



TO: District of Columbia Zoning Commission

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

DATE: March 2, 2018

SUBJECT: Public Hearing Report – ZC 17-19 – Consolidated PUD and Related Map Amendment from MU-3 to MU-4 for 5110-5140 Nannie Helen Burroughs Avenue, NE (Square 5197, Lots 1, 64,65, 73)

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-4 zone to construct the Deanwood Town Center, a mixed-use development at 5110-5140 Nannie Helen Burroughs Avenue, NE.

Approval is also supported for the following flexibility requests:

- Rear yard requirement for Parcel 1: 15 feet required: 10 feet and 8 feet proposed;
- Side yard requirement for both parcels: 8 feet required: variable widths proposed, as shown on the zoning diagram of Exhibit 27A2, Sheet G11;
- Construction of the PUD in two phases, subject to additional clarity and time frames being provided prior to final action;
- The proposed 183 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 location of interior components may vary, provided relief from roof structure requirements would not be required;
- Refinements may be made to exterior details, including belt courses, sills, bases, cornices, skylight, trim, venting, window mullions or any other minor changes that otherwise do not significantly alter the exterior design to comply with the District of Columbia Building Code;
- To vary the location and attributes of the streetscape design, subject to DDOT's comments; and
- 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.

Additional information regarding requested flexibility for alternative exterior materials, roof plan and railings and architectural embellishment should be provided at the hearing.



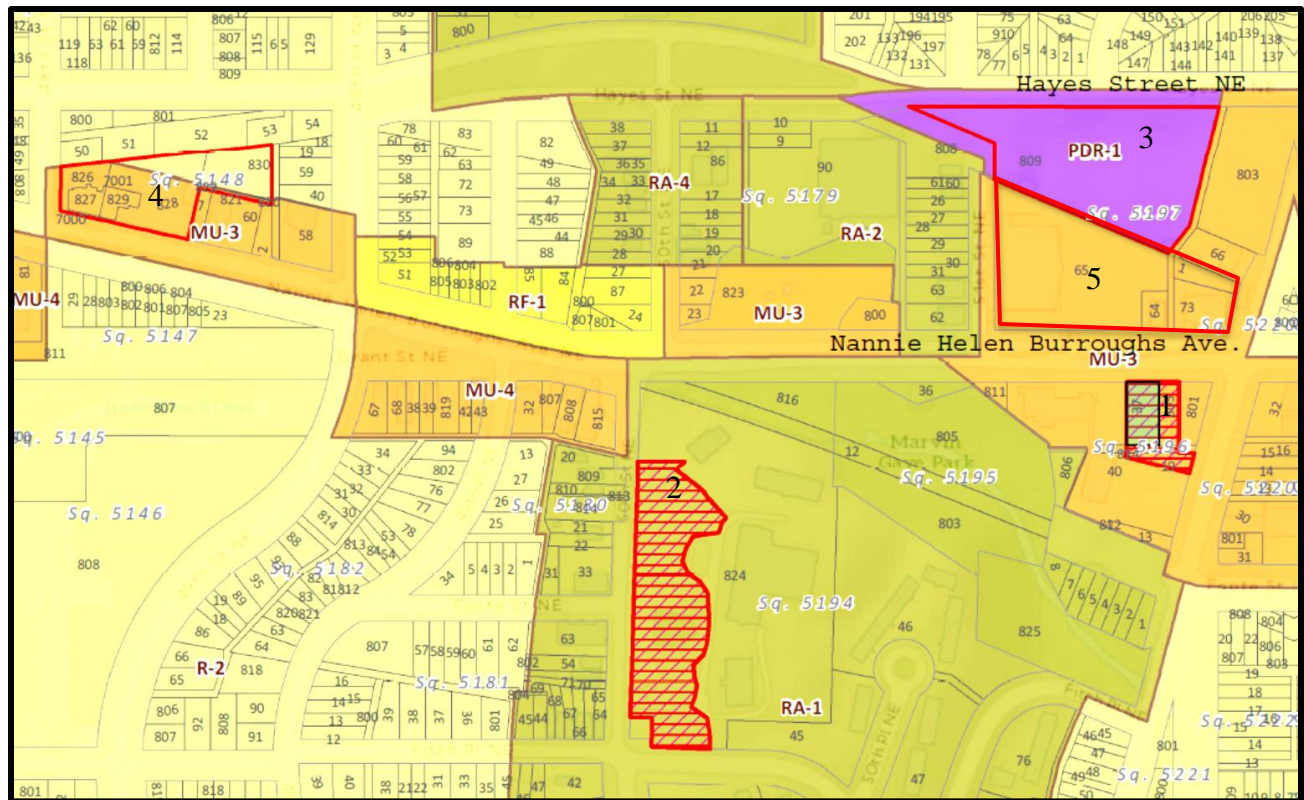
II. APPLICATION-IN-BRIEF

Location	5110-51140 Nannie Helen Burroughs Avenue NE																																							
Property Size	85,510 square feet (PUD Area)																																							
Current Zoning	MU-3																																							
Proposed Zoning	<p>MU-4 – Provides for mixed-use development that permit a broad range of commercial, institutional, and multiple dwelling unit residential development at varying densities; Permits moderate-density, mixed-use development; 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 in low-and moderate density residential areas with access to main roadways or rapid transit stops, and include office employment centers, shopping centers, and moderate bulk mixed-use centers.</p>																																							
Comprehensive Plan Generalized Policy Map Future Land Use Map	Main Street Mixed-Use Corridor Mixed-Use/ Low Density Commercial: Moderate Density Residential																																							
Existing Use of Property	The property is developed with a one-story church, a one-story restaurant on Parcel 1 and a 4-story health care facility on Parcel 2.																																							
Proposed Use of Property	<p>Construction of two mixed-use buildings on two parcels as follows;</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th rowspan="2"></th> <th colspan="2" style="text-align: center;">Proposal</th> </tr> <tr> <th style="text-align: center;">Parcel 1 71,891 sf</th> <th style="text-align: center;">Parcel 2 13,619 sf</th> </tr> </thead> <tbody> <tr> <td>Building Height (ft.)</td> <td style="text-align: center;">65 ft.</td> <td style="text-align: center;">63 ft.</td> </tr> <tr> <td>FAR</td> <td></td> <td></td> </tr> <tr> <td>Residential</td> <td style="text-align: center;">3.42</td> <td style="text-align: center;">2.88</td> </tr> <tr> <td>Retail</td> <td style="text-align: center;">0.14</td> <td style="text-align: center;">0.44</td> </tr> <tr> <td>Total</td> <td style="text-align: center;">3.56</td> <td style="text-align: center;">3.32</td> </tr> <tr> <td>GFA (sq. ft.)</td> <td></td> <td></td> </tr> <tr> <td>Residential</td> <td style="text-align: center;">179,000 sf.</td> <td style="text-align: center;">39,200</td> </tr> <tr> <td>Retail</td> <td style="text-align: center;">9,900 sf.</td> <td style="text-align: center;">6,000 sf.</td> </tr> <tr> <td>Total</td> <td style="text-align: center;">188,900 sf.</td> <td style="text-align: center;">45,200 sf.</td> </tr> <tr> <td>Residential Units</td> <td style="text-align: center;">151 units</td> <td style="text-align: center;">32 units</td> </tr> <tr> <td>Green roof</td> <td style="text-align: center;">26,600 sf.</td> <td style="text-align: center;">4,560 sf.</td> </tr> </tbody> </table> <p>61 units would be set aside as replacement units for the Lincoln Heights/Richardson Dwellings properties controlled by DC Housing Authority (DCHA). <u>Parking</u> – Parcel 1: 143 spaces- two-floor garage, Parcel 2: 3 surface spaces. <u>Bike Parking</u>: 31 long term; 7 short term (As required) <u>Loading</u> – As required by the regulations.</p>			Proposal		Parcel 1 71,891 sf	Parcel 2 13,619 sf	Building Height (ft.)	65 ft.	63 ft.	FAR			Residential	3.42	2.88	Retail	0.14	0.44	Total	3.56	3.32	GFA (sq. ft.)			Residential	179,000 sf.	39,200	Retail	9,900 sf.	6,000 sf.	Total	188,900 sf.	45,200 sf.	Residential Units	151 units	32 units	Green roof	26,600 sf.	4,560 sf.
	Proposal																																							
	Parcel 1 71,891 sf	Parcel 2 13,619 sf																																						
Building Height (ft.)	65 ft.	63 ft.																																						
FAR																																								
Residential	3.42	2.88																																						
Retail	0.14	0.44																																						
Total	3.56	3.32																																						
GFA (sq. ft.)																																								
Residential	179,000 sf.	39,200																																						
Retail	9,900 sf.	6,000 sf.																																						
Total	188,900 sf.	45,200 sf.																																						
Residential Units	151 units	32 units																																						
Green roof	26,600 sf.	4,560 sf.																																						
Requested Flexibility	1. A PUD – related map amendment from MU-3 to MU-4;																																							

	<ol style="list-style-type: none"> 2. Rear Yard: 15 feet minimum required; 8 feet 7 inches provided on Parcel 1 (in parts); 3. Side Yard: 10 feet 10 inches, minimum required; 8 feet provided on Parcel 1 and Parcel 2 on the west sides of the buildings on those parcels; 4. Construct the PUD in two phases; 5. To be able to provide a range in the number of residential units +/- 10%; 6. To vary location and design of interior components...provided there is no change to the exterior configuration of the building; 7. 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; 8. To vary location, attributes and general design of the streetscape ...to comply with DDOT and public space requirements; 9. To vary the font, message, logo of proposed signage; and 10. To locate retail entrances according to needs of retail tenants.
<p>Main Differences from Matter-of-Right</p>	<p>With the requested map amendment, the PUD-related MU-4 zone would have a maximum 3.56 FAR where only a maximum of 1.44 FAR is permitted under a PUD development in the existing MU-3 zone.</p>
<p>PUD Benefits and Amenities</p>	<p>The provision of market rate, affordable and replacement housing for former Lincoln Heights/Richardson Dwellings residents within the associated town-center concept are the main public benefits of this project. Additional benefits are described subsequently in Section VI of this report.</p>

TABLE I

For a full description of the proposal, refer to the OP setdown report ([Exhibit 13](#)), the Applicant's revised architectural drawings (Exhibits 16A) and its post-setdown submissions ([Exhibits 27, 27A1, through 27A5](#)).



Site Location and Surrounding PUDs

(with replacement housing for Lincoln Heights/Richardson Dwelling (LH/RD))

1. PUD 17-10 – The Strand (28 units) (Final Action January 10, 2018)
2. PUD 17-08 – Providence Place (35 units (Final Action November 27, 2017)
3. PUD 15-10 – Deanwood Hills (50 units (under construction – anticipated end 2018 Q1))
4. PUD 10-11 – The Nannie (23 units (existing))
- 5. PUD 17-19 – Current PUD - Deanwood Town Center (61 units)**

III. APPLICANT RESPONSES TO COMMENTS EXPRESSED AT SETDOWN

The application was setdown for a public hearing by the Zoning Commission (Commission) at the December 11, 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 bay projections for the town home design on 51 st Street, with canopies for individual units, low-rise fencing to indicate private spaces at the front of individual units, address numbers and clarity of material detailing on the ground floor.	The revised design with amended materials, inclusion of bays, balconies and railings are noted in the amended plans of Exhibit 27A1 through 27A4).	OP is satisfied the design was refined to provide some balconies, an entry canopy and low fencing typical of private yards and other details, consistent with a more residential character. See Section VI for additional comments.

Setdown Comments (ZC/OP)	Applicant's Response	OP Comment
Project Phasing needs to be clarified	The applicant repeated the request for construction to be permitted in two phases.	While OP has no objections to a phased development, the applicant should provide a time frame at the hearing or prior to final action.
Consideration of the provision of green roof and solar panels	The applicant met with DOEE on 2/14/2018 and discussed flood plain, solar panels as sustainable design features for the project. It was determined that the first floor of the project was set well above the level established by the regulations. The design team will review the rooftop plan to include solar panels atop a portion of the roof. DOEE also recommended that the applicant investigate installation of a VRF HVAC system, which they agreed to do.	OP is satisfied that DOEE is aware of the project's capability for solar panel installation and expects ongoing discussions with DOEE.

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, providing 61 replacement housing units for residents of LH/RDs, as well as additional housing, including market rate units through the PUD. [Attachment A](#) details these Comprehensive Plan sections.

V. ZONING - Existing and Proposed

Table III Item	Requirements			Proposed		
	MU-3 M-O-R	MU-3 PUD	MU-4 PUD	Proposed MU-4 PUD	Deviation from MU-3 M-O-R	*Flexibility Requested
Lot Size (sq. ft.) X § 301.1	1: 71,891 sf 2: 13,619 sf ---	Parcel 1: 71,891 sf Parcel 2: 13,619 sf	Parcel 1: 71,891 sf Parcel 2: 13,619 sf	Parcel 1: 71,891 sf Parcel 2: 13,619 sf	n/a	Complies
Height (ft.) G§ 403.1; X§ 303.7	40 ft., 3 stories	40 ft. max	65 ft. (IZ)	Building 1: 65 ft.: Building 2: 63 ft.	25 ft. 23 ft.	Complies

Lot Occupancy G§ 404.1	60% res. 100% comm.	60%	75% (IZ).	P1: 52%= 37,100 sf P1 2: 67% = 9,100	+7%	Complies
FAR F § 402.1; X §303.3	1.0 (1.2 with IZ) (1.0 comm.)	1.44 1.34 (comm.)	3.6 (total) 2.01 comm.	P 1: 3.56 Total 0.14 Non-res. P 2: 3.32 Total 0.44 Non-res.	P 1: -0.13 P 2: -0.28	Complies
GFA (sq. ft.)	102,612 sf.	91,502.36 sf		P 1: 256,000 sf. P 2: 45,200 sf Total: 301,200 sf.	+198,588 sf. +(2.32 FAR)	N/A
Parking C § 701.5	Parcel 1: Residential: 0.33 paces/du = 51 Retail: 1 sp./1,000sf in xs. of 3,000 sf. = 10 Parcel 2: Residential 10.7 req'd Retail: 6,000 x 1.33 = 8 (Exemptions from min. parking req't. per C § 702 (c) (4) within 0.25 mls of a priority corridor)			143	+113	N/A
Bicycle Parking C § 802	P1: Res: 1 per 20 du. = 8 (s/term) 1 per 3 du. = 51 (l/term) P1 Retail: 1 per 10,000 sf = 1 (l/term) 1 per 3,500 sf = 3 (s/ term) P2: Res: 11 (s/term); 1 (l/term) P2: Retail: 2 (s/term); 1 (l/term)	P1 Res: 51, 8 (long; short/term) P1 - Retail 1,3 (long; short/term) P2 Res 1,11 (long; short/term) P2 Ret: 1,2 (l/t; s/term)	Provided as required	None	Complies	
Loading C § 902	Parcel 1: 1 loading berth @ 12'x30' ; 1 platform @ 100 sf 1 service space @ 20' deep Parcel 2: Residential Loading not required Parcel 1: 1 loading berth @ 12'x30' : 1 platform @ 100 sf Parcel 2: 1 loading berth @ 12'x30' :1 platform @ 100 sf.			Parcel 1: As required Parcel 2: residential loading not req'd	None	Complies
GAR G § 407.1	0.3			0.3	-	Complies
Rear Yard G§ 405	15 ft. minimum			Variable <i>See Ex. A27 Sheet G11</i>		Requested
Side Yard G § 406	None required If provided 2" /ft. ht., not less than 5 feet			Variable – See Ex. <i>A27 Sheet G11</i>		Requested

Flexibility

- 1) PUD-related map amendment from the MU-3 zone to the MU-4 zone:

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

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, § 400.3 states:

The MU-4 zone (a) Permits moderate-density mixed-use development; (b) Provides 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) is generally located in low- and moderate-density residential areas with access to main roadways or rapid transit stops, and include office employment centers, shopping centers, and moderate bulk mixed-use centers.

The MU-4 zone would also be considered not inconsistent 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) Rear Yard: Subtitle G 405.1 requires a 15 feet minimum rear yard and on Parcel 1, the rear yard would measure 9 feet, 10 feet and 8 feet, in some areas as shown in the zoning Drawings of [Exhibit 27A Sheet G11](#). The rear yard in this case would abut the rear surface parking area of the recently developed Deanwood Hills residences approved under PUD 15-10. A retaining wall along the property line would separate the subject development from the abutting new residences to the north thus there should be no adverse impact due to light and air to units on the south elevation. OP has no objection to the requested relief.
- 3) Side Yard: Subtitle G 406.1 requires a side yard of 10 feet 6 inches, where only 8 feet would be provided on Parcel 1 and Parcel 2 ([Exhibit 27A Sheet G11](#)).
- 4) 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 interior components; OP has no concerns with this aspect, provided the approved exterior, including location of penthouses, is not impacted to the extent that relief from the regulations would be required.

- The final selection of exterior materials within the color ranges and minor refinement to details:

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.

- Construction Phasing - Phased construction is not unusual for a PUD, however a projected time frame and detail about the phasing should be provided at the public hearing ; 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 27A3 Sheet A30](#)).

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 an overall density increase of 2.32 FAR or 198,588 sf. and two stories of additional height. 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

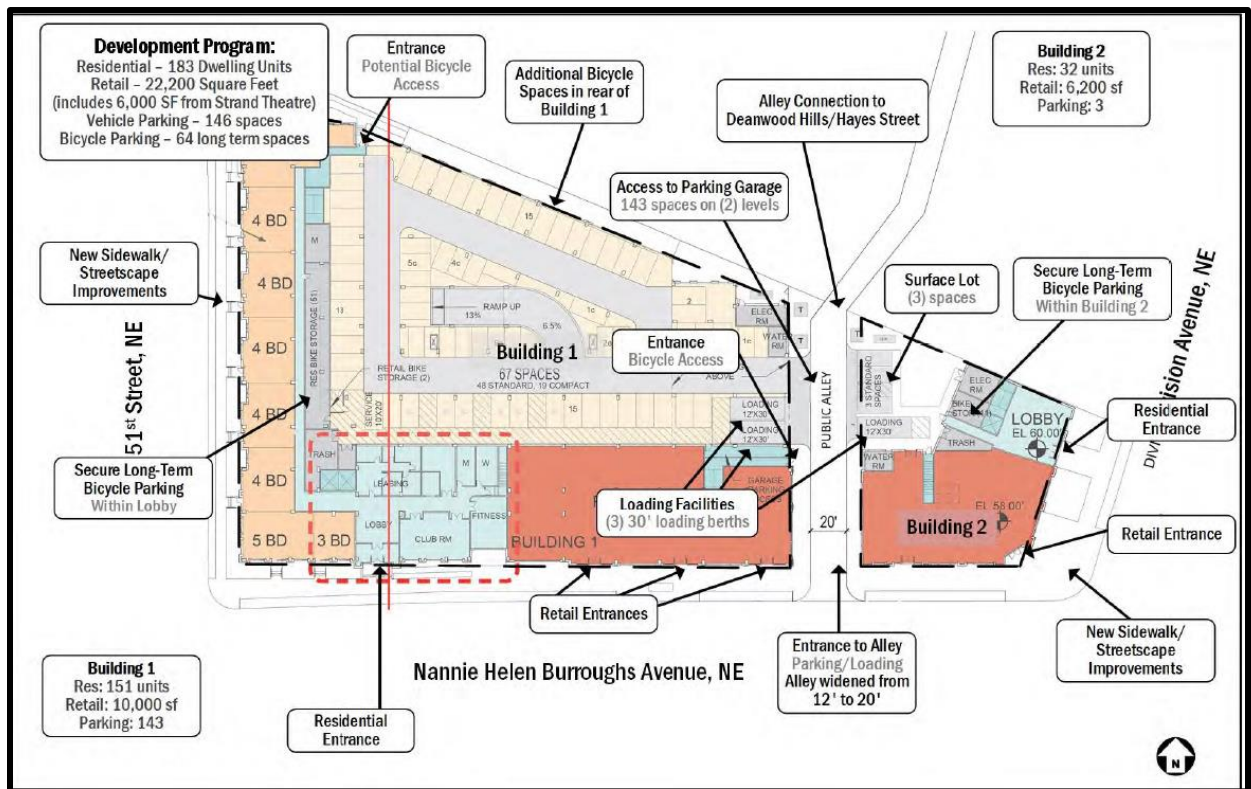
As previously stated in OP's setdown report, the applicant was asked by the Commission and OP to reconsider the façade by including more balconies, the appearance of private space along the 51st Street frontage for the town-home styled units, as well as a canopied entrance for the lobby to provide a more residential definition to the building. The applicant provided the requested features to refine the design and to realize a more residential aesthetic. ([Exhibit 27A3: Sheet A21, through A27](#)). Individual units off 51st Street will also have direct access to their units. The structure's design and placement on the site would also present a streetwall consistent with buildings along a mixed-use main street corridor. The plan also provides a residential recreation area expressed as an inner courtyard in excess

of 20,000 square feet, accessed from the second floor ([Courtyard: Exhibit 27A2, Sheet A03 and Exhibit 27A4, Sheet L02](#)). This is an amenity that functions both as a recreation area for residents, as well as an environmental feature of a green roof above the two-level parking structure below, which would absorb runoff and mitigate the heat island effect.

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

The infill project's proposed design and streetscape elements would improve the pedestrian realm from its current state, as could be observed in the context photos 3,4 6 and 7 of [Exhibit 27A1 Sheet G05](#) . New landscaping would introduce an improved streetscape to Nannie Helen Burroughs Avenue and to 51st Street where none exists or where curbs are non-existent in portions of the site's perimeter. Existing landscaping will be enhanced with new street tree plantings to soften the building's frontage according to DDOT's and ADA standards, consistent with current development in the city. ([Streetscape Details- Exhibit 27A4 Sheets L05, L06](#)).

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



Site Plan ([Comprehensive Transportation Review., Exhibit 22A 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 subject site's redevelopment is specifically referenced as the Deanwood Town Center, an important element of the Small Area Plan.

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 long term bike parking in a dedicated storage room within the building. Vehicular access would be provided utilizing the curb cut of the existing alley, between both parcels off Nannie Helen Burroughs Avenue. The 12-foot wide alley would be widened to 20 feet through a public easement and would connect with the driveway from the Deanwood Hills development up to Hayes Street. Loading and trash pick-ups for both parcels would also be facilitated via the alley.

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 40 units of 3-, 4- and 5-bedroom units, as replacement housing for residents of Lincoln Heights/Richardson Dwellings.

Unit Type	Replacement Units Affordable Non/IZ 30%AMI	(LITHC) 60% AMI	Market Rate	Unit Mix Total
1-Bedroom	12			84 (46%)
2-Bedroom	9			59 (32%)
3-Bedroom	32			32 (17%)
4-Bedroom	6			6 (3%)
5-Bedroom	2			2 (1%)
Total	61	104	18	183 (100%)

TABLE IV (See Exhibit 27 A2 Sheet G13)

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 10,210 square feet of IZ units at 80% and 50% MFI (C§1003.1). This project would devote approximately 192,690 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)¹.

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

Residential Unit Type	Floor Area/ % of Total*	Units	Income Type	Affordable Control Period	Affordable Unit Type	Notes
Total	214,100/ 100%	183	Mixed			
Affordable Non-IZ**	21,410/ 10%	18	Up to 60% of MFI	Life of the Project	Rental	Exempt Affordable Units Pursuant to Sub. C, Sec. 1001.6
Affordable Non-IZ / Replacement Units	70,650/ 33%	61	Up to 60% of MFI		Rental	Subject to HAP Contract with DCHA***
Affordable Non-IZ	122,040/ 57%	104	Up to 60% of MFI	Life of the Project	Rental	
Market	21,410/ 10%	18	Market	Life of the Project	Rental	

* Refers to the residential gross floor area, but the floor area may be adjusted to subtract the building core factor.

** If the IZ exemption is denied, these units will be Inclusionary Zoning units instead of Affordable Non-IZ units.

*** These will be replacement units for the Lincoln Heights and Richardson Dwellings communities. The HAP contract will determine the actual number of replacement unit and the control period for those units.

Unit Mix Building 1

UNIT	UNIT COUNT	%
1 BR	72	48%
2 BR	47	31%
3 BR	24	16%
4 BR	6	4%
5 BR	2	1%
Total	151	100%

Unit Mix Building 2

UNIT	UNIT COUNT	%
1 BR	12	37.5%
2 BR	12	37.5%
3 BR	8	25%
4 BR	-	0%
5 BR	-	0%
Total	32	100%

[Exhibit 27A2](#)
[Sheet G 13.](#)

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, page 15).

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 be developed with structural stormwater management controls where none currently exists, as well as 26,600 sf. of green roof on Building 1 and 4,560 sf. on Building 2. The applicant was encouraged to consider the provision of solar panels and is committed to continue to work with DOEE on this desired sustainable feature ([Exhibit 27A4, Sheet L07](#)).

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

The total GAR for this project meets the 0.3 minimum required for the MU-3 and the MU-4 zones. OP anticipates that this may increase if the applicant includes green roof installation, which is under discussion with DOEE.

(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 PUD will be certified under the Enterprise Green Communities standards and will use Enterprise Green Communities certification to meet the applicable Green Building Act Requirements. The Green Building Act states that the Enterprise Green Communities standard was developed for affordable housing, and shall be used for projects with at least 15% District financing.

DOEE's comments:

The Enterprise Green Communities (EGC) 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 District's floodplain regulations require residential uses be elevated to the design flood elevation, which is 18" above the base flood elevation. The base flood elevation for the Property has been confirmed with DOEE at elevation 54.50'. In this case, the entire first floor of the project (residential, retail, parking) is located at elevation 56.0', in compliance with the floodplain regulations. The project will also be serviced by above-grade electrical transformers.

As recommended by DOEE, the Applicant will consider the installation of solar panels on a portion of the roof of the project. The upper roofs of the project are designed with an extensive green roof system, while the large lower courtyard has been designed using a deeper intensive green roof system.

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 (l) 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:

TABLE V ITEM	MITI- GATION	PUBLIC BENEFIT	PROJECT AMENITY	REQUIRED	PROFFER
Urban Design, Architecture <i>X § 305.5(a)</i>	No	Yes	Yes	No	Yes
Landscaping Open Space, Streetscape <i>X §§ 305.5(b) and (l)</i> <i>(Where none currently exists)</i>	No	Yes	Yes	Yes	Partially
Site Planning, Efficient Land Utilization <i>X § 305.5 (c)</i>	No	Yes	Yes	Yes	No
Housing and Affordable Housing <i>X §§ 305.5 (f) and (g)</i> <i>(Affordability in excess of matter-of-right)</i>	No	Yes	No	Yes (by RFP)	Yes Up to 165 units - replacement and other- all affordable at or below 60% MFI in excess of matter of right
Employment and Training Opportunities <i>X § 305.5 (h)</i>	No	Yes	No	Yes	No
CBE, First Source	-	Yes	No	Yes, by RFP	No

TABLE V ITEM	MITI- GATION	PUBLIC BENEFIT	PROJECT AMENITY	REQUIRED	PROFFER
Environmental Benefits – Sustainable Design Features <i>X § 305.5 (k)</i> <i>(Solar panels may be included)</i>	Yes	Yes	No	Yes	Yes
Uses of Special Value to the Neighborhood <i>X § 305.5 (q)</i>					
Sustainable design – environmental benefits in a floodplain, where none existed	Yes	Yes	Yes	Yes	No
Commitment to the provision of new retail space for local businesses	No	Yes	Yes	No	Yes

VII. AGENCIES’ COMMENTS

OP has received comments from DOEE as referenced above. DDOT report is expected to file its written report separately to the record. Project information was also circulated to other District agencies, including:

- DC Public Schools (DCPS);
- DC Water; and
- DC Fire and Emergency Service (FEMS).

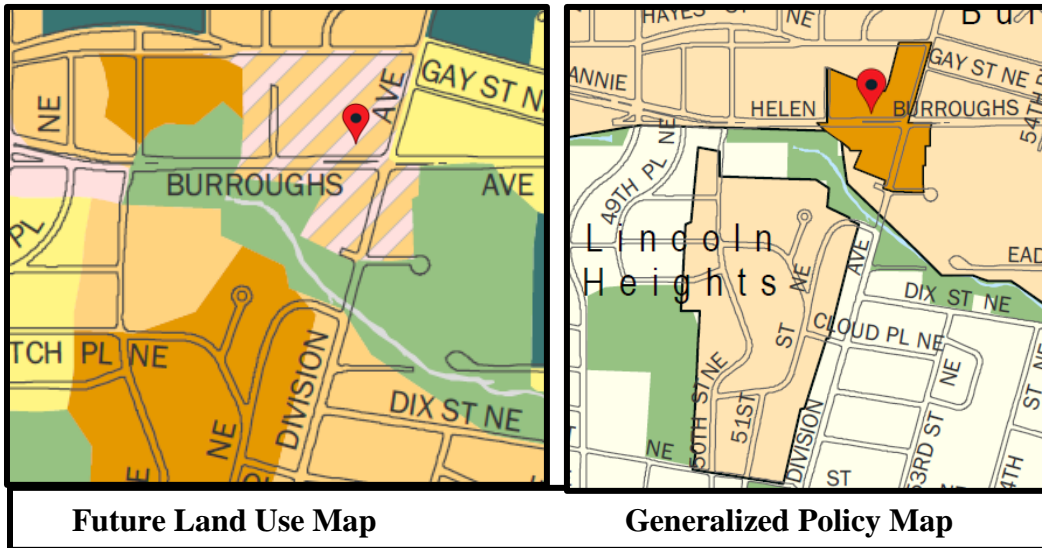
VIII. COMMUNITY COMMENTS

The applicant held several meetings with the community from October 17, 2017 through February 2018, including with the ANC 7C and local civic associations including the Deanwood Civic Association, the Far Southeast Civic Association and the Capitol View Civic Association. The ANC 7C’s regularly scheduled meeting will be held on March 8, 2018.

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-4 zone (previously the C-2-A zone of 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 § 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-4 zone would not be inconsistent with the FLUM. The MU-4 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 buildings with a maximum of 0.2 commercial FAR and 3.56 (max.) 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 Corridor² 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., 14th Street Heights or Barracks Row) to multiple neighborhoods (e.g., Dupont Circle, H Street, or Adams Morgan). Their common feature is that they have a pedestrian-oriented environment with traditional storefronts. Many have upper story residential or office uses. Conservation and enhancement of these corridors is desired to foster economic and housing opportunities and serve neighborhood needs. Any development or redevelopment that occurs should support transit use and enhance the pedestrian environment. 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

² 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 supports several policies of the Comprehensive Plan because of the PUD's relationship to the Lincoln Heights/Richardson Dwellings New Community Initiative. The PUD would provide 28 replacement housing units for Lincoln Heights/Richardson Dwellings, as well as additional housing.

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.*¹⁷⁰²

(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.^{1707 (b)}

FNS-1.1 Guiding Growth and Neighborhood Conservation 2408

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.^{1707.2 (b)}

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.^{1708.2}

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.^{1708.3}

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 intersection³ generally consisting of:

- Demolition of the Lincoln Heights Public Housing complex to be replaced with over 1,400 units of mixed-income housing; 30,000 square feet of commercial space and integration of the Lincoln Heights and Richardson Dwellings public housing properties within the larger community.

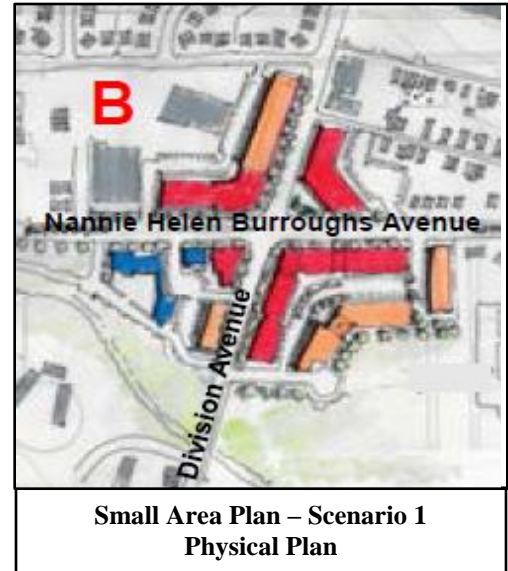
The Plan addresses the redevelopment of the Lincoln Heights neighborhood and states:

- *“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)

³ <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.