



## SUPPLEMENTAL MEMORANDUM

**TO:** District of Columbia Zoning Commission  
**FROM:** <sup>JLS</sup> Jennifer Steingasser, Deputy Director Historic Preservation Development Review  
**DATE:** December 5, 2016  
**SUBJECT:** **Final Report for ZC #15-02**, Planned Unit Development (PUD) at 3112 7<sup>th</sup> Street NE (Square 3645, Lots 802 and 804, Square 3648, Lot 804 and Parcel 132/89)

### **I. BACKGROUND**

The Zoning Commission (ZC) set this case down for a public hearing on June 29, 2015. The ZC held a hearing and took public testimony on October 29, 2015. The applicant's request has been modified to eliminate the map amendment from R-5-A to R-5-B and to reduce the total number of townhouse units from 39 to 22. This case is being considered under the 1958 Zoning Regulations.

### **II. RECOMMENDATION**

The Office of Planning (OP) recommends approval of a PUD in Square 3645, Lots 802 and 804, Square 3648, Lot 804 and Parcel 132/89 with the requested flexibility:

- To permit more than one structure on a record lot (§ 2516);
- To provide a reduced side yard (§ 405 and § 2516.4) for units 1, 6, 7, 12, 13, 17, 18, and 22;
- To provide a reduced front yard for all townhomes (§ 2516.5(b));
- To provide a reduced rear yard of 0 feet for units 1, 6, 7, 12, 13, 17, 18, and 22 and 0.46 feet for the remaining units (§ 2516.5(c)); and
- To permit the residential use (§ 353).

The applicant has also requested flexibility to:

1. Convert the existing Redemptorist's building to multi-family use, which could include up to 46 units;
2. Vary the final selection of the exterior materials within the color ranges and general material types proposed, based on availability at the time of construction without reducing the quality of materials; and
3. Make minor refinements to exterior details and dimensions, including sills, bases, cornices, railing and trim, and any other changes to comply with the Building Codes or that are otherwise necessary to obtain final building permit.

Subject to the applicant:

- Providing an updated color and materials board;
- Providing any additional affordable housing that may be required should the Redemptorist building be redeveloped as residential units;

- Recording a covenant to memorialize the open space as unbuildable area;
- Providing an inventory of trees on the property indicating which trees would be preserved and which trees would be removed;
- Submitting a landmark nomination for the Redemptorist building that would be finalized before occupancy of the townhomes; and
- Addressing ZC questions about Play Space, Fair Housing Act standards, and administration of funds proffered for Department of Parks and Recreation use to purchase equipment for Edgewood Recreation Center.

The requested PUD would support the written elements of the Comprehensive Plan and would not be inconsistent with the Future Land Use and General Policy Maps.

### III. COMMISSION CONCERNS

The Commission discussed concerns about the site’s layout and design at the October 29, 2015 public hearing. The applicant subsequently submitted its supplemental statement, dated August 25, 2016 (Exhibit 42) and supplemental submission, dated November 23, 2016 (Exhibit 51), which respond to Zoning Commission comments and concerns.

Zoning Commission Comments	Applicant’s Response	OP Analysis
1. Concern about the quality of the project given that it is a PUD.	The applicant believes the revised plans represent a superior proposal.	OP supports the revisions to the plan, townhome design and proposed materials.
2. Concern about the width (14-foot) and depth of the units.	The applicant is now proposing 16- and 18-foot wide units. The building depth remains the same at approximately 37 feet.	OP supports the revised townhome configuration.
3. Better site plan - Provide additional separation between the townhomes and the Redemptorist building - Preserve the open lawn setting for the historic building	The applicant eliminated the townhomes fronting on Jackson Street NE and reduced the overall number of units from 39 to 22.	OP supports the reduction in the overall number of units. The revised site plan preserves the open lawn at the northeast corner of the site and provides additional separation between the Redemptorist building and the townhomes.
4. Upgrade material selection, concerns about use of Hardie Panel at rear of buildings and use of builders vinyl single-hung windows	The applicant has updated the material selection. See Sheet A.400 of Exhibit 51B1.	The exterior elevations of the townhomes have been redesigned. Hardie Panel is proposed for use in the dormer only and Hardie Siding is proposed for the rear elevation of the interior units. The applicant should provide an updated color and materials board at the public hearing and specify the selected window.

Zoning Commission Comments	Applicant's Response	OP Analysis
5. Provide perspectives, including views through alleys that show downspouts, lighting, air conditioning units, garbage cans, and other alley details	See Sheets A.100 – A.303 of Exhibit 51B1.	The applicant has provided more detailed perspectives.
6. Address concerns about available play space		The applicant should provide this information prior to the public hearing.
7. Provide information about applicability and conformance with Fair Housing Act standards		The applicant should provide this information prior to the public hearing.
8. Information regarding administration of funds proposed for Department of Parks and Recreation use to purchase equipment for Edgewood Recreation Center		The applicant should provide this information prior to the public hearing.

**IV. APPLICATION-IN-BRIEF**

**Location:** 3112 7<sup>th</sup> Street NE, Southwest corner of 7<sup>th</sup> and Jackson Streets, NE. Square 3645, Lots 802 and 804, Square 3648, Lot 804 and Parcel 132/89.

**Applicant/Owner:** MHI-Brookland, LLC/The Redemptorists

**Current Zoning:** D/R-5-A Low Density Residential in the Mixed Use Diplomatic Overlay District

**Property Size:** 119,215 square feet (2.73 acres)

**Proposal:** Develop 22 residential townhomes. Preserve flexibility to use the existing Holy Redeemer building for residential use in the future.

The townhomes would vary in width from 16 to 18 feet with a typical depth of 37 feet. Each unit would be four stories in height with three to four bedrooms. The ground floor would include the garage parking and study. The partial fourth floor would include loft space, as well as access to a roof terrace with private outdoor space.

The total Gross Floor Area (GFA) is 84,141 square feet or an FAR of 0.78, including the existing Redemptorist building. The proposed FAR is within the 0.9 maximum permitted FAR in the R-5-A zone.

No less than 13% (6,903 square feet) of the GFA would be affordable with two townhomes for households at 50% of Area Median Income (AMI) and one townhome for a household at

80% of AMI.

The townhomes would provide 30 garage spaces. The Redemptorists would maintain their parking area with approximately 23 spaces.<sup>1</sup>

## V. SITE AND AREA DESCRIPTION

The proposed development would be located on a regularly shaped property within the Brookland neighborhood of Ward 5. Directly surrounding the Property is a community consisting of a mixture of residential unit types and institutional uses. The Property is bounded by St. Paul's College and the Chancellor's Row development to the west (ZC Case # 07-27); a residential multi-family building to the south; 7<sup>th</sup> Street NE to the east; and Jackson Street NE to the north. To the east across 7<sup>th</sup> Street NE are two-story single-family dwellings in the R-4 zone district.

The site consists of Lots 802 and 804 in Square 3645, Lot 804 in Square 3648, and Parcel 132/89 for a total of 2.73 acres. The Redemptorists obtained the Property in February 1932. The existing Holy Redeemer building, a four-story masonry structure, was constructed in 1934 and would remain. The Property features an elevated lawn panel, upon which the existing building sits. The Property slopes down from the lawn to 7<sup>th</sup> Street NE.

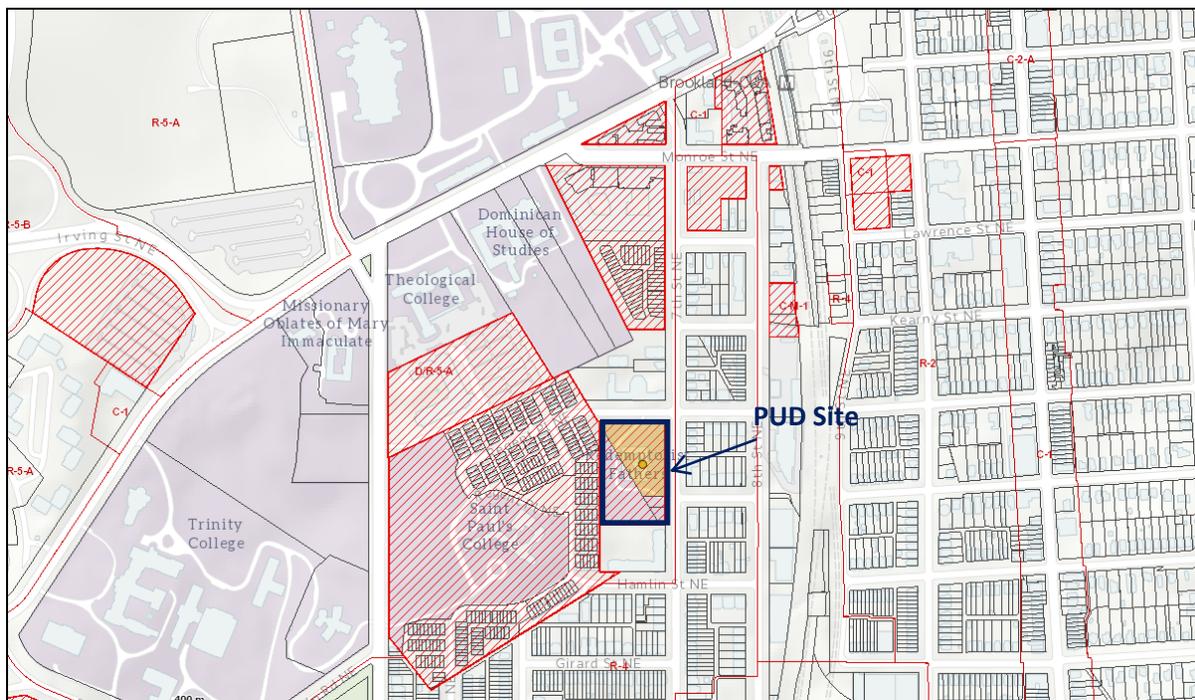


Figure 1: Location and Zoning Map

## VI. PROJECT DESCRIPTION

The consolidated PUD is requested to allow for the development of 22 new townhomes to the south of the existing Redemptorist (Holy Redeemer) building. The project, including the

<sup>1</sup> See the Applicant's Supplemental Submission dated November 23, 2016, Exhibit 51.

existing Holy Redeemer building, would include 84,141 square feet of GFA for a total FAR of 0.78 and a maximum building height of 47.61 feet (units 18 and 19).

### **A. Architecture and Open Space**

The applicant is proposing 22 four-story townhomes to the south of the Holy Redeemer building. The units would be arranged as follows: a string of five townhomes fronting on 7<sup>th</sup> Street NE; to the west a string of five and a string of six townhomes fronting on a central mews; and a final string of six townhomes facing the western property line.

The brick veneer clad townhomes would feature optional rear decks, as well as a variety of entries ranging from a front stoop with awning to a covered porch. All units would feature ground level garage parking. Units 1, 6, 7, 12, 13, 17, 18, and 22 would feature two-car garages. The applicant has provided revised architectural elevations that show materials, railings, and downspouts.<sup>2</sup> The townhomes feature brick veneer on the front and side elevations of all units, as well as the rear elevation of end units. The applicant is now showing a Hardie siding product for the rear elevation of the interior units.<sup>3</sup>

Historic Preservation staff in OP encouraged the applicant to eliminate the Juliet balconies proposed for the front façade of certain units. Additionally, the applicant was encouraged to redesign the fourth floor gable to reduce its height.

The applicant is no longer showing a formal green space at the northeast corner of the site. The mews remains between units 7 through 12 and 13 through 17. Stormwater management and additional landscaping at the southern edge of the existing Holy Redeemer building is proposed.<sup>4</sup>

### **B. Circulation**

The applicant has revised the site plan with respect to access and circulation. The Holy Redeemer building would maintain its surface parking area, via gated access, with its entrance at Jackson Street NE and exit at 7<sup>th</sup> Street NE. DDOT is working with the applicant to finalize the alignment of the Jackson Street driveway. The townhome residents would enter and exit the site via a curb cut on 7<sup>th</sup> Street NE. Two 20-foot private alleys would provide garage access for the tenants of these units.

The applicant is proposing to provide continuous sidewalk on 7<sup>th</sup> and Jackson Streets NE where it does not exist today. The townhomes fronting on 7<sup>th</sup> Street would be accessed via two leadwalks connecting to proposed sidewalk.<sup>5</sup>

### **C. Stormwater Management**

The applicant is proposing one stormwater drainage area to the south of the Holy Redeemer building. The bioretention facility would feature retaining walls with safety railing. Details have been provided to show the stone veneer proposed for the retaining walls and the wrought iron safety rails.<sup>6</sup>

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<sup>2</sup> See Applicant's submitted plans dated November 23, 2016, Exhibit 51B1-2.

<sup>3</sup> See Applicant's submitted plans dated November 23, 2016, Exhibit 51B1, Sheet A.400.

<sup>4</sup> See Applicant's submitted plans dated November 23, 2016, Exhibit 51B2, Sheet C.04.

<sup>5</sup> See Applicant's submitted plans dated November 23, 2016, Exhibit 51B2, Sheet C.06.

<sup>6</sup> See Applicant's submitted plans dated November 23, 2016, Exhibit 51B2, Sheet C.07-7a.

#### D. Affordable Housing

The applicant has revised the proposal to better distribute the affordable units (units 4, 9, and 16) throughout the project. Furthermore, the affordable units have been extended to match the full depth (37 feet) of the market rate units.<sup>7</sup> The applicant should commit to constructing the rear decks on the IZ units.

#### VII. COMPREHENSIVE PLAN

The *Future Land Use Map* designates the subject property for Institutional Use. Properties to the east across 7<sup>th</sup> Street NE are designated for Moderate Density residential use and are in the R-4 (RF-1) district. These properties are characterized by one-family detached dwellings, row dwellings, and low-rise apartment complexes.

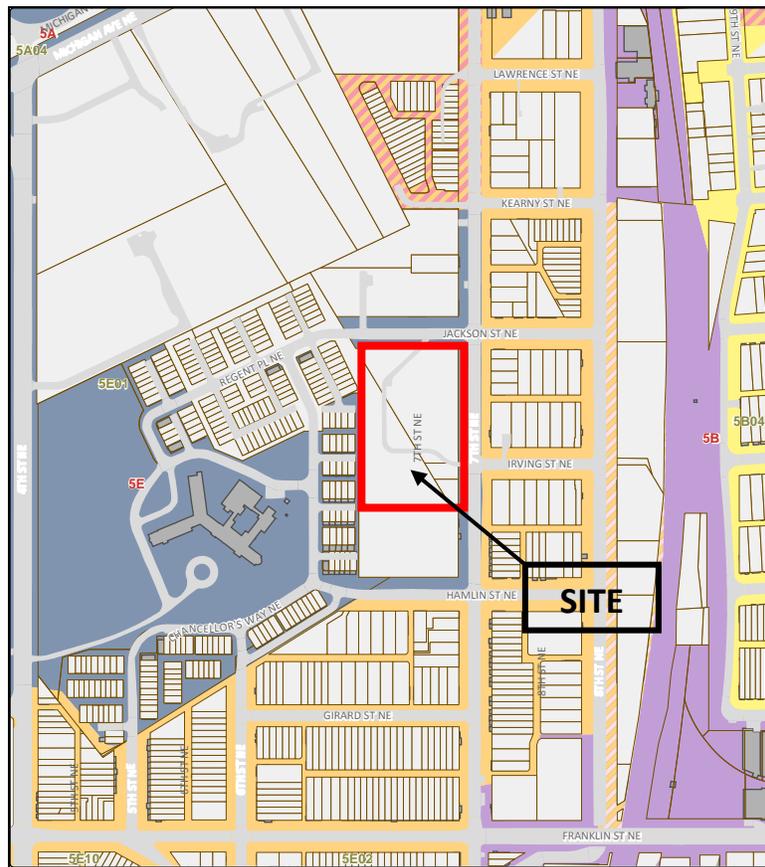
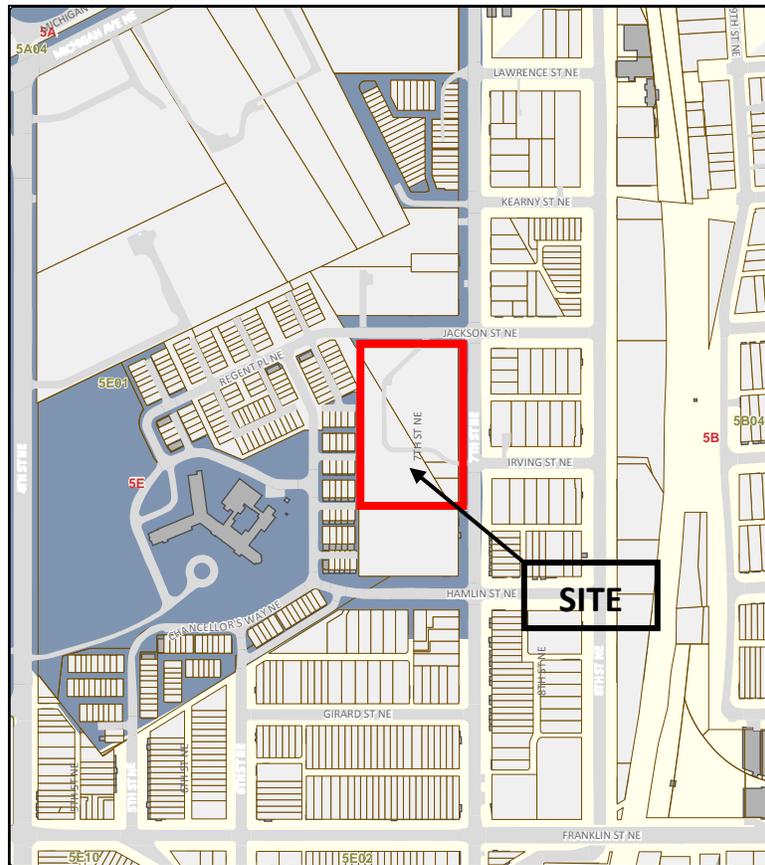


Figure 2: Comprehensive Plan Future Land Use Map

The *Generalized Policy Map* locates the Property within an “Institutional Area,” which is characterized by colleges and universities, private schools, child care facilities, places of worship and other religious facilities, hospitals, private and non-profit organizations, and similar entities.

<sup>7</sup> See Applicant’s submitted plans dated November 23, 2016, Exhibit 51B1, Sheet A.001.



**Figure 3: Comprehensive Generalized Plan Policy Map**

Although this proposal represents a change in use from institutional, this development and the associated zone map change would not be inconsistent with the Land Use and Policy Map designations for the surrounding residential neighborhoods.

**VIII. ZONING**

The site is currently zoned R-5-A. The R-5-A Zone District is a General Residence District intended to permit a low height and density. The R-5-A Zone District permits a maximum height of 40 feet and .9 FAR. The applicant is requesting the PUD to permit additional height. Project parameters, as provided in the application, are listed below:

Standard	R-5-A	R-5-A/PUD	Proposed	Flexibility
Min. Area for PUD	2 acres	2 acre minimum (43,560 sq. ft.)	2.73 ac. (119,215 sq. ft.)	Complies
Height	40 ft./3 stories	60 ft. maximum	42.57 - 47.61 ft. for townhomes	Complies
FAR	0.9	1.0 maximum	0.78 (townhomes and Holy Redeemer)	Complies
Lot Occupancy	40%	40% maximum	24% (townhomes and Holy Redeemer)	Complies

Lot Width	40 ft.	--	16 – 23.33 ft. for townhomes	Complies
Rear Yard	20 ft.	20 ft.	0 – 0.46 ft. for townhomes	<b>Relief Requested</b>
Side Yard	3 in./ft. of height of building but not less than 8 ft.	3 in./ft. of height of building but not less than 8 ft.	3.33 ft. for townhomes	<b>Relief Requested</b>
Parking	1 space for each dwelling unit	1 space for each dwelling unit OR 22 spaces	53 sp. for site 30 sp. for townhomes 23 sp. for Holy Redeemer	Complies
GAR	0.40	0.40	0.40	Complies

**IX. FLEXIBILITY**

The proposal requires flexibility from the Zoning Regulations as detailed below.

- *Side Yard (§ 405.6 and § 2516.4)* – The applicant has requested flexibility from the side yard requirement for the end townhomes (units 1, 6, 7, 12, 13, 17, 18, and 22). A minimum side yard of 8 feet would be required and a 3.33-foot side yard would be provided. The reduced side yard allows for greater separation between the townhomes and the Holy Redeemer Building. Landscaping and the side yard of the property to the south would provide a buffer at the southern property line.
- *Front Yard (§ 2516.5(b))* – The applicant has requested flexibility from the front yard setback requirement as units 1 through 17 provide a 5-foot setback where a 20-foot setback is required. Units 18 through 22 provide no front setback where a 20-foot setback would be required. These units face Jackson Street and 7<sup>th</sup> Street NE, respectively, and hold the street edge, in lieu of providing a 15-foot front yard setback.
- *Rear Yard (§ 2516.5(c))* – The applicant has requested flexibility from the rear yard setback requirement as no units provide the required 20-foot setback. The drive aisles (minimum width of 20 feet), along with the 0.46-foot rear yard, would provide separation between the proposed townhomes.

**X. PUBLIC BENEFITS AND AMENITIES**

In its review of a PUD application, § 2403.8 states that “*the Commission shall judge, balance, and reconcile the relative value of the project amenities and public benefits offered, the degree of development incentives requested, and any potential adverse effects according to the specific circumstances of the case.*” Section 2403.9 states that “Public benefits and project amenities of the proposed PUD may be exhibited and documented in any of the following categories.” The relevant categories for the subject PUD are analyzed below.

**PUD Gains**

<b>Standard</b>	<b>R-5-A M-O-R</b>	<b>Proposal</b>	<b>Gains</b>
<b>Total Site Area</b>	119,215 sq. ft.	119,215 sq. ft.	No change
<b>Uses</b>	Residential	Residential	No change
<b>GFA</b>	107,293.5 sq. ft. max.	84,140.98 sq. ft.	No gain
<b>FAR</b>	0.9	0.78	No gain
<b>Height ft./stories</b>	40 ft./3-stories	47.61 ft./4 stories	7.61 ft./1 story

(a) *Urban design, architecture, landscaping, or creation or preservation of open spaces;*

Based on feedback received, at the initial public hearing, the applicant is proposing to retain the large open lawn area to the north of the Holy Redeemer building. Landscaping would be provided to the south of the Holy Redeemer building at the 7<sup>th</sup> Street driveway entrance, as part of the bioretention facility, and at the western property line.

The applicant has proffered to contribute \$2,500 to the Edgewood Civic Association’s preferred vendor for the design, construction, and/or installation of welcome signs around the Civic Association area.

(b) *Site planning, and efficient and economical land utilization;*

The applicant has proposed to eliminate the northern townhome units and to reduce the overall number of townhomes to the south of the existing building. The proposed organization of the new townhomes on the site provides separation from the Holy Redeemer building and allows the structure and lawn to be viewed without competition from the new residential units.

(c) *Effective and safe vehicular and pedestrian access, transportation management measures, connections to public transit service, and other measures to mitigate adverse traffic impacts;*

The applicant has indicated that residents of the project would be precluded from participating in the Residential Parking Permit Program. The applicant is proposing to provide a transit welcome package for each unit. The package would include information on local transit routes and a one-year membership in Capital Bikeshare valued at \$85.

(d) *Historic preservation of private or public structures, places, or parks;*

The Redemptorists, in conjunction with MHI-Brookland, LLC, would file a landmark application and pursue landmark designation for the existing Holy Redeemer building. They would file the application prior to final inspection of the homes before occupancy.

(e) *Employment and training opportunities;*

The applicant has proposed to contribute \$10,000 to the Edgewood/Brookland Family Support Collaborative Workforce Development Program, which provides educational and employment readiness opportunities to increase job placement and employment retention, as well as supportive services to remove barriers to employment success.

(f) *Housing and affordable housing;*

The applicant is providing approximately 1,550 square feet of affordable housing beyond what is otherwise required. This effectively results in one additional affordable townhome unit (the proposed affordable dwelling units are 2,301 square feet). The affordable townhomes would provide family housing and would feature three bedrooms. The affordable townhomes would be made available at the same time as the market rate units.

Residential Unit Type	GFA/Percentage of Total	Units	Income Type**	Affordable Control Period	Affordable Unit Type***	Notes
Total	53,532/100%	39				
Market Rate	46,628/87%	34				
IZ	2,301/4%	1	80%	For so long as project exists	Ownership	
IZ	4,602/9%	2	50%	For so long as project exists	Ownership	

(g) *Social services/facilities;*

The Edgewood Recreation Center is located within one-half mile of the project and the Department of Parks and Recreation (DPR) is proposing to rebuild the center. The applicant has proposed to contribute \$20,000 to DPR to outfit the Edgewood Recreation Center with new equipment, as specified through community input.

Through the OCASE Foundation, the applicant also would contribute \$5,000 to the Backpack School Supply program, which provides basic school supplies to school children in Ward 5.

(h) *Environmental benefits;*

The applicant is obtaining the required Green Area Ratio score of 0.4 through planting, stormwater management, permeable paving, native plant species, and tree preservation. The applicant has coordinated with DDOT to modify the sidewalk placement on 7<sup>th</sup> Street NE to preserve existing trees.

**Benefits and Amenities**

Benefit or Amenity	Mitigation	Public Benefit	Project Amenity	Required	Applicant Proffer
Edgewood Civic Association Signage		X			X
Edgewood Recreation Center		X			X
Edgewood/Brookland Family Support Collaborative		X			X
OCASE Foundation		X			X
Transit Welcome Package		X	X		X
Affordable Housing		X		X	X

Landmark Application		X			X
Environmental Benefits		X	X	X	
Open Space			X	X	

**XI. AGENCY REFERRALS AND COMMENTS**

Comments were requested from:

- District Department of Housing and Community Development (DHCD);
- District Department of Energy and Environment (DOEE);
- District Department of Transportation (DDOT);
- DC Water; and
- District Department of Public Works.

The applicant has worked with DDOT and DOEE. Comments from DDOT will be provided separately. No comments were received from any other agency.

**XII. COMMUNITY COMMENTS**

The applicant met with ANC 5A as part of its community outreach and the ANC voted in support, with conditions, of the application at its November 16, 2016 public meeting.

The applicant has reached out to individuals who testified at the October 2015 public hearing. The applicant also has met with residents at Chancellors Row and the Edgewood Civic Association. In response to comments from the Edgewood Civic Association, the applicant has prepared and submitted a construction management plan.<sup>8</sup> OP has been contacted by one resident in opposition to the proposal. The Sierra Club Environmental Justice Committee submitted a letter in opposition (Exhibit 52).

JS/emv

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<sup>8</sup> See Applicant's submitted plans dated November 23, 2016, Exhibit 51A.