

## MEMORANDUM

**TO:** District of Columbia Zoning Commission  
*JLS*

**FROM:** Jennifer Steingasser, Deputy Director  
Development Review and Historic Preservation

**DATE:** December 7, 2018

**SUBJECT:** Setdown Report for ZC #18-21, Consolidated PUD and related Zoning Map Amendment from PDR-1 to MU-4, for the properties located at 3201 and 3135 8<sup>th</sup> Street NE (Square 3832, Lot 15 and Square 3835, Lot 804)

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### **I. SUMMARY RECOMMENDATION**

The Applicant, Hanover R.S. Limited Partnership, submitted a request for a consolidated Planned Unit Development (“PUD”) and related zoning map amendment for the properties located at 3201 and 3135 8<sup>th</sup> Street NE (the “Property”) to construct two residential buildings with 375 units. The height for both buildings would be 65 feet with 6 stories and a habitable penthouse on each building. The proposed GFA is 325,050 SF with a total FAR of 3.6. The combined properties’ (subject site) lot area is 90,293 square feet.

As described in Section V of this report, the proposed zoning and PUD would generally not be inconsistent with the maps and written elements of the Comprehensive Plan. As such, the Office of Planning **recommends the application be set down for a public hearing.**

The following information should be provided prior to a public hearing:

- An IZ unit location plan for the approximately 45 Inclusionary Zoning units
- Proposed lighting and signage plans
- Detailed plans for the “urban plaza” between the north and south buildings
- Additional information on the proffered benefits and amenities

The Applicant will provide a color and materials board for review at the public hearing.

### **II. APPLICATION IN BRIEF**

**Location:** Square 3832, Lot 15 and Square 3835, Lot 804  
The property at 3135 and 3201 8<sup>th</sup> Street N.E. is located on the east side of 8<sup>th</sup> Street between Kearny and Irving Streets which are to the northwest and southwest of the Property. WMATA tracks are located to the east of the property.

**Ward/ANC:** Ward 5, ANC 5E

**Applicant:** Hanover R.S. Limited Partnership

**Current Zoning:** PDR-1 - intended to permit Moderate-Density Commercial and Production, Distribution, and Repair activities

**Existing Use of the Property:**

The northern lot of the Property is improved with two warehouse buildings used for storage of construction equipment and supplies and a laydown yard used for construction vehicle storage. The southern lot of the Property is improved with a vacant industrial building.

**Comprehensive Plan Future Land Use Map Designation:**

Striped Low-Density Commercial and Moderate-Density Residential

**Property Size:** 90,293 square feet

**Proposal:** Together with a related map amendment to MU-4, the Applicant proposes to develop two residential buildings with 375 units. The height for both buildings would be 65 feet tall with 6 stories and habitable and mechanical penthouses on each building. The total proposed GFA is 325,050 SF with a total FAR of 3.6.

**Relief and Flexibility:** Pursuant to Subtitle Z, Chapter 3 of the DCMR 2016 Zoning Regulations, the Applicant seeks:

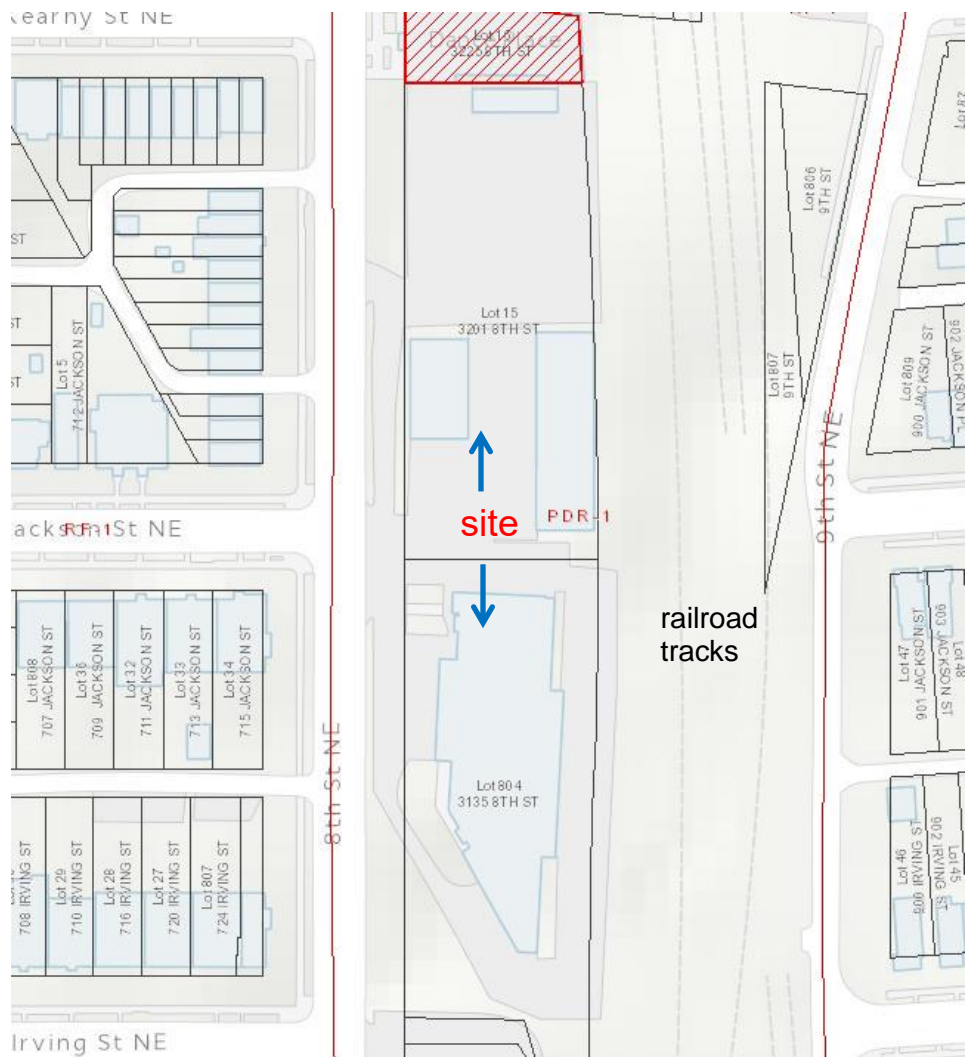
1. Consolidated PUD and related map amendment to the MU-4 District;
2. Technical flexibility to allow the GAR requirements to be satisfied based on the entire site;
3. Flexibility to provide a range in the number of units of 375 plus or minus 10%;
4. Flexibility to vary the location and design of all interior components, including amenities, partitions, structural slabs, doors, hallways, columns, stairways, and mechanical rooms, elevators, escalators, and toilet rooms elevators, provided that the variations do not change the exterior configuration of the building;
5. Flexibility to make refinements to the garage configuration, including layout, number of parking spaces, and/or other elements, so long as the number of parking spaces does not decrease below the minimum level required by the Zoning Regulations;
6. Flexibility to vary the final selection of the colors of the exterior materials based on availability at the time of construction, provided such colors are within the color ranges proposed in the Plans;
7. Flexibility to make minor refinements to the locations and dimensions of exterior details that do not substantially alter the exterior design shown on the Plans. Examples of exterior details would include, but are not limited to, doorways, canopies, railings, and skylights;
8. Flexibility to vary the font, message, logo, and color of the proposed signage, provided that the maximum overall dimensions and signage materials do not change from those shown on the Plans; and
9. Flexibility to vary the number and mix of inclusionary units if the total number of dwelling units changes within the range of flexibility requested, provided that the location and proportionate mix of the inclusionary units will substantially conform to the layout shown on the Plans.

More details related to the Applicant's requested flexibility can be found on pages 11-12 of Exhibit 2.

### III. SITE AND AREA DESCRIPTION

The subject site at 3135 and 3201 8<sup>th</sup> Street N.E. is located on the east side of 8<sup>th</sup> Street between Kearny and Irving Streets to the northwest and southwest of the Property. The development site consists of two properties and has a total land area of 90,293 square feet. The northern lot of the Property is improved with two warehouse buildings used for storage of construction equipment and supplies and a laydown yard used for construction vehicle storage. The southern lot of the Property is improved with a vacant industrial building.

Directly to the north of site is the site of PUD ZC #09-08 that includes the residential District Artspace Lofts and the Dance Place facility. As part of the PUD-related map amendment, that site was rezoned from PDR-1 to MU-5A (current zone equivalents). The WMATA tracks are located directly to the east of the property. Across 8<sup>th</sup> Street to the west is a residential neighborhood zoned RF-1. The adjacent property to the south is an equipment warehouse zoned PDR-1. The Brookland Metro Station is north of the subject property across Monroe Street NE. Further south along 8<sup>th</sup> Street are industrial warehouse buildings, a charter school and a bar.



#### **IV. PROJECT DESCRIPTION**

The proposal consists of a consolidated PUD and related map amendment to the MU-4 zone to develop two residential buildings with 375 units.

The residential development would have two buildings - a “north” and “south” building. The proposed breakdown of the 375 units is:

- Studio 10-15%
- 1 bedroom 50-65%
- 2 bedroom 20-30%
- 3 bedroom 1-5%

Both buildings’ lobbies would be accessed off a 5,150 SF landscaped entry plaza which would be located between the buildings and open to the public. Seven units in the north building and six units in the south building would be accessed directly from 8<sup>th</sup> Street.

Both buildings would be 65 feet tall with 6 stories and habitable and mechanical penthouses. The total proposed GFA is 325,050 SF with a total FAR of 3.6.

There would be balconies on the south, east, and west elevations of the north building and on the north, east and west elevations of the south building.

There would be residents’ courtyards on the 3<sup>rd</sup> floor of the south building and a rooftop pool on the 3<sup>rd</sup> floor of the north building. There would be a dog run behind the south building.

The proposed exterior cladding materials are dark and light brick, cementitious panels and a metal screen on the roof. There would be green roofs and solar panels on the roofs of both buildings.

At the north side of the north building there would be a new curb cut and driveway to access underground parking and loading. There would be 186 below grade parking spaces and loading for each building. There would be 125 long term bicycle spaces in a bicycle room in the parking garage.

In front of the building there would be a 10’ wide scored concrete sidewalk which would match and connect to the neighboring sidewalk to the north, landscaping including ornamental street trees, and racks for 20 bicycles.

37,200 SF (12%) of the building’s residential square footage would be designated as affordable housing with the following income breakdown in approximately 45 units:

- 13% at 80% MFI (4,836 SF)
- 67% at 60% MFI (24,924 SF)
- 14% at 50% MFI (5,208 SF)
- 6% at 30% MFI (2,232 SF)

The Applicant will provide an IZ unit plan prior to the public hearing showing unit size breakdown and location within the building.

#### **V. COMPREHENSIVE PLAN MAPS, POLICIES AND SUPPLEMENTAL GUIDANCE**

The proposed PUD must be determined by the Zoning Commission to be not inconsistent with the Comprehensive Plan and with other adopted public policies. The map amendment also should not be inconsistent with the Comprehensive Plan and other adopted policies.

The Comprehensive Plan's Generalized Policy Map describes the subject site as a Neighborhood Conservation Area. The Future Land Use Map indicates that Low Density Commercial and Moderate Density Residential uses would be appropriate on this site. The Brookland / CUA Metro Station Small Area Plan refined the vision for this area.

### **A. Future Land Use Map**

The Future Land Use Map designation for the Property is striped for Low-Density Commercial and Moderate-Density Residential. The MU-4 zone is not inconsistent with this designation. The FLUM does not show this property designated as PDR or with a PDR stripe.

*Moderate Density Residential: This designation is used to define the District's row house neighborhoods, as well as its low-rise garden apartment complexes. The designation also applies to areas characterized by a mix of single family homes, 2-4 unit buildings, row houses, and low-rise apartment buildings. In some of the older inner city neighborhoods with this designation, there may also be existing multi-story apartments, many built decades ago when the areas were zoned for more dense uses (or were not zoned at all). The R-3, R-4, R-5-A Zone districts are generally consistent with the Moderate Density Residential category; the R-5-B district and other zones may also apply in some locations.*

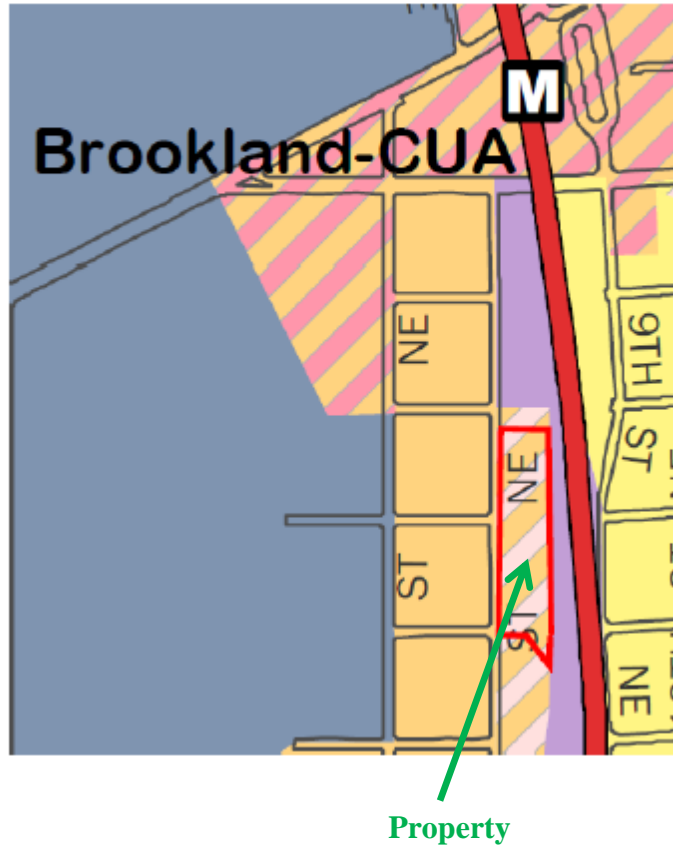
*Low Density Commercial: This designation is used to define shopping and service areas that are generally low in scale and character. Retail, office, and service businesses are the predominant uses. Areas with this designation range from small business districts that draw primarily from the surrounding neighborhoods to larger business districts uses that draw from a broader market area. Their common feature is that they are comprised primarily of one- to three-story commercial buildings. The corresponding Zone districts are generally C-1 and C-2-A, although other districts may apply.*

*The MU-4 zone is intended to:*

- (a) Permit moderate-density mixed-use development;*
- (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 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.*

**Future Land Use Map:  
Low Density Commercial/Moderate Density Residential**

**Comprehensive Plan  
Future Land Use  
Map 4**



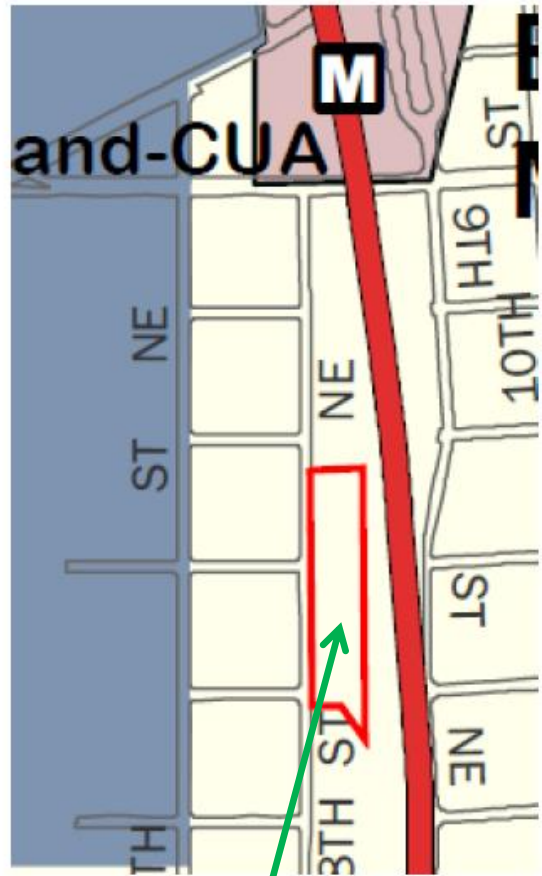
**B. Generalized Policy Map**

The Generalized Policy Map designates the Property as a “Neighborhood Conservation Area” and the proposed residential development is not inconsistent with this designation.

*Neighborhood Conservation areas have very little vacant or underutilized land. They are primarily residential in character. Maintenance of existing land uses and community character is anticipated over the next 20 years. Where change occurs, it will be modest in scale and will consist primarily of scattered site infill housing, public facilities, and institutional uses. Major changes in density over current (2005) conditions are not expected but some new development and reuse opportunities are anticipated. Neighborhood Conservation Areas that are designated “PDR” on the Future Land Use Map are expected to be retained with the mix of industrial, office, and retail uses they have historically provided. 223.4 The guiding philosophy in Neighborhood Conservation Areas is to conserve and enhance established neighborhoods. Limited development and redevelopment opportunities do exist within these areas but they are small in scale. The diversity of land uses and building types in these areas should be maintained and new development and alterations should be compatible with the existing scale and architectural character of each area. Densities in Neighborhood Conservation Areas are guided by the Future Land Use Map.*

**Generalized Policy Map**  
**Neighborhood Conservation Area**

**Comprehensive Plan  
 Generalized Policy**  
 Map 4



**Property**

**C. Small Area Plan and Comprehensive Plan Policies and Guidance**

**i. Brookland/CUA Metro Station Small Area Plan**

On March 3, 2009 the City Council adopted the Brookland / CUA Metro Station Small Area Plan (SAP). One goal listed in the SAP under “Development and Land Use Changes” is to “support long-term land use changes on industrially zoned land in the station vicinity particularly in the area immediately north of Michigan Avenue and in the area to the southwest along 8<sup>th</sup> Street.” The SAP gives specific direction to five different sub-areas and the subject site falls partially within the “Commercial Area South of Metro Station Sub-Area”, which extends south to Jackson Street. The vision for this sub-area is for “new residential and cultural uses woven into the neighborhood street fabric” (SAP, pg. 52). An image taken from the Plan and reproduced below shows a conceptual plan for the sub-area based on the Plan policies.





The SAP listed six sub-area policy recommendations (SAP, pg. 52):

*1 – Develop new residential uses, extending and integrating with the existing street fabric.*

The development of 325 residential units along 8<sup>th</sup> Street NE is in keeping with the SAP recommendation to create new residential uses. The new buildings would be directly across from residential buildings along the west side of Eighth Street NE and south of the Brookland Artspace Studios, a residential building.

*2 – Development south of Kearny Street should consist of low to moderate density residential and limited commercial or cultural facilities.*

The proposal is for moderate density residential development south of Kearny Street, which is consistent with this SAP recommendation.

*3 – Provide adequate parking but at low transit oriented development parking ratios.*

The Applicant proposes 186 parking spaces located in a garage beneath the new buildings.

*4 – Development south of Monroe Street to Kearny Street may be allowed up to 5 stories or a maximum of 60 feet through a Planned Unit Development, a discretionary approval by the District’s Zoning Commission. Building heights should taper down to transition to adjacent lower scale residential structures.*

The proposal would be located just south of Kearny Street. The proposed buildings have been designed to provide a transition to lower scale residential structures located across the street on the west side of the block.

*5 – Building facades facing a public street in the sub area should step back in height at a ratio of one half (1/2) to one above 50 feet. For example, for every 10 feet in height above 50 feet, the building façade should step back 5 feet from the building edge.*

The proposed buildings would adhere to this recommendation and are designed to provide a step back above 50 feet.

*6 – Integrate Metropolitan Branch Trail along 8<sup>th</sup> Street.*

The Applicant is working with DDOT to coordinate the plans for this development and plans for the Metropolitan Branch Trail and has proposed a 10 foot wide sidewalk along 8<sup>th</sup> Street at DDOT’s recommendation.

## **ii. Comprehensive Plan Policies**

The Property is located in the Upper Northeast Area Element of the Comprehensive Plan. There are policies within the Upper Northeast Area Element, as well as policies in the Citywide Framework which encourage optimal land use, transit-oriented development, housing, environmental protection, and urban



design. The proposed PUD is not inconsistent with the general major policies for the Property and immediate area.

### **Upper Northeast Area Element**

#### ***Policy UNE-1.1.3: Metro Station Development***

*Capitalize on the presence of the Metro stations at Rhode Island Avenue, Brookland/CUA, and Fort Totten, to provide new transit-oriented housing, community services, and jobs. New development around each of these three stations is strongly supported. The District will coordinate with WMATA to ensure that the design, density, and type of housing or other proposed development at these stations is compatible with surrounding neighborhoods; respects community concerns and feedback; serves a variety of household incomes; and mitigates impacts on parking, traffic, and public services. Development shall comply with other provisions of the Comprehensive Plan regarding the compatibility of new land uses with established development, the provision of appropriate open space, and mitigation of impacts on traffic, parking, and public services*

#### ***Policy UNE-2.6.1: Brookland/CUA Metro Station Area***

*Encourage moderate-density mixed use development on vacant and underutilized property in the vicinity of the Brookland/CUA Metro station, including the parking lot east of the station. Special care should be taken to protect the existing low-scale residential uses along and east of 10th Street NE, retain the number of bus bays at the station, and develop strategies to deal with overflow parking and cut-through traffic in the station vicinity.*

#### ***Policy UNE-2.6.3: Long-Term Land Use Changes***

*Support long-term land use changes on industrially zoned land in the station vicinity, particularly in the area immediately north of Michigan Avenue and in the area to the southwest along 8th Street. Consistent with the 2006 Industrial Land Use Study, the industrially zoned area within ¼ mile of the Metro station may be considered appropriate for long-term transition to more intense uses, including housing, live-work lofts, artists studios, and similar uses.*

The proposal is for residential development south of the Brookland Metro station. While the subject property is zoned for PDR use, it is currently identified on the Future Land Use Map for mixed use moderate density residential and low density commercial which is also the guidance provided in the SAP.

### **Framework Element**

The proposal would further the following guidance found within this element under “Managing Growth and Change: Guiding Principles”:

- (1) *Change in the District of Columbia is both inevitable and desirable. The key is to manage change in ways that protect the positive aspects of life in the city and reduce negatives such as poverty, crime, and homelessness.*
- (6) *Redevelopment and infill opportunities along corridors and near transit stations will be an important component of reinvigorating and enhancing our neighborhoods. Development on such sites must not compromise the integrity of stable neighborhoods and must be designed to respect the broader community context. Adequate infrastructure capacity should be ensured as growth occurs.*
- (7) *Growth in the District benefits not only District residents, but the region as well. By accommodating a larger number of jobs and residents, we can create the critical mass needed to support new services, sustain public transit, and improve regional environmental quality.*

- (10) *The recent housing boom has triggered a crisis of affordability in the city, creating a hardship for many District residents and changing the character of neighborhoods. The preservation of existing affordable housing and the production of new affordable housing both are essential to avoid a deepening of racial and economic divides in the city. Affordable renter- and owner-occupied housing production and preservation is central to the idea of growing more inclusively.*

### **Land Use Element**

#### ***Policy LU-1.3.2: Development Around Metrorail Stations***

*Concentrate redevelopment efforts on those Metrorail station areas which offer the greatest opportunities for infill development and growth, particularly stations in areas with weak market demand, or with large amounts of vacant or poorly utilized land in the vicinity of the station entrance. Ensure that development above and around such stations emphasizes land uses and building forms which minimize the necessity of automobile use and maximize transit ridership while reflecting the design capacity of each station and respecting the character and needs of the surrounding areas.*

#### ***Policy LU-1.3.3: Housing Around Metrorail Stations***

*Recognize the opportunity to build senior housing and more affordable “starter” housing for first-time homebuyers adjacent to Metrorail stations, given the reduced necessity of auto ownership (and related reduction in household expenses) in such locations.*

#### ***Policy LU-1.3.4: Design To Encourage Transit Use***

*Require architectural and site planning improvements around Metrorail stations that support pedestrian and bicycle access to the stations and enhance the safety, comfort and convenience of passengers walking to the station or transferring to and from local buses. These improvements should include lighting, signage, landscaping, and security measures. Discourage the development of station areas with conventional suburban building forms, such as shopping centers surrounded by surface parking lots.*

#### ***Policy LU-2.1.11: Residential Parking Requirements***

*Ensure that parking requirements for residential buildings are responsive to the varying levels of demand associated with different unit types, unit sizes, and unit locations (including proximity to transit). Parking should be accommodated in a manner that maintains an attractive environment at the street level and minimizes interference with traffic flow. Reductions in parking may be considered where transportation demand management measures are implemented and a reduction in demand can be clearly demonstrated.*

The proposal is for residential development in close proximity to the Brookland Metro station. The Applicant proposes substantially more bike parking than required by zoning and the property is conveniently located on the Metropolitan Branch Trail. The Applicant would not provide RPP to residents and would provide limited parking beneath the building. The Applicant proposes new wide sidewalks in front of the buildings and plans for coordination with DDOT on future Metropolitan Branch Trail improvements.

### **Transportation Element**

#### ***Policy T-1.1.4: Transit-Oriented Development***

*Support transit-oriented development by investing in pedestrian-oriented transportation improvements at or around transit stations, major bus corridors, and transfer points.*

#### ***Policy T-2.3.1: Better Integration of Bicycle and Pedestrian Planning***

*Integrate bicycle and pedestrian planning and safety considerations more fully into the planning and design of District roads, transit facilities, public buildings, and parks.*

***Policy T-2.3.3: Bicycle Safety***

*Increase bicycle safety through traffic calming measures, provision of public bicycle parking, enforcement of regulations requiring private bicycle parking, and improving bicycle access where barriers to bicycle travel now exist.*

***Policy T-2.4.1: Pedestrian Network***

*Develop, maintain, and improve pedestrian facilities. Improve the city's sidewalk system to form a network that links residents across the city*

***Policy T-3.1.1: Transportation Demand Management (TDM) Programs***

*Provide, support, and promote programs and strategies aimed at reducing the number of car trips and miles driven (for work and non-work purposes) to increase the efficiency of the transportation system.*

The proposed building would have a secure bicycle parking room for 125 bicycles in the underground garage. The Applicant would install and improve sidewalks which would assist pedestrian connections. The Applicant is coordinating with DDOT on the plans for future improvements to the Metropolitan Branch Trail. If set down, the Applicant will provide details of a TDM program prior to the Public Hearing.

**Housing Element**

***Policy 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.*

***Policy H-1.1.3: Balanced Growth***

*Strongly encourage the development of new housing on surplus, vacant and underutilized land in all parts of the city. Ensure that a sufficient supply of land is planned and zoned to enable the city to meet its long-term housing needs, including the need for low- and moderate-density single family homes as well as the need for higher-density housing.*

***Policy 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.*

***Policy 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.*

***Policy H-1.2.7: Density Bonuses for Affordable Housing***

*Provide zoning incentives to developers proposing to build low- and moderate-income housing. Affordable housing shall be considered a public benefit for the purposes of granting density bonuses when new development is proposed. Density bonuses should be granted in historic districts only when the effect of such increased density does not significantly undermine the character of the neighborhood.*

***Policy H-1.3.1: Housing for Families***

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

The proposal is for 375 new residential units, including approximately 45 units of affordable housing with varying levels of affordability including some units offered at 30% and 50% MFI. This new housing would provide mixed-income housing in a desirable and accessible location. The Applicant should consider providing more larger family-sized units within the buildings.

## **Environmental Protection Element**

### ***Policy 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.*

### ***Policy 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.*

### ***Policy E-2.2.1: Energy Efficiency***

*Promote the efficient use of energy, additional use of renewable energy and a reduction of unnecessary energy expenses. The overarching objective should be to achieve reductions in per capita energy consumption by DC residents and employees.*

### ***Policy E-2.2.4: Alternative Energy Sources***

*Support the development and application of renewable energy technologies such as active, passive, and photovoltaic solar energy, fuel cells, and other sustainable sources. Such technology should be used to reduce the dependence on imported energy, provide opportunities for economic and community development, and benefit environmental quality. A key goal is the continued availability and access to unobstructed, direct sunlight for distributed-energy generators and passive-solar homes relying on the sun as a primary energy source.*

### ***Policy 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.*

### ***Policy E-3.1.1: Maximizing Permeable Surfaces***

*Encourage the use of permeable materials for parking lots, driveways, walkways, and other paved surfaces as a way to absorb stormwater and reduce urban runoff.*

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

### ***Policy E-3.2.1: Support for Green Building***

*Encourage the use of green building methods in new construction and rehabilitation projects, and develop green building methods for operation and maintenance activities.*

The Applicant proposes a LEED Gold building with a green roof, solar panels, permeable pavement, and new street trees, all features which would benefit the residents of the building and community as a whole. The Applicant expects the solar panels to generate approximately 1% of the energy for the development.

## **Urban Design Element**

### ***Policy 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.*

### ***Policy UD-2.2.4: Transitions in Building Intensity***

*Establish gradual transitions between large-scale and small-scale development. The relationship between taller, more visually prominent buildings and lower, smaller buildings (such as single family or row houses) can be made more pleasing when the transition is gradual rather than abrupt. The relationship can be further improved by designing larger buildings to reduce their apparent size and recessing the upper floors of the building to relate to the lower scale of the surrounding neighborhood.*

### ***Policy 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.*

### ***Policy UD-2.2.7: Infill Development***

*Regardless of neighborhood identity, avoid overpowering contrasts of scale, height and density as infill development occurs.*

### ***Policy UD-3.1.1: Improving Streetscape Design***

*Improve the appearance and identity of the District streets through the design of street lights, paved surfaces, landscaped areas, bus shelters, street 'furniture' and adjacent building facades.*

### ***Policy UD-3.1.2: Management of Sidewalk Space***

*Preserve the characteristically wide sidewalks of Washington's commercial districts. Sidewalk space should be managed in a way that promotes pedestrian safety, efficiency, comfort, and provides adequate space for tree boxes. Sidewalks should enhance the visual character of streets, with landscaping and buffer planting used to reduce the impacts of vehicle traffic.*

### ***Policy UD-3.1.3: Streetscape Design and Street Function***

*Use variations in lighting and landscaping to highlight and clarify the function of different streets. The design features of streets should make the city's circulation system easier to navigate and understand for residents and visitors.*

### ***Policy UD-3.1.4: Street Lighting***

*Provide street lighting that improves public safety while also contributing to neighborhood character and image.*

### ***Policy UD-3.1.5: Streetscape and Mobility***

*Ensure that the design of public space facilitates connections between different modes of travel, including walking, public transit, bicycling and driving. Bus shelters, benches, bicycle parking, safe pedestrian connections, and clear way-finding signage should be provided to facilitate multi-modal travels.*

***Policy UD-3.1.7: Improving the Street Environment***

*Create attractive and interesting commercial streetscapes by promoting ground level retail and desirable street activities, making walking more comfortable and convenient, ensuring that sidewalks are wide enough to accommodate pedestrian traffic, minimizing curb cuts and driveways, and avoiding windowless facades and gaps in the street wall.*

***Policy UD-3.1.11: Private Sector Streetscape Improvements***

*As appropriate and necessary, require streetscape improvements by the private sector in conjunction with development or renovation of adjacent properties.*

The Applicant proposes two buildings that would improve the street environment by providing landscaping, lighting, and a wide sidewalk that would connect to the existing sidewalk located to the north. The “urban plaza” between the north and south building would provide the residents access to the lobbies of both buildings. OP would encourage the Applicant to refine the plans so it more open and green and more inviting to the public. Additionally, the Applicant should reconcile the plans for the plaza in Sheet L03 with the renderings in Sheets A07, A08, A10.

**Arts and Culture Element**

***Policy AC-1.1.1: Enhancement of Existing Facilities***

*Preserve and enhance existing District-owned neighborhood arts and cultural spaces. Assist in the improvement of arts organizations’ facilities in order to enhance the quality and quantity of arts offerings.*

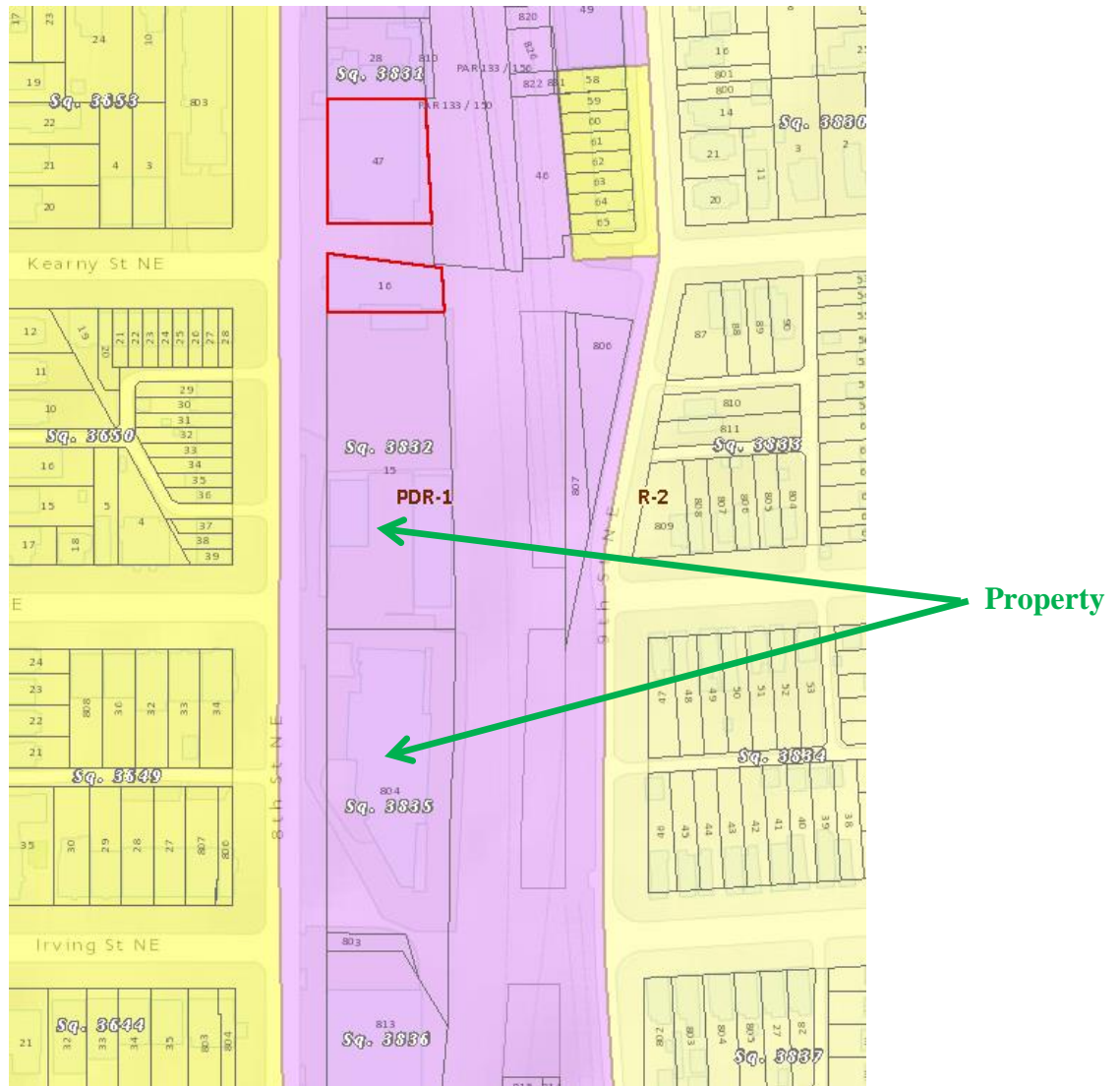
***Policy AC-2.2.2: Neighborhood Fairs***

*Encourage neighborhood festivals of appropriate scale and location to showcase local culture. Such festivals should be planned and managed in a way that does not adversely affect neighborhood health, welfare, and safety*

The Applicant’s proposed contributions to assist in funding Dance Place and the Edgewood Street Festival are in keeping with the goals and policies of the Arts and Culture element and the SAP’s cultural goals.

**VI. ZONING**

The Property is currently zoned PDR-1, which the regulations state “*is intended to permit moderate-density commercial and PDR activities employing a large workforce and requiring some heavy machinery under controls that minimize any adverse impacts on adjacent, more restrictive zones.*” The Applicant proposes that the property be zoned MU-4, which “*is intended to: (a) Permit moderate-density mixed-use development; (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 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 corresponds to the Moderate Density Residential and Low Density Commercial designations noted on the Future Land Use Map for this Property.



**Zoning Map**

Subject property currently zoned PDR-1; adjacent properties zoned PDR-1 and C-2-B/MU-5-A (PUD map amendment outlined in red) and RF-1 across 8<sup>th</sup> Street



The following table compares the existing matter-of-right development capacity of the PDR-1 and MU-4 Districts as well as the MU-4 PUD requirements:

	<b><u>Proposed</u></b>	<b><u>Allowed/ Required by PDR-1 Matter-of-Right</u></b>	<b><u>Allowed/ Required by MU-4 Matter-of-Right</u></b>	<b><u>Allowed/ Required by MU-4 PUD</u></b>
<b><u>Use</u></b>	Residential	Multifamily residential use prohibited	Residential	Residential
<b><u>Height *</u></b>	65' (both buildings)	50'	50'	65'
<b><u>Penthouse Height</u></b>	12' habitable; 18'6" mechanical	12' habitable; 15' mechanical	12' habitable; 15' mechanical	12' habitable; 18'6" mechanical
<b><u>Number of Units</u></b>	375	N/A	N/A	N/A
<b><u>FAR*</u></b>	3.6 for the entirety of the Site	2.0 restricted/ 3.5 permitted	3.0	3.6
<b><u>Square Footage</u></b>	325,050	180,586 restricted; 316,025.5 permitted	270,879	325,054.8
<b><u>Lot Occupancy*</u></b>	64.8%	No Maximum	75%	75%
<b><u>Rear Yard</u></b>	Varies, 15' Minimum	2.5' per 1' height; 12' minimum	15'	15'
<b><u>Side Yard</u></b>	17'; 50'; 11'; 13'	None required	None required; if provided 10.83'	None required; if provided 10.83'
<b><u>GAR</u></b> Technical flexibility required for location of GAR elements	0.3 for the entirety of the Site	0.3	0.3	0.3
<b><u>Open Courts</u></b>	Court A: 113' Court B: 40' Court C: 50' Court D: 50'	2.5" per 1' of height; 6' minimum	4" per 1' of height; 6' minimum Court A: 14.66' Court B: 21.66' Court C: 14.66' Court D: 14.66'	4" per 1' of height; 6' minimum Court A: 14.66' Court B: 21.66' Court C: 14.66' Court D: 14.66'
<b><u>Vehicle Parking</u></b>	186 spaces	62 spaces	62 spaces	62 spaces
<b><u>Bicycle Parking</u></b>	125 long term 20 short-term	88 long-term 19 short-term	88 long-term 19 short-term	88 long-term 19 short-term
<b><u>Loading</u></b>	2 berths @ 30' 1 s/d space @ 20' 2 platforms @ 100 sf	1 berth @ 30' 1 s/d space @ 20' 1 platform @ 100 sf	1 berth @ 30' 1 s/d space @ 20' 1 platform @ 100 sf	1 berth @ 30' 1 s/d space @ 20' 1 platform @ 100 sf
<b><u>IZ</u></b>	2,232 sf @ 30% MFI 5,208 sf @ 50% MFI 24,924 sf @ 60% MFI 4,836 sf @ 80% MFI Total=37,200 sf	No multifamily residential use permitted	29,241 sf @ 60% MFI 2,846 sf @ 50% MFI Total: 32,105 sf	29,241 sf @ 60% MFI 2,846 sf @ 50% MFI Total: 32,105 sf

\*Includes IZ bonus where applicable

## **VII. PUD EVALUATION STANDARDS AND PUBLIC BENEFITS AND AMENITIES**

### **PUBLIC BENEFITS AND AMENITIES**

The objectives of a PUD are to permit flexibility of development in return for the provision of superior public benefits, provided the PUD process is not used to circumvent the intent and purposes of the Zoning Regulations, or results in an action inconsistent with the Comprehensive Plan. The Applicant requests a PUD and related map amendment, which is not inconsistent with the Comprehensive Plan maps and policies as discussed in Section V.

The purpose and standards for Planned Unit Developments are outlined in 11 DCMR, Subtitle X, Chapter 3. The PUD process is intended to:

*“provide for higher quality development through flexibility in building controls, including building height and density, provided that a PUD:*

*(a) Results in a project superior to what would result from the matter-of-right standards;*

*(b) Offers a commendable number or quality of meaningful public benefits; and*

*(c) Protects and advances the public health, safety, welfare, and convenience, and is not inconsistent with the Comprehensive Plan” (§ 300.1).*

In order to approve the Consolidated PUD, the Commission must find that it would not be inconsistent with the Comprehensive Plan, would not result in unacceptable impacts on the area or on city services, and includes public benefits and project amenities that balance the flexibility requested and any potential adverse effects of the development (§§ 304.3 and 304.4).

Subtitle X Section 305 of the Zoning Regulations discuss the definition and evaluation of public benefits and amenities. *“Public benefits are superior features of a proposed PUD that benefit the surrounding neighborhood or the public in general to a significantly greater extent than would likely result from development of the site under the matter-of-right provisions of this title” (§ 305.2).* *“A project amenity is one (1) type of public benefit, specifically a functional or aesthetic feature of the proposed development that adds to the attractiveness, convenience, or comfort of the project for occupants and immediate neighbors” (§ 305.10).* Section 305.5 lists several potential categories of benefit proffers, and *“A project may qualify for approval by being particularly strong in only one (1) or a few of the categories in [that] section, but must be acceptable in all proffered categories and superior in many” (§ 305.12).* The Commission *“shall deny a PUD application if the proffered benefits do not justify the degree of development incentives requested (including any requested map amendment)” (§ 305.11).*

The Applicant has offered the following amenities and benefits as an offset to the additional development gained through the PUD application process. The applicable regulations of Subtitle G Section 305.3 for the “public benefits of the proposed PUD” are noted under each category heading.

#### **A. Building design, open space, and site planning**

*305.5 (a) Superior urban design and architecture;*

*305.5 (b) Superior landscaping, or creation or preservation of open spaces;*

*305.5 (c) Site planning and efficient and economical land utilization;*

## **B. Transportation improvements**

*305.5 (o) Transportation infrastructure beyond that needed to mitigate any potential adverse impacts of the application including, but not limited to, dedication and/or construction of a public street or alley; maintenance of a street median; or provision of a public easement for a pedestrian walkway that would not otherwise be required;*

The Applicant is working with DDOT on coordination of plans for improvements to the Metropolitan Branch Trail along 8<sup>th</sup> Street adjacent to the site.

## **C. Housing and affordable housing**

*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;*

*305.5 (g) Affordable housing; except that affordable housing provided in compliance with the Inclusionary Zoning requirements of Subtitle C, Chapter 22, shall not be considered a public benefit except to the extent it exceeds what would have been required through matter-of-right development under existing zoning. In determining whether this standard has been met, the Zoning Commission shall balance any net gain in gross floor area against any loss of gross floor area that would have been set aside for "low-income households" as defined in the Inclusionary Zoning requirements of Subtitle C, Chapter 10;*

The introduction of 325 new residential units is consistent with citywide planning goals to expand the housing supply. The Applicant proposes that only 1-5% of the units will have three bedrooms and OP encourages the Applicant to provide additional three-bedroom units as a public benefit per Subtitle C Section 305.5 (f) (3) above.

. The Applicant proposes 12% of the building's residential square footage designated as affordable housing for residents – 5000+ SF more than required and at a deeper level of affordability than required by zoning.

The Applicant proposes the following breakdown of the 45 affordable units:

- 13% at 80% MFI (4,836 SF)
- 67% at 60% MFI (24,924 SF)
- 14% at 50% MFI (5,208 SF)
- 6% at 30% MFI (2,232 SF)

## **D. Environmental benefits**

*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:*

- (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 would be designed to LEED Gold standards. The building would have rooftop solar panels that would generate approximately 1% of the energy for the development and green roofs. Should the Project be set down, the Applicant should continue to work with DOEE regarding possible additional site sustainability measures.

#### **E. Community contributions**

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

*305.5 (r) Other public benefits and project amenities and other ways in which the proposed PUD substantially advances the major themes and other policies and objectives of any of the elements of the Comprehensive Plan.*

The Applicant has worked with ANC 5E and the Edgewood Civic Association on the following proposed benefits and amenities package:

- 1.) \$75,000 to Dance Place's Energizers Program. The contribution will be \$25,000 per year for three years and will fund eight scholarships for camp, 20 weeks of job training for 14 teenagers, and five scholarships for the Energizers Afterschool Program.
- 2.) \$10,000 to Beacon House to support the summer camp in the Edgewood community, which serves approximately 90 children over five weeks. The contribution will cover the full cost of attendance for at least eight campers.
- 3.) The Applicant will contribute \$24,000 to a local nonprofit (to be determined) for the creation of an Edgewood Street Festival. The contribution would be spread out over three years (\$8,000 per year).
- 4.) The Applicant will contribute \$20,000 to a non-profit that supports the McKinley Tech Track Club (Fast Lane) to fund additional uniforms, meet fees, and specified travel expenses that are not currently covered by the Track Club's budget.
- 5.) The Applicant will contribute \$20,000 to 1way2rise, a 501(c)(3) non-profit, which will fund tutoring services that will occur during the construction of the Project.
- 6.) The Applicant will contribute \$50,000 to the Hope Community Charter School, which will fund a combination of: (i) the construction of a sensory playground on the south side of the school; (ii) resurfacing and painting the basketball courts; (iii) the addition of a new basketball hoop system and pull up bar; (iv) and green-scaping of the school's campus.

The Applicant will need to provide more detailed information about these contributions prior to the public hearing. For contributions # 2 and 3, the non-profit will need to be identified. For contributions # 1, 2, 4, 5, and 6 the Applicant has committed to providing proof to the Zoning Administrator that the items have been or are being provided prior to issuance of certificate of occupancy for the Project. For # 1 and 3, which would involve contributions over three years, the Applicant proposes to establish and fund an escrow account prior to the issuance of the certificate of occupancy for the Project. OP will work with the Applicant and the Office of the Attorney General to ensure that the Applicant's benefits package complies with 305.3 (d):

*305.3 All public benefits shall meet the following criteria:*

- (a) Benefits shall be tangible and quantifiable items;*
- (b) Benefits shall be measurable and able to be completed or arranged prior to issuance of a certificate of occupancy;*
- (c) Benefits may primarily benefit a particular neighborhood or area of the city or service a critical city-wide need; and*
- (d) Monetary contributions shall only be permitted if made to a District of Columbia government program or if the applicant agrees that no certificate of occupancy for the PUD may be issued unless the applicant provides proof to the Zoning Administrator that the items or services funded have been or are being provided.*

## **IX. AGENCY REFERRALS**

If this application is set down for a public hearing, the Office of Planning will refer it to the following government agencies for review and comment:

- Department of Energy and the Environment (DOEE);
- Department of Transportation (DDOT);
- Department of Housing and Community Development (DHCD);
- Department of Parks and Recreation (DPR);
- Department of Public Works (DPW);
- DC Public Schools (DCPS);
- Fire and Emergency Medical Services Department (FEMS);
- Metropolitan Police Department (MPD);
- Washington Metropolitan Area Transit Authority (WMATA); and
- DC Water.

## **X. COMMUNITY COMMENTS**

ANC 5E filed a resolution in support of the proposal (Exhibit 10). The Edgewood Civic Association voted to support the application (Exhibit 10).