

**MEMORANDUM**

**TO:** District of Columbia Zoning Commission  
**FROM:** *JL for* Jennifer Steingasser, Deputy Director, Development Review and Historic Preservation  
Stephen Cochran, Project Manager  
**DATE:** January 31, 2020  
**SUBJECT:** Preliminary Report for Zoning Commission Case No. 19-19, Consolidated Planned Unit Development, 3301 23<sup>rd</sup> Street, SE

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**I. RECOMMENDATION AND SUMMARY**

The Office of Planning (OP) **recommends the Zoning Commission set down** the application by Terrace Manor Redevelopment, LP for a consolidated Planned Unit Development (PUD) for the construction of an all-affordable 130-unit apartment building at 3301 23<sup>rd</sup> Street, SE (Square 5994, Lots 3 – 5).

The proposal would be not inconsistent with the Comprehensive Plan or with the amendments the Council adopted to the Plan’s Framework Element in late 2019. The filing generally meets the requirements of 11DCMR Subtitle X, Chapter 3 and the information provided appears to be sufficient for setting down the application.

The proposed project, as amended by the applicant’s December 17, 2019 filing (Exhibits 11 through 11A6) would replace 61 residential units in a vacant garden apartment complex with a single 4-story building containing 130 units reserved for households earning no more than 60% of the area’s MFI, and 52 enclosed parking spaces.

The primary benefit would be affordable housing and the extent of flexibility requested is relatively minor. Compared to the matter-of-right (MoR) maximums under the zone, the project would have an additional 0.19 FAR and 7 feet 7 inches of height.

The applicant’s December 17 filing responds to some of OP’s initial concerns. There are, however, additional considerations that OP would continue to work with the applicant on after setdown, including:

- Building and site design details;
- Investigating the provision of usable balconies;
- Adding an on-site outdoor gathering place or tot lot for residents;
- Details on funding sources for affordable units and duration of those units’ affordability;
- Employment opportunities that would be provided for DC residents; and
- Any additional issues raised by the Commission at setdown.

## II. SITE AND AREA DESCRIPTION

**Address:** 2201 23<sup>rd</sup> Street, NE  
**Legal Description:** Square 5994, Lots 3 – 5  
**Property Size:** 100,265 square feet  
**Current and Proposed Zoning:** RA-1  
**Ward, ANC:** Ward 8; ANC 8A  
**Comp. Plan Area:** Far Southeast and Southwest  
**Comp. Plan FLUM Map:** Moderate Density Residential  
**Comp. Plan Policy Map:** Neighborhood Conservation Area

**Site Characteristics:** The 2.3-acre property is irregularly-shaped and faces Savannah Street, SE on the south and 23<sup>rd</sup> Street, SE on the east. It slopes very steeply upward to the northwest. There is a building restriction line along both street boundaries.

**Existing Use of Property:** The property is improved with 61 residential units in 12 walk-up “garden apartment” buildings constructed in 1940s, and surface parking. Under the previous owner the buildings had fallen into disrepair. The current owner has relocated any remaining tenants to nearby apartments, and the buildings are fully vacant.

**Neighborhood Context:** The site is in the Randle Highlands neighborhood of Southeast Washington, across 23<sup>rd</sup> Street from park-like open space adjacent to Suitland Parkway. To the south, across Savannah Street is a neighborhood shopping center. At the crest of the hill, adjacent to the subject property, there is the Capital View YMCA and a park and playground owned and developed by the applicant’s parent company. North and west of the site are garden apartments owned and managed by subsidiaries of the same company that is seeking to redevelop the subject property

## III. PROJECT DESCRIPTION

	Proposal
<b>Building Height (ft.)</b>	47 ft. 7 in. 4 stories
<b>GFA (sq. ft.)</b>	127,400 sq. ft.
<b>Residential Units</b>	130 dwelling units

**Applicant:** Terrace Manor Redevelopment LP – (a W.C Smith affiliate)

**Proposed Use of Property:** The existing vacant garden apartments would be demolished and replaced with a four-story 130-unit apartment building with 52 enclosed parking spaces. The proposed building would include 65 one-bedroom, 54 two-bedroom, and 11 three-bedroom apartments.

The project would be financed through the Department of Housing and Community Development and the federal Low Income Housing Tax Credit (LIHTC) program. All units would be affordable to households earning no more than 60% of the MFI.

The affordability of the dwelling units would expire after 40 years. However, approximately 11 to 13 of the units would be required to remain affordable to families earning no more than 60 percent MFI pursuant to the Inclusionary Zoning (IZ) regulations.

The building would be L-shaped, with each arm being parallel to the adjacent street. A planted open space would continue up the hill behind the building. The loading and parking entrances and related facilities would be entered from Savannah Street. The parking/loading level would be primarily above-ground on Savannah Street, and below grade along much of 23<sup>rd</sup> Street. The “terrace” level, above the garage, would be a partial level due to the topography. There would be 25 apartments with some units being partially below grade. The next level would include the pedestrian entrance on 23<sup>rd</sup> Street, the lobby and residential amenities, and 33 apartments. The top two floors would each have 35 units.

The roof would include an 18,412 square foot green roof; Exhibit 11A4 Sheet 3-6 shows a solar array atop most of the roof. The remainder would have HVAC condensers. There would be one roof structure to accommodate an elevator overrun and a second structure for stair access; a roof deck or amenity space is not proposed.

The building would be faced in a variety of materials, including brick, cementitious siding, aluminum, CMU veneer and vinyl siding. (Exhibit 11A4 Sheet 3-9, Exhibit 11). While there would be 27 “Juliet” balconies on the street-facing facades, there would be no occupiable balconies, decks or on-site outdoor facilities. The residents would have access to the north-adjacent park and recreation facilities developed by W.C. Smith and depicted on Sheet 2-2 of Exhibit 11A2.

The proposal is essentially a revision of a project approved by the Board of Zoning Adjustments in 2018’s Case 19733. In that project the same developer had received approval for a similar 120-unit by-right project on this site. With the present application the developer has chosen to revise that project to a PUD in order to access greater-than-by-right height and density to accommodate more affordable 2-bedroom units than would have been provided under the BZA order. The applicant is not requesting a PUD-related map amendment or any zoning relief other than the PUD itself.

## **IV. PLANNING CONTEXT**

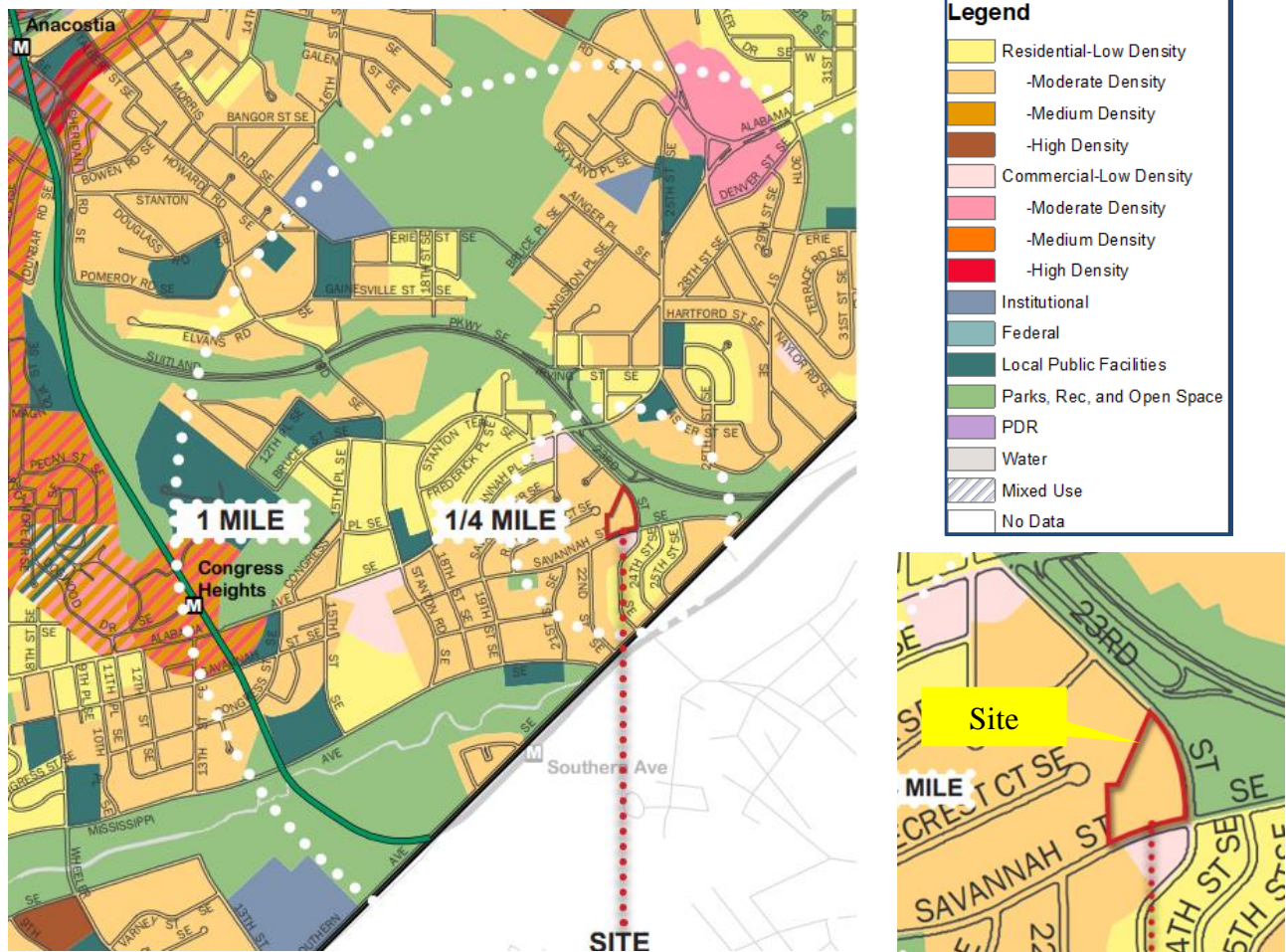
### **A. COMPREHENSIVE PLAN MAPS**

The Guidelines for Using the Generalized Policy Map and the Generalized Future Land Use Map (FLUM) (Chapter 2 Framework Element, Section 226, Attachment III) note the maps are intended to provide generalized guidelines for development decisions. They are to be interpreted broadly and are not parcel-specific like zoning maps; i.e. the maps, in and of themselves, do not establish detailed requirements or permissions for a development’s physical characteristics including building massing or density; uses; or support systems such as parking and loading. They are to be interpreted in conjunction with relevant written goals, policies and action items in the Comprehensive Plan text, and further balanced against policies or objectives contained in relevant Small Area Plans and other citywide or area plans.

The proposed PUD and map amendment would be not inconsistent with the map designations.

**Generalized Future Land Use Map (FLUM)**

The Future Land Use Map (FLUM) indicates that the site is appropriate for Moderate Density Residential.



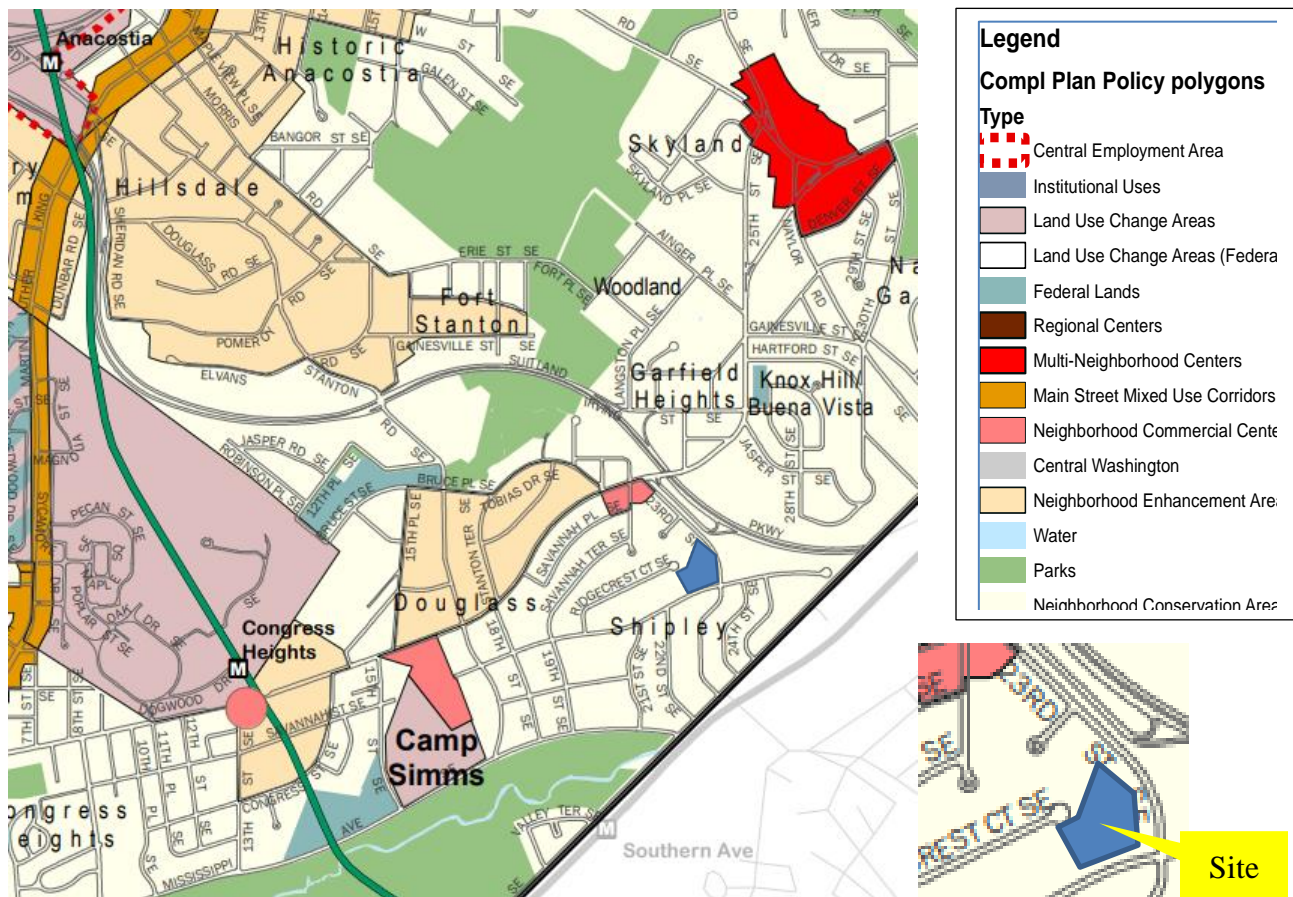
The Comprehensive Plan’s Framework Element describes this category as follows.

**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 [R-20, RF-2 and RA-1 in ZR16] are generally consistent with the Moderate Density Residential category; the R-5-B [RA-2] district and other zones may also apply in some locations (10A DCMR § 225.4).

At 47’ 7” in four stories and with a 1.27 Floor Area Ratio, the proposed development would not be inconsistent with this land use designation. It would also be within the 60-foot height and 1.29 FAR maximum permitted a PUD in the RA-1 zone.

### Generalized Policy Map

The Generalized Policy Map indicates that the site is located within a Neighborhood Conservation Area.



The Comprehensive Plan’s Framework describes this category as follows:

*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 (10A DCMR § 223.4).*

*The guiding philosophy in Neighborhood Conservation Areas is to conserve and enhance established neighborhoods. Limited development and redevelopment opportunities do exist within these areas but they are small in scale. The diversity of land uses and building types in these areas should be maintained and new development and alterations should be compatible with the existing scale and architectural character of each area. Densities in Neighborhood Conservation Areas are guided by the Future Land Use Map (10A DCMR § 223.5).*

The proposed PUD-related map amendment and development would not be inconsistent with the Policy Map, which anticipates the retention of residential uses and character. The project would help revitalize a site with multiple residential buildings in need of significant maintenance and double the supply of affordable housing on the site.

## **B. COMPREHENSIVE PLAN WRITTEN ELEMENTS**

### **1. Citywide Elements of the Comprehensive Plan**

The proposed development is generally and on balance not inconsistent with the Citywide Elements of the Comprehensive Plan.

#### **Chapter 3 Land Use**

*The Land Use Chapter provides the general policy guidance on land use issues across the District.*

##### ***Policy LU-2.1.2: Neighborhood Revitalization***

*Facilitate orderly neighborhood revitalization and stabilization by focusing District grants, loans, housing rehabilitation efforts, commercial investment programs, capital improvements, and other government actions in those areas that are most in need. Use social, economic, and physical indicators such as the poverty rate, the number of abandoned or substandard buildings, the crime rate, and the unemployment rate as key indicators of need (10A DCMR § 309.7).*

##### ***Policy LU-2.1.3: Conserving, Enhancing, and Revitalizing Neighborhoods***

*Recognize the importance of balancing goals to increase the housing supply and expand neighborhood commerce with parallel goals to protect neighborhood character, preserve historic resources, and restore the environment. The overarching goal to “create successful neighborhoods” in all parts of the city requires an emphasis on conservation in some neighborhoods and revitalization in others (10A DCMR § 309.8).*

The proposed project would revitalize a property by demolishing a very poorly maintained garden apartment complex that does not meet accessibility standards. The vacant existing buildings would be replaced with a new all -affordable apartment building. The proposed project would better utilize the property by increasing residential density and would be targeted to incomes that are not inconsistent with the nearby community. While it would be generally one story taller than nearby apartment buildings, its use of brick would be consistent with the predominant material employed in the neighborhood and the building would not be out of context. The improved landscaping and open green spaces would also enhance the appearance and safety of the site.

#### **Chapter 4 Transportation**

*The Transportation Element provides policies and actions to maintain and improve the District’s transportation system and enhance the travel choices of current and future residents, visitors and workers.*

##### ***Policy T-1.2.3: Discouraging Auto-Oriented Uses***

*Discourage certain uses, like “drive-through” businesses or stores with large surface parking lots, along key boulevards and pedestrian streets, and minimize the number of curb cuts in new*

*developments. Curb cuts and multiple vehicle access points break-up the sidewalk, reduce pedestrian safety, and detract from pedestrian-oriented retail and residential areas (10 DCMR § 404.8).*

The proposed project would replace the existing surface lot with 52 enclosed parking spaces. There would be 1 space for every 2.16 dwelling units, where the zoning regulations require only 1 space for every 3 units. It would also include the required short-term and long-term bicycle parking.

While the location is approximately one mile from both the Congress Heights and the Oxon Run Metrorail stations, it is served by Metrobus routes on Savannah Street and additional routes four blocks away on Alabama Avenue. Nevertheless, the applicant should provide additional information about access to public transportation in the Transportation Demand Management (TDM) plan it will submit to the District Department of Transportation (DDOT).

## **Chapter 5 Housing**

*The Housing Element describes the importance of housing to neighborhood quality in the District of Columbia and the importance of providing housing opportunities for all segments of our population.*

### ***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 (10A DCMR § 503.3).*

### ***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 (10A DCMR § 503.6).*

### ***Policy H-1.2.1: Affordable Housing Production as a Civic Priority***

*Establish the production of housing for low and moderate-income households as a major civic priority, to be supported through public programs that stimulate affordable housing production and rehabilitation throughout the city (10A DCMR § 504.6).*

### ***Policy H-1.2.6: Non-Profit Involvement***

*Actively involve and coordinate with the nonprofit development sector, increasing their capacity to produce affordable housing. Enter into partnerships with the non-profit sector so that public funding can be used to leverage the creation of affordable units (10A DCMR § 504.13).*

### ***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 (10A DCMR § 505.6).*

***Policy 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 (10A DCMR § 509.5).*

***Policy H-2.1.3: Avoiding Displacement***

*Maintain programs to minimize displacement resulting from the conversion or renovation of affordable rental housing to more costly forms of housing. These programs should include financial, technical, and counseling assistance to lower income households and the strengthening of the rights of existing tenants to purchase rental units if they are being converted to ownership units (10A DCMR § 509.7).*

The proposed project would increase the number of housing units at the subject property from 61 to 130. While the existing development was rented at rates appropriate to a project receiving tax credits, those rates were set to expire in 2023. The new project would be seeking new tax credits and other funding to ensure all units would remain affordable for several decades to low- and moderate-income households earning less than 60% of the MFI. The proposed building would include modern architecture and green sustainability features that would appear indistinguishable from market rate housing. The proposed project would include family-sized apartments by providing 11 three-bedroom units. The 13 tenants who remained when the property was purchased have already been relocated to nearby apartments owned by the developer's parent company. The applicant notes that the association of existing and former tenants unanimously supported the project. (Exhibit 2, page 4).

**Chapter 6 Environmental Protection**

*The Environmental Protection Element addresses the protection, restoration, and management of the District's land, air, water, energy, and biologic resources.*

***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 (10A DCMR § 603.4).*

***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 (10A DCMR § 603.6).*

***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 (10A DCMR § 610.3).

***Policy 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 (10A DCMR § 610.5).*



***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 (10A DCMR § 613.3).*

The proposed project would meet the requirements of the Green Building Act of 2006. In addition to two bioretention ponds, there would be 18,412 square feet of green roof to help reduce stormwater runoff and permeability in the site would be enhanced by eliminating surface parking and limiting the building to 31.6% lot occupancy.

Energy efficiency would be enhanced by an as-yet-unspecified square footage of solar panels atop the green roof.

The applicant has also proffered a goal of meeting the LEED Gold standard and should provide additional detail prior to the public hearing. (Exhibit 11, page 2).

**Chapter 8 Parks Recreation and Open Space**

*The Parks, Recreation and Open Space Element addresses the future of parks, recreation, and open space in the District of Columbia. It recognizes the important role parks play in recreation, aesthetics, neighborhood character, and environmental quality.*

The applicant's affiliated company has indicated that future tenants would be welcome to use several nearby parks, playgrounds and recreation facilities, many of which have been developed and are operated by the applicant's parent company. These are illustrated in Exhibit 11A2, Sheet 2-2. OP has strongly encouraged the applicant to consider providing a secure tot-lot and/or general outdoor recreation space on the site, in the area behind the building. The applicant's December 17, 2019 filing states this would not be possible (Exhibit 11, page 3 and Exhibit 11A6 Sheet 4-1) but OP will continue to work with the applicant to further explore the possibility if the case is set down.

**Chapter 9 Urban Design**

*The Urban Design Element addresses the District's physical design and visual qualities.*

***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 (10A DCMR § 910.6).*

***Policy UD-2.2.8: Large Site Development***

*Ensure that new developments on parcels that are larger than the prevailing neighborhood lot size are carefully integrated with adjacent sites. Structures on such parcels should be broken into smaller, more varied forms, particularly where the prevailing street frontage is characterized by small, older buildings with varying facades (10A DCMR § 910.16).*

OP recognizes the constraints a developer faces in developing an affordable and accessible development within LIHTEC parameters can often lead to consolidating units into a single building no taller than four stories. While the design attempts to reduce the apparent scale of the building by employing several different materials, colors and surface treatments, and burrowing some of the units into the hillside, the choices combine to make the building seem larger than it actually would be. Other nearby apartment

buildings do not present as long a continuous façade as does the project’s proposed corner building. The longest of the nearby buildings are not quite as tall, have pitched roof lines, and break up their massing either horizontally or vertically. OP has encouraged the applicant to investigate design modifications to reflect this.

The design filed as Exhibit 11 includes some changes responsive to OP’s comments. The office would continue to work with the applicant on additional improvements after the application is set down.

## **2. Near Southeast/Southwest Area Element of the Comprehensive Plan**

The proposed development is located within the Near Southeast/Southwest Area. The proposal would particularly further the following Area Element statements and policy objectives:

### ***Policy FSS-1.1.3: Rehabilitation of Multi-Family Housing***

*Support rehabilitation and stronger and more consistent code enforcement for the many garden apartments in the Planning Area, particularly in Shipley Terrace, Knox Hill, and Washington Highlands. Support city programs which provide financial assistance to renovate such complexes, with the condition that a significant portion of the units are preserved as affordable after renovation. (10A DCMR § 1808.4)*

The project would replace vacant garden apartments with a new, fully-affordable and fully-accessible building employing LIHTEC credits administered by the DHCD.

### ***Policy FSS-1.1.10: Minority/Small Disadvantaged Business Development***

*Provide technical assistance to minority-owned and small businesses in the Far Southeast/Southwest to improve the range of goods and services available to the community. Joint venture opportunities, minority business set-asides, business incubator centers, and assistance to community-based development organizations should all be used to jumpstart local business and provide jobs in the community. (10A DCMR § 1808.11)*

The developer’s affiliate, W.C. Smith is a DC Certified Business Enterprise.

## **C. OTHER DISTRICT POLICIES**

### **Mayor’s Order 2019-036 (a.k.a. Mayor’s Housing Order)**

The project would help to further the Mayor’s goal of building 36,000 new residential units by 2025, 12,000 of which are to be affordable, by replacing vacant housing in poor condition with a larger number of affordable, modern units.

## **D. SUMMARY OF PLANNING CONTEXT ANALYSIS**

On balance, the proposed project would not be inconsistent with the Comprehensive Plan and would help further development priorities in the District. The policies cited in Section V of this report work together to support the redevelopment of an underutilized site with an all affordable apartment building without displacing existing residents. The proposed project would be a significant improvement over the existing buildings in terms of quality, sustainability, on-site services and security. The proposed building would increase residential density at the site to provide more housing without any change in

zoning. Remaining issues relate primarily to design and on-site tenant outdoor space, and OP will continue to work with the applicant to resolve them prior to a public hearing.

## V. ZONING ANALYSIS

The site is zoned RA-1 and the applicant is not requesting a PUD-related zoning map amendment. Below is a table comparing the proposal to the RA-1 (MoR) and PUD zoning potential:

	<b>Under Existing RA-1 MoR</b>	<b>Under Proposed RA-1 PUD:</b>	<b>Proposal</b>	<b>Flexibility</b>
<b>Minimum Land Area (PUD)</b> X § 301.1	Not applicable	1-acre min.	100,265 sq. ft. (2.3 acres)	No
<b>Height (ft.)</b> F § 303.1/ X § 303.7	40 ft./3 stories max.	60 ft. max.	47 ft. 7 in.	No
<b>Penthouse</b> F § 303.2	12 ft./1 story	12 ft./1 story max. (habitable space)	10 ft./1 story mechanical penthouse and 1 elevator overrun	No
		15 ft. total & /2 <sup>nd</sup> story permitted for penthouse mechanical space		
<b>FAR</b> F § 302.1/ X §§ 303.3 & 303.4	0.9 - base FAR 1.08 – IZ FAR	1.296 w/ IZ PUD	1.27 FAR	No
<b>Lot Occupancy</b> F § 304.1	40 % max.	40 % max.	31.6 %	No
<b>Rear Yard</b> F § 305.1	20 ft. min.	Same as MoR	33 ft. 8in.	No
<b>Side Yard</b> F § 306.2	3 in. per 1 ft. of building height but not less than 8 ft.	Same as MoR	25 ft. 6 in.	No
<b>Parking</b> C §§ 701.5 & 702.1(a)	1 per 3 dwelling units in excess of 4 and 50% reduction because site is located near priority bus line	Same as MoR (21 parking spaces req.)	52 parking spaces (27 standard; 22 compact; 3 accessible)	No
<b>Bicycle Parking</b> C § 802	Long Term: 1 space / 3 dwellings (43)	Long Term: Same as MoR.	44 long-term	No
	Short Term: 1 space / 20 du's. (7)	Short Term: Same as MoR	7 short-term bicycle spaces	

	<b>Under Existing RA-1 MoR</b>	<b>Under Proposed RA-1 PUD:</b>	<b>Proposal</b>	<b>Flexibility</b>
<b>Loading Requirements</b>	1 min. for a building with more than 50 dwelling units	1 min. for a building with more than 50 dwelling units min. (1 loading berth required)	1 loading berth	No
<b>Loading Size and Layout Requirements</b> C §§ 901, 905.2 & 905.4(a)	1 min. for more than 50 du's; ≥ 12 ft. wide, 30 ft. deep, w/ 14ft. vertical clearance	Same as MoR	One. 12 ft. wide by 30 ft. deep with 10 ft. 6 in. in vertical clearance	No
	If loading berth less than 55 ft. deep, a 100 SF platform at least 8 ft. wide	Same as MoR	100 SF platform, 8 ft. wide	No
<b>Green Area Ratio</b> F § 307.1	0.4 min.	Same as MoR.	0.5	No
<b>Driveway Access Requirements</b> C § 711.6	Within 20 ft. of a street lot line, ≥ 20 ft. wide for two-way traffic	Same as MoR	At least 20 feet wide	No
<b>IZ</b> C § 1003.1	N/A for life of LIHTC under C § 1001.6 (a). The greater of 10% of GFA or 75% of bonus density after LIHTC expires	Same as MoR	Will comply with and exceed requirement	No

## VI. PUD EVALUATION STANDARDS

The Zoning Regulations define a Planned Unit Development (PUD) as “a plan for the development of residential, institutional, and commercial developments, industrial parks, urban renewal projects, or a combination of these, on land of a minimum area in one (1) or more zones irrespective of restrictions imposed by the general provisions of the Zoning Regulations, as more specifically set forth in Subtitle X, Chapter 3.” (Subtitle B-28). The purpose and general standards for a Planned Unit Development are established in Subtitle X 300:

*300.1 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 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.*

*300.2 While providing for greater flexibility in planning and design than may be possible under conventional zoning procedures, the PUD process shall not be used to circumvent the intent and purposes of the Zoning Regulations, or to result in action that is inconsistent with the Comprehensive Plan.*

### **Public Benefits and Amenities:**

Chapter X Section 305.2 states that “*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.*”

Subtitle X § 305.5 provides a summary of categories for PUD benefits and amenities. While the final benefits amenities proffer is typically refined and resolved later in the PUD process, at this point, the applicant notes several project benefits (Exhibit 2, pages 9-12), which are listed below under the categories in the PUD regulations.

#### *a) Superior urban design and architecture*

The applicant states that the differences among façade materials break up the scale of the façade and refer to the architectural context of the surrounding neighborhood. While the most recent changes have improved the façade treatment over the initial design, OP will continue to work with the applicant to address additional considerations:

- Somewhat staggering the massing of the building and/or including projections to reduce the apparent length of the façade;
- Adding real balconies, rather than “Juliet” balconies; and
- Providing details on how the openings into the enclosed parking area will be attractively screened without providing enclosure that would add to the area that must be counted as FAR.

#### *b) Superior landscaping, or creation or preservation of open spaces*

There would be substantial improvements made to the existing landscaping around the site, including the removal of a surface parking lot and the creation of bio-retention ponds. There would be a planted buffer adjacent to the public rights of way and considerable open space, *albeit* inaccessible, behind the building.

If set down, OP will continue to work with the applicant to explore possibilities of locating an on-site outdoor gathering place and/or play area for residents.

#### *c) Site planning and efficient and economical land utilization*

The double-loaded corridor design and site planning is very efficient and economical. The height and density of the proposed building would not be significantly greater than several nearby garden apartment complexes. OP has suggested the applicant consider staggering the footprint of the building somewhat to reduce apparent mass without losing the advantages of the double-loaded corridor design.

#### *d) Housing*

The project would increase the existing number of dwelling units from 61 to 130, consistent with several District objectives for increasing housing production. The new units would replace dilapidated units that, due to lack of maintenance by a previous owner, had become severely substandard. The type of units would address local needs by focusing on multi-bedroom units.

e) *Affordable housing*

The project would be 100 percent affordable for households earning no more than 60 percent MFI, through financing enabled through the District Department of Housing and Community Development. All units would be covenanted as affordable for 40 years and approximately 13-14 units would be guaranteed as IZ units after that period.

f) *Social services and facilities*

The applicant has stated there will be facilities located adjacent to the lobby intended to foster the well-being of building residents. The applicant should provide clarify if there will be an on-site staff person to coordinate these activities and provide more specificity about the programming that would be offered and the hours.

g) *Environmental and sustainable benefits*

The applicant states that the project's sustainability commitment would include a goal of achieving LEED Gold for the project. Since achieving LEED Silver certification is a requirement of the Green Building Act of 2006 for projects that receive public funding, the applicant should make a firm commitment to achieving LEED Gold certification if it wishes environmental benefits to be considered a public benefit. OP is supportive of the provision of green roof and solar panels.

h) *Uses of special value to the neighborhood or the District of Columbia as a whole*

The project would contribute to the District-wide goal of producing affordable housing.

In general, OP finds that the benefits proffered are commensurate with the relatively small additional density and height being sought and that the level of detail provided at this time are sufficient for set down, with the revisions or additional information noted in this report to be provided prior to a public hearing.

## **VII. AGENCY REFERRALS**

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

- Department of Energy and the Environment (DOEE)
- Department of Housing & Community Development (DHCD)
- District Department of Transportation (DDOT)
- Department of Parks and Recreation (DPR)
- DC Public Schools (DCPS)
- Fire and Emergency Medical Services Department (FEMS)
- Metropolitan Police Department (MPD)
- DC Water