the reasons described in detail below, the proposed PUD and related zoning map amendment from the R-4 and C-2-A Districts to the R-5-B and C-2-B Districts advance the purposes of the Comprehensive Plan and are consistent with the Future Land Use and Generalized Policy Maps’ designations for the Subject Property as follows:

1. The Subject Property is designated in the Local Public Facilities category on the Future Land Use Map. The Comprehensive Plan clearly dictates that if a change in use occurs on a site designated as a Local Public Facility, the new designation should be “comparable in density or intensity to those in the vicinity.”
2. The Future Land Use Map designates properties in the vicinity of the Subject Property as mixed-use: Moderate Density Commercial and Medium Density Residential. The corresponding zone districts for these designations include R-5-B and C-2-B, which are the zone districts that the Applicant proposes for the Subject Property, and are therefore consistent. Moreover, the heights and densities proposed for the Subject Property are consistent with other PUDs in the surrounding vicinity, which are designated Moderate Density Commercial and Medium Density Residential.
3. Section 226.1(c) of the Comprehensive Plan provides that “the granting of density bonuses (for example, through Planned Unit Developments) may result in heights that exceed the typical ranges cited here.” Thus, the Comprehensive Plan specifically acknowledges that increased density afforded through the PUD process will likely result in greater building heights.
4. The Generalized Policy Map designates the eastern portion of the Subject Property as a Main Street Mixed Use Corridor and the western portion of the Subject Property as a Neighborhood Conservation Area. These designations call for a “pedestrian-oriented environment with traditional storefronts” and “upper story residential or office uses.” The PUD is consistent with these designations, since it will provide ground floor retail with residential units above.
5. The zoning of any given site is intended to be guided by the Future Land Use Map, the text of the Comprehensive Plan, including the citywide elements and the area elements, and approved Small Area Plans. Taken together, each of these maps, policies, goals, and

guidelines support the conclusion that the proposed PUD and zoning map amendment are not inconsistent with the Comprehensive Plan.

I. The PUD is Consistent with the 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 each of these purposes by promoting the social, physical, and economic development of the District through the provision of a vibrant new mixed-income community that includes a variety of housing types for households of varying income levels. The project will achieve community goals by providing significant new affordable housing, and will do so through the construction of aesthetically-pleasing new buildings that respect the character and goals of the surrounding neighborhood and its residents.

II. The PUD is Consistent with the Future Land Use Map Designation

A. How to Analyze the Subject Property under the Local Public Facilities Designation

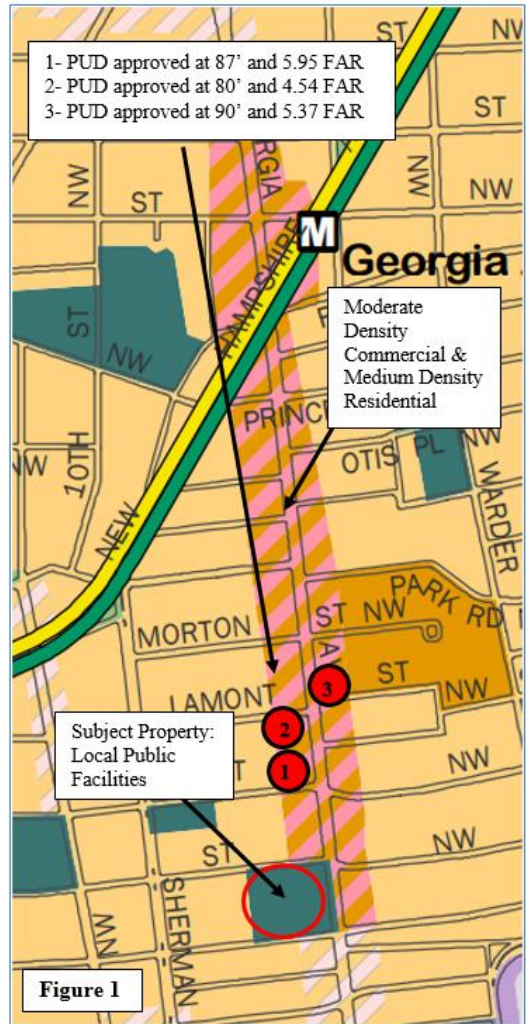
As indicated in Figure 1, the Subject Property is included in the Local Public Facilities category on the Future Land Use Map. As described by the Framework Element, the Local Public Facilities designation includes:

“land and facilities occupied and used by the District of Columbia government or other local government agencies (such as WMATA), excluding parks and open space. Uses include public schools including charter schools, public hospitals, government office complexes, and similar local government activities. Because of the map scale, local public facilities smaller than one acre—including some of the District’s libraries, police and fire stations, and similar uses—may not appear on the Map. Zoning designations vary depending on surrounding uses.” 10A DCMR § 225.15.

The Comprehensive Plan further states that the intent of the Future Land Use Map is to show use rather than ownership. However, in a number of cases, ownership is displayed to note the District’s limited jurisdiction. Specifically, the Local Public Facilities designation includes high-impact uses such as solid waste transfer stations and stadiums, as well as low-impact uses such as schools. 10A DCMR § 226(g). Importantly, the Future Land Use Map does not show density or intensity on Local Public Facilities sites. Therefore, if a change in use occurs on these sites in the future (for example, a school becomes surplus or is redeveloped), the new designations should be comparable in density or intensity to those in the vicinity. 10A DCMR § 226(h) (*emphasis added*).

The Commission has applied the standard of 10A DCMR § 226(h) in approving a number of PUDs and Zoning Map amendments for property designated in the Local Public Facilities category on the Future Land Use Map. For example, in Z.C. Order No. 06-31, the Commission granted a consolidated PUD and zoning map amendment from the R-5-B District to the C-2-B District for property located at 5220 Wisconsin Avenue, NW. The Commission found that the PUD and map amendment applications were not inconsistent with the site’s partial designation as a Local Public Facility based on (i) the “general character of the area,” (ii) the existing surrounding zone districts of C-3-C, C-3-A, C-2-B, and C-2-A, with many surrounding projects developed as PUDs, and (iii) because “the project is located and designed in a way that provides for a transition from the height and density of the project to the nearby lower scale neighborhoods.” *See* Finding of Fact Nos. 21-22 and 29. Similarly, in Z.C. Order No. 11-02/11-02A, in approving a new Campus Plan for the University of the District of Columbia and further processing of an approved Campus Plan for construction of a new student center, the Commission found that the proposed Campus Plan was not inconsistent with the Local Public Facilities designation because it “called for building heights that are complimentary to the surrounding residential context.” *See* Finding of Fact Nos. 34 and 37. The height of student center would be 56 feet, which was consistent with the Moderate Density Commercial designation adjacent to the site.

In Z.C. Case No. 11-10, the Commission granted an application submitted by the Office of Planning for a zoning map zoning map amendment from the R-4 District to the R-5-B District for properties located at Lot 846 in Square 553, Lot 860 in Square 554, and Lots 801 and 802 in Square 554W, and designated as a Local Public Facility. In approving the application, the Commission noted that the Comprehensive Plan “indicates that the zoning designations for these areas vary depending on surrounding uses. The Future Land Use Map recommends moderate



density residential land uses for the areas immediately adjacent to the Subject Property. This designation refers to row house neighborhoods as well as low-rise apartment complexes. Zone Districts ranging from R-3 through R-5-B may apply, depending on location.” Z.C. Case No. 11-10, Finding of Fact No. 40. The Commission concluded that the proposed map amendment “will allow use of the property consistent with its designation on the Future Land Use Map for local public facilities land uses” and that “approval of the requested map amendment from the R-4 Zone District to the R-5-B Zone District is not inconsistent with the Comprehensive Plan.” Z.C. Case No. 11-10, p. 9.

B. Given the Surrounding Context, Zones, and Land Use Designations, the PUD is Consistent with the Local Public Facilities Designation

In this case, the Applicant is proposing to rezone the Subject Property from the R-4 and C-2-A Districts to the R-5-B and C-2-B Districts. The R-5-B and C-2-B Districts proposed for the Subject Property are also appropriate for the Local Public Facilities designation given the surrounding zone districts, permitted density in the vicinity of the Subject Property, and nearby PUDs with similar heights and densities.

1. Surrounding Neighborhood Context

The surrounding area is mixed-use, with a variety of housing types and densities that include both apartment houses and townhomes. Commercial buildings are also located along Georgia Avenue with ground-floor retail uses. As shown on the Development Map and New Development Along Georgia Avenue Sheets of the Architectural Drawings included with the Applicant’s initial application (Exhibit 6A) and the Architectural Drawings included with the Applicant’s Supplemental Prehearing Submission of November 15, 2016 (Exhibit A of this submission), there are a number of existing and approved buildings in the immediate vicinity of the Subject Property that have heights within the 72-90 foot range. For example, pursuant to Z.C. Order No. 13-10, the Commission approved a PUD at 3212-3216 Georgia Avenue (one block to the north of the Subject Property) to have a maximum height of 87 feet, eight stories, and 5.95 FAR. Pursuant to Z.C. Order No. 10-26, the Commission approved a PUD for 3221-3335 Georgia Avenue (two blocks to the northeast of the Subject Property) to have a maximum height of 90 feet, eight stories, and 5.37 FAR. Finally, pursuant to Z.C. Order No. 08-26, the Commission approved a PUD at 3232 Georgia Avenue (two blocks north of the Subject Property) to have a maximum height of 80 feet, six stories, and 4.54 FAR.¹

It is within this context that the Applicant proposes to develop the Subject Property with an apartment house at 90 feet and 5.8 FAR, a senior building at 60 feet and 3.9 FAR, and eight townhomes at 40 feet and 1.7 FAR, all of which are consistent with the general character and uses in the area and with the surrounding zone districts.

¹ The buildings at 3212-3216 Georgia Avenue and 3221-3335 Georgia Avenue have been approved; the building at 3232 Georgia Avenue has been approved and constructed.

2. Surrounding Future Land Use Map Designations

As indicated in Figure 1, the Future Land Use Map designates properties to the immediate north and east of the proposed C-2-B portion of the site that the Applicant intends to build upon as mixed-use: Moderate Density Commercial and Medium Density Residential. The area to the immediate north and west of the proposed R-5-B portion of the site that the Applicant intends to build upon is designated as Medium Density Residential.

The corresponding zone districts for the Moderate Density Commercial designation are C-2-A, C-2-B, and C-3-A (10A DCMR § 225.9), which permit the following PUD heights and densities:

- A maximum height of 65 feet and 3.0 FAR (C-2-A)
- A maximum height of 90 feet and 6.0 FAR (C-2-B)
- A maximum height of 90 feet and 4.5 FAR (C-3-A)

The corresponding zone districts for the Medium Density Residential designation are R-5-B and R-5-C (10A DCMR § 225.5), which permit the following PUD heights and densities:

- A maximum height of 60 feet and 3.0 FAR (R-5-B)
- A maximum height of 75 feet and 4.0 FAR (R-5-C).

See 11 DCMR §§ 2405.1 and 2405.2.

The mixed-use Moderate Density Commercial and Medium Density Residential designation extends on both sides of Georgia Avenue, including across from Subject Property, such that there is no reason to believe that this designation would have been cut off at the Subject Property if it was not already designated as a Local Public Facility. Moreover, the Comprehensive Plan specifically envisions that a change in use is a reason to develop land with densities comparable to those in the vicinity. *See* 10A DCMR § 226(h).

The Comprehensive Plan also notes that the mixed-use category on the Future Land Use Map applies on “[c]ommercial corridors or districts which may not contain substantial amounts of housing today, but where more housing is desired in the future.” 10A DCMR § 225.19(b). In this case, the PUD provides for increased height and density for the specific purpose of providing new housing and affordable housing along the Georgia Avenue commercial corridor. Doing so is also specifically encouraged by the Comprehensive Plan’s Housing Element (*see, e.g. Policy H-1.1.4* – “Promote mixed use development, including housing, on commercially zoned land, particularly... along Main Street mixed-use corridors.) Reviewing the Comprehensive Plan’s Citywide Elements is appropriate in this context, given 10A DCMR § 226.1(d), which states that “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.” 10A DCMR § 226.1(d); *see also, e.g. Z.C. Order Nos. 14-19 and 15-14.*

Regarding the mixed-use categories on the Future Land Use Map, the Comprehensive Plan also states that the “general density and intensity of development within a given Mixed Use area is determined by the specific mix of uses shown. If the desired outcome is to emphasize one use over the other (for example, ground floor retail with three stories of housing above), the Future Land Use Map may note the dominant use by showing it at a slightly higher density than the other use in the mix. 10A § DCMR 225.19. In this case, the Subject Property is surrounded by Moderate Density Commercial and Medium Density Residential designations, which indicates the District’s desired outcome of emphasizing the residential use over the commercial use. The PUD is consistent with that interpretation, since the vast majority of the Subject Property will be developed with housing, with only a small area on the ground floor devoted to commercial use.

3. Consistency with Corresponding Zone Designations

In order to maintain consistency with the surrounding land uses, building heights, and densities, the Applicant proposes to rezone the eastern portion of the Subject Property along Georgia Avenue to the C-2-B District, and the western portion of the Subject Property to the R-5-B District. As indicated above, these proposed zone districts are specifically listed as being consistent with the surrounding Moderate Density Commercial and Medium Density Residential designations.

i. Height and Density

The proposed heights and densities for the buildings within the PUD are consistent with the development parameters of the C-2-B and R-5-B Districts. For example, the C-2-B District (which is the district on which the apartment house will be located) permits under a PUD a maximum height of 90 feet and a maximum density of 6.0 FAR. The Applicant proposes to construct the apartment house to 90 feet and 5.8 FAR, which is consistent with the C-2-B zone. Similarly, the R-5-B District (which is the district on which the townhomes and senior building will be located) permits under a PUD a maximum height of 60 feet and 3.0 FAR. The Applicant proposes to construct the townhomes to a maximum height of 40 feet and 1.7 FAR, and the senior building to 60 feet and 3.9 FAR. Although 3.9 FAR is not within the development parameters for the R-5-B District, the portion of the Subject Property that will be rezoned to R-5-B will have an average density of 1.9 FAR, which is significantly less than the maximum permitted density of 3.0 FAR and less than the 4.0 FAR which is permitted in the R-5-C zone district.

ii. Number of Stories

The Applicant notes that the Comprehensive Plan provides that the Medium Density Residential designation is “used to defined neighborhoods or areas where mid-rise (4-7 stories) apartment buildings are the predominant use,” and “also may apply to taller residential buildings surrounded by large areas of permanent open space.” 10A DCMR § 225.5. The Comprehensive Plan also states that buildings within the Moderate Density Commercial designation are “larger and/or taller than those in low density commercial areas but generally do not exceed five stories in height.” 10A DCMR § 225. The Applicant in this case proposes to construct the senior building with six stories and the apartment house with eight stories plus a mezzanine.

Although the Moderate Density Commercial designation states that buildings generally do not exceed five stories, the Applicant notes that this limitation is inconsistent with the Moderate Density Commercial's corresponding zone districts, which permit building heights of 65 and 90 feet. If these heights are achieved, then roughly 7-9 stories could typically be achieved, assuming an average ceiling height of 10 feet. The proposed apartment house on the Subject Property will have eight stories, which is consistent with this interpretation.

Moreover, the Applicant also notes that the language of the Comprehensive Plan refers to *existing* buildings when discussing number of stories (*see* 10A DCMR § 225.5, stating that “[a]reas 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. Buildings are larger and/or taller than those in low density commercial areas but generally do not exceed five stories in height.”)² Moreover, the language could not reasonably be read to permit 90-foot buildings that are limited to five stories.

C. Guidelines for Using the Future Land Use Map

The Comprehensive Plan provides that:

[t]he densities within any given area on the Future Land Use Map reflect all contiguous properties on a block—there may be individual buildings that are higher or lower than these ranges within each area. Similarly, the land use category definitions describe the general character of development in each area, citing typical building heights (in stories) as appropriate. It should be noted that the granting of density bonuses (for example, through Planned Unit Developments) may result in heights that exceed the typical ranges cited here.

10A DCMR § 226.1(c) (*emphasis added*); *see also* Z.C. Order No. 13-14, Finding of Fact No. 169, finding that the policies, goals, and interpretive guidelines of the Comprehensive Plan all together support the conclusion that the proposed zoning is not inconsistent with the Comprehensive Plan). Moreover, the Comprehensive Plan does not require that each block “strictly correspond” with the general description of the associated land use designation on the Future Land Use Map. *See* Z.C. Order No. 08-15, Finding of Fact No. 74(a), stating that each block need not strictly correspond with the general description. Indeed, the “Future Land Use Map is not a zoning map. Whereas zoning maps are parcel-specific, and establish detailed requirements for setbacks, 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. By definition, the Map is to be interpreted broadly.” 10A DCMR § 226.1(a).

² This analysis is true for the Medium Density Residential designation as well, in which mid-rise (4-7 stories) apartment buildings are the predominant use. This limitation is inconsistent with the Medium Density Residential's corresponding zones, which allow buildings of up to 75 feet in height. If 75 feet is achieved, then roughly 7-8 stories would typically be achieved, assuming an average ceiling height of 10 feet. The language of the Comprehensive Plan also refers to *existing* buildings within the land use category of having 4-7 stories (*see* 10A DCMR § 225.5 stating that “[t]his designation is used to define neighborhoods or areas where mid-rise (4-7 stories) apartment buildings are the predominant use. Pockets of low and moderate density housing may exist within these areas”).

As stated above, 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.” 10A DCMR § 226.1(d). Taken together, the Future Land Use Map designations, combined with the text of the Comprehensive Plan, have guided the use and development of the Subject Property.

For example, the project is consistent with *Policy H-1.2.1: Affordable Housing Production as a Civic Priority*; *Policy H-1.2.3: Mixed Income Housing*, and *Policy H-1.2.7: Density Bonuses for Affordable Housing*, due to the significant amount of housing and affordable housing generated by the PUD. The proposed heights and densities will advance these stated policies by allowing the Subject Property to reasonably serve as the “build-first” site for Park Morton’s replacement public housing units, as part of the District’s New Communities Initiative (“NCI”). NCI is a District government program designed to revitalize severely distressed subsidized housing and redeveloped communities plagued with concentrated poverty, high crime, and economic segregation. See <http://dcnewcommunities.org/about-nci/>. NCI was established with four guiding principles:

- One for One Replacement to ensure that there is no net loss of affordable housing units in the neighborhood;
- The Opportunity for Residents to Return/Stay in the Community to ensure that current residents will have a priority for new replacement units in an effort to remain in their neighborhood;
- Mixed-Income Housing to end the concentration of low-income housing and poverty; and
- Build First, which calls for the development of new housing to begin prior to the demolition of existing distressed housing to minimize displacement.

The proposed development at the Bruce Monroe site is intended to serve as a build-first location for the Park Morton replace units, and will also provide a significant amount of new affordable housing. Specifically, the project will include 94 public housing units, 108 affordable housing units, and 71 market rate units. The proposed heights and densities for the buildings on the Subject Property, including the proposed number of stories, are necessary to allow for the implementation of the “build first” principle, which will minimize displacement, maximize one-time, permanent moves, and implement the phased redevelopment of Park Morton. Thus, the PUD’s proposed height, density, and number of stories are necessary to successfully relocate public housing residents and fulfil the requirements of the NCI.

III. The PUD is Consistent with the Generalized Policy Map Designation

As indicated on *Figure 2* of this submission, the eastern portion of the Subject Property is designated as a Main Street Mixed Use Corridor, and the western portion of the Subject Property is designated a Neighborhood Conservation Area on the Generalized Policy Map. As described by the Framework Element, Main Street Mixed Use Corridors are: “traditional commercial business corridors with a concentration of older storefronts along the street. 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.

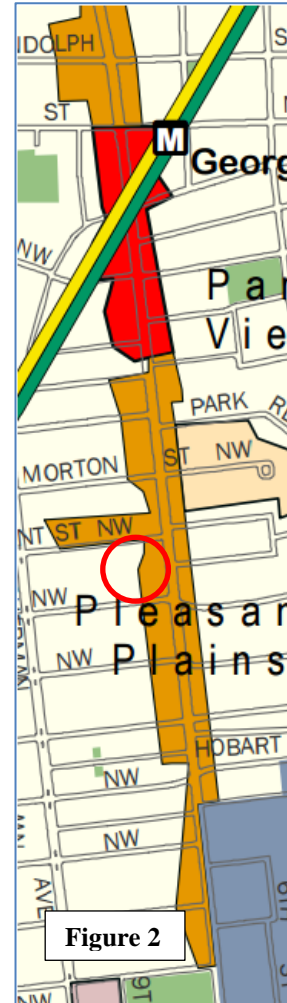
The proposed Zoning Map amendment to the C-2-B District for the eastern portion of the Subject Property is consistent with the physical character and development objectives set forth for Main Street Mixed Use Corridors. The project is sensitive to Georgia Avenue as a traditional commercial business corridor, which includes commercial properties, older storefronts, and sidewalks on both sides of the street. The PUD will conserve this existing character by bringing new developed frontage to Georgia Avenue, improving the pedestrian experience through streetscape enhancement and pedestrian-oriented amenities, and increasing safety by putting additional eyes and ears on the street. Moreover, the PUD will bring significant new housing and affordable housing to the area, which will foster economic development for the existing businesses along Georgia Avenue and attract new business and investment to the corridor.

In addition, the proposed Transportation Demand Management measures for the project, such as offering Capital Bikeshare/carshare memberships and SmarTrip cards, providing long- and short-term bicycle parking spaces, and dedicating parking spaces within the project to a carshare company, will support transit use by limiting the need for and use of private automobiles. The proposed sidewalk and other public space improvements shown on the Landscape and Civil sheets of the Plans (Exhibit A) will help to enhance the pedestrian environment.

The Framework Element describes Neighborhood Conservation Areas as areas that:

“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.” 10 A DCMR § 223.4

“The guiding philosophy in Neighborhood Conservation Areas is to conserve and enhance established neighborhoods. Limited development and redevelopment opportunities do exist within these areas but they are small in scale. The diversity of land uses and building types in these areas should be maintained and new



development and alterations should be compatible with the existing scale and architectural character of each area. Densities in Neighborhood Conservation Areas are guided by the Future Land Use Map. 223.5

The proposed Zoning Map amendment to the R-5-B District and the corresponding residential development on the western portion of the Subject Property is consistent with the objectives set forth for Neighborhood Conservation Areas. The western portion of the Subject Property will be developed with lower-scale residential uses that respect the neighborhood's existing architectural character and scale. The southwestern-most portion of the Subject Property (closest to the existing row dwellings on the north side of Columbia Road) will be developed with corresponding new row dwellings, built to a maximum height of 40 feet and setback from the existing dwellings with a 15-foot rear yard depth. The row dwellings will front onto the new private street and will be sited along traditional sidewalks and landscaping.

The northwestern-most portion of the Subject Property (closest to existing row dwellings on the south side of Irving Street) will be developed with the 60-foot tall senior building. The senior building will be separated from the closest existing row dwellings by a new private street, sidewalks, and landscaping, such that approximately 60 linear feet is provided between the senior building and the closest row dwellings. The senior building mimics many other apartment houses that have been built as infill developments within the surrounding area. Thus, the proposed development plan maintains the existing scale and character of the surrounding neighborhood by providing both row dwellings and a medium-density apartment house, both of which exist throughout the area.

IV. The PUD is Consistent with the Guiding Principles and Major Elements of the Comprehensive Plan

As set forth in the Applicant's initial submission (Ex. 6) and in the Office of Planning setdown report (Ex. 14), the PUD is consistent with many of the guiding principles of the Comprehensive Plan, including managing growth and change, creating successful neighborhoods, and increasing access to education. (See Ex. 6, pp. 31-32.) In addition, as described in detail in the Applicant's initial submission (Ex. 6, pp. 33-38), the PUD is consistent with the following policies in the Land Use, Transportation, Housing, and Environmental Protection Citywide Elements of the Comprehensive Plan:

- *Policy LU-1.2.2: Mix of Uses on Large Sites;*
- *Policy LU-1.3 Transit-Oriented and Corridor Development;*
- *Policy LU-1.3.4: Design to Encourage Transit Use;*
- *Policy LU-2.1.3: Conserving, Enhancing, and Revitalizing Neighborhoods;*
- *Policy LU-2.2.4: Neighborhood Beautification;*
- *Policy T-1.1.4: Transit-Oriented Development;*
- *Policy T-2.2.2: Connecting District Neighborhoods;*
- *Policy T-2.3.1: Better Integration of Bicycle and Pedestrian Planning;*
- *Action T-2.3-A: Bicycle Facilities;*
- *Policy T-2.4.1: Pedestrian Network;*
- *Policy H-1.1.1: Private Sector Support;*

- *Policy H-1.2.3: Mixed Income Housing;*
- *Policy E-1.1.1: Street Tree Planting and Maintenance;*
- *Policy E-1.1.3: Landscaping;*
- *Policy E-2.2.1: Energy Efficiency;*
- *Policy E-3.1.2: Using Landscaping and Green Roofs to Reduce Runoff; and*
- *Policy E-3.1.3: Green Engineering.*

The Subject Property is located within the Mid-City Area Element of the Comprehensive Plan and is also consistent with many elements listed within this Area Element. For example, the PUD is consistent with *Policy MC – 1.1.3: Infill and Rehabilitation* and *Policy MC – 1.1.7: Protection of Affordable Housing*, since the project will be high-quality infill development that is compatible in scale and character with adjacent uses and involves the construction of significant new public and affordable housing units. Moreover, the project is consistent with *Policy MC – 1.2.4: New Parks* and *Policy MC – 1.2.5: Neighborhood Greening*, which state that the “dearth of parks in the Mid-City area is a serious problem that must be addressed as its population grows.” In response, the Project will incorporate significant new open spaces and will undertake greening and planting projects along the streetscape.

More specifically, the Applicant notes that the PUD is consistent with *Policy UD-2.2.7: Infill Development*, since it is an infill development that is not overpowering in terms of scale, height, and density. The proposed building heights and densities are consistent with other existing and approved buildings in the surrounding area, particularly those along Georgia Avenue, which include PUDs that have been approved at up to 90 feet and up to 5.95 FAR. See Sheets G02-03 of Ex. 6A.

The PUD is also consistent with *Policy UD-2.2.8: Large Site Development*, which provides that new developments on large parcels should be carefully integrated with adjacent sites, and structures should be broken into smaller, more varied forms. In this case, the Applicant positioned the tallest and most dense building closest to the commercial corridor of Georgia Avenue, and positioned the lower-scale senior building and townhomes adjacent to the existing lower-scale residences to the west. The proposed buildings incorporate a variety of heights and step-downs, and the overall site incorporates new streets, open spaces, and a new street grid, which together will further help integrate the PUD into the surrounding environment and decrease perceived density. The proposed buildings massing are also consistent with the images set forth in Figure 9.13, which depicts the break-down of large structures into smaller, more varied forms.

Finally, the PUD is consistent with *Policy UD-2.2.9: Protection of Neighborhood Open Space*, which provides that infill development should respect and improve the integrity of neighborhood open spaces and public areas. The PUD embodies this policy by maintaining significant portions of the Subject Property as open space and incorporating landscaping and green streetscape elements throughout. Although not a part of the PUD application, the Applicant will engage in and support a community process to develop approximately 44,404 square feet of land area directly adjacent to the Subject Property as a new community park, which will be a permanent community amenity for the public to enjoy. Although the area of open space currently existing on the Subject Property will be reduced, *Policy UD-2.2.9* does not

prohibit the loss of open space, but rather provides that the reuse of open space should “improve the integrity” and usability of the open spaces, which the design for the PUD seeks to accomplish.

In this case, the Applicant proposes to locate the highest-density development at the northern portion of the Subject Property, leaving the future community park as open space. The Commission has previously found that it is through the “flexibility afforded by the PUD process [that] the proposed density can be appropriately distributed across the PUD Site.” *See* Z.C. Order No. 13-14, Finding of Fact No. 167, approving development on the McMillan Sand Reservoir site. In this case, density on the Subject Property will be appropriately distributed by concentrating the higher-density buildings to the north in order to leave other portions as open space. This “trade-off” for providing open space is the “concentration of height and density” at the northern portion of the Subject Property. *See* Z.C. Order No. 13-14, Finding of Fact No. 167.³ This proposed site configuration and clustering of development will significantly improve the integrity and usability of the open spaces.

Based on the foregoing, the proposed R-5-B and C-2-B Districts for the Subject Property are consistent with the Local Public Facilities designation given the surrounding uses, zone districts, neighborhood context, and nearby PUDs with similar heights and densities.

³ In Z.C. Order No. 13-14, the Commission found that “[t]he high-density zoning and corresponding building heights at the northern end of the site are appropriate given that they cluster the high intensity uses and largest buildings on the portion of the site adjacent to existing intensive uses with similar building heights, and allow the southern end of the site to remain open space and low-density residential uses.”