

MEMORANDUM

TO: District of Columbia Zoning Commission

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

DATE: December 28, 2015

SUBJECT: **Final Report** for ZC #13-09 – First Stage and Consolidated PUD with Related Map Amendment from the R-3 to R-5-B and SP-1 District for Square 5877, Lot 122

I. SUMMARY RECOMMENDATION

The Office of Planning (OP) **recommends approval** of Stanton Square, LLC's application for the proposed development of the 8-acre undeveloped property as follows:

- A Consolidated PUD and related map amendment from the R-3 to the R-5-B District for development of three, multifamily buildings of 120 units and 42 townhomes on the 5-acre lower portion of the site at FAR 1.29-1.40 and a total of 170 parking spaces; with the following flexibility:
 - A map amendment from the R-3 to the R-5-B District;
 - § 403 - Lot Occupancy (60% (max.) permitted: 66% (max.) proposed (19 townhouse lots);
 - § 404 - Rear Yard (15 ft. (min.) required: 10 feet proposed) (35 townhouse lots);
 - § 405 - Side Yard (8 feet (min.) required: 5 feet and 3 feet provided (4 townhome lots);
 - § 405 - Side Yard (8 feet (min) required ; 6 feet proposed (Multifamily building B);
 - § 2516 -To permit multiple buildings on a single lot of record (Multifamily buildings); and
 - § 2117.9 - Driveway spacing requirements– 7 feet (max) permitted; 9 feet provided (front loaded townhouse lots).
- A Consolidated and Stage I PUD application and related map amendment to the SP-1 District on the upper 3-acre portion of the subject property as a community service center campus, including a community service center building, 32 feet in height, 0.66 FAR, and surface parking spaces (37); and
- A Stage I PUD for a portion of the community service center site for future development, including a building 45 feet in height, FAR 0.92, and a surface parking lot for 24 parking spaces.

The proposal is not inconsistent with the First Stage PUD approval and the Comprehensive Plan, as discussed in OP's report dated July 17, 2015.

II. ZC COMMENTS

At the Zoning Commission’s Public Meeting of July 27, 2015, the application for the PUD and related map amendment was setdown for a public hearing. At that meeting, the Commission requested additional information, as well as responses to issues raised in OP’s report of July 17, 2015. The applicant’s responses to the comments are summarized as follows:

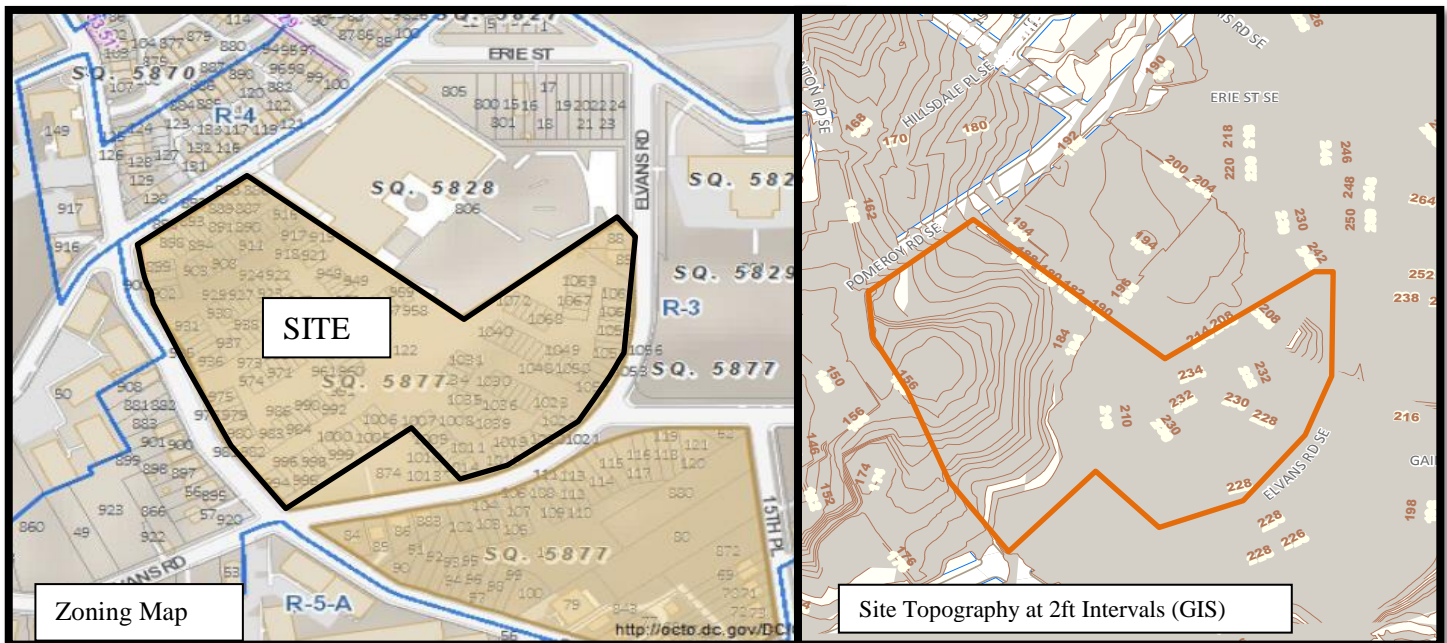
ZC and OP’s Comments/Requests	Applicant’s Responses
<u>Site Regrading:</u> Provide additional information on the site’s grades and the housing’s design with the topography.	Exhibit 18A2, Sheet S-10B displays the site’s grade changes in relation to the proposed structures, including the necessary fill-in for the existing depression on the site east of Stanton Road.
<u>Site Perspectives:</u> Provide perspective views of the courtyard and parking area located among the apartment buildings, as well as views of the development from the private street.	Exhibit 18A2, Sheets A-26,27, and 28 provides perspective views of the development from Stanton Road, along the new private street with a view of the townhomes closest to the pocket park , and of the interior courtyard/surface parking located among the three apartment buildings.
<u>Retaining Walls:</u> Provide additional details on the size, appearance and treatment of the proposed retaining walls.	Exhibit 18A2, Sheet A-27 and Exhibit 18 A3, Sheet L4 show the Smart Slope system proposed to retain the grade difference between the upper and lower portions of the site. No irrigation system would be required. The home-owners association would be responsible for its upkeep.
<u>1910 Height Act Compliance:</u> Ensure compliance of the multifamily buildings’ roofline with the Height Act.	The height of the multifamily buildings (49 feet) is compliant with the 1910 Height Act, as measured from the 50-foot wide public right-of-ways of Stanton, Elvans and Pomeroy Roads. The private street would measure 52-feet in width.
<u>Surface Parking:</u> Consider more green space for the interior surface parking lot.	Exhibit 18 A3, Sheets L-1, L-2 show where nine parking spaces were removed to accommodate additional green space in the interior, including canopy trees with seating and landscape plantings.
<u>Existing Site Tree Cover/Replanting:</u> Provide details on the existing tree cover and replacement trees.	Exhibit 18 B is a completed Tree Protection and Preservation Report issued by an ISA certified arborist. The report provides information on the number of trees surveyed (315). Trees were classified as exempt, non-exempt or hazardous. All will be removed and 249 trees would be replanted.
<u>Front-loaded garages:</u> Provide an analysis which considers the removal of the front-loaded garages for the townhomes.	Exhibit 18, Page 4, explains the financial infeasibility of removing garages from these townhomes. In addition, analysis of one curb cut serving two townhomes, determined that multiple turn movements would be required to enter a garage, which presented safety concerns.
<u>Public vs. Private Street</u>	The proposed main street and alleys would remain private as the separation of the proposed curb cut at Pomeroy Road with the curb cut for the school’s service access north of the site would be 30 feet, which is less than DDOT’s required 60 feet for public

ZC and OP's Comments/Requests	Applicant's Responses
	streets.
Community Service Center Use: Provide additional details on the expected uses in the CSC in the second stage PUD.	Community of Hope and Martha's Table in combination provide supportive housing services; health care, food market; and employment assistance programs. Additional information would be provided at the public hearing testimony.
Public Space: Provide additional details on the treatment along the public streets, including DDOT's request for a sidewalk with a planting strip.	Exhibit 18, Pages 5-6 explains the reasons why the request could not be fully satisfied. However, a 3-foot wide planting strip and 6-foot wide sidewalk would be included as shown in Exhibit 18 A2 – Sheet S-14.
Requested Flexibility: Provide details on the requested flexibility.	Provided: See Section VI. of this report

Table 1

III. APPLICATION-IN-BRIEF

Applicant: Stanton Square LLC
Property Size: 353,271 sf
Location: Square 5877 Lot 122, SE (Stanton Square) bordered on the north by Pomeroy Road and the Moten/Wilkinson Education Campus; on the west by Stanton Road and the south and east by Elvans Road.
Ward and ANC: Ward 8, ANC 8B



PROJECT DESCRIPTION

The project site would be developed by dividing the property into two portions, due to the steep topography, at the division line, depicted below. The 5-acre lower portion proposed as a residential development, to be known as Stanton Square, would be developed under a consolidated PUD and map amendment from the R-3 to R-5-B District, with 120 units in three multi-family buildings and 42 townhomes. The upper portion of the site, to be known as Stanton Commons, would be developed in two phases, first as a Consolidated PUD with related map amendment to the SP-1 District, and the other portion would be considered at this time as a Stage I PUD application.



Consolidated PUD

Stanton Square – Residential Buildings

The proposed residential development including 3 apartment buildings and 42 townhomes would be between 218,314 and 237,446 square feet. The FAR would range between 1.29 FAR (min.) and 1.40 FAR (max.)¹. The multifamily buildings would be 49 feet in height, with variable lot occupancy, and the townhomes would range between 29 feet and 47 feet and in some cases in excess of 60% lot occupancy.

The multifamily buildings would be comprised of 120 apartment units. Twelve of those units would be assigned as permanent supportive housing units. One-bedroom, two-bedroom, and three-bedroom units would be 670 sf, 1,010 sf and 1,340 sf respectively. Five percent of units would be assigned to residents earning up to 50% AMI and another 5% at no more than 80% AMI, consistent with the IZ program. The remaining units would be assigned to residents earning up to 60% AMI for 40 years.

The apartment buildings would be predominantly brick and masonry façade with cementitious siding on the upper 4th story. Bay windows would accentuate the buildings' exterior to create a residential feel and

¹ Based on chosen feature(s) of the townhomes' options include an attic and/or deck.

scale, appropriate with the surroundings. Building A, which would front on Stanton Road, would accommodate a lobby, the leasing office and residential amenity space. Space would also be assigned to Community of Hope to provide on-site services for residents of the permanent supportive housing units.

The townhomes proposed with frontage along the private right-of-way would be developed as 6 individual buildings: three buildings of 5 townhomes, two buildings of 6 townhomes and one larger building comprised of 9 units. One building of 4 homes would front on Stanton Road and one building of two homes would front on the west side of the alley stub, which dead ends north of the site (Exhibit 18A2, Sheet A-01). Homes with frontage along the private right-of-way would have a 4-foot wide stoop from the front door, which would merge with a 6-foot wide areaway, to create an effective separation of 10 feet to the sidewalk (Exhibit 18A2- Sheet S-14). The 42 townhomes would be three-bedroom homes, with 10% of homes (5 units) assigned as IZ units for families earning 50% to 80% AMI. The townhomes' façade would be composed of brick and other materials similar to the apartment buildings.

The unit types are broken down as follows:

Building Type	Number of Units	Unit Type by Size
Townhome	42	42, 3-bedroom
Building A	38	2, 3-bedroom 21, 2-bedroom 15, 1-bedroom
Building B	38	14, 2-bedroom 24, 1-bedroom
Building C	44	24, 2-bedroom 20, 1-bedroom

Table 2.

Stanton Commons – Community Service Center

The structure proposed on the western portion of the campus will house the non-profits, Community of Hope (12,000 sf) and Martha's Table (42,000 sf). The programming is intended to provide early childhood care, nutrition and wellness, aftercare, employment and behavioral counseling services. Additional programming details would be elaborated upon by the respective representatives at the hearing.

The proposed two-story, 54,000 square feet building with a basement, would be 32 feet in height at 0.66 FAR. The building's design is intended to accommodate services seamlessly within two floors and a basement floor. The first and second floors would primarily accommodate up to 16 classrooms, administrative offices, a conference room and a kitchen. Warehouse and storage space would be included in the ground floor and the roof would include a green roof of up to 4,500 sf. A 37-space surface parking lot is also proposed to provide the required parking for the center (Exhibit 11A – Sheet 27).

The eastern portion is envisioned as a single structure (46,200 sf) with similar programming in the future.



Proposed Overall Site Plan

Site Access, Parking, Landscaping

A main private right-of-way, 52 feet wide between the town homes, would provide ingress and egress through the site between Stanton Road and Pomeroy Road. The majority of townhomes would have rear-loaded garages, which would be accessed via two, 16-foot wide private alleys, also accessible off Stanton Road. Seven townhomes located closest to the slope along the north property line would have front-loaded garages in order to reduce the extent and height of the retaining wall system, as noted in the applicant's submission (Exhibit 18, Pg. 4).

Street paving, would be consistent with that of the neighborhood, as required by DDOT. However, the parking lot, as well as the entry plaza would include pervious paving, with a textured pattern of brick or cobblestone. This would facilitate the site stormwater retention capacity and support site sustainability. Up to 25 parking spaces would be provided along the private right-of-way, accessed via a proposed curb cut off Stanton Road. Sixty-three spaces would be included on a surface lot proposed interior of the site among the apartment buildings and 28 spaces would be within a garage of Building C. Therefore, a total of 170 spaces would be devoted to on-site parking for Stanton Square (Parking ratio: 1.4).

Existing public space around the site does not encourage pedestrian activity. As part of the PUD, the Applicant plans to improve conditions along the site, and between the Stanton Square and Commons portions on property not part of the PUD by improving the sidewalk conditions. This requires dedicating property within the PUD to public use.

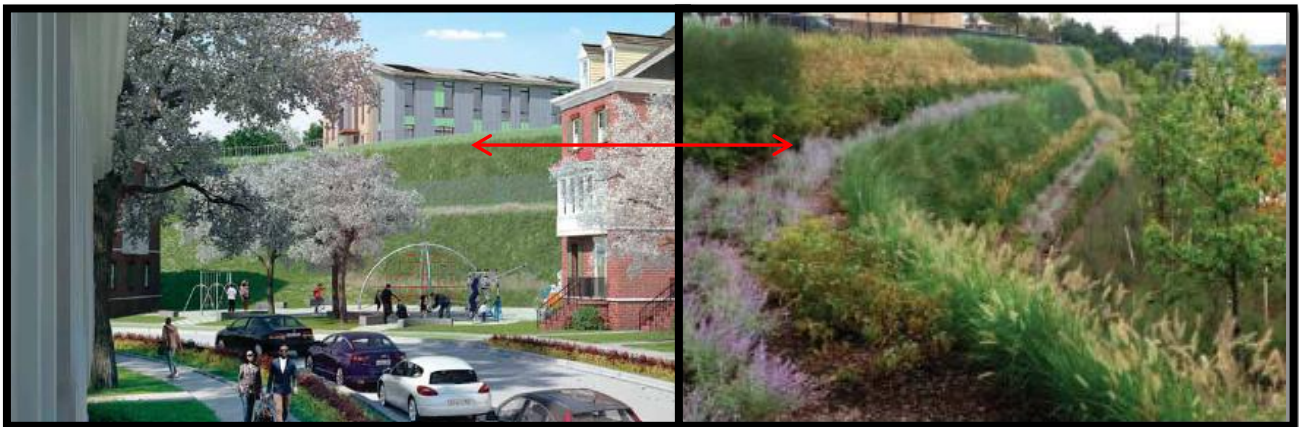
Improvement to the public realm along Stanton, Elvans and Pomeroy Roads would include a three foot-wide planting strip adjacent to the travel ways and a six foot wide sidewalk. All of the sidewalk along Pomeroy Road would be on private property. Along Stanton Road, the sidewalk would include 2.3-2.9 feet of private property, and along Elvans Road the sidewalk would include 2.2-4.8 feet of private

property. DDOT supports these provisions as improvements to the pedestrian environment near the site. Upgrading of sidewalks adjacent to Lot 874, which the Applicant does not own, would be funded by the Applicant to complete the pedestrian network between the two site components of the development.

A landscaped entry plaza with shade trees would be located at the corner of Pomeroy and Stanton Roads to anchor the site and announce the developed property within (Exhibit 18A3, Sheet L-2). The overall site plan and landscaping plans (Exhibit 18A3, Sheet L01-L06) indicate that a number of trees would be planted along the thoroughfare and related LID landscaping features are proposed to control storm water runoff, enhance the site's sustainability and the aesthetic appeal. Shade trees are proposed throughout the site, including around the interior parking lot and public space abutting the site's perimeter.

Parking for the community service center would be accessed via curb cuts off Elvans Road, where drop-off and pick-up would occur on a semi-circular driveway, treated with pervious pavement. A separate curb cut to the west of the proposed building would provide access to a pervious paved surface lot for 33 vehicles, as well as to the loading area for the center (Exhibit 18A-3, Sheet CIV-300C). A landscaped bio-retention area shown east of the lot, would contain and treat stormwater runoff from the surface lot (Exhibit 18A3 – Sheet L-6).

A 30-foot tall Smart Slope retaining wall system (composed of two, 15-foot tiers) (noted as a smart slope – Exhibit 18A3 – Sheet L-4, L7A) placed behind the proposed play area would separate the upper and lower portions of the site. The wall would be landscaped and shade trees would be planted on north and south sides of the play area, which would be framed by the landscaped wall and the plantings. It is anticipated that the retaining wall systems would have limited views due to the vegetated screening that would be provided.



Proposed vegetated wall system

Stage I PUD

The Stage I application includes a proposal for a building to the east of the Consolidated PUD, 45 feet in height, lot occupancy of 30% and 0.92 FAR (46,200 square feet). The future building for the campus would eventually operate with similar services operated by Martha's Table and the Community of Hope. An 24-space accessory parking lot is also proposed. The Commission is being asked to approve in concept the layout of the site, and a PUD-related map-amendment to the SP-1 District.

IV. ZONING

The second stage application requests flexibility from the specific zoning regulations listed below. The following summarizes the basic development data for the Consolidated PUD and the First Stage PUD:

Multifamily Buildings – 128 units

Requirement	R-3	R-5-B (MOR)	R-5-B /PUD	Proposed
Height § 400	40 ft. (3stories)	40 ft.	50 ft.	Variable- up to 49.5 feet
Lot Area § 401	3,000 (min.)	Not prescribed	Not prescribed	85,717 sf.
Lot Width § 401	20' (min.)	Not prescribed	Not prescribed	Not provided
FAR § 402	None prescribed	1.8	3.0	1.55
Lot Occupancy § 403	40 %	60%	60%	36.76%
Rear Yards § 404	20 feet	4"/ft.ht, not less than 15 ft.	18 feet	30 feet
Side Yards § 405	8ft. (min.)	3"/ft. ht. 13 feet (min.) required	3"/ft. ht. 13 feet (min.) required	8 feet (Multifamily building) Flexibility requested
Parking § 2101	1 per du	1 per 2 du	1 per 2 du: 64 spaces	91 spaces
Multiple Buildings on one Lot § 2516	None prescribed	None prescribed	None prescribed	1 lot, 3 multifamily buildings Flexibility requested
Green Area Ratio		0.3	0.36	0.37
Building GFA			507,258 sf.	132,490 sf.

Table 3

Townhomes – 42 units

Requirement	R-3	R-5-B (MOR)	R-5-B /PUD	Proposed
Height § 400	40 ft. (3stories)	40 ft.	60 ft.	Variable- 29 ft. to 47 feet
Lot Area § 401	3,000 (min.)	Not prescribed	Not prescribed	66,993 sf.
Lot Width § 401	20' (min.)	Not prescribed	Not prescribed	Not provided
FAR § 402	None prescribed	1.8	3.0	1.57
Lot Occupancy § 403	40 %	60%	60%	22.69% - 65.47% (max.) (depending on options) (flexibility requested)
Rear Yards § 404	20 feet	4"/ft.ht, not less than 15 ft.	15 feet	10 feet -14 feet (depending on options) (flexibility requested)
Side Yards § 405	8ft. (min.)	3"/ft. ht. 13 feet (min.) required	3"/ft. ht. 13 feet (min.) required	8 feet (Flexibility requested)
Parking § 2101	1 per du	1 per 2 du	1 per 2 du: 21 spaces	54 spaces
Building GFA				104,956 sf.

Table 4

Community Service Center SP-1 District

Requirement	R-3	SP-1 (MOR)	SP-1 /PUD	Proposed
Height	40 ft. (3stories)	65 ft. (No limit)	75 ft. (No limit)	32 feet
Lot Area	3,000 (min.)	Not prescribed	Not prescribed	66,993 sf.
Lot Width	20' (min.)	Not prescribed	Not prescribed	Not provided
FAR	None prescribed	2.5	2.5	0.66
Lot Occupancy	40 %	80%	80%	32.12 %
Rear Yard	20 feet	2.5"/ft.ht, not less than 15 ft.	15 feet	20 feet
Side Yard	8ft. (min.)	2"/ft ht. 8 feet (min.)	2"/ft ht. 8 feet (min.)	25 feet
Court		3ft/ht. 12 ft (min.) width	12 ft. (min.)	75 ft.
Parking § 2101 <u>Community Service</u>	1 per du	1 per 2,000 sf.	1 per 2,000 sf.. 27 spaces	37 spaces
<u>Office Use</u>	Not permitted	In xs 2,000sf. 1 /1,800 sf. of GFA	N/A	
Loading § 2200 <u>Community Service</u>	None required	1 service/delivery space 20 ft. deep	1 service/delivery space 20 ft. deep	1 space
<u>Office</u>		30,000-100,000 sf. GFA	N/A	N/A
Building GFA				53,195 sf.

Table 5

First Stage PUD – Community Service Center Building

Requirement	R-3	SP-1 (MOR)	SP-1 /PUD	Proposed
Height	40 ft. (3stories)	ft.	75 ft.	45 feet
Lot Area	3,000 (min.)	Not prescribed	Not prescribed	66,993 sf.
Lot Width	20' (min.)	Not prescribed	Not prescribed	Not provided
FAR § 402	None prescribed		2.5	0.92
Lot Occupancy	40 %	80%	80%	30.50 %
Rear Yard	20 feet	2.5"/ft.ht, min 8 ft.	8 feet min.	63.5 feet
Side Yard	8ft. (min.)	2"/ft. ht. 8 feet (min.) required	2"/ft ht. 8 feet (min.) required	20 feet
Court § 406				
Parking § 2101 <u>Community Service</u>	1 per du	1 per 2,000 sf.	1 per 2,000 sf.- 27 spaces	24 spaces
<u>Office Use</u>	Not permitted	In xs. 2,000sf. 1 /1,800 sf.	N/A	
Loading § 2200 <u>Community Service</u>	None required	1 service/delivery space 20 ft. deep	1 service/delivery space 20 ft. deep	1 space
<u>Office</u>		30,000-100,000 sf. GFA	30,000-100,000 sf. GFA	N/A
Green Area Ratio		0.3	0.3	0.34
Building GFA				46,200 sf.

Table 6

*Street and alley rights-of-ways are excluded from the land area in determination of the floor area ratio. Detailed development data is noted in Exhibit 11A1- Sheets S-01S - S-03.

Inclusionary Zoning: The summary of inclusionary zoning and affordable housing is provided as follows:

Residential Unit Type	GFA / Percentage of Total	Units	Income Type	Affordable Control Period	Affordable Unit Type	Notes
Total	219,000 – 238,000 sf./100%	162				
Multi-Family	132,490 sf.	120				
Townhouses	85,824 – 104,956 sf.	42				
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Market Rate Townhouses	90% of townhouses	37				
IZ - Townhouses	5% of townhouses	2	50% AMI	perpetuity	Ownership	
IZ – Townhouses	5% of townhouses	3	80% AMI	perpetuity	Ownership	
IZ – Multi-Family	6,625 sf./5%	7	50% AMI	perpetuity	Rental	
IZ – Multi-Family	6,625 sf./5%	7	80% AMI	perpetuity	Rental	
Affordable/Non-IZ – Multi-Family (PSH units)	Approx. 16,080 sf.	12	30% AMI	40 years	Rental	Permanent supportive housing units
Affordable/Non IZ – Multi-Family	Approx. 103,160 sf.	94	60% AMI	40 years	Rental	

Table 7

Item	Residential Site (R-5-B)	Community Service Center Site (SP-1)
Total Site Area	169,086 sf.	130,868 sf.
Maximum GFA achievable	@ 3.0 FAR - 507,258 sf.	@ 2.5 FAR – 327,170 sf.
Total GFA Proposed	237,446 sf.	53,195 + 46,200(Stage I) = 99,395 sf.
Max FAR Proposed	1.40	0.66 + 0.92 (Stage I) = 1.58
Difference	269,812 sf. (less than max.)	227,775 sf. (less than max.)

Table 8

2603.1 *An inclusionary development for which the primary method of construction does not employ steel and concrete frame structure located in an R-2 through an R-5-B District ... shall devote the greater of 10% of the gross floor area being devoted to residential use or 75% of the bonus density being utilized for inclusionary units.*

IZ requires:

- 10% of the GFA devoted to residential use: $10\% \times (132,490 + 104,956) = \mathbf{23,745 \text{ sf.}}$

Proposed:

- 10% GFA (MF) = 13,250 sf + 10% GFA (TH) = 10,496 sf. = **23,746 sf.**

Therefore, the application would meet the IZ requirement of Section 2603.1

2603.3 *Inclusionary developments located in R-3 through R-5-E, shall set aside fifty percent (50%) of inclusionary units for eligible low-income households and fifty percent (50%) of inclusionary units for eligible moderate-income households. The first inclusionary unit and each additional odd number unit shall be set aside for low-income households.*

Based on the Table 8 above, the set asides for the income type as specified by this provision, would be satisfied. Other units would be restricted to residents earning up to 60% AMI for a period of 40 years.

FLEXIBILITY

- a) Map Amendment: R-3 to R-5-B and SP-1: The Comprehensive Plan designates the site for moderate density residential uses. The proposed development would be characteristic of the surrounding neighborhood's existing and more recent development in its scale and massing, including the townhomes, smaller apartment buildings and nearby institutional uses. Therefore, the proposed PUD-related map amendment from R-3 to R-5-B (for the lower residential portion) and SP-1 (for the upper community services portion), would be not inconsistent with the Comprehensive Plan, particularly when read in conjunction with the referenced policies from the Plan. The SP District permits any use permitted as a matter of right in the R-5 District, as well as any other accessory use and building customarily incidental to the authorized uses.

The institutional wrap-around services and programing proposed by the non-profit groups that would locate within the development would be accessory and incidental to the residential uses proposed within the R-5 B portion of the site, and would directly serve the surrounding residential community. Therefore, the SP-1 District would be the appropriate designation for the administrative and office uses proposed.

- b) Section 404 - Side Yard: The Regulations require 8-feet wide side yards and the proposed side yards for 4 town house units would vary between 3 feet and 5 feet. The town homes identified in the site plan would be the end units of a row (THs 10, 11, 23, and 34). Where the units are closest (TH 10, TH 11) there would be an effective separation of 10 feet between units (Exhibit 11A1 – Sheet S-03). OP has no objection to the request as light and air would not be adversely impacted.
- c) Section 405 - Rear Yard: The applicant has offered the options of a rear deck and attic as part of its design options for future townhome residents. Up to 35 of the town homes for purchase would not satisfy the 15-foot required rear yard provision if a deck were added as an option. In those cases, the rear yard would be reduced to 10 feet. Where the decks are not offered as a purchase option, the provided rear yards would be 30 feet (Exhibit 11A1 – Sheets S-02-S-03). OP has no objection to the request, as individual future residents would have the option of a deck and would not have to apply to the ZC for a modification to the PUD for that addition.
- d) Section 403 - Lot Occupancy
The proposed lot occupancy requested would vary between 60.02 % and 62.38% for townhomes without the purchase options for a deck or loft attic. When options are included, the lot occupancy ranges would slightly increase between 60.99% and 65.47% for the same townhomes identified in the applicant's submission (Exhibit 11A1 – Sheets S-02-S-03). This request would negate the need for individual homeowners to request a PUD Modification before the

Commission to simply add a deck to their home. The requested lot occupancy increases would not exceed 70%, which is the maximum allowed by the Board of Zoning Adjustment's approval pursuant to Section 223.

- e) Section 2516 - Multiple Buildings on a single lot of record: Section 2516.1 states that the Board of Zoning Adjustment may grant a special exception to allow two or more principal buildings or structures on a single lot. The Commission, through the PUD process, may also grant that approval.

2516.4 The number of principal buildings permitted by this section shall not be limited; provided, that the applicant for a permit to build submits satisfactory evidence that all the requirements of this chapter (such as use, height, bulk, open spaces around each building, and limitations on structures on alley lots pursuant to § 2507), and §§ 3202.2 and 3202.3 are met.

2516.5 If a principal building has no street frontage, as determined by dividing the subdivided lot into theoretical building sites for each principal building, the following provisions shall apply:

- (a) *The front of the building shall be the side upon which the principal entrance is located;*
The front of each of the apartment building is identified on plans with a principal entrance.
- (b) *Open space in front of the entrance shall be required that is equivalent either to the required rear yard in the zone district in which the building is located or to the distance between the building restriction line recorded on the records of the Surveyor of the District of Columbia for the subdivided lot and the public space upon which the subdivided lot fronts, whichever is greater;*
The required rear yard for the buildings under the R-5-B PUD is 13 feet. The open space at the front entrances of each of Building A, B and C would be 13 feet. This requirement would be satisfied (Exhibit 18-3A, Sheets CIV 300A, 300B).
- (c) *A rear yard shall be required; and*
Rear yards have been provided for the townhomes (flexibility requested) and for the Stanton Commons, where the requirement would be satisfied.
- (d) *If any part of the boundary of a theoretical lot is located in common with the rear lot line of the subdivided lot of which it is a part, the rear yard of the theoretical lot shall be along the boundary of the subdivided lot.*

No part of the theoretical lot boundary for the apartment buildings are along the boundary of the subdivided lot. Townhomes T23 through T27, to the east have rear yards which would share common boundaries with the northeast property line.

2516.6 In providing for net density pursuant to § 2516.11, the Board shall require at least the following:

- (a) *The area of land that forms a covenanted means of ingress or egress shall not be included in the area of any theoretical lot, or in any yard that is required by this title;*

The area of the private street and alleys is excluded from the density and bulk measurements.

- (b) *Notwithstanding any other provision of this title, each means of vehicular ingress or egress to any principal building shall be twenty-five feet (25 ft.) in width, but need not be paved for its entire width;*

The private street, with a 52 foot right-of-way and a cart path that varies between 20 feet and 28 feet, is the “means of ingress or egress to any principal building.” This provision would be satisfied.

- (c) *If there are not at least two (2) entrances or exits from the means of ingress or egress, a turning area shall be provided with a diameter of not less than sixty feet (60 ft.); and*

The site would be accessed by a main private street, which would provide both ingress and egress at Pomeroy and Stanton Roads.

- (d) *The requirements of paragraphs (b) and (c) of this subsection may be modified if the Board finds that a lesser width or diameter will be compatible with, and will not be likely to have an adverse effect on, the present character and future development of the neighborhood; provided, that the Board shall give specific consideration to the spacing of buildings and the availability of resident, guest, and service parking.*

No request for modification is requested.

2516.7 Where not in conflict with the Act to Regulate the Height of Buildings in the District of Columbia, approved June 1, 1910 (36 Stat. 452, as amended; D.C. Official Code §§ 6-601.01 to 6-601.09 (2001) (formerly codified at D.C. Code §§ 5-401 to 5-409 (1994 Repl. & 1999 Supp.))), the height of a building governed by the provisions of this section, in all zone districts, shall be measured from the finished grade at the middle of the front of the building.

The height of the buildings would satisfy the Zoning Regulations height measurement criteria, as well as the 1910 Height Act requirements.

2516.9 The proposed development shall comply with the substantive provisions of this title and shall not likely have an adverse effect on the present character and future development of the neighborhood.

The proposed development would comply with the substantive provisions, including the bulk requirements. The residential development, as well as the services envisioned would benefit the immediate community. The townhome development would be compatible with the existing newer townhome styles along Elvans Road and the wider community. On-site parking would be provided in excess of the requirements and as such, the public on-street parking supply should not be adversely affected.

2516.10 Before taking final action on an application under this section, the Board shall refer the application to the D.C. Office of Planning for coordination, review, and report, including:

- (a) *The relationship of the proposed development to the overall purpose and intent of the Zoning Regulations, and other planning considerations for the area and the District of Columbia as a whole, including the plans, programs, and policies of other departments and agencies of*

the District government; provided, that the planning considerations that are addressed shall include, but not be limited to:

- (1) *Public safety relating to police and fire concerns;*
Three new fire hydrant services per DC Water Standards would be installed at the apartment buildings and one for the building at the Commons (Exhibit 183A – Sheets CIV 400B, 400C). Comments were not received by the Police or Fire Departments at the writing of this report. However, these concerns would be addressed at the permitting stage. Should substantial revisions be required, then the applicant would require a modification to the approved PUD.
- (2) *The environment, relating to water supply, water pollution, soil erosion, and solid waste management;*
Comments were requested from DC Water and DOEE. It is anticipated that comments would be submitted separately to the record.

However, DC Water informed OP verbally that there are concerns regarding the location of potential sewer/water lines proposed in the private alleys of the development. DC Water informed that proposing sewer lines through the 16-foot wide alley system would not be acceptable for service vehicles (See Exhibit 11-Sheet CIV 400A, 400B). OP understands that this was discussed with the applicant's project engineer(s) and it is anticipated that changes would be made to address DC Water requirements prior to proposed or final action.

- (3) *Public education;*
The development would be within walking distance of its boundary school at Moten Elementary School, located at the corner of Elvans and Morris Roads, S.E. Kramer Middle School and Anacostia High School are both approximately 1.5 miles north of the site and could be accessed via Metrobus (or a 7 minute drive).
- (4) *Recreation;*
Several recreation opportunities are available from this location, including Wilkinson Recreation Center at Elvans and Morris Road and Stanton Park, 0.5 miles from the site, as well as Anacostia Park, 1.0 mile away. Anacostia Park also provides links to bike paths, which provides easy access to west of the River.
- (5) *Parking, loading, and traffic;*
The project's parking would be satisfied on-site, so as not to create an adverse impact on the on-street parking supply in public space. The apartment buildings and townhomes do not have a loading requirement. However, deliveries, drop/off and pick-up would all take place on-site, from the parking area assigned to the apartment buildings. Stanton Commons would have a loading area to service the community service center as required and the campus would be served with a parking area for 37 spaces, which would be in excess of the 27 required spaces. The future Stage I PUD would accommodate 24 parking spaces on-site. The applicant's **Comprehensive Traffic Review (CTR** - November 23, 2015) analysis determined that... *"the PUD will not generate significant transportation demand during peak hours, and the demand can be accommodated within the local roadway, transit and parking systems."* DDOT will provide their determination based on the information submitted in the CTR.

- (6) *Urban design; similarly discussed under Section VII (a); and*
- (7) *As appropriate, historic preservation and visual impacts on adjacent parkland;*
This is not applicable as the subject property is not located within a historic district or adjacent to parkland.
- (b) *Considerations of site planning; the size, location, and bearing capacity of driveways; deliveries to be made to the site; side and rear yards; density and open space; and the location, design, and screening of structures;*

The site's irregular shape and topography creates challenges for the site's development. As such, both site grading and infill would be undertaken to accommodate the residential development and private street, as shown in the site grading analysis (Exhibit 18 A2, Sheet S-10B). The project would provide open space areas throughout the site, through its entry plaza, with seating, green space (with seating in the interior parking area) and a pocket park with seating and play equipment for residents. Landscaping proposed along the retaining wall system in the alley area would help relieve the visual impact of an increasingly large wall as viewed from the alley's entrance off Stanton Road. Similarly, the landscaping proposed for the smart slope separating the residential area from the Commons above could also have the desired effect of reducing the scale/massing of the retaining wall system at the rear of the play area. The site plan effectively separates the multifamily, townhome and community service center commons through landscaping, a retaining wall system, 16-foot wide alleys and the main private street. Pedestrian activity would be encouraged with extensive sidewalks proposed for the interior and exterior of the site, which currently does not exist. DDOT is expected to provide comments on all transportation related issues discussed within the applicant's CTR.

- (c) *Considerations of traffic to be generated and parking spaces to be provided, and their impacts;*
- The future development would satisfy the parking requirements on-site and trip generation due to the site is not anticipated to have an adverse impact on the current traffic conditions in the immediate area. The applicant proposes the following TDM measures to mitigate adverse impacts on the network, as identified in their traffic study:
- The Applicant will identify TDM Leaders (for planning, construction, and operations). The TDM Leaders will work with residents to distribute and market various transportation alternatives and options.
 - The Applicant will establish a TDM marketing program that provides detailed transportation information and promotes walking, cycling, and transit. An effective marketing strategy should consist of a multi-modal access guide that provides comprehensive transportation information. This information can be compiled in a brochure for distribution. The marketing program should also utilize and provide website links to CommuterConnections.com and goDCgo.com, which provide transportation information and options for getting around the District.
 - The Applicant will install Transportation Information Center Displays (with electronic screens) within the lobbies of Building A and the Commons.
 - The Applicant will encourage all alternative transportation modes including bicycling. Bicycling will be promoted with the provision of on-site outdoor temporary bicycle parking spaces.

As previously noted, traffic considerations have been presented to DDOT for their review and analysis. DDOT's comments/recommendations would be presented separately to the record.

- (d) *The impact of the proposed development on neighboring properties; and*
The proposed development is not anticipated to have an adverse impact on neighboring property but would fill in a large undeveloped parcel in a re-emerging neighborhood. It would provide additional eyes on the street in support of crime reduction and provide a host of supportive services to the neighborhood, including child care services and employment training, among others, through the programming of Martha's Table and the Community of Hope. This Commons would bring much needed services closer to home for a high percentage of Ward 8 residents, who currently commute via several bus routes to access these services in Wards west of the River.
- (e) *The findings, considerations, and recommendations of other District government agencies.*
Comments were requested from the following agencies:
- Department of Housing and Community Development (DHCD);
 - Department of Transportation (DDOT);
 - Department of the Environment and Energy (DOEE);
 - Fire and Emergency Medical Services Department (FEMS);
 - DC Water and DC Police
- At the writing of this report, comments were not yet received from those agencies.

2516.11 *The Board may impose conditions with respect to the size and location of driveways; net density; height, design, screening, and location of structures; and any other matter that the Board determines to be required to protect the overall purpose and intent of the Zoning Regulations.*

At setdown, the Commission provided comments to the applicant and the responses were noted under Section II of this report. OP met with the applicant subsequent to the submission of the pre-hearing statement to discuss the responses.

The provisions of this section have been satisfied.

- (f) *2117.9 Driveways and parking for row dwellings shall be governed by the following special provisions:*
- (a) *In the case of two (2) or more row dwellings that are constructed concurrently on adjacent lots and that have direct access only from the street, each two (2) row dwellings shall provide access to the required off-street parking spaces through adjacent driveways that share one (1) driveway opening. The width of each driveway shall not exceed seven feet (7 ft.) on each lot;*

In this instance, the island created between the two driveways is not consistent with the "one driveway opening" as 9-foot wide driveways are proposed on each of the front loaded townhouse lots. The intent of the provision was to prevent wider than necessary curb cuts in public space. The access to the driveways would be from a private street. Therefore, OP has no objection to this request.

V. PURPOSE AND EVALUATION STANDARDS, PUBLIC BENEFITS AND AMENITIES

Sections 2403.5 - 2403.13 of the Zoning Regulations discuss the definition and evaluation of 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.” To assist in the evaluation, the applicant is required to describe amenities and benefits, and to “show how the public benefits offered are superior in quality and quantity to typical development of the type proposed...” (§2403.12)

The amenity package evaluation is based on an assessment of the additional development gained through the application process. The R-3 zone would allow an effective 1.8 FAR, whereas the applicant is proposing 1.40 FAR for the residential portion (excluding the private right-of-way and alleys). The Comprehensive Plan does not anticipate the parcel to remain low density residential, and would support a moderate density development for the site.

The following table compares the existing matter-of-right development capacity of the R-3 District with the requested R-5-B and SP-1 District for the Consolidated PUD:

Standard	R-3 M-O-R* (8 ac.=348,480 sf)	R-5-B M-O-R* (5 ac.= 217,800 sf)	SP-1 M-O-R (3 ac.=130,680 sf)	Consolidated PUD Proposal	
				R-5-B 217,800 sf	SP-1 130,680sf
Uses	Residential	Residential	Institutional/office	Residential	Community center
Height	40 ft./3-stories	50 ft.	65ft.	47 ft. (TH) - 49.5 ft. (Apt.)	32 ft.
FAR	None prescribed 1.8 (effective for row dwellings) 627,264 sf.	1.8 (304,354.8 sf.)	2.5 (Other perm. uses) (327,170 sf.)	1.40 (excludes private right-of-way and alleys)	0.66
Lot Occ. %	60%	60%	80%	65.47% (max). (TH)	32.12%

Table 9

The future structure under the Stage I PUD is anticipated to support of the proposed community services center as the program provided for under the Consolidated PUD expands.

The Consolidated PUD, including the residential development (R-5-B District) and the community service center (SP-1 District) would offer the following amenities and benefits gained through the application process:

- (a) *Urban design, architecture, landscaping, or creation or preservation of open spaces - § 2403.9(a)*

Urban Design, Architecture, Landscaping

The proposed PUD would significantly enhance the character of Stanton Road by removing a large vacant parcel from the neighborhood’s fabric. The proposed development would introduce a residential

use and accessory services currently absent in the immediate neighborhood. The buildings' massing and scale would be appropriate within the context of the Comprehensive Plan and the existing neighborhood. Building materials would include a mixture of brick and cementitious siding, which would be carried throughout the site. The façade details are integral to ensuring variety in the streetscape. The proposed architecture would be similar to recently completed residential development in the immediate area. The architecture would complement that of the surrounding neighborhoods, which have a variety of architectural styles, materials and designs. Connectivity between both portions of the site would enhance Stanton Road through the proposed new sidewalk along the street to Elvans Road. This would also be an important safety feature for the neighborhood, through improved lighting and pedestrian safety along Stanton Road. The applicant's CTR recommends additional improvements at two nearby intersections to improve pedestrian activity, including:

(1) Improved marking and signage, including stop bars, crosswalks, and curb ramps at the intersection of Elvans Road and Gainesville Street so that they meet DDOT and ADA standards.

(2) Improved marking and signage, including stop bars, crosswalks, and curb ramps at the intersection of Elvans Road and Morris Road and Erie Street so that they meet DDOT and ADA standards.

These improvements have not been designed but are under consideration pending discussion of non-transportation issues, such as utility pole relocation costs, conflicts with sewer/stormwater infrastructure, and/or right-of-way limitations. (CTR – Page 42.)

Onsite parking supply was an expressed concern of the community. To that end, on-site parking is proposed in excess of the requirements of the Regulations to mitigate concerns regarding an adverse impact on the public's on-street parking supply in the immediate neighborhood. The site is within a mile and a half of the Anacostia Metro Station. Metrobus stops are located within a block of the site along Stanton Road, Pomeroy Road, and Morris Road. The PUD will satisfy zoning requirements for bicycle parking on-site.

(b) Site planning, and efficient and economical land utilization - § 2403.9(b)

The Hillside neighborhood is a focus area identified within the Area Element of the Comprehensive Plan. The co-location of uses proposed by the applicant's collaboration with Community of Hope and Martha's Table would be an example of efficient site planning, as it would provide housing and additional services on-site, including childcare, health care and other support services for future and immediate residents.

The site would be significantly re-graded to support the design proposed. The design proposes internal pedestrian connectivity throughout the site, and the site is conveniently located between two bus stops in opposite directions on Stanton Road. The townhomes, the majority of which would front on the main private street would have both internal parking and on-street parking for guests, which should not impact the public on-street parking supply of the existing neighborhood. There would be landscaped frontages and vehicular access would be from the rear of the homes via a 16-ft wide alley system. Clear lines of sight along the private alleys would support safety and easy access from the rear. The inclusion of a play area and other landscaped areas on the site serve the dual purpose of providing passive recreation for families, while providing green areas for storm water retention.

(c) *Historic preservation of private or public structures, places, or parks - § 2403.9(d):* The property has no historic designation.

(d) *Housing - § 2403.9(f):* This project would provide a substantial number of two and three-bedroom units at a level of affordability that would be below market-rate. Up to 30% of the apartment units would be two bedroom units. Up to 12 apartment units would also be dedicated as permanent supportive housing units for the life of the project, which is an added benefit. Details regarding how the project meets the IZ requirements are shown in Table 7 of this report.

(e) *Environmental benefits § 2403.9(h) :* As proposed, the project would satisfy the Green Area Ratio (GAR) for the R-5-B zone (0.30 min required – 0.37 proposed) and the SP-1 District (0.30 min. required- 0.34 proposed) (Exhibit 18 A-2, Sheet S-01). Bi-retention areas around the site would curb run-off from surface parking and the private street/alley system. The proposed planting of 249 would replace the tree loss with healthier trees and canopy on-site. It is also anticipated that the project would achieve the Green Communities certification for new affordable housing development.

(f) *Uses of special value to the neighborhood or the District of Columbia as a whole § 2403.9 (i)*
The affordable and supportive housing units proposed by this project should help the District towards meeting its goal of housing low income and homeless families. The introduction of a community service center to support residents of the immediate and surrounding development in an underutilized site is consistent with planning goals for the neighborhood and is a public benefit and amenity of the project.

The non-profit Community of Hope provides supportive services to low-income and homeless adults and children in D.C for the past 35 years. Twenty one residents were hired as staff members and 18 Ward 8 residents were hired during construction. Their headquarters, health center and two permanent supportive apartment buildings are located in Ward 8.

Martha's Table operates the Joyful Food Markets and Martha's Markets in seven Ward 8 schools and community centers. Forty percent of families in their Healthy Start program are Ward 8 residents. Twenty percent of employees hired in 2015 also reside East of the River.

The applicant has stated that based on the neighborhood's request, the first phase of the development would involve the construction of the Commons, which would be anticipated by the Fall of 2016 with construction completed by 2018. The housing component is anticipated to be completed by 2018.

The applicant has partnered with the Anacostia Development Corporation (AEDC) to help identify Ward 8 business opportunities and will also include a Ward 8 development partner in the construction of the rental housing for the project.

Benefits and Amenities:

BENEFIT OR AMENITY	MITIGATION	PUBLIC BENEFIT	PROJECT AMENITY	REQUIRED	APPLICANT PROFFER
Affordable housing (IZ) 10% IZ units (TH) : 5% to 50% AMI 5% to 80% AMI Multifamily 5% up to 50% AMI 5% up to 80% AMI (in perpetuity)		X	X	X	
12 permanent supportive housing units			X		X
Market rate housing (50-80% AMI)		X			
Community Service Center, including – day care, and other on-site supportive services		X	X		X
Partnership with AEDC to identify Ward 8 business opportunities		X	X		X
Partner with a Ward 8 development team for construction of rental housing		X	X		X
Superior Architecture		X	X		X
Improved sidewalk dedicated to public use at applicant's expense: Improved pedestrian amenities, including markings and signage at nearby intersections	X	X	X		X
Transportation Demand Management Measures	X	X		X	
Environmental benefits, stormwater management Pervious surfaces	X	X		X	X

Table 10

VI. COMMUNITY COMMENTS

The applicant presented the project to the Fort Stanton Civic Association and the ANC8B on December 10, 2015. The ANC and the Civic Association adopted resolutions in support of the project. Their comments will be provided separately to the record. Letters in support from residents at the writing of this report are noted in the record as Exhibits 34 and 35.