

**Advisory Services Program** 



WASHINGTON, D.C.
ULI ADVISORY SERVICES

JULY 7-12, 2019

# Thank you to our sponsors!











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### About the Urban Land Institute

**ULI Mission**: to provide leadership in the responsible use of land and in creating and sustaining thriving communities worldwide

- A multi-disciplinary membership organization with more than 45,000 members in private enterprise and public service
- What the Urban Land Institute does:
  - Conducts Research
  - Provides a forum for sharing of best practices
  - Writes, edits, and publishes books and magazines
  - Organizes and conducts meetings
  - Directs outreach programs
  - Conducts Advisory Service Panels





### ADVISORY SERVICE PANELS

Since 1947, the Advisory Service Panels has assembled well over 700 ULI–members to help sponsors find creative, practical solutions for issues on a variety of land use subjects such as downtown redevelopment, land management, and strategies.



### **ULI Panelists and Staff**

Selected for their subject matter expertise to provide objective, volunteer recommendations

### **Philip Payne (Panel Chair)**

Ginkgo Residential Charlotte, North Carolina

#### **David Greensfelder**

Greensfelder Commercial Real Estate, LLC Albany, California

#### **Brad Leibin**

David Baker Architects
San Francisco, California

#### **Christopher Ptomey**

Urban Land Institute Washington, D.C.

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### **Chris Riley**

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### **Heather Worthington**

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Minneapolis, Minnesota

#### **Keith Harris**

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#### **Paul Angelone**

Director, Advisory Services

#### **Michael Spotts**

Visiting Research Fellow

#### Sarah Kraatz

Senior Associate, Awards

#### Rebecca Hill

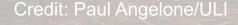
Associate, Meetings & Events

#### Kamari Eason

Intern, Advisory Services

#### Rebecca Gale

**Project Writer** 

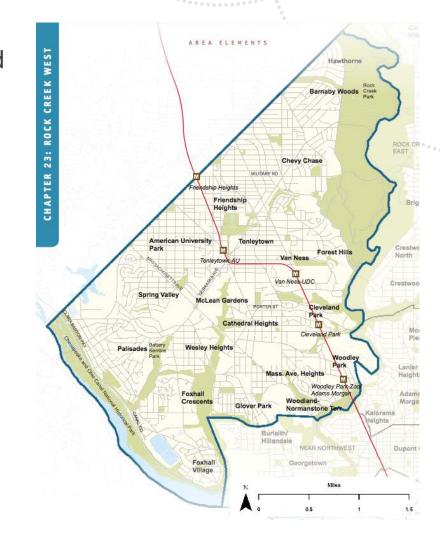




### Panel Scope

Mayor Bowser plans to provide 36,000 housing units distributed equitably across the city by 2025, with 12,000 of those being low- and moderate-income units. Panelists were asked to evaluate how to produce affordable housing units in the Rock Creek West area.

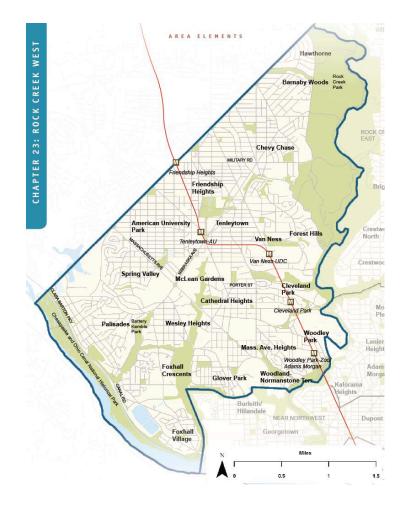
- Identifying and prioritizing the barriers to new housing production, focusing on an area of D.C. characterized primarily by single-family homes and corridors of more dense development;
- Outlining specific tools, policies and changes that will enable the District to overcome cost barriers and development capacity constraints;
- Developing a strategy to produce a significant amount of affordable housing in Rock Creek West over the next six years; and
- Identifying opportunities to increase residents' engagement with and support for affordable housing in Rock Creek West.

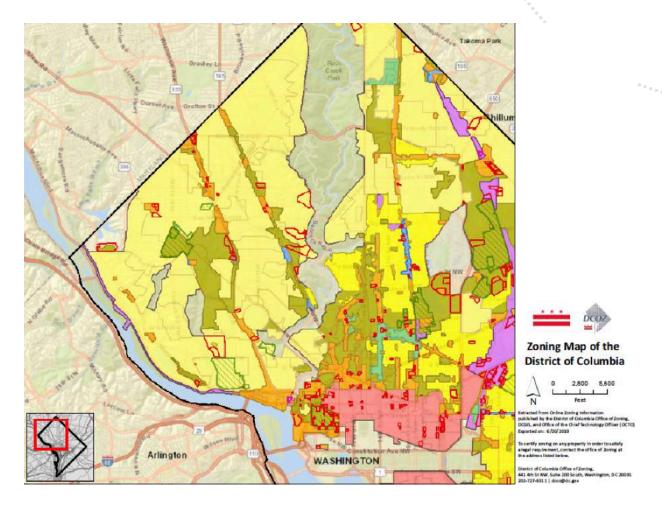




## Overview and Demographics

The Rock Creek West Planning District's land is overwhelmingly zoned single family residential.

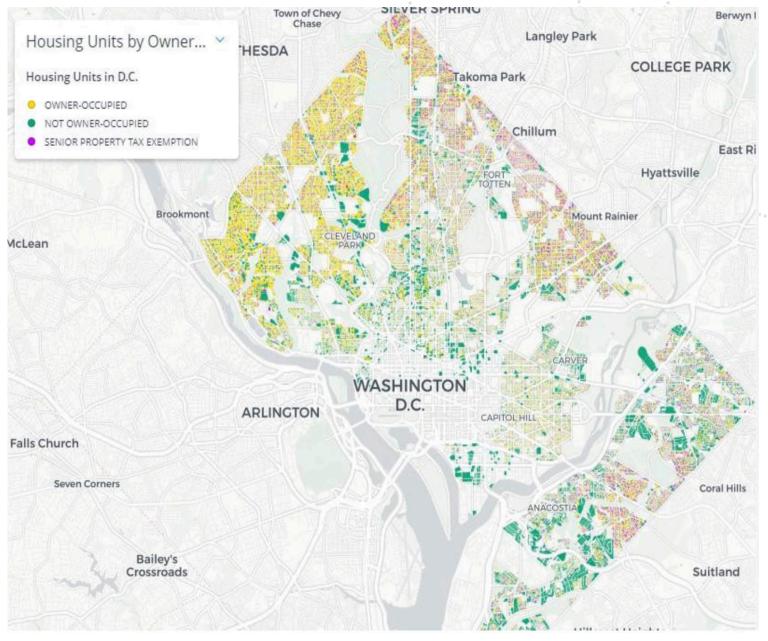






## **Housing Overview**

The vast majority of owneroccupied housing is in Ward 3.





## **Housing Overview**

Housing values are significantly higher in Ward 3 than anywhere else in the District.

About 80% of the Rock Creek West Planning District is white

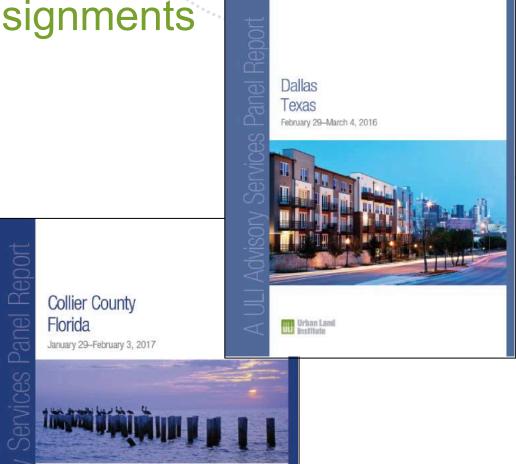
White households have a net worth 81 times greater than their African American counterparts



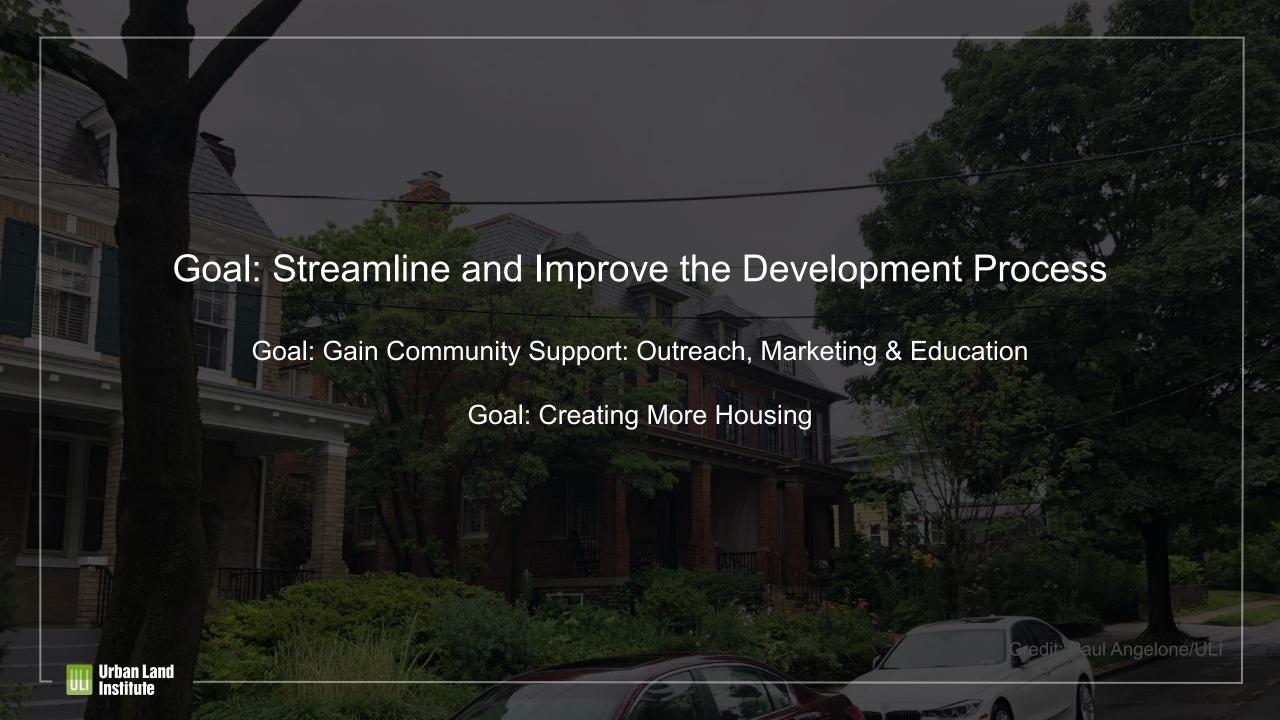


## Recommendations from Similar Assignments

- Adopt a smart code that differentiates between different types of areas
- Establish an enhanced minimum wage ordinance
- Raise awareness, educate, and communicate with the community about housing affordability
- Affordable housing production is an opportunity for African American leadership and ownership in an area in which the population has been excluded historically
- Incentive-based inclusionary zoning program
- Leverage public and institutional assets
- Invest strategically in community revitalization

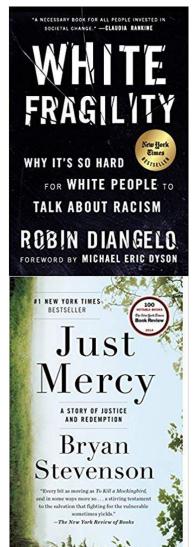


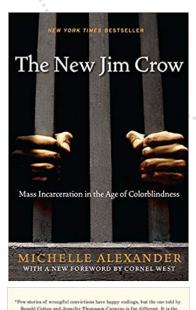


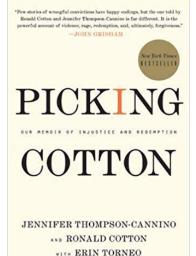


## Increasing Social Cohesion & Community Support

- A quarterly book club focused on community conversations about topics of immediate interest and relevance to the City's Affordable Housing and Development goals. Mayor Bowser would promote book club, and neighborhood and advocacy groups could lead discussions
- More social gatherings so that people have an opportunity to meet
- Paying attention to how owners are treated in comparison to renters in city processes
- Enlisting a speakers bureau to focus conversations with community groups around issues related to affordable housing and the city's goals
- Use consistent language around race, racial disparities, and affordable housing; incorporate these concepts into the policy work of the District in every department, program, and project
   Urban Land







## Planned Unit Development

### Regulatory Revisions

- Specific provisions that are typically used in negotiating Planned Unit Developments (PUD) should be incorporated into local zoning codes
- This will ensure that more developments will meet the City's development goals with regard to provisions such as affordable housing, height, density, and parking
- Creating "as of right" zoning will streamline entitlements resulting in greater production of housing
- Consistent application of these provisions will make development more predictable for both community and developers
- Conduct a comprehensive review of regulatory and zoning practices to ensure that existing codes are not precluding the development or improvement of attainable housing





## Addressing the amount of litigation related to development

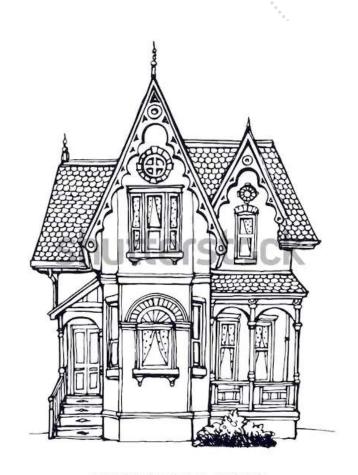
- Revise local ordinances to require that parties filing lawsuits have standing and demonstrable interest
- Create a Legal Defense Fund to counter the economic power of residents filing lawsuits against affordable housing
- Consider establishing a requirement for posting a legal bond prior to a land-use related development





### Historic Preservation

The District should review their historic preservation code, processes and practices to ensure that these ordinances are not being used to block development in cases where residents use the historic designation process to identify historic resources that do not meet standards as a way to slow or block development



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### **Streamline and Improve the Development Process**

### **Challenge**

- There is a significant uncertainty for new development from a time and cost standpoint due risk of litigation.
  - Each new development can result in a separate legal battle.

### Recommendations

- > Work with local communities to create Small Area Plans
  - Provide process for community input and buy-in for densification
  - Address concerns with neighbors in advance of new development
  - Translate agreed upon development strategy into small area plan
- Create by-right zoning which aligns with the Small Area Plan





Streamline and Improve the Development Process

- Align Small Area Plans with Zoning and Comprehensive plans
  - Ensure there is no ambiguity about what is allowed by-right so development can proceed without risk of litigation.



#### Streamline and Improve the Development Process

➤ Identify commercial activity centers in RCW as candidates for Small Area Plans. Consider: Tenleytown, Glover Park, Cleveland Park, Woodley Park, Friendship Heights, and Chevy Chase Circle.









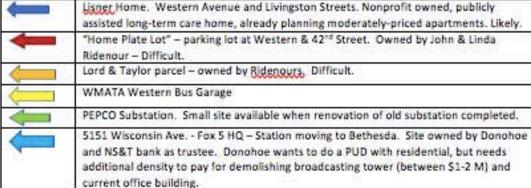




### **Streamline and Improve the Development Process**

- Prioritize nodes where there is significant opportunity for densification and improved commercial activity
  - Friendship Heights in particular:
    - Significant underutilized parking at the Mazza Galleries' and Lord & Taylor sites
    - WMATA Garage
    - PEPCO substation
    - FOX 5 headquarters which is slated for relocation







# Precedent Study: Fox 5 Site





## Precedent Study: Fox 5 Site Harrison Freet NW Man Street Mixed Use Mixed Income SHe · 80%. lotuse .9 acres - 40 fleght 40% lot we · FAR: Hone .. 20' rear yard . 8' side yard · 12' Fear Yard · 8' Side Yard 100% Affordable Site · 4 acres GARTSON Street MM 1 = 50

## Parking reform

- Eliminate minimum parking requirements
- Better manage on-street parking
- Direct proceeds toward the surrounding areas







### Education Campaign about Affordable Housing and Development

Intentional conversations and meaningful outcomes

- Explore the history of racialized housing policy in Washington, D.C.
- Work with local academics to develop a social media or static exhibit that can be used in public spaces as an educational tool
- As part of a broader communications strategy, use the history of housing and race in the District as a way to engage people in a problem solving discussion now

#### Racially Restrictive Covenant Language, Hennepin County, c. 1925

The party of the second part hereby agrees that the premises hereby conveyed shall not at any time be conveyed, mortgaged or leased to any person or persons of Chinese, Japanese, Moorish, Turkish, Negro, Mongolian or African blood or descent. Said restrictions and covenants shall run with the land and any breach of any or either thereof shall work a forfeiture of title, which may be enforced by re-entry.

Racial covenant used in Hennepin County

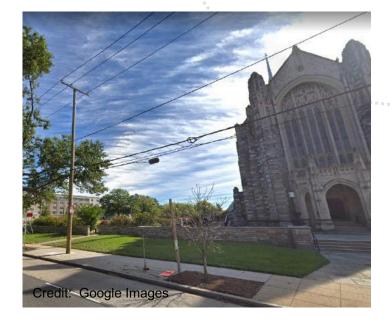


## Recommendation: Engage Faith Community

Goal: Increase Housing Production







- Shared values: Housing for All
- Opportunity to finance deferred maintenance
- Resource for financial sustainability for faith organizations
- Re-engage affordable housing developers with organized faith networks to develop development plans and evaluate financial feasibility



#### **Recommendation:**

# Create a Marketing & Education Campaign to Communicate vision to stakeholders and crefate political will for support

- Consistent feedback from stakeholders about Administration support for multifamily housing:
  - **Criticism**: Historic lack of messaging and support from the Administration for past housing policy initiatives. This has been shown even with clear housing goals and targets.
  - Compliment: The Mayor's active promotion and defense of her Emergency Family Shelter in RCW is an example of successful active messaging and clear political will;
  - Criticism: Even with clear housing goals and targets, historically there has been no detailed action steps taken in the ward to support denser development or advocate for individual projects that would result in more affordable housing
- We recommend an active education and PR campaign to purposefully engage, inform and market the administrations Comprehensive Plan and specific housing goals



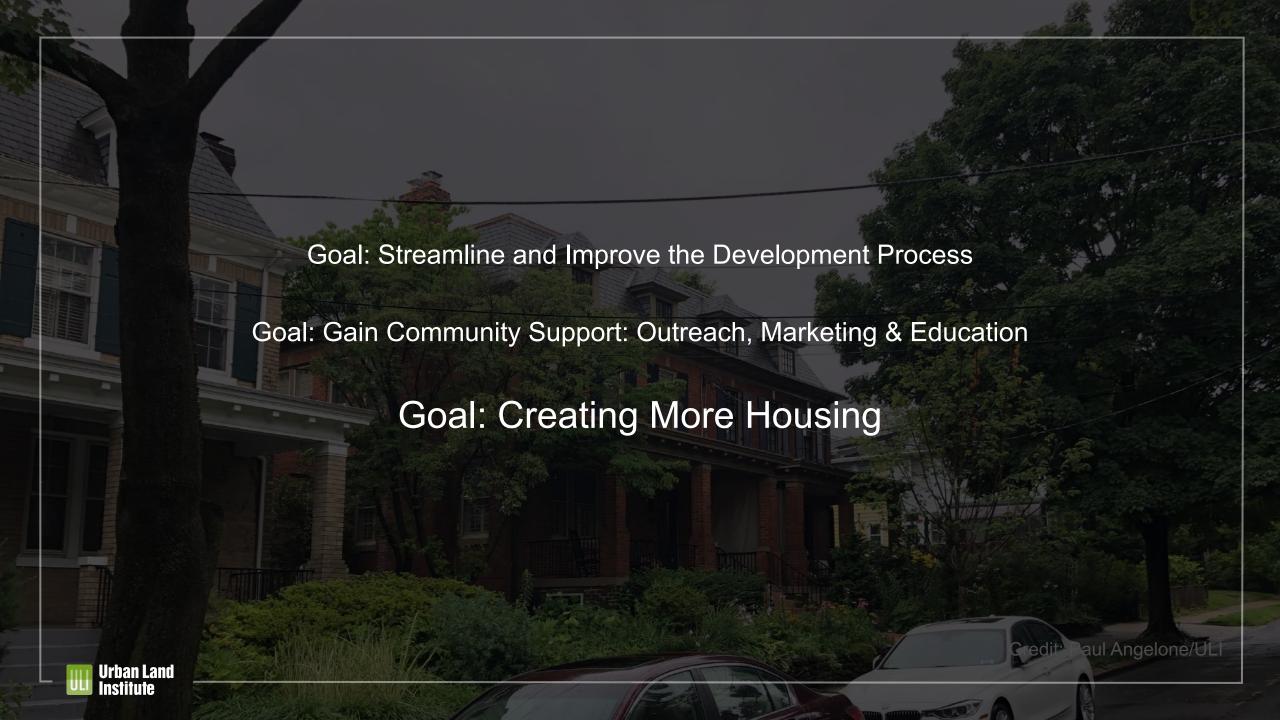
#### **Recommendation:**

# Create a Marketing & Education Campaign to Communicate vision to stakeholders and create political will for support.

- Action by the Administration:
  - Educate the community and promote programs via social media campaigns and community engagement;
  - Actively work to destigmatize rental housing in general and workforce and Affordable housing specifically;
  - Actively support, advocate for & celebrate new projects that add desired housing supply.







## Cost Burden of Development

Examining the high cost of construction and development

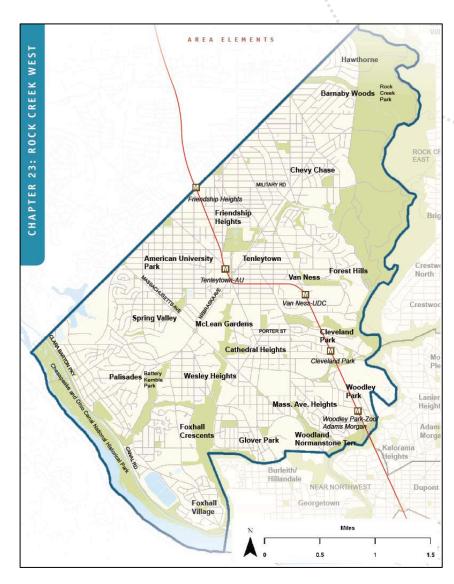
- Construction costs increased approximately 6% a year
- Regulatory burdens:
  - Litigation costs vs. certainty of as-of-right development
  - Time to entitlement
  - Parking minimums
  - Height maximums
- Land Cost
- \$400-500,000 per unit construction cost
- Result: Economics don't work for low-moderate to moderate income housing



GOAL: Build more housing; invigorate the area!

- 5 Metro stations
- Major corridors
  - Wisconsin Ave
  - Connecticut Ave
  - MacArthur Blvd
- Commercial districts
- Residential districts
  - Single family homes suburban in nature
  - Multi-family dense development
- Cultural and religious institutions
- Educational institutions





GOAL: Embrace the challenge Take advantage of the opportunity!

 Concern about impacts to the community resulting from adding workforce, student, and affordable projects



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- W3 will need to increase density, the question is where?



RECOMMENDATION: Subtly increase density in single family residential neighborhoods





RECOMMENDATION: Increase density more along corridors





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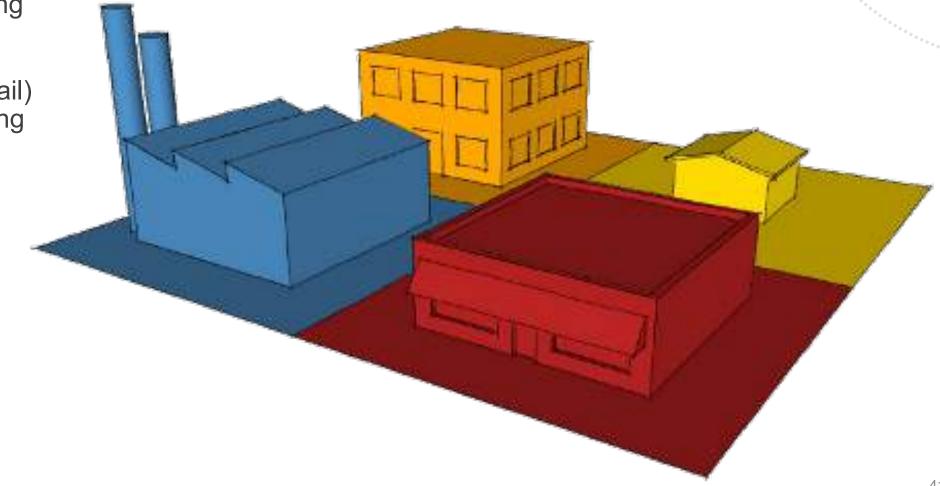
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- A useful way to think about adding this housing is to understand form-based zoning



GOAL: Think more broadly about land use.

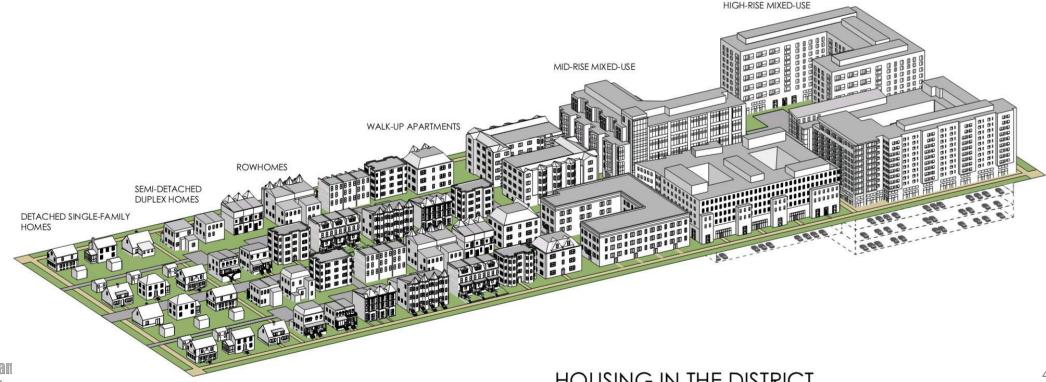
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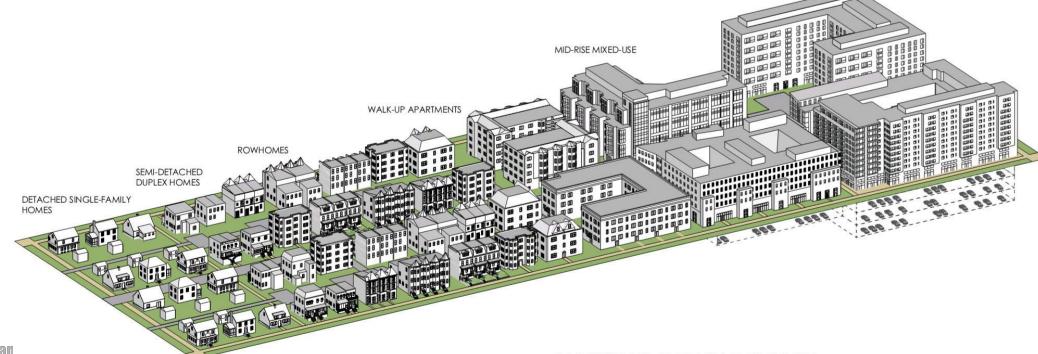


GOAL: Think more broadly about land use.

Form-based zoning uses building form and mass (ie. facades, and size/scale/mass) as an organizing principle

This has benefits compared to Euclidian zoning which uses building type (office,

residential, retail) as an organizing principle



HIGH-RISE MIXED-USE

GOAL: Think more broadly about land use...create opportunities for new housing.

 Easier and more palatable to talk about adding density to the residential areas when a form-based approach is employed so as not to undermine the character of the community



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- Denser residential development can be built in the areas between commercial corridors and residential neighborhoods





GOAL: Think more broadly about land use...create opportunities for new housing.

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GOAL: Think more broadly about land use...don't waste opportunities for new housing.

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- Cathedral Commons and the Sears redevelopment at Tenleytown could have been built at a much greater density without negatively impacting the character of surrounding neighborhoods



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- There can be both positive and negative externalities
- For example, a negative externality of tall buildings being built this close to each other is the sun being blocked (in the District in the summer, however, this might be viewed as a positive externality)
- The key to adding density to any community is in managing the externalities...not keeping new development out at any cost!





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- Positive externalities: More diverse and inclusive community, moderating housing prices, and a jobs-housing balance are obvious
- Negative externalities: Increased traffic can be managed through further development of existing transit infrastructure



GOAL: Focus on corridors as a key to invigorating neighborhoods and solving housing shortfall

- Retail does this...
  - Place-making,
  - Increases walkability,
  - Better proximity of services, and
  - Defines neighborhoods





RECOMMENDATION: Adding housing helps create a vibrant retail environment

- Sources of sales...
  - Residential population,
  - Daytime/employment population,
  - Destination visits / tourism, and
  - Transiting (ie. passing through/"onmy-route")





RECOMMENDATION: Adding housing helps create a vibrant retail environment

- Many stakeholders have suggested that some Ward 3 retail nodes, Cleveland Park and Woodley Park in particular, are in decline.
- Beloved institutions have closed
- Tenant turnover has increased
- Businesses desired by residents such as restaurants are perceived as having a difficult time surviving





RECOMMENDATION: Adding housing helps RE-CREATE a vibrant retail environment.

- A retail mix, by necessity, must be calibrated for local conditions including:
  - Demographics,
  - Community vision and resources,
  - Capabilities of property owners and prospective tenants,
  - Allowed uses under the zoning code, and
  - Real estate market conditions
- Retail is evolving, so some uses that have been located in a neighborhood for years may no longer be viable as sales move to alternatives to bricksand-mortar stores such as the internet









RECOMMENDATION: Redeveloping tired retail creates housing AND new street vibrancy!

 Retail on these corridors tends to be in single story buildings, most of which are not particularly notable







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- The redevelopment of single-use buildings into mixed-use buildings is an opportunity to provide additional housing in R.C.W., AND to create incremental retail demand
- This more robust retail will also attract customers living and working outside of the immediate neighborhoods







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- The redevelopment of single-use buildings into mixed-use buildings is an opportunity to provide additional housing in R.C.W., AND to create incremental retail demand
- This more robust retail will also attract customers living and working outside of the immediate neighborhoods
- This maximizing of co-benefits (increasing housing while creating a stronger demand base for retail) is a key tenant of ULI's approach to resiliency







RECOMMENDATION: Look at scale as an opportunity...it can help define "place"

- Allowing building heights to be maximized along the major commercial corridors will draw attention from the development community
- A targeted density bonus program will result in projects that meet the needs of the community and the Mayor's housing goals



Photo Credit: DSG/ULI ASP



RECOMMENDATION: Look at scale as an opportunity...it can help define "place"

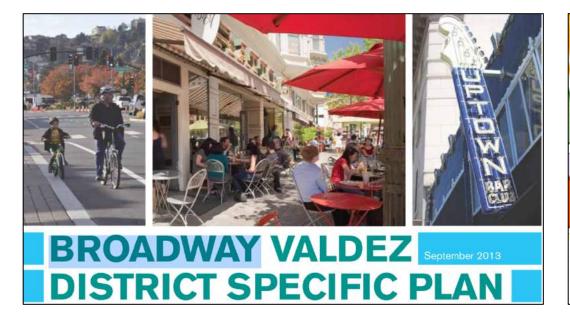
- Allowing building heights to be maximized along the major commercial corridors will draw attention from the development community
- A targeted density bonus program will result in projects that meet the needs of the community and the Mayor's housing goals
- A targeted density bonus program needs to reward:
  - creating a mix of units, some market rate and some BMR, and
  - creation of ground floor commercial space that possesses the attributes for which retailers look that maximize a retailer's ability to succeed

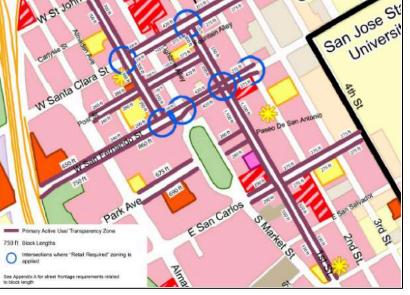




RECOMMENDATION: Look beyond historic zoning to create new opportunity and vibrancy!

- An overlay and/or density bonus incentives will benefit the community with more overall affordable housing, and a more robust and inviting retail environment
- Oakland, California's Broadway-Valdez Specific Plan has attracted housing and street retail to a traditionally automotive area exchanging density bonuses for retail-ready ground level space
- San Jose's new Downtown plan protects key retail nodes and employs a design overlay for areas between these nodes so retail can easily be accommodated as market demand evolves



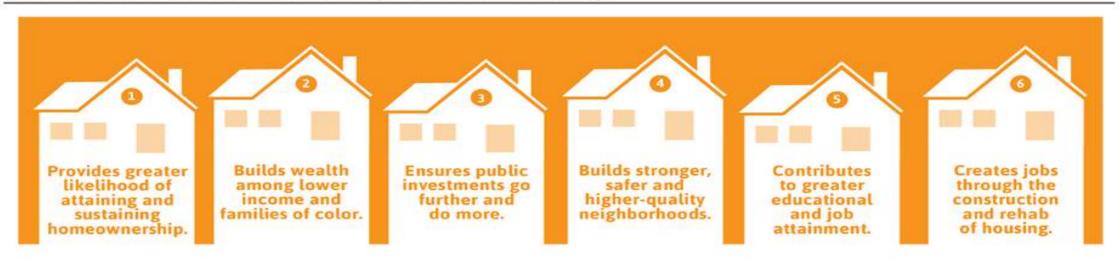




#### Create permanent shared-equity homeownership opportunities

- Homeownership is out of reach of most District residents
- Affordable housing programs are "leaky buckets"
- Community benefits of stewardship
- The panel recommends that the City partner with shared equity providers to create affordable, permanent homeownership opportunities for lower-income households

#### What are the Benefits of Shared Equity Homeownership?





#### Monitor and improve the IZ program on an ongoing basis

# The Economics of Inclusionary Development





- Indispensable housing affordability tool where land is scarce
- Changing economic conditions necessitate ongoing review and adjustments
  - Development feasibility
  - Tenant targeting and cost burden
- The Panel recommends that the City periodically review inclusionary zoning regulations, policies, and administrative procedures to ensure they are economically feasible, appropriately targeted and effectively managed for impact



### Undertake a proactive land-acquisition strategy

- Land costs in RCW lock out moderateand lower-income residents
- Local land trusts common acquisition and transfer tool
- The Panel recommends that the City consider subsidizing development in RCW by creating a local land bank to acquire properties to lease, donate, or sell at a discount to developers of housing affordable to households earning less than 80% of median income

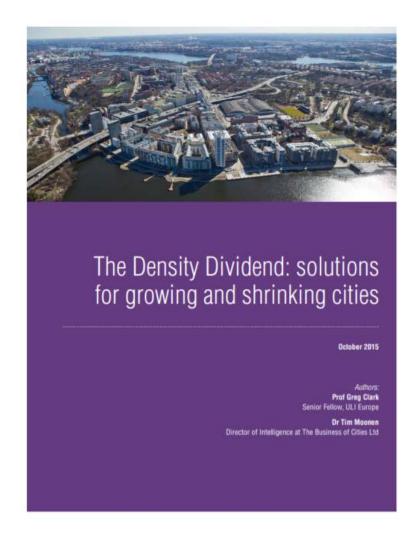








#### Incentivize affordable production through density bonuses

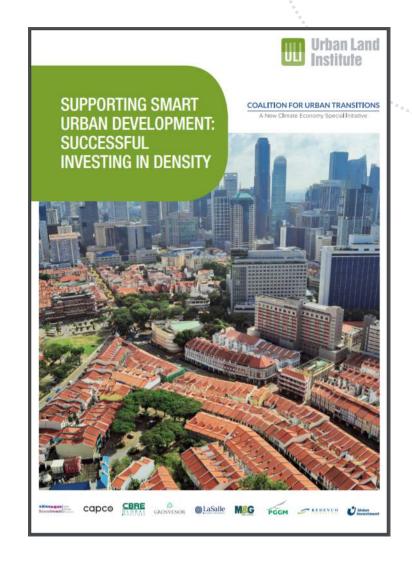


- Indispensable housing affordability tool where land is scarce
- Generates additional revenues could be used to meet community needs
- Other benefits Investment-ready
  - Reduces congestion
  - Reduces carbon footprint
  - More amenities and opportunity
  - Can be achieved without tall buildings



#### Incentivize affordable production through density bonuses

- The Panel recommends that the City provide voluntary density bonuses to improve housing affordability as a matter-of-right. Examples of actions that could justify bonuses include
  - Developing projects with 100% low-cost units
  - Setting aside a higher percentage of affordable units than required under mandatory IZ
  - Donating property for the development of affordable housing





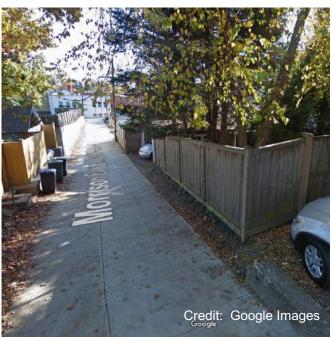
Recommendation: Promote development of Accessory Apartments

Goal: Increase Housing Production

- Accessory Apartments placed into DC zoning code 2016 aka Accessory Dwelling Units, ADUs, "granny flats," carriage houses, garage conversions
- Identified challenges to developing Accessory Apartments include
  - Managing unit development
  - Construction costs
  - Access to financing
  - Licensing and zoning processes and costs
- Recommendations
  - Convene stakeholders for specific input on development process
  - Streamline permitting, licensing processes and zoning for developments
  - Facilitate homeowners connecting with contracting, permitting, licensing, and zoning advisors and supports or work with nonprofit already organizing to support those interested in development Accessory Apartments
  - Development incentives examples: Boston, Portland, LA







#### Promote Development of Accessory Apartments

17,700 x 14% = 2,500 single-family homes in Rock Creek West



### Make better use of publicly owned properties





#### Make better use of publicly owned properties.

Strategies for placing housing on publicly owned properties:

- Public/private partnerships between city agencies and affordable housing developers
- Requiring that new public facility developments/redevelopments include affordable housing components whenever feasible
- A process for receiving unsolicited bids for more intense utilization of publicly owned parcels



### Consider master-leasing existing housing on a trial basis





Upzone specific areas near transit within ½ mile of metro stops and ¼ mile of bus corridors.

#### **Current situation:**

- The greatest density of housing and retail services is already situated along the major traffic corridors including Wisconsin and Connecticut
- Accepted national research promotes the area economic and social benefits of mixed-use development around mass transit nodes
- Resistance to development and density in Rock Creek West relates to retaining character and low density of the neighborhoods.

#### Therefore....

We recommend additional density be allowed through modified zoning when executed around metro stops and bus corridors



#### **Recommendation:**

Upzone specific areas near transit within  $\frac{1}{2}$  mile of metro stops and  $\frac{1}{4}$  mile of bus corridors.

# Benefits of mixed-use development around transit extends to the RCW community:

- Developments with ground floor retail near transit stations provide local commuters needed services such as coffee shops, drug stores, restaurants, dry cleaners and grocery venues
- Residents who live in these properties support the shops with 18-hour demand allowing restaurants and retail desired by the broader community to flourish





## Recommendation: Upzone specific areas near transit within $\frac{1}{2}$ mile of metro stops and $\frac{1}{4}$ mile of bus corridors.

- Increasing density around transit stations has low impact on the existing community but provides the apartment residents with the same, great close-in work commute, schools and amenities
- Residents of apartments are some of the highest users of public transit. Making the Metro walkable reduces the motor vehicle traffic on neighborhood streets
- Increased unit density drives down the average unit construction cost allowing rents to be naturally more affordable



Image Credit: Gerding Edlen/Design: Schemata Workshp, Hewitt, and Berger Partnership.



#### Summary of Recommendations

- Create Small Area Plans for commercial activity centers
- Create zoning regulation that incorporates key provisions of the typical Planned Unit Development
- Closely examine codes, including the historic preservation designation process, regulations and programs for unintended consequences
- Require posting of a legal bond prior to filing of a land-use lawsuit
- Seek funding to create a legal defense fund
- Eliminate minimum parking requirements, better manage on-street parking, and direct proceeds toward the surrounding areas
- Create a Marketing & Education Campaign to Communicate vision to stakeholders and create political will for support
- Focus on the Reuse of Commercial Corridors as a Vehicle for Creating Housing
- Adopt a proactive strategy for more intensive use of community serving real estate
- Consider master-leasing existing housing on a trial basis
- Allow "gentle density" increases in all RCW neighborhoods
- Upzone specific areas near transit within ½ mile metro stops and ¼ mile from bus corridors
- Partner with community land trusts (or other shared-equity homeownership models) to expand affordable, sustainable homeownership activities
- Undertake a proactive land-acquisition strategy for affordable housing development
- Reform Inclusionary zoning
- Create by-right density bonus for affordable housing
- Promote construction and conversion of ADUs, by streamlining the construction and conversion process and expanding subsidy programs



