



**TO:** District of Columbia Zoning Commission

**FROM:** <sup>JLS</sup> Jennifer Steingasser, Deputy Director, Development Review & Historic Preservation  
Karen Thomas, Project Manager

**DATE:** November 3, 2017

**SUBJECT:** Public Hearing Report – ZC 17-10 – Consolidated PUD and Related Map Amendment from MU-3 to MU-5-A at 5127 -5121 Nannie Helen Burroughs Avenue, N.E. (Square 5196, Lot 17, 37, 805 and 814)

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## I. RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the application from the Warrenton Group for a consolidated Planned Unit Development (PUD) with a related map amendment from the MU-3 zone to the MU-5-A zone to construct an 86-unit multi-family residential building, 28 of which would be replacement housing for the Lincoln Heights and Richardson Dwellings communities.

Approval is also supported for the following flexibility requests:

- The proposed 86 residential units may be varied within the margins of +/- 10%, provided that the number of affordable units and the number of replacement units remain consistent with the contracted District agreement;
- The design shall employ the color-scheme upon approval of the application. Additional information regarding alternative materials should be provided at the hearing;
- The location of the design of interior components may vary, provided relief from roof structure requirements would not be required;
- Refinements may be made to exterior materials, details and dimensions, including belt courses, sills, bases, cornices, railings, roof, skylight, architectural embellishments and trim, venting, window mullions and spacing, or any other changes that otherwise do not significantly alter the exterior design to comply with the District of Columbia Building Code;
- Refinements to the streetscape design, subject to DDOT's approval;
- Signage: The font, message and color of the proposed signage may be altered provided the overall dimensions and signage materials shown on approved plans would not be changed; and
- From the loading requirements: 1, 12-foot wide, 20-foot long delivery space and a 30-foot long loading berth required: 1, 20-foot long delivery space provided.



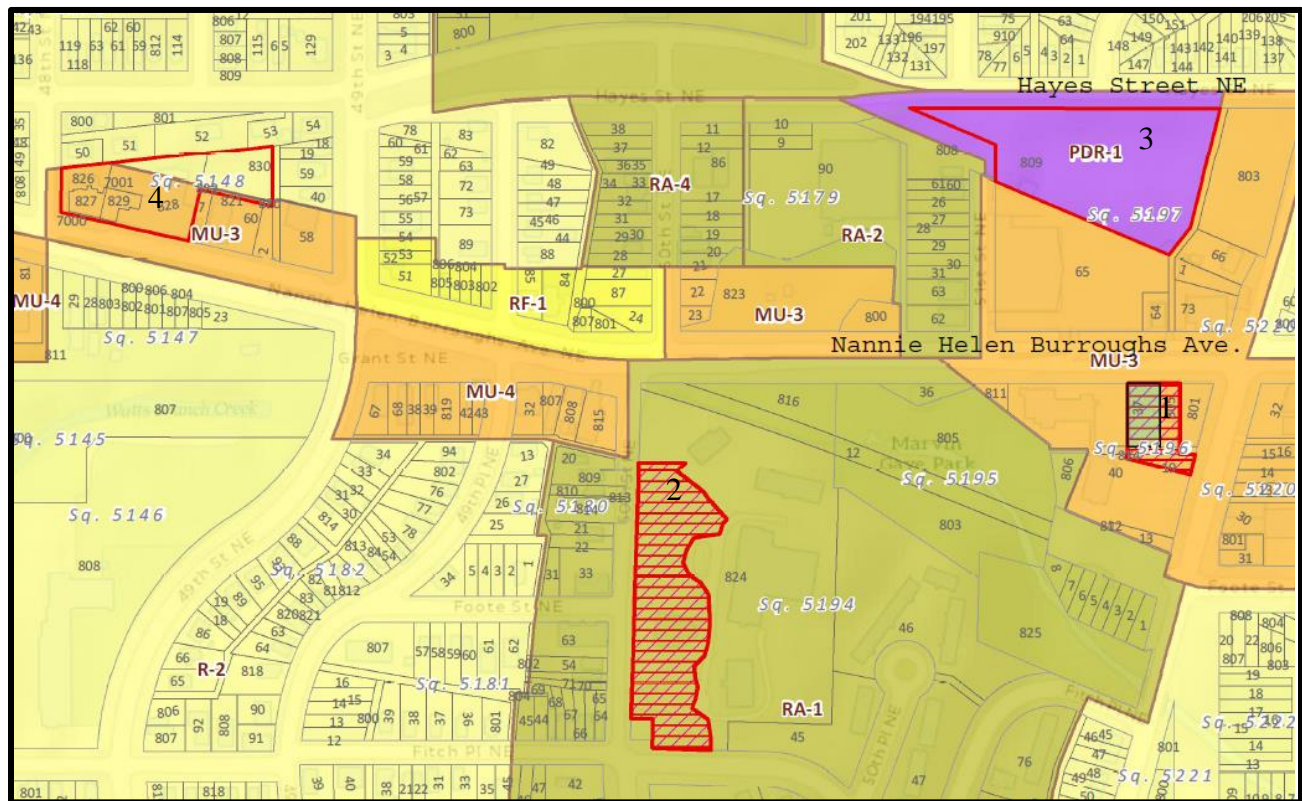
## II. APPLICATION-IN-BRIEF

<b>Location</b>	5127 – 5121 Nannie Helen Burroughs Avenue N.E.
<b>Property Size</b>	17,029 square feet (PUD Area)
<b>Current Zoning</b>	MU-3
<b>Proposed Zoning</b>	<a href="#">MU-5-A</a> – Provides for mixed-use development that permit a broad range of commercial, institutional, and multiple dwelling unit residential development at varying densities; Permits medium-density, compact mixed-use development with an emphasis on residential use; Provides facilities for shopping and business needs, housing, and mixed-uses for large segments of the District outside of the central core; and are located on arterial streets, in uptown and regional centers, and at rapid transit stops.
<b>Comprehensive Plan</b> Generalized Policy Map Future Land Use Map	Main Street Mixed-Use Corridor Mixed-Use/ Low Density Commercial: Moderate Density Residential
<b>Existing Use of Property</b>	A portion of the property to the south on Division Avenue is developed with a fast-food/carryout restaurant and along NHB Avenue there is a vacant one-story building.
<b>Proposed Use of Property</b>	Construction of a mixed-use building with five levels of residential apartments above-ground floor commercial uses fronting NHB Avenue; <u>Height</u> – 68 feet or 5 stories <u>Bulk</u> – 4.59 FAR; 78,216 sf; 86 units (+/- 10%) <u>Parking</u> – 19 spaces; <u>Bike Parking</u> : 31 long term; 7 short term <u>Loading</u> – 1 residential service platform – <a href="#">Relief requested</a> . <u>Uses</u> – 86 units: 71, 1-br; 15, 2-br; with a closed courtyard accessed from the second floor. 28 units would be set aside as replacement units for the Lincoln Heights/Richardson Dwellings properties controlled by DC Housing Authority (DCHA). <a href="#">All units would be affordable at 60% MFI for the life of the project.</a>
<b>Requested Flexibility</b>	<ol style="list-style-type: none"> <li>1. A PUD – related map amendment from MU-3 to MU-5-A;</li> <li>2. Relief from not providing a 30-foot long loading berth as required;</li> <li>3. To be able to provide a range in the number of residential units +/- 10%;</li> <li>4. To vary location and design of interior components...provided there is no change to the exterior configuration of the building;</li> <li>5. To vary the final selection of exterior materials within the color ranges and material types as proposed, based on availability at time of construction; to make minor refinements to detailing; and other changes necessary to obtain a final building permit;</li> <li>6. To vary location, attributes and general design of the streetscape ...to comply with DDOT and public space requirements;</li> <li>7. To vary the font, message, logo of proposed signage; and</li> <li>8. To locate retail entrances according to needs of retail tenants.</li> </ol>

<p><b>Main Differences from Matter-of-Right</b></p>	<p>With the requested map amendment, the PUD-related MU-5-A zone would have a maximum 5.0 FAR where only a maximum of 1.4FAR is permitted under a PUD development in the existing MU-3 zone.</p>
<p><b>PUD Benefits and Amenities</b></p>	<p>The provision of all affordable and replacement housing for former Lincoln Heights/Richardson Dwellings residents and the associated renovation and adaptive reuse of the former Strand Theater building are the main public benefits of this project. Additional benefits are described subsequently in <a href="#">Section VI</a> of this report.</p>

**TABLE I**

For a full description of the proposal, refer to the OP setdown report (Exhibit 13), the Applicant’s initial statement and architectural drawings (Exhibits 4, 4A1 – 4A5) and its post-setdown submissions (Exhibits 19, 19A1...19A3).



**Site Location and Surrounding PUDs (with replacement housing for Lincoln Heights/Richardson Dwelling (LH/RD))**

1. PUD 17-10 – The Strand (28 units)
2. PUD 17-08 – Providence Place (35 units (PUD pending approval))
3. PUD 15-10 – Deanwood Hills (50 units (under construction – anticipated end 2018 Q1))
4. PUD 10-11 – The Nannie (23 units (existing))

### III. APPLICANT RESPONSES TO COMMENTS EXPRESSED AT SETDOWN

The application was setdown for a public hearing by the Zoning Commission (Commission) at the June 16, 2017 regularly scheduled public meeting. The Commission and OP expressed concerns and the applicant provided the following responses:

Setdown Comments (ZC/OP)	Applicant's Response	OP Comment
Building Design: Consider a revision of the façade and materials, including operable windows and balconies for a residential character.	The revised design with amended materials, inclusion of bays, balconies and operable windows are noted in Exhibit 28AA1 – Cover; Streetscape Elevations A14- A22	The applicant met or discussed changes with OP three times over the review period to refine the design, including the provision of bays consistent with a more residential character and other details. See <a href="#">Section VI</a> for additional comments.
Provide an improved plan set, including streetscape and on-street perspectives	The revised submission includes the requested perspectives. Exhibit 28AA1 Sheets A29, A30	The Commission will consider whether this is satisfactory.
Refinement of flexibility requests	The applicant offered the following: <i>To vary the final selection of the color of the exterior materials, within the color ranges reflected in the approved architectural drawings.... <u>And any other changes necessary to comply with all applicable D.C. laws ...or that are otherwise necessary to obtain a building permit.</u></i>	Based on comments by the ZC for similar requests, the following is preferred:  <i>"To make refinements to exterior materials, details and dimensions, including belt courses, sills, bases, cornices, railings, roof, skylight, architectural embellishments and trim, venting, window mullions and spacing, <u>or any other changes that otherwise do not significantly alter the exterior design to comply with the District of Columbia Building Code.</u>"</i>
Provide consistent data regarding the overall and affordable gross floor area (gfa).	The overall GFA for the PUD is 78,216 sf. Residential GFA 64,090 sf (60% AMI) and 22,359 sf for replacement housing.	Revised data is included in this OP report.
Provide a comprehensive transportation review (CTR) and transportation demand management (TDM) measures	A CTR was provided on October 11, 2017 (Exhibit 26A).	The applicant provided and DDOT will review the information; DDOT will provide a separate report and recommendation to the Commission on the CTR and TDM.
Information on whether the project would be LEED GOLD equivalent and a comparison with the Green Communities checklist	The PUD will be certified under the Enterprise Green Communities standards. The Green Building Act states that the Enterprise Green Communities standard	OP has no objection to the application of the EGC standards. However, a comparison was not included.

Setdown Comments (ZC/OP)	Applicant's Response	OP Comment
	was developed for affordable housing, and shall be used for projects with at least 15% District financing.	
Consideration of the provision of green roof and solar panels	Current plans (Exhibits 28AA1-AA3) include only green roof to date. The applicant stated to OP that the inclusion of solar panels are ongoing discussions with DOEE.	The applicant should elaborate on this aspect at the hearing.

**TABLE II**

**IV. PLANNING CONTEXT**

Title 11 Subtitle X § 304.4(a) requires that a PUD, inclusive of a map amendment, be not inconsistent with the Comprehensive Plan. This condition was evaluated in OP's preliminary report (Exhibit 13, pages 3 –6 and attached as reference). As discussed in that report, the proposed PUD meets this criterion and would not be inconsistent with the Comprehensive Plan's Generalized Future Land Use Map designation of moderate density residential and low-density commercial, the Generalized Policy Map designation of a Main Street Mixed-Use Corridor and the Guiding Principles of the Framework Element. It also is consistent with the Land Use, Transportation, Housing, Urban Design, and Environmental Elements; as well as the policies of the Far Northeast and Southeast Area Element.

The PUD also supports several policies of the Comprehensive Plan because of the PUD's relationship to the Lincoln Heights/Richardson Dwellings New Community Initiative. The PUD provides 28 replacement housing units for Lincoln Heights/Richardson Dwellings, as well as additional housing through the PUD. [Attachment A](#) details these Comprehensive Plan sections.

**V. ZONING - Existing and Proposed**

Item	Requirements			Proposed		
	MU-3 M-O-R	MU-3 PUD	MU-5-A PUD	Proposed MU-5-A PUD	Deviation from MU-3 M-O-R	*Flexibility Requested
<b>Lot Size (sq. ft.)</b> X § 301.1	---	15,000 sf		17,029 sf (New lot proposed)	n/a	Complies
<b>Height (ft.)</b> G§ 403.1; X§ 303.7	40 ft., 3 stories	40 ft. max	90 ft. (IZ)	68 ft.	28 ft.	Complies
<b>Lot Occupancy</b> G§ 404.1	60% res. 100% comm.	60%	80% res. 100% comm.	76% res. 82% comm.	16%	Complies
<b>FAR</b> F § 402.1; X § 303.3	1.0 (1.2 with IZ) (1.0 comm.)	1.44 1.34 (comm.)	5.0 (total) 2.01 comm.	4.59	3.59	Complies
<b>GFA (sq. ft.)</b>	20,545.2 sf	24,654.24 sf		78,216 sf (64,090 sf residential) (14,126 sf retail)	57,671 sf	N/A
<b>Parking</b> C § 701.5	Res.: 1:3 units = 29 within ¼ ml of bus route Req'd/2 = 15 Retail; Less than 3,000 sf – 0 Comm. Space – less than 3,000 sf - 0			19	+4	N/A
<b>Bicycle Parking</b> C § 802	Res: 1 per 20 du. = 5 (short term) 1 per 3 du. = 29 (long term) Commercial: 1 per 10,000 sf = 1 (long term) 1 per 3,500 sf = 1 (short term) Community Space: 1 long term; 1(short term)		5 (short term) 29 (long term)  1,1 (long; short/term) 1,1 (long; short/term)	5 (short term) 29 (long term)  1, 1 (long; s/term) 1,1 (long; s/term)  Total = 38	None	Complies
<b>Loading</b> C § 902	Residential with <50 units 1 berth @30 ft. 1 platform@ 100 sf min. 1 service space @ 20ft.			1 platform @ 100 sf 1 service space @ 20ft	Service delivery space in lieu of loading berth.	<b>Requested</b>
<b>GAR</b> G § 407.1	0.3			0.3	-	Complies

**TABLE III**

**Flexibility**

- 1) PUD-related map amendment from the MU-3 zone to the MU-5-A zone:

Title 11 DCMR (Zoning), Subtitle G, § 400.2 states:

The MU-3 zone 400.2 The MU-3 zone is intended to permit low-density mixed-use development; and provide convenient retail and personal service establishments for the day-to-day needs of a local neighborhood, as well as residential and limited community facilities with a minimum impact upon surrounding residential development.

Title 11 DCMR (Zoning), Subtitle G, § 400.4 states:

The MU-5-A zone (a) Permit medium-density, compact mixed-use development with an emphasis on residential use; (b) Provide facilities for shopping and business needs, housing, and mixed-uses for large segments of the District of Columbia outside of the central core; and (c) Be located on arterial streets, in uptown and regional centers, and at rapid transit stops.

The MU-5-A zone would also be considered consistent with the moderate density residential land use designation of the striped Future Land Use Map under the guidance provided in applying the three tiers of planning previously discussed under OP's setdown report of Exhibit 13 (Referenced [here](#)).

OP supports the requested flexibility as it is not inconsistent with the Comprehensive Plan's Future Land Use Map.

- 2) Loading: The regulations require residential development of more than 50 units to provide a minimum of 1, 12-foot wide, 20-foot long delivery space and a 30-foot long loading berth. Relief is being requested for the 30-foot long berth as required. This space would serve both trash pick-up service providers, as well as residential loading operations. The applicant has included a loading management plan to mitigate the activities within the proposed space. The management plan includes a loading manager who will be on-duty during delivery hours with responsibility for coordinating move-in and outs (per leasing regulations) with residents; trash pick-ups and regulating idling in accordance with DDOT's requirements. OP anticipates that DDOT's report would comment on the adequacy of the proposed mitigation. OP has no objections to the relief, subject to DDOT's comments.
  
- 3) Within the context of the related map amendment, the proposed project seeks the following flexibility to vary:
  - The number of residential units (+/- 10%); OP has no objection but would reiterate that the number of affordable units, as well as the number of agreed to replacement units should remain consistent with the contracted District agreement and as proposed at setdown of the application;
  - The location of the design of interior components; OP has no concerns with this aspect, provided the approved exterior, including location of penthouses are not impacted to the extent that relief from the regulations could be required.
  - The final selection of exterior materials within the color ranges and minor refinement to details;

OP does not support this flexibility for potential future changes to the approved exterior materials, particularly if the materials are determined by the Commission to be a significant aspect of the PUD's design. The applicant must provide a sample of materials that could be used in lieu of the materials that would be approved as part of the PUD. The list of alternate materials must be included as part of the PUD's approval and order. In the alternative, the applicant should return to the Commission for approval of a

change in exterior materials which could be given consideration by the Commission as a modification of consequence or significance.

- Streetscape design - DDOT's comments would be requested and significant changes as determined by DDOT would require a modification of the approved PUD; and
- Signage - OP supports the simple design of the proposed signage. The applicant clarified that the font, message and color may be altered provided the overall dimensions and signage materials shown on approved plans would not be changed. OP does not object to this condition and would support the flexibility requested. (Exhibit 28AA2 Sheet A-32).

## VI. COMPLIANCE WITH PUD REGULATIONS

The purpose and standards for Planned Unit Developments ("PUD") are outlined in 11 DCMR, Subtitle X § 300 which states, "*The purpose of the planned unit development (PUD) process is to provide for higher quality development through flexibility in building controls, including building height and density, provided that the project offers a commendable number or quality of meaningful public benefits and that it protects and advances the public health, safety, welfare, and convenience, and is not inconsistent with the Comprehensive Plan*"

The requested PUD and related map amendment would allow a density increase of 3.59 FAR or 61,134.11 sf. A project may qualify for approval by being particularly strong in only one (1) or a few of the categories..., but must be acceptable in all proffered categories and superior in many. (X § 305.12). The Applicant has offered the following amenities and benefits to balance the additional development gained through the application process:

### *X § 305.5 (a) Superior urban design and architecture*

As previously stated in OP's setdown report, the applicant was asked by the Commission and OP to reconsider the façade as it had the appearance of an office building, did not scale itself to the adjacent theatre and the use of the large brick-colored panels made the building appear larger than it would be. The applicant consulted with OP's design staff to strengthen the design by expressing the two-story base to be more sympathetic to the adjacent Strand Theatre building; to reduce the scale of the façade by providing additional bays; to include operable windows and balconies for a more residential character and to express the top of building to add visual interest. The east façade was altered including the addition of small projections and balconies to realize a more residential aesthetic. (Exhibit 28AA1 – Sheet A21, A27, A29). The plan also provides residential amenity spaces expressed as a 28-foot wide inner courtyard, accessed from a resident's lounge on the second floor (Courtyard: Exhibit 28AA2, Sheet A-33). This floor also provides community space, a multi-purpose room and gym space for residents.

### *X § 305.5 (b) Superior Landscaping or Creation or Preservation of Open Space*

The infill project would improve the current pedestrian realm from its current state through the proposed design and the streetscape elements. The existing landscaping will be enhanced with street tree plantings (3 trees) and with perennials and evergreen plant materials to soften the building's frontage proposed along the property line. New

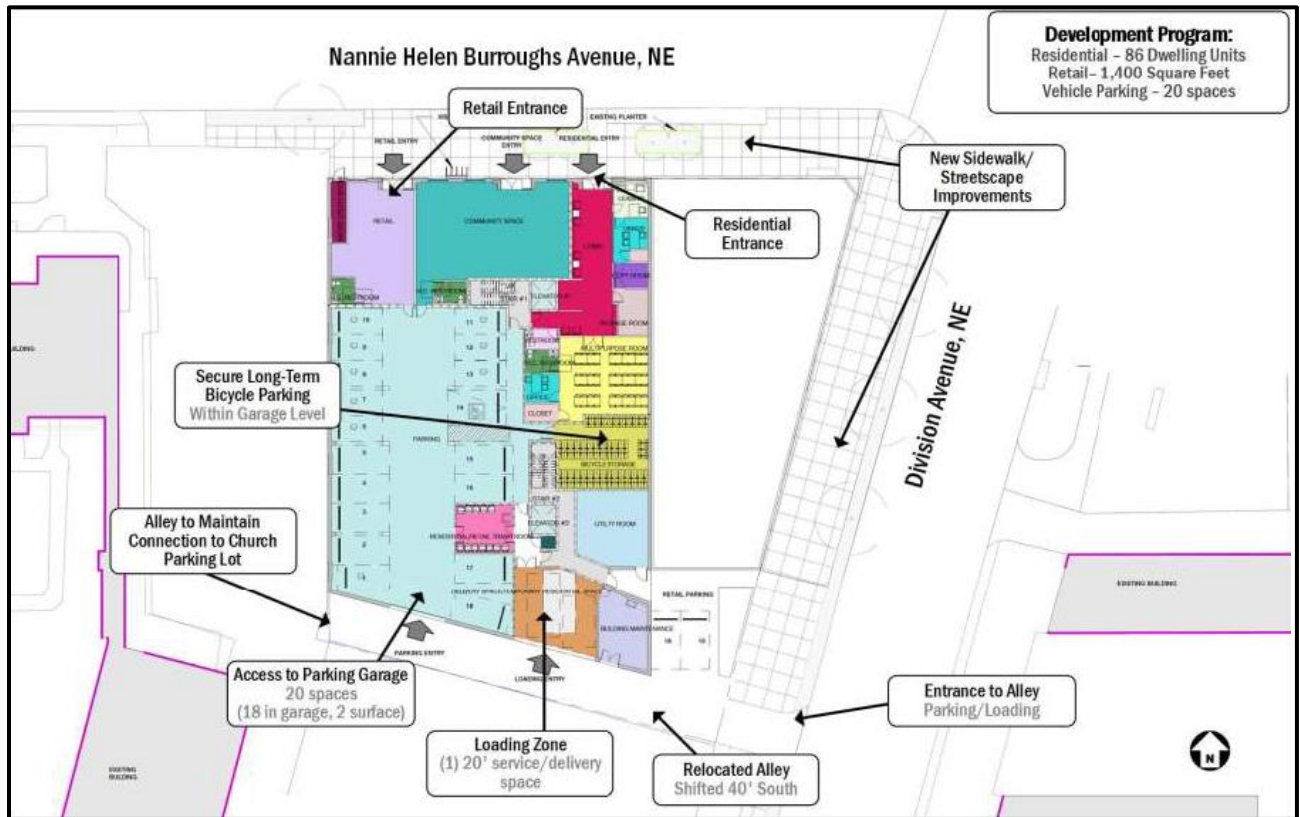


landscaping would introduce an improved streetscape to Nannie Helen Burroughs Avenue, consistent with current development in the city. The structure's design and placement on the site would present a streetwall consistent with buildings along a mixed-use main street corridor (Streetscape Details- Exhibit 28AA2, Sheet A31; Landscape Plan-Sheet CIV0800).

*X § 305.5 (c) Site planning, and efficient and economical land utilization*

The proposal would maximize use of an underutilized site located along a well-traveled bus route, including stops at the site for the V2, V4, X9 and W4 routes, and within a mile of a metro station (Benning Road to the southwest and Capitol Heights to the southeast), thereby providing multiple transit options. The Marvin Gaye Trail south of the site would also facilitate bikers and walkers to both Metro Stations from this location. Secured bike stations would be provided for 31 bikes (long term) in a dedicated storage room within the building. Vehicular access would be provided by one curb cut on Division Avenue, replacing the curb cut to the existing alley, and relocating it 40 feet south. The alley would maintain connection to the church parking lot, which abuts the site to the west.

Site Plan ([Comprehensive Transportation Review., Exhibit 26A](#) Figure 6 Page 16,)



Replacement housing would be located within the neighborhood where housing would be demolished, providing former residents the option to return to their neighborhood. The site is specifically referenced in the Lincoln Heights Revitalization Plan. The subject site's redevelopment would also support the proposed development of the Deanwood Town Center, an important element of the Small Area Plan. The town center's development proposal was recently submitted to the Commission ([ZC 17-19](#)) for setdown and eventual public hearing.

*X § 305.5 (f) Housing that:*

- (1) Exceeds the amount that would have been required through matter-of-right development under existing zoning;*
- (2) Includes senior housing; or*
- (3) Provides units with three (3) or more bedrooms;*

The project would provide affordable housing more than that required through a matter of right (see (g) below) and a total of 28 units of 1- and 2-bedroom units, as replacement housing for residents of Lincoln Heights/Richardson Dwellings.

<b>Unit Type</b>	<b>Replacement Units</b>	<b>LITHC</b>
<b>One Bedroom</b>	18	71
<b>Two Bedroom</b>	10	15
<b>Total</b>	28	86

**TABLE IV**

*X § 305.5 (g) Affordable housing;*

Development of the property as a matter of right would require:

- The greater of 10% of the gross floor area dedicated to residential use, including habitable penthouse space; or
- 75% of its achievable bonus density to inclusionary units;

It would yield approximately 6,400 square feet of IZ units (each) at 80% and 50% MFI (C§1003.1). This project would devote approximately 64,090 square feet of gross floor area to households with incomes not exceeding 60% of MFI. This is a greater number of affordable housing units at deeper levels of affordability, than would be attained as a matter-of-right. The affordable housing provided beyond the minimum IZ requirement is a benefit of the PUD. Per Subtitle C § 1001.6 (a) the IZ requirements of C § 1001 do not apply as the units would be classified as Exempt Affordable Units. The applicant will provide an approved covenant at the time of building permit as required for such exemptions per Subtitle C §1001.6(a)<sup>1</sup>.

*X § 305.5 (h) Employment and training opportunities*

A First Source Employment Agreement with the Department of Employment Services would be included in the project, as well as a Certified Business Agreement with the Department of Small and Local Business Development. Copies of the agreement are provided in the applicant's submission (Exhibit 4).

*X § 305.5 (k) Environmental and sustainable benefits to the extent they exceed the standards required by zoning or other regulations including, but not limited to:*

- (1) Storm water runoff controls in excess of those required by Stormwater Management Regulations;*

The lot would now include contemporary stormwater management controls where none currently exists, including 8,455 sf of green roof— Exhibit 28AA1, Sheet L100. The applicant was encouraged to consider the provision of solar panels and is committed to

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The requirements set forth in subparagraphs (1) and (2),..., shall be stated as declarations within a covenant approved by the District of Columbia.

continue to work with DOEE on financing the installation on the green roof (Exhibit 28AA2, Sheet CIV0710).

- (4) *Total green area ratio scores that exceed requirements by at least one-tenth (0.1); and;*

The total GAR for this project is stated as 0.326, where 0.3 is the minimum required for the MU-3 and the MU-5-A District.

- (5) *Meeting the minimum standards for Leadership in Energy and Environmental Design (LEED) Gold certification. The project does not have to achieve actual LEED certification; however, the developer must include the LEED checklist and documentation in the application, approved by a LEED Accredited Professional (LEED-AP) that shows that the project will comply with LEED requirements;*

The project is being designed and certified to exceed the requirements of the 2015 Enterprise Green Communities criteria. The Green Building Act states that the Enterprise Green Communities standard was developed for affordable housing, and shall be used for projects with at least 15% District financing. OP consulted with DOEE on the equivalency standard with LEED ratings.

DOEE's comments:

With regard to energy efficiency and Enterprise Green Communities (EGC), that rating system is an acceptable alternative to LEED for affordable housing projects but it does allow for tiered rating indicating a higher level of performance beyond code minimums.

The roof plan shows split-system heat pumps (condenser farm) which is not the most desirable system for small residential units. If the average unit size is about 600sf, the air sourced split systems units would be oversized and inefficient. The developer should consider variable refrigerant flow (VRF), mini-split system units. VRF units have fewer condensers, which allow more room for green roof for stormwater management or solar photovoltaic systems.

The applicant has agreed to continue working with DOEE throughout the permitting process to include their recommendations for energy efficiency in this project.

- X § 305.5 (1) *Streetscape plans, subject to approval by the Department of Transportation Public Space Committee including implementation and maintenance of the streetscape for the duration of the project for areas where there are no design standards;*

The streetscape plans would be designed to DDOT's public space standards. According to the applicant's report, most roadways within a quarter mile of the site provide sidewalks, cross walks and ramps along primary walking routes. Pedestrian facilities along the east and north perimeter of the site would be installed to meet or exceed the width requirements and additional design elements, including an alarm system would be integrated to warn pedestrians when vehicles are exiting the alley.

*X § 305.5 (q) Uses of special value to the neighborhood or the District of Columbia as a whole.*

The PUD process is “designed to encourage high quality developments that provide public benefits” and provides for a flexible process to attain this goal. With the degree of housing affordability to be provided, the benefits, amenities and proffers appear to be commensurate with the related map amendment and the requested flexibility. A summary of the projects benefits and amenities are included in the table:

<b>TABLE V ITEM</b>	<b>MITI- GATION</b>	<b>PUBLIC BENEFIT</b>	<b>PROJECT AMENITY</b>	<b>REQUIRED</b>	<b>PROFFER</b>
<b>Urban Design, Architecture</b> <i>X § 305.5(a)</i>	No	Yes	No	No	No
<b>Landscaping Open Space, Streetscape</b> <i>X §§ 305.5(b) and (l)</i> <i>(Where none currently exists)</i>	No	Yes	No	Yes	Partially
<b>Site Planning, Efficient Land Utilization</b> <i>X § 305.5 (c)</i>	No	Yes	Yes	No	No
<b>Housing and Affordable Housing</b> <i>X §§ 305.5 (f) and (g)</i> <i>(Affordability in excess of matter-of-right)</i>	No	Yes	No	Yes (by RFP)	Yes All units - replacement and other- all affordable at or below 60% MFI in excess of matter of right
<b>Employment and Training Opportunities</b> <i>X § 305.5 (h)</i>	No	Yes	No	Yes	No
CBE				Yes, by RFP	No
First Source				No	Yes
<b>Environmental Benefits – Sustainable Design Features</b> <i>X § 305.5 (k)</i> <i>(Solar panels included)</i>	Yes	Yes	No	No	Yes

TABLE V ITEM	MITI- GATION	PUBLIC BENEFIT	PROJECT AMENITY	REQUIRED	PROFFER
<p><b>Uses of Special Value to the Neighborhood</b>  <i>X § 305.5 (q)</i></p> <p>The Applicant has agreed to file renovate the Strand Theatre building east of the site.</p> <p>Commitment to the provision of new retail space for the existing China Garden restaurant.</p> <p>A community room in the building would be made available to the wider community.</p>	No	Yes	Yes	No	Yes

**VII. AGENCIES’ COMMENTS**

Project information was circulated to District agencies listed below and OP has had discussions about the project with DDOT, DOEE and the Department of Housing and Community Development. These discussions are reflected in this report.

- The District Department of Transportation (DDOT);
- The Department of Environment and Energy (DOEE);
- The Department of Housing and Community Development (DHCD);
- DC Office of Aging (DCOA);
- DC Public Schools (DCPS);
- DC Water; and
- DC Fire and Emergency Service (FEMS).

To date OP received comments from DOEE and DDOT’s transportation and policy staff. DDOT’s report is expected to file its written report separately to the record.

**VIII. COMMUNITY COMMENTS**

At its June 8, 2017 meeting the ANC 7C voted to recommend approval of the application including the benefits and amenities offered through the PUD. (Exhibit 16). The SMD 7C01 also submitted a letter in support (Exhibit 17).

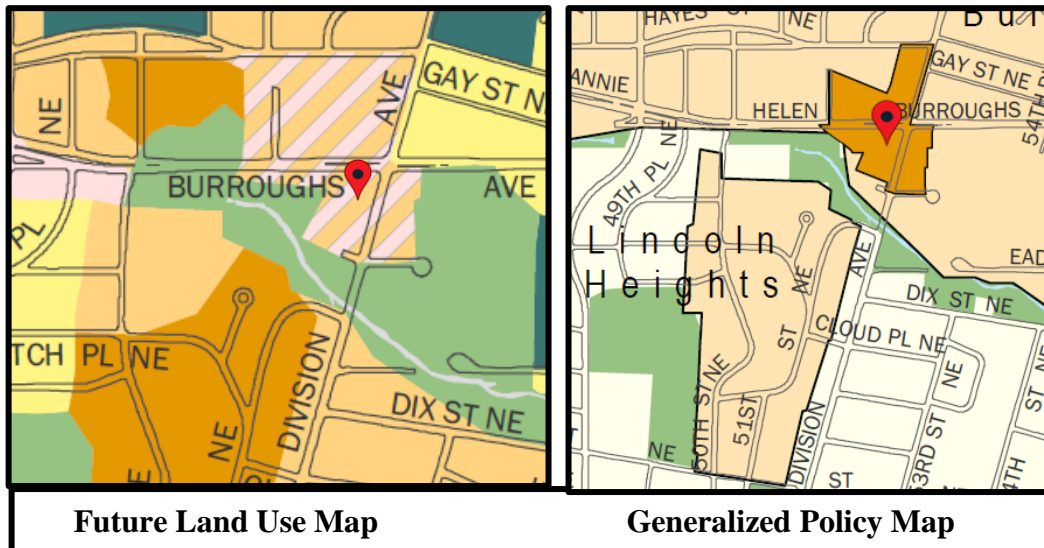
Attachment: Comprehensive Plan Maps and Guidance



**ATTACHMENT:**

**COMPREHENSIVE PLAN MAPS**

The Generalized Policy Map and Future Land Use Map are intended to provide generalized guides for development and conservation decisions.



**THE FUTURE LAND USE MAP**

The Future Land Use Map (FLUM) indicates that the property is appropriate for mixed-use, moderate density residential and low density commercial uses. The MU-5-A zone (previously the C-2-B zone in the 1958 zone regulations) is a moderate density commercial zone identified in § 225 of the Comprehensive Plan’s Citywide Element, where the FLUM categories are described in detail. In combination with section 225.21 of the Comp Plan text which reads:

*A variety of zoning designations are used in Mixed Use areas, depending on the combination of uses, densities, and intensities... Residential uses are permitted in all of the commercial zones, however, so many Mixed Use areas may have commercial zoning. 225.21*

the requested map amendment to the MU-5-A zone would not be inconsistent with the FLUM. The MU-5-A would permit moderate-density, compact mixed-use development with an emphasis on residential use. It would conform to the mixed-use category, where the site is located on a commercial corridor, “which does not contain a substantial amount of housing today, but where more housing is desired in the future.” The proposed 5-story building with a 0.2 commercial FAR and 4.41 residential FAR, would be well within the general PUD parameters of the mixed-use designation for moderate density residential and low density commercial uses.

## **THE GENERALIZED POLICY MAP**

The Generalized Policy Map shows the site in a Main Street Mixed Use Corridor<sup>2</sup> described as:

*“... traditional commercial business corridors with a concentration of older storefronts along the street. The service area for Main Streets can vary from one neighborhood (e.g., 14<sup>th</sup> Street Heights or Barracks Row) to multiple neighborhoods (e.g., Dupont Circle, H Street, or Adams Morgan). Their common feature is that they have a pedestrian-oriented environment with traditional storefronts. Many have upper story residential or office uses. Conservation and enhancement of these corridors is desired to foster economic and housing opportunities and serve neighborhood needs. Any development or redevelopment that occurs should support transit use and enhance the pedestrian environment.* 223.14

## **THE COMPREHENSIVE PLAN TEXT**

The proposed PUD and related map amendment must be determined by the Zoning Commission to be not inconsistent with the Comprehensive Plan. In Chapter 1, Introduction and Chapter 2, Framework Element, the Comprehensive Plan provides important instruction for how the various parts of the Comprehensive Plan, including the Citywide Elements, and the individual Area Elements, with Policy Focus Areas, are to be read and balanced, as well as how to incorporate additional direction provided in Council approved small area plans and other plans. In addition, these chapters of the Comprehensive Plan provide guidance for the use of the Generalized Policy Map and Future Land Use Map, and how they are intended to be balanced with other planning priorities and initiatives.

### **Chapter 1, Introduction,**

Chapter 1 talks to the relationship between the policies in the Comprehensive Plan:

#### ***The Three “Tiers” of Planning:***

*Since the late 1980s, the District has maintained a three-tiered system of city planning comprised of:*

- a. Citywide policies*
- b. Ward-level policies*
- c. Small area policies. 104.1*

*In the past, the Comprehensive Plan has been the repository for the citywide and ward-level policies. The small area policies, meanwhile, have appeared in separately bound “Small Area Plans” for particular neighborhoods and business districts. As specified in the city’s municipal code, Small Area Plans provide supplemental guidance to the Comprehensive Plan and are not part of the legislatively adopted document. 104.2*

#### **Tier Three: The Small Area Plans**

*As noted above, Small Area Plans are not part of the Comprehensive Plan. As specified in the DC Code, Small Area Plans supplement the Comprehensive Plan by providing detailed*

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<sup>2</sup> This portion of the site would not be disturbed for the development of the residential building.



*direction for areas ranging in size from a few city blocks to entire neighborhoods or corridors...*

104.8

## **COMPREHENSIVE PLAN ELEMENTS**

This project would further the Guiding Principles for Managing Growth and Change (Comprehensive Plan page 2-23, numbers 3, 4, 6 and 7), and for Creating Successful Neighborhoods (Comprehensive Plan page 2-24, numbers 10 and 15).

The proposed project would also be not inconsistent with many other written elements of the Comprehensive Plan. The Citywide Elements, Land Use, Transportation, Housing, Environmental, Urban Design and the Far Northeast Area Elements include policies and recommended actions which the proposal supports. The PUD also supports several policies of the Comprehensive Plan because of the PUD's relationship to the Lincoln Heights/Richardson Dwellings New Community Initiative. The PUD provides 28 replacement housing units for Lincoln Heights/Richardson Dwellings, as well as additional housing through the PUD.

### **Far Northeast and Southeast Area Element ("FNS")**

The Property is located in the Far Northeast and Southeast Area Element (FNS) of the Comprehensive Plan. There are several policies within the FNS Area Element, which encourage residential development as proposed.

*Renovation and rehabilitation of the housing stock should continue to be a priority, especially for the aging post-war apartment complexes and for developments with subsidized units. In some cases ... the best approach may be to replace deteriorated multi-family housing with new housing that better meets community needs.*<sup>1702</sup>

(d)

*While protecting established single family neighborhoods is a priority, Far Northeast and Southeast recognizes the need to provide a variety of new housing choices.* <sup>1707 (b)</sup>

### **FNS-1.1 Guiding Growth and Neighborhood Conservation <sup>2408</sup>**

***Planning and Development Priorities...****While protecting established single family neighborhoods is a priority, Far Northeast and Southeast recognizes the need to provide a variety of new housing choices. .. The commercially zoned land along the Nannie Helen Burroughs, Minnesota Avenue, and Pennsylvania Avenue "Great Streets" corridors also offer opportunities for somewhat denser uses than exist today. These areas may provide opportunities for apartments, condominiums, townhomes, assisted living facilities and other types*

*of housing, provided that measures are taken to buffer adjacent lower density neighborhoods, address parking and traffic issues, and mitigate other community concerns.*<sup>1707.2 (b)</sup>

***FNS-1.1.1: Conservation of Low Density Neighborhoods -*** *Ensure that the Comprehensive Plan and zoning designations for these neighborhoods reflect and protect the existing low density land use pattern while allowing for infill development that is compatible with neighborhood character.* <sup>1708.2</sup>

***FNS-1.1.2: Development of New Housing -*** *Encourage new housing for area residents on vacant lots....and on underutilized commercial sites along the area's major avenues... taking steps to ensure that the housing remains affordable for current and future residents.* <sup>1708.3</sup>

***FNS-1.1.3: Directing Growth*** - Concentrate employment growth in Far Northeast and Southeast, including office and retail development, around the Deanwood, Minnesota Avenue and Benning Road Metrorail station areas, at the Skyland Shopping Center, and along the Nannie Helen Burroughs Avenue, Minnesota Avenue, Benning Road, and Pennsylvania Avenue SE “Great Streets” corridors. Provide improved pedestrian, bus, and automobile access to these areas, and improve their visual and urban design qualities. These areas should be safe, inviting, pedestrian-oriented places. 1708.4

***FNS-1.1.4: Retail Development***- Support the revitalization of the neighborhood commercial areas listed in Policy FNS-1.1.3 with new businesses and activities that provide needed retail services to the adjacent neighborhoods and that are compatible with surrounding land uses. 1708.5

***FNS-1.2.6: Historic Resources***- Protect and restore buildings and places of potential historic significance in Far Northeast and Southeast, including Woodlawn Cemetery, the Antioch Baptist Church, the Shrimp Boat Restaurant, the Strand Theater, the Pennsylvania Avenue Commercial District between Minnesota and Alabama Avenues, the Minnesota/Benning Commercial District, and the Deanwood and Burrville neighborhoods. 1709.6

In addition to the Area Elements, the project furthers many other policies in the City Wide Elements:

### **Land Use Element**

#### ***LU-1.4: Neighborhood Infill Development*** 307.

*Infill development on vacant lots is strongly supported in the District of Columbia, provided that such development is compatible in scale with its surroundings and consistent with environmental protection and public safety objectives. In residential areas, infill sites present some of the best opportunities in the city for "family" housing and low-to-moderate-density development. In commercial areas, infill development can fill gaps in the streetwall and create more cohesive and attractive neighborhood centers.* 307.2

### **Housing Element**

***H-1.1 Expanding Housing Supply:*** Expanding the housing supply is a key part of the District’s vision to create successful neighborhoods... The District will work to facilitate housing construction and rehabilitation through its planning, building, and housing programs, recognizing and responding to the needs of all segments of the community. The first step toward meeting this goal is to ensure that an adequate supply of appropriately zoned land is available to meet expected housing needs. 503.1

***H-1.1.1: Private Sector Support*** Encourage the private sector to provide new housing to meet the needs of present and future District residents at locations consistent with District land use policies and objectives. 503.2

***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

**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

**H-2.1 Preservation of Affordable Housing**

Looking to the future, the city will need new programs to preserve its affordable stock, particularly its subsidized rental units. Rental housing comprises almost 60 percent of the housing stock and is the main housing option for those just entering the workforce and those without the initial resources to purchase a home. Low-income renters are already more likely to pay more than half of their incomes on housing than any other group. 509

**H-2.1.1: Protecting Affordable Rental Housing:** Recognize the importance of preserving rental housing affordability to the well-being of the District of Columbia and the diversity of its neighborhoods. Undertake programs to protect the supply of subsidized rental units and low-cost market rate units. 509.5

**H-2.1.5: Long-Term Affordability Restrictions:** Ensure that affordable housing units that are created or preserved with public financing are protected by long-term affordability restrictions and are monitored to prevent their transfer to non-qualifying households. Except where precluded by federal programs, affordable units should remain affordable for the life of the building, with equity and asset build up opportunities provided for ownership units. 509.9

**Environmental Protection Element**

**E-1.1.1: Street Tree Planting and Maintenance:** Plant and maintain street trees in all parts of the city, particularly in areas where existing tree cover has been reduced over the last 30 years. Recognize the importance of trees in providing shade, reducing energy costs, improving air and water quality, providing urban habitat, absorbing noise, and creating economic and aesthetic value in the District's neighborhoods. 603.4

**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. 603.6

**E-2.2.3: Reducing Home Heating and Cooling Costs:** Encourage the use of energy-efficient systems and methods for home insulation, heating, and cooling, both to conserve natural resources and also to reduce energy costs for those members of the community who are least able to afford them. 610.5

**E-2.2.5: Energy Efficient Building and Site Planning:** Include provisions for energy efficiency and for the use of alternative energy sources in the District's planning, zoning, and building standards. The planning and design of new development should contribute to energy efficiency goals. 610.7

**Economic Development**

**ED-2.2.3: Neighborhood Shopping:** Create additional shopping opportunities in Washington's neighborhood commercial districts to better meet the demand for basic goods and services. Reuse of vacant buildings in these districts should be encouraged, along with appropriately-scaled retail infill development on vacant and underutilized sites. Promote the creation of locally-owned, non-chain establishments because of their role in creating unique shopping experiences. 708.7

***Policy ED-3.1.1: Neighborhood Commercial Vitality:*** *Promote the vitality and diversity of Washington's neighborhood commercial areas by retaining existing businesses, attracting new businesses, and improving the mix of goods and services available to residents.* 713.5

### **Urban Design Element**

***UD-2.2 Designing for Successful Neighborhoods*** 910: *Not all neighborhoods have a strong sense of identity, however. Some are negatively affected by dilapidated buildings, poorly maintained properties, vacant storefronts, and worse. These problems may be exacerbated by the absence of landscaping and street trees. Infill development and the adaptive reuse of historic buildings in such areas create a real opportunity to establish a stronger identity, and to create neighborhood centers where they are lacking today.* 910.2

***UD-2.2.1: Neighborhood Character and Identity:*** *Strengthen the defining visual qualities of Washington's neighborhoods. This should be achieved in part by relating the scale of infill development, alterations, renovations, and additions to existing neighborhood context.* 910.6

***UD-2.2.5: Creating Attractive Facades:*** *Create visual interest through well-designed building facades, storefront windows, and attractive signage and lighting. Avoid monolithic or box-like building forms, or long blank walls which detract from the human quality of the street.* 910.12

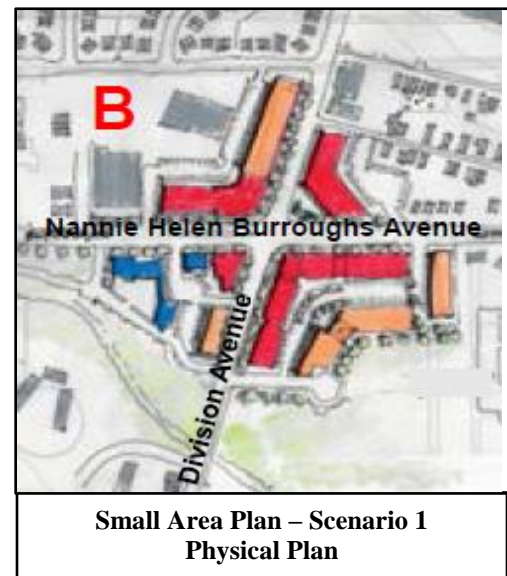
***UD-2.2.7: Infill Development:*** *Regardless of neighborhood identity, avoid overpowering contrasts of scale, height and density as infill development occurs.* 910.15

## **LINCOLN HEIGHTS/RICHARDSON DWELLINGS NEW COMMUNITIES REVITALIZATION PLAN (Small Area Plan):**

The redevelopment plan recognizes the project site as part of **Site B** projected for mixed-use development. The plan recommended a zone change to the C-2-B District (ZR 1958) (now MU-5-A) to support the plan's proposal for increased density including housing and retail in support of the town center concept for the Nannie Helen Burroughs/Division Avenue intersection<sup>3</sup>.

The Plan addresses the redevelopment of the Lincoln Heights neighborhood and states:

- *“The lack of publicly-owned land in the neighborhood can impact the development called for in this plan. As a result, implementation of this plan will require significant public-private partnership to develop private land or implement a public land assemblage. Options for new development under the plan include DCHA properties; public-private partnerships for land development at the Town Center site; other private developments; and such other public sites as those identified under the District’s Home Again Initiative, the Great Streets Initiative along Nannie Helen Burroughs Avenue, and at public school sites.”(New Communities: Lincoln Heights& Richardson Dwellings: Executive Summary – Page 2)*
- *Scenario 1- Baseline Plan*  
*Development at the Town Center site, to be constructed at the intersection of Nannie Helen Burroughs and Division Avenues, would include mixed-use buildings with multi-family residential (condominium/apartment) above retail and office space.* (NC: LH&RD SAP – Physical Plan- Page 22)
- *Scenario 2- Alternate Plan – Page 35*  
*Multi-family Apartments and Condominiums*  
*Multi-family buildings will be located in the Town Center as well as on both DCHA sites. The advantages and plan for using multi-family buildings are as follows:*
  - *More units (greater density) in areas that have special amenities like proximity to parks, shopping and mass transit.*
  - *Greater density on the flatter areas of irregular sites.*
  - *Opportunity for housing that can best accommodate residents with physical impairments, particularly those who cannot negotiate stairs.*
  - *More eyes on the street in areas that might otherwise be isolated.*



<sup>3</sup> <http://dnewcommunities.org/lincoln-heights-development/>

- **Zoning Changes - Page 37**

To accomplish the proposed development, certain zoning requirements governing the height, size and uses of buildings within the neighborhood will need to be revised, particularly related to density. The following images and explanations detail the zoning changes necessary to support the plan. Although the required zoning is shown by individual parcel, developers of each area are likely to consider re-zoning through the planned unit development (PUD) process.



- **Baseline Plan: Town Center**

The existing mix of uses near the Nannie Helen Burroughs and Division Avenues intersection is currently subject to a mix of R-2, C-1 and C-M-1 zones. Scenarios 1 and 2 identify this intersection as the major off-site development opportunity to support the proposed concentration of housing. This also provides an opportunity for the higher density of transit-oriented development in this otherwise residential community. An up-zoning from the mix of uses to C-2-B is required for the intersection to support the proposed concentration of housing. (This proposal must be reconciled with the District's new Comprehensive Plan, which calls for medium- and low-density residential on either side of Division Avenue, north of Nannie Helen Burroughs Avenue.)

Preliminary analysis shows approximately 336,000 square feet of developable land within the boundaries of the proposed town center site. Zoning within the boundaries currently includes R-2, R-5-B, C-1 (MU-3, ZR 2016) and C-M-1 zones. In terms of the number of units of housing desired for the site, an up-zoning to C-2-A would be sufficient to realistically meet the housing goals of the Revitalization Plan. Height restrictions under C-2-A, however, would make it difficult to maximize housing development while also meeting retail and parking demands. **Consequently, this plan calls for up-zoning the area to C-2-B zoning, which would result in capacity for the 566 new residential units within the Town Center (including over 189 replacement units).**

- **Development and Finance - Page 41, 42**

Residents were clear that the existing retail in the neighborhood fails to meet their needs for a high quality, enjoyable shopping experience. This plan, therefore, calls for the development of approximately 30,000 square feet of higher quality retail to be located in the new Town Center at the intersection of Nannie Helen Burroughs and Division Avenues. Residents recognized that sufficient support for this proposed new retail can only come from intensive new development of housing at the intersection.

- **Town Center at Nannie Helen Burroughs & Division Avenues – Page 43**

The area surrounding the intersection of Nannie Helen Burroughs and Division Avenues is one of the primary offsite development locations for the required replacement units. Most of the land is privately owned. As such, the District government will either have to establish partnerships with private and non-profit owners to develop their land in accordance with the Town Center program established in this plan, or the city will have to pursue acquisition of the land.