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**STATEMENT OF
NoMa WEST RESIDENTIAL I, LLC
IN SUPPORT OF AN APPLICATION FOR A MODIFICATION TO THE
PLANNED UNIT DEVELOPMENT ON LOT 815, SQUARE 3576**

June 7, 2007

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**ZONING COMMISSION
District of Columbia**

CASE NO. 05-234
ZONING COMMISSION
District of Columbia
EXHIBIT NO. 2
CASE NO.05-23A
EXHIBIT NO.2

PREFACE

This statement and the attached documents are submitted by NoMa West Residential I, LLC on behalf of CSX Realty Development, Inc. (collectively, the "Applicant") in support of its application to the Zoning Commission for the District of Columbia for the modification to the planned unit development approved for Lot 815 in Square 3576 under Zoning Commission Case 05-23, commonly referred to as the "Fairfield PUD" (the "Approved PUD").¹

The Approved PUD consists of 739,951 square feet of residential floor area and 15,084 square feet of retail on the 187,958-square foot parcel bound by Eckington Place, N.E. and Harry Thomas Way, N.E. The residential uses are comprised of approximately 585-636 multifamily units housed in three buildings with a mix of studio, one-bedroom, one-bedroom with den, two-bedroom, and two-bedroom with den units; 27 piggyback townhouse units; and 5 four-story single family townhouses. The building heights range from 40 feet for the townhouses to 110 feet for the apartment buildings. The floor area ratio ("FAR") for the Approved PUD is 4.01.

Under this application, the Applicant seeks to modify the PUD to accommodate a wholly residential project consisting of approximately 617,318 square feet of floor area and approximately 540-660 multifamily dwelling units housed in three buildings with a mix of studio, one-bedroom, one-bedroom with den, two-bedroom and two-bedroom with den units (the "Modified PUD"). Eight percent (8%) of the gross floor area for the project, or 49,385 square feet of the gross floor area, will be reserved for households whose income does not exceed 80% of the area median income ("AMI"). The Modified PUD will have an FAR of 3.30, and the maximum height of the buildings will be approximately 65 feet. There will be below-grade

¹ The Zoning Commission took final action to approve the Fairfield PUD by a vote of 5-0-0 on October 16, 2006. At the time of this statement, the Zoning Commission Order for the Fairfield PUD was still pending.

parking garages with a minimum parking ratio of 0.8 spaces per dwelling unit. The Applicant will construct a private road that will serve as an extension of Q Street, from Eckington Place through the Property connecting Harry Thomas Way. The Applicant will also contribute \$155,000, as proffered with the Approved PUD, to support various community programs and initiatives.

Notice of intent to file this application was mailed on May 10, 2007, to Advisory Neighborhood Commission 5C and to the owners of all property owners within 200 feet of the Property in accordance with Section 2406.7 and Section 2406.9 of the Zoning Regulations.

As set forth below, this statement and the attached documents meet the filing requirements for a PUD application under Chapter 24 of the District of Columbia Zoning Regulations.

DEVELOPMENT TEAM

Applicant/Owner:

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Landscape Architect:

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Annandale, VA 22003

Transportation Consultant:

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Suite 700
Washington, D.C. 22036

Land Use Counsel:

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Washington, D.C. 20006

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LIST OF EXHIBITS

<u>Exhibit</u>	<u>Description</u>
A	Architectural Plans and Elevations, Including Zoning Map (submitted separately)
B	Zoning Commission Application Form
C	Plat of Survey
D	Transcript from Zoning Commission Meeting on October 16, 2006
E	Community Amenities Package and Procedure for Monitoring Use of Financial Contributions for Approved PUD
F	Inclusionary Housing Commitment Standards
G	District of Columbia Comprehensive Plan Future Land Use Map
H	District of Columbia Comprehensive Plan Generalized Policy Map
I	Memorandum from Traffic Consultant
J	Certificate of Notice, Notice of Intent, and Property Owner's List

I. **INTRODUCTION**

This statement and the attached documents are submitted to the Zoning Commission of the District of Columbia by NoMa West Residential I, LLC on behalf of CSX Realty Development, Inc. (collectively, the "Applicant"), which owns that 187,958 square feet of real property more particularly described as Lot 815, Square 3576 (the "Property"). The Applicant seeks a modification to the PUD approved for the Property under Zoning Commission Case No. 05-23.

A. Background on Approved PUD

On July 28, 2005, CSX Realty Development Corp. and FF Realty, LLC filed Zoning Commission Case No. 05-23 (the "PUD Application") with the Zoning Commission for approval of a consolidated PUD and a zoning map amendment from the M District to the C-3-C District for the Property. A public hearing was held on the PUD Application on July 13, 2006. On September 11, 2006, the Zoning Commission deferred proposed action on the PUD Application to its meeting on September 25, 2006. On October 16, 2006, the Zoning Commission took final action to approve the PUD Application by a vote of 5-0-0. A copy of the transcript from the October 16th meeting is attached as Exhibit D. At the time of this statement, the Zoning Commission Order for the PUD Application was still pending.

The Approved PUD consists of approximately 739,951 square feet of residential gross floor area and 15,084 square feet of retail. The residential uses are comprised of approximately 585-636 apartment units located in three large residential buildings, with a

mix of studio, one-bedroom, one-bedroom with den, two-bedroom, and two-bedroom with den units; approximately 27 piggyback townhouse units; and 5 four-story single family townhouses. Approximately 875 below-grade parking spaces are provided for residents and guests of the multifamily buildings. Garages are provided for each townhouse, and additional parking is provided via a surface parking lot. The building heights range from 40 feet for the townhouses to 110 feet for the apartment buildings, and the project has a lot occupancy of 47.43%, including the proposed streets. The FAR for the PUD is 4.01. The development of the Approved PUD includes the extension of Q Street, which currently ends at Eckington Place on the west side of the Property, east to Harry Thomas Way.

The community benefits package for the Approved PUD is attached as Exhibit E. The package includes monetary contributions totaling \$155,000 to support various neighborhood programs and initiatives; a reservation for 1,200 square feet of community meeting/office space with high visibility location along Harry Thomas Way. The Approved PUD also reserves 8% of the residential gross floor area for households within 80% of the AMI.

B. Proposed Modification to PUD

The plan for the Modified PUD reduces the overall density, height and parking for the project; is compatible with the mix of uses in the surrounding area; and furthers the objectives of the Comprehensive Plan and the proposed NoMA Vision Plan, draft dated July 2006 (the "NoMA Vision Plan"). The Applicant proposes a wholly residential project that consists of 617,318 square feet with approximately 540-660 dwelling units. There will be a mix of studio, one-bedroom, one-bedroom with den, two-bedroom, and

two-bedroom with den units housed in three buildings. Building 100 will be at the northwest section of the Property and will have approximately 118,793 square feet of the gross floor area. Building 200 will be at the northeast section of the Property and will have approximately 252,589 square feet of the gross floor area. Building 300 will run along the southern boundary of the Property and have approximately 245,936 square feet of the gross floor area. The maximum height of these buildings, with building 200 being the tallest, will be approximately 65 feet, which is 45 feet lower than the apartment buildings for the Approved PUD. The project will be served by below-grade parking garages that will have a minimum parking ratio of 0.8 spaces per dwelling unit, which is lower than the ratio of 1.2 to 1.3 parking spaces per unit for the Approved PUD. Also, the Modified PUD will have an FAR of 3.3 where the Approved PUD has an FAR of 4.01.

As depicted on the map for the NoMA Vision Plan, the Applicant agrees to construct a private road that serves as an extension of Q Street, from Eckington Place through the Property to Harry Thomas Way. In order to maintain the urban fabric, on-street parking will be available on the Q Street extension. Notwithstanding the reduction in density in the Modified PUD, the developer will also fulfill the full monetary obligations and provide community meeting/office space in Building 300, along Harry Thomas Way, as set forth in the community amenities package attached as Exhibit E. The Applicant also agrees to implement the inclusionary housing commitment standards attached as Exhibit F.

C. Background on Applicant

NoMa West Residential I, LLC is a single purpose entity created for Trammell Crow Residential ("TCR"). Formed in 1977, TCR is the largest full-service multifamily developer in the United States.

TCR has developed over \$3 billion of residential and mixed-use developments across the United States, and is active in more than 50 major residential markets. TCR's reputation as the acknowledged leader in the multifamily development industry has been achieved through a carefully crafted and diligently practiced philosophy. TCR develops, acquires, and constructs communities of the highest quality in order to enhance the lifestyles of its residents and create value for its investors.

In the Washington, D.C. area, TCR has developed over 3,500 multifamily units, including the largest single-phase, high density, multifamily development on the East Coast -- the 698-unit Alexan Reston Town Center in Reston, Virginia. TCR was selected by WMATA for the Dunn Loring Metro Station project. The project is designed as a town center with over 720 multifamily units and 125,000 square feet of grocery-anchored retail.

**II.
PROJECT DESCRIPTION**

A. Site Location and Description

The Property is located in Lot 815 in Square 3576. It consists of 187,958 square feet bounded by Eckington Place, N.E. and Harry Thomas Way, N.E., in the northernmost section of NoMA area. The Property is currently vacant, and includes a

grade change of approximately 8 feet with the lowest level of the Property at the southern edge along Harry Thomas Way. A construction company occupied the northern portion of the Property in the late 1920's, and the Property was partially occupied by a railroad freight yard in 1928. By 1960, and through 1989, all of the Property was used as a railroad freight yard with several long rectangular buildings located next to the train tracks that were aligned from the northeast to the southwest. As a result of these prior uses, the Property includes contaminated soil that will need to be properly disposed of in an off-site location.

The Property is designated in the mixed Production, Distribution, and Repair ("PDR")/Medium Density Residential land use category on the District of Columbia Comprehensive Plan Future Land Use Map, dated December 20, 2006. It is located in the NoMA/New York Avenue Metro Land Use Change Area on the District of Columbia Comprehensive Plan Generalized Policy Map, dated July 2006. The zoning approved for the Property in conjunction with the Approved PUD is C-3-C.

B. Description of Surrounding Area

Directly to the north of the Property are the Washington Flower Center, a self-storage facility (the Storage Place), a State Farm Insurance Agency claim center, and parking lots associated with these commercial uses. Further north and west of the Property, the area is comprised primarily of row houses and the larger Eckington neighborhood. To the west and south of the Property, across Eckington Place, are the headquarters of XM Satellite Radio and a parking lot. Directly to the east of the Property, across Harry Thomas Way, is approximately four acres of vacant land and the railroad tracks leading into and out of Union Station. To the southeast, across Harry

Thomas Way, the PEPCO transmission station is under construction. Directly across Harry Thomas Way, to the south of the Property, and spanning the entire length of the block, is a Federal Express shipment facility. The new headquarters for the Bureau of Alcohol, Tobacco and Firearms is located a few blocks south of the Property along N Street, N.E., between 1st and 2nd Streets.

Like the Property, the commercial uses to the north and the parcels to the south and east of the Property, abutting the railroad tracks, are in the mixed PDR/Medium Density Residential land use category. The area north of the commercial uses is designated Moderate Density Residential and Local Public Facilities. The Federal Express site is in the PDR land use category. The area to the west of the Property is in the Moderate Density Residential land use category. The properties to the south and west of the Property, across Eckington Place, including the XM Satellite Radio headquarters, are in a mixed PDR /Medium Density Commercial land use category.

The Property is less than a ten minute walk to the New York Avenue-Florida Avenue-Gallaudet University Metrorail Station (the "Metrorail Station"). A pedestrian connection to the Metrorail Station, adjacent to the Metropolitan Branch Trail, with above and below-ground components is proposed along the train tracks adjacent to the CSX property. The Modified PUD includes a monetary contribution of \$55,000 for a bicycle/pedestrian connection from Harry Thomas Way to the Metropolitan Branch Trail, which will promote the use of the Trail and the Metrorail Station.

C. Project Design and Components

The Modified PUD, to be known as Eckington One, is a unique opportunity to enhance the existing neighborhood while furthering the objectives of the NoMa Vision Plan through the creation of beautiful urban spaces and new vehicular, pedestrian and bicycle connectivity. The development concept was intended to capture the historical architecture of the area and incorporate it with styles and elements that are complimentary to the current uses and designs surrounding the Property.

The heart of the project will be the Q Street extension between Eckington Place and Harry Thomas Way, which is envisioned as a tree-lined, animated street with pedestrian friendly buildings, intimate gardens, and on-street parking. The Q Street extension promotes the vision of the District as a vibrant, walkable, human-scaled city.

A second important feature of the project is the neighborhood park that will be constructed at the eastern end of Building 300, at the southeast corner of the Property. The park will consist of approximately 4,500 square feet and will be open to the residents of the project and the surrounding area for passive and active recreation. The focal point of the park is a central lawn space that is surrounded by walkway, benches, and lush landscape. The landscape will consist of flowering trees, shrubs, perennials, and groundcover that will provide interest throughout the year. The benches and hardscape in the park will be of high quality in both design and durability.

All three buildings in the Modified PUD will have multiple front entrances along Q Street. There will also be stoops leading to direct outside entrances for some of the units along Q Street, which will further enhance the pedestrian experience.

Building 100, with approximately 118,793 square feet of floor area, will be the smallest of the three buildings in the Modified PUD. It will be situated at the northwest corner of the property, and the architecture is reminiscent of a warehouse building with solid brick, clean lines, elegant simplicity, and expansive windows -- a gesture to the warehouses that once symbolized the activities in this area. Like the other buildings within the project, Building 100 will have two expansive courtyards -- one with a pool and the other with elements and features for passive recreation. The height of the building will be approximately 57 feet, 6 inches. The building offers direct entry units along Q Street. Two courtyards

Building 200 will be situated at the northeast corner of the project. The building will consist of approximately 252,589 gross square feet. The building will have a dramatic glass entry for the lobby entrance at the corner of Q Street and Harry Thomas Way where a clubhouse of approximately 2,000 - 4,000 square feet will anchor the corner of the building opposite the proposed neighborhood park. This building provides bays that add a dimension of modernism to its simple but elegant architecture and contrasts the warehouse design of Building 100 with sophisticated modern facades. It will also include two expansive courtyards -- one will feature year-round areas for contemplation, reading, and relaxing with beautiful landscaped gardens; the other will have a pool for residents and their guests. The height of the building will be approximately 65 feet.

Building 300, situated along the southern edge of the Property, will consist of approximately 245,936 square feet of floor area. It will have two main resident lobbies, one with approximately 3,000-5,000 square feet of clubhouse space. This building also provides two interior courtyards -- one with a pool and the other with benches and lush

landscaping for passive recreational enjoyment. Private terraces will be provided on the ground floor units of the building, which will have a height of approximately 61 feet.

The scale, tone, forms and color of the three buildings in the Modified PUD will link them with the surrounding neighborhood and its industrial heritage. The expression of the building architecture will have a definitive base, middle, and top of cornice, fenestration, and massing to emphasize the formal elements of the building. The building motifs are designed as a blend of industrial and modern but quintessentially urban.

D. Matter of Right Development Under Existing C-3-C Zoning and PUD Regulations

1. C-3-C Regulations

In conjunction with the Approved PUD, the Zoning Commission approved the rezoning of the Property to C-3-C. This zoning district is intended for medium-high density development, including office, retail, housing, and mixed use development in a compact area. 11 DCMR §740.8.

As a matter of right, property in the C-3-C District can be developed with an FAR of 6.5, all of which may be used for residential, office, retail, hotel or other permitted uses, and a maximum lot occupancy of 100%. 11 DCMR §771.2; 11 DCMR §772.1. The maximum building height in the C-3-C District is 90 feet and the minimum depth for a rear yard is 2 1/2 inches per foot of height but not less than 12 feet. 11 DCMR § 770.1; 11 DCMR §774.1. For multifamily units in the C-3-C District, the minimum parking requirement is 1 parking space per 4 dwelling units 11 DCMR §2101.1. A roof structure, among other requirements, must be set back from all exterior walls a distance at least equal to its height above the roof upon which it is located and may not exceed 18 feet, 6

inches in height above the roof upon which it is located. 11 DCMR §770.6. Finally, a multiple dwelling project with 50 or more units is required to have 1 loading berth with a depth of 55 feet, 1 loading platform at 200 square feet, and at least 1 service/delivery loading space at a depth of 20 feet. 11 DCMR §2201.1.

2. PUD Regulations

The proposed PUD would also be governed by the provisions of Chapter 24 of the Zoning Regulations. Chapter 24 requires a minimum lot area of 15,000 square feet. Also, for a PUD in the C-3-C District, the permitted building height increases from 90 feet to 130 feet and the permitted FAR increases from 6.5 to 8.0, all of which may be used for residential or another permitted use. 11 DCMR §2405.1 – 2405.2.

The Modified PUD complies with the above requirements as follows:

- (a) The Property consists of 187,958 square feet where 15,000 square feet is required.
- (b) The development will have an overall lot coverage of 63%, where a maximum lot coverage of 100% is permitted.
- (c) The project will have an overall FAR of 3.3, where a maximum of 8.0 is permitted.
- (d) The maximum height of the buildings will be approximately 65 feet, where 130 feet is permitted.
- (e) The project will have a minimum parking ratio of 0.8 parking space per dwelling unit where a ratio of .25 is required under the Zoning Regulations.

- (f) Each building will meet the minimum setback and other requirements for roof structures.
- (g) The project will provide the minimum number of loading berths, loading platforms and service/delivery loading spaces required by the Zoning Regulations.

As discussed below, the Modified PUD requires flexibility from the zoning requirements for side yards.

E. Flexibility Under PUD Guidelines

For the proposed modification to the PUD, the Applicant seeks flexibility as follows:

1. Side Yard – Buildings 100 and 200 The Zoning Regulations do not require a side yard for any building in the C-3-C District. However, where one is provided, the Regulations require the side yard to have a minimum dimension of 2 inches per foot of building height. The Applicant requests flexibility to have a side yard of 5'-1", where 10'-10" is required for Buildings 100 and 200. These buildings were designed with a side yard for several reasons:

- a. To provide architectural appeal to the northern face of the building rather than a concrete masonry unit block façade. The majority of the northern facades of Buildings 100 & 200 will be visible, therefore rather than having an unappealing façade, the Applicant has added windows and architectural interest.

- b. To provide adequate space to construct the façade. Building to the lot line would require an easement from the adjacent landowners, which the Applicant may not be able to obtain.
- c. To provide additional light and air to the units facing to the north.
- d. By reducing the width of the side yard to 5'-1", the developer is able to achieve a feasible floor area and while providing ample interior courtyards that can be enjoyed by residents.

2. Additional Areas of Flexibility

The Applicant has made every effort to provide a level of detail that conveys the significance and appropriateness of the project's design for this location while at the same time provide a design that does not require flexibility from the requirements of the Zoning Regulations. Nonetheless, some flexibility is necessary that cannot be anticipated at this time. Thus, the Applicant also requests flexibility in the following areas:

- a. To be able to provide a range of dwelling units, from 540 to 660.
- b. To vary the location and design of all interior components, including partitions, structural slabs, doors, hallways, columns, stairways, and mechanical rooms, provided that the variations do not change the exterior configuration of the building.
- c. To vary the location and arrangement of parking spaces, provided that the total is not reduced below the minimum levels specified.
- d. To vary the final selection of the exterior materials within the color ranges and material types as proposed, based on availability at the time of construction

without reducing the quality of the materials; and to make minor refinements to exterior details and dimensions, including curtainwall mullions and spandrels, window frames, glass types, belt courses, sills, bases, cornices, railings and trim, or any other changes to comply with the District of Columbia Building Code or that are otherwise necessary to obtain a final building permit.

F. Tabulation of Development Data

The development data for the Modified PUD, including the data for each building within the project, is shown on Sheet 141 of the architectural drawings attached as Exhibit A of this statement.

X

G. Phasing of Development

The Applicant intends to develop the Modified PUD in one or more phases. If the latter, Phase I will be the construction of Building 300, Phase II will be the construction of Building 100, and Phase III will be the construction of Building 200. The timing of each phase will depend on the market absorption rate for the project.

**III.
THE PROJECT MEETS THE STANDARDS OF THE
ZONING REGULATIONS AND PUD REQUIREMENTS**

A. PUD Process is Appropriate Mechanism for the Project

The PUD process is the appropriate mechanism for guiding the development of the Property. It allows the Modified PUD to be developed within the purview of the Zoning Commission while at the same time providing opportunities for input from various agencies and parties. Through the PUD process, the Office of Planning and other

District agencies will have the opportunity for greater participation in the fulfillment of the District's planning objectives for this area. Similarly, the adjacent property owners and area residents will have the opportunity to express their views about the proposed development. Accordingly, the use of the PUD process gives the community and District agencies an opportunity to work with the Applicant to ensure a well-planned development.

B. Impacts of the Project Under Section 2403.3

The Modified PUD will have a favorable impact on the District as a whole and the area surrounding the Property by developing a vacant site with an exceptional, well-designed project that furthers the objectives of the Comprehensive Plan and the NoMA Vision Plan. As noted in the Memorandum by Gorove/Slade Associates, Inc., attached as Exhibit I, the Modified PUD will have fewer traffic impacts than the Approved PUD. Specifically, the Modified PUD generates approximately 348 fewer daily vehicular trips than the Approved PUD. The Modified PUD will also provide significantly less parking spaces at a minimum of 0.8 spaces per unit versus the 1.2 – 1.3 spaces per unit in the Approved PUD. This significant decrease is not reflected in the noted trip reduction since the trip reduction is based on a comparison of the respective developments rather than the number of parking spaces.

C. Public Benefits and Project Amenities

The PUD guidelines require the evaluation of specific public benefits² and project amenities³ for a proposed project. Additionally, when deliberating the merits of a PUD

² Public benefits are defined as “superior features of a proposed planned unit development that benefit the surrounding neighborhood or the public in general to a significantly greater extent than would

application, the Zoning Commission is required to “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.” 11 DCMR §2403.8.

As discussed below, the proposed development offers a number of the public benefits and project amenities that the PUD process encourages.

1. Urban Design, Architecture, Landscaping and Open Space. 11 DCMR §2403.9(a). The project will create beautiful urban spaces and improve the vehicular, pedestrian and bicycle connectivity in this section of the Eckington and NoMA areas with a private road that serves as an extension of Q Street from Eckington Place through the Property to Harry Thomas Way. As stated above, the Q Street extension will be the heart of the project, as a tree-lined, animated corridor with pedestrian friendly buildings, intimate gardens, on-street parking, and multiple building entrances. Also, a 4,500-square foot neighborhood park will be constructed on the southeast corner of the project. The park will be open to residents of the project and the larger community and provide for both passive and active recreation for people of all ages. The focal point of the park is a central lawn space that is surrounded by walkway, benches, and lush landscape. The landscape will consist of flowering trees, shrubs, perennials, and groundcover that will provide interest throughout the year. The benches and hardscape in the park will be of high quality in both design and durability.

likely result from the development of the site under the matter of right provisions....” 11 DCMR 2403.6.

³ A project amenity is further defined as "one type of public benefit, specifically a functional or aesthetic feature of the proposed development, that adds attractiveness, convenience or comfort of the project for occupants and immediate neighbors." 11 DCMR 2403.7.

2. Transportation Features. 11 DCMR §2403.9(c). The development of the PUD includes three important transportation features. The first is the extension of Q Street from Eckington Place east to Harry Thomas Way. The second is the monetary contribution of \$55,000 for the bicycle/pedestrian connection with lighting and call boxes, from Harry Thomas Way to the Metropolitan Branch Trail. Third, is the project's proximity to the Metropolitan Branch Trail and the Metrorail Station. Together, these features will improve vehicular, pedestrian and bicycle circulation in the area and encourage the use of Metropolitan Branch Trail and the Metrorail Station.

3. Employment and Training Opportunities. 11 DCMR §2403.9(e). The Applicant will voluntarily enter into an agreement to participate in the Department of Employment Services ("DOES") First Source Employment Program to promote and encourage the hiring of District of Columbia residents in the construction and operation of the project. The Applicant will also enter into a Memorandum of Understanding with the Office of Local Business Development ("OLBD") to use the resources of the OLBD to utilize local business enterprises in the development of the project.

4. Housing and Affordable Housing. 11 DCMR §2403.9(f). One of the greatest benefits to the NoMA and Eckington areas and the District as a whole is the creation of new housing and home ownership opportunities consistent with the goals of the Zoning Regulations, the Comprehensive Plan and the District's housing initiatives. The Modified PUD will increase the District's housing stock by providing approximately 617,318 square feet of gross floor area for residential use. Approximately 49,385 square feet of the residential floor area, or 8%, will be reserved for households whose income does not exceed 80% of the AMI.

5. Uses of Special Value to the Neighborhood or the District as a Whole. 11

DCMR §2403.9(i). As stated above, the Applicant agrees to fulfill the monetary commitments proffered as part of the Approved PUD, including a contribution of \$55,000 for the construction of a 10-foot wide bicycle/pedestrian connection, with lighting and call boxes, from Harry Thomas Way to the Metropolitan Branch Trail. This improvement will complement those being made to the Metropolitan Branch Trail with the development of the Washington Gateway PUD approved at the northeast intersection of New York Avenue, N.E. and Florida Avenue, N.E. under Zoning Commission Case No. 06-14. The Metropolitan Branch Trail is used by many outdoor enthusiasts for non-motorized modes of transportation, and the upgrades to the Metropolitan Branch Trail will be of special value to the NoMA and Eckington neighborhoods and the District of Columbia as a whole. Also, the neighborhood park proposed at the southeast section of the Modified PUD will provide an area for passive and active recreation for residents of the project and in the surrounding area.

IV.
COMPLIANCE WITH THE COMPREHENSIVE PLAN

The Modified PUD advances the purposes of the Comprehensive Plan, is consistent with the Future Land Use Map and Generalized Policy Map and furthers the objectives of the NoMA Vision Plan.

A. Purposes of the Comprehensive Plan

The purposes of the Comprehensive Plan are six-fold: (1) define the requirements and aspirations of District residents, and accordingly influence social, economic and physical development; (2) guide executive and legislative decisions on matters affecting

the District and its citizens; (3) promote economic growth and jobs for District residents; (4) guide private and public development in order to achieve District and community goals; (5) maintain and enhance the natural and architectural assets of the District; and (6) assist in conservation, stabilization, and improvement of each neighborhood and community in the District. D.C. Code §1-245(b) (§1-301.62).

The Modified PUD significantly advances these purposes by promoting the social, physical and economic development of the NoMA area and the greater Eckington community, specifically, and the District, generally, through the development of a vacant parcel of land with a high-quality, well-designed residential project that will create approximately 540-660 new multifamily units, a portion of which will be reserved for households whose income does not exceed 80% of the AMI. With the extension of Q Street, the developer's monetary contribution for the connection to the Metropolitan Branch Trail, and its proximity to the Metrorail Station, the project will also improve vehicular, bicycle and pedestrian connectivity and encourage use of the Metropolitan Branch Trail and the Metrorail.

B. Future Land Use Map

The Modified PUD is consistent with the District of Columbia Comprehensive Plan Future Land Use Map, dated December 20, 2006, which designates the Property in the mixed PDR/Medium Density Residential land use category.

The PDR designation is used to define areas characterized by manufacturing, warehousing, wholesale and distribution centers, transportation services, food services, printers and publishers, tourism support services, and commercial, municipal, and utility activities which may require substantial buffering from noise, air pollution and light

sensitive uses such as housing. This category is also used to denote railroad rights-of-way, switching and maintenance yards, but garages, and similar uses related to the movement of freight, such as truck terminals. A variety of zoning districts apply within PDR areas, recognizing the different intensities of use and impacts generated by various PDR activities. The corresponding zoning districts are generally CM-1, CM-2, CM-3, and M, although other districts may apply. The present density and height limits set by these districts are expected to remain for the foreseeable future. (§2.4.2, ¶224.15)

The Medium Density Residential designation is used to define neighborhoods or areas where mid-rise (4-7 stories) apartment buildings are the predominant use. Pockets of low and moderate density housing may exist within these areas. The Medium Density Residential designation also may apply to taller residential buildings surrounded by large areas of permanent open space. The R-5-B and R-5-C Zone districts are generally consistent with the Medium Density designation, although other zones may apply. (§2.4.2, ¶224.8)

C. Generalized Policy Map / NoMA Vision Plan

The Property is located at the northernmost section of the NoMA/New York Avenue Metro Land Use Change Area depicted on the District of Columbia Comprehensive Plan Generalized Policy Map, dated July 2006, and the proposed development is consistent with the guidelines and objectives set forth in the NoMA Vision Plan.

1. Planning Fundamentals. The NoMA Vision Plan establishes the following planning fundamentals for the area:

- (a) Provide a diverse mix of uses that creates a variety of options for living, working, shopping, recreation and culture;
- (b) Pursue a balanced approach to transportation, creating a pedestrian friendly neighborhood with improved transit accessibility and vehicular circulation;
- (c) Create a vibrant, highly walkable environment with landscaped, attractive streets and open spaces, active ground floor uses, and strong pedestrian links;
- (d) Design to inspire a new standards of exciting, modern architecture and urban design, with high-quality materials and creative security-design solutions, to create a lasting, competitive identity;
- (e) Preserve and enhance historic landmarks and surrounding neighborhoods, and guide redevelopment to address unmet community needs; and
- (f) Address sustainability with high performance design and environmentally friendly planning and construction methods.

The Modified PUD furthers the aforementioned planning fundamentals in several ways. First, the project will increase the residential housing stock in the NoMA area and the larger Eckington community. Second, because the majority of the residences surrounding the Property are row houses, the multifamily units proposed in the Modified PUD will increase the mix of housing types in the area. Third, the development of the project includes a private road that serves as an extension of Q Street, from Eckington Place to the Harry Thomas Way, and a monetary contribution for a bicycle and pedestrian

connection from Harry Thomas Way to the Metropolitan Branch Trail, thereby improving the vehicular, pedestrian and bicycle circulation in the area. Fourth, the project inspires standards of exciting design with the creation of beautiful urban spaces, new vehicular and bicycle connectivity and architectural elements that capture the history of the area yet compliment the current, modern uses and designs surrounding the Property. Fifth, the project will incorporate sustainable design elements.

2. Land Use Mix. The NoMA Vision Plan encourages significant residential development in the area west of the tracks, especially housing that will appeal to "the first residents . . . who enjoy the benefits of proximity to downtown, access to transit, and the 'edginess' of living on the fringe established neighborhoods, in an area with an industrial feeling and few pre-existing amenities." (Sec. 3.7 – Sec. 3.10) For the reasons discussed above, the residential development proposed for the Property furthers this objective.

3. Infrastructure and Transportation. The proposed extension of Q Street from Eckington Place to Harry Thomas Way has been included on the NoMA Vision Plan map. (Sec. 3.13) Also, the project's proximity to the Metrorail Station and the new connection to the Metropolitan Branch Trail strengthen the walking, biking and transit usage in the area, as promoted in the NoMA Vision Plan. (Sec. 3.12)

4. Public Realm and Open Space. The NoMA Vision Plan encourages the reintroduction of streets and alleys, including the extension of Q Street. It also encourages innovative landscaping techniques coordinated with other streetscape infrastructure to maximize the space available for trees and landscaping. (Sec. 3.19). On

the Recommended Open Spaces and Pedestrian Connection Map for the NoMA Vision Plan, street trees are shown around the Property.

The Modified PUD will include a private road that serves as an extension of Q Street to connect Eckington Place and Harry Thomas Way. The proposed streetscape will incorporate a variety of traditional urban details to enliven the public space which will be used by pedestrians and automobiles. The open space is designed as an amenity to be used by residents of the project as well as adjacent neighborhoods.

The building facades define the public space that is the streetscape. There is a hierarchy in architectural style that differentiates the primary residential lobby entrances and the private stoops that provide access to individual units directly from the street. The private stoop entrances help to create a more human-scale design element on the face of the larger building. The projection of the stoop entrances from the main face of the building creates unique planting opportunities between the back of walk and the face of building. These areas will be landscaped with a variety of low-maintenance, disease resistant shrubs, groundcover and perennials for seasonal interest.

Street trees are proposed on both sides of Q Street and on all perimeter roadways to instill a strong rhythm in the pattern of the block and provide shade for units and walkways. Trees are to be located in both single and double length tree pits adjacent to the curb with groundcover and/or annuals in the understory. Final design of pits and tree species will be coordinated with DC Urban Forestry to insure a contiguous streetscape pattern and promote long-living, healthy urban trees consistent with the NoMa Vision Plan.

5. Identity and Building Design. Under the NoMA Vision Plan, identity and market strength should be created through innovative, contemporary architecture. (Sec. 3.26) The project will not only offer a distinct urban living experience, but each of the three buildings will leave its own imprint on the neighborhood. Building 100 is reminiscent of a warehouse building with solid brick, clean lines, elegant simplicity, and expansive windows. Building 200 contrasts the warehouse with sophisticated modern facades. The facades move in and out with projecting bay windows. Finally, Building 300 is uniquely Washington, D.C. The public plaza will draw Trail users, residents, and passers-by alike to this intimate space.

Residents of the project will have a variety of options to choose from when selecting their luxury home. With Building 100, the warehouse style delivers the sought-after urban style of living that has recently gained in popularity. In the alternative, residents can opt for Building 200 -- a modern building with window bays that will project over the city sidewalk. Finally, Building 300 offers residents a variety of views ranging from the Capital Dome and the Washington Monument to the Eckington neighborhood to intimate courtyards or a public park.

6. Existing Neighborhoods. As encouraged under Sec. 3.27 of the NoMA Plan, the scale and density of development proposed in the Modified PUD is compatible with the surrounding residential areas, and provides the appropriate transition between the office and commercial uses surrounding the Property and the row houses to the north and west. The PUD process also encourages community involvement by giving property owners and residents in proximity to the Property an opportunity to express their views

about the project. (Sec. 3.28) Finally, the Modified PUD will have sufficient parking for residents in order to address the increased parking demands. (Sec. 3.28)

7. **Environment and Sustainability.** The Modified PUD will incorporate sustainable design elements.

8. **Character Area Development Guidelines.** The project is located in the area referred to as Transition Area C: North NoMA Neighborhood. The vision for this area notes the importance of residential development, as well as the consideration of PUD applications in non-R-4 zoned areas. The vision further states that new architecture should "fit in" with adjacent neighborhoods and that architectural and streetscape elements should be of a human scale. The desired land use mix includes moderate, medium and high densities. As discussed above, the Q Street extension is designed as a tree-lined, animated corridor with pedestrian friendly buildings, intimate gardens, on-street parking, and multiple building entrances all in an effort to create a project that enhances the urban fabric and has the appropriate human scale. Also, the massing for the project will serve as an appropriate transition between the commercial/office uses and the row houses to the north and west of the Property. Finally, the proposed multifamily units will increase the mix of housing in the area, which is predominately row houses.

The Infrastructure, Transportation, Environment and Open Space component of the Transition Area C guidelines calls for an introduction of new streets and alleys. The Modified PUD includes the extension of Q Street, from Eckington Place through the Property to Harry Thomas Way. The guidelines also call for an increase of access to the Metropolitan Branch Trail. As noted above, the developer will make a monetary

contribution of \$55,000 for a new bicycle/pedestrian connection from Harry Thomas Way to the Metropolitan Branch Trail.

D. Compliance with Guiding Principles in the Comprehensive Plan

The PUD is consistent with many guiding principles in the Comprehensive Plan for managing growth and change, creating successful neighborhoods, and connecting the city, as set forth in the Comprehensive Plan.

1. Managing Growth and Change. In order to manage growth and change the Comprehensive Plan encourages achieving diversity by maintaining and enhancing the District's mix of housing types. Housing should be developed for households of difference sizes, including growing families as well as singles and couples. (§2.3, ¶217.3) The Comprehensive Plan also states that redevelopment and infill opportunities along corridors and near transit stations will be an important component of reinvigorating and enhancing our neighborhoods; development of such sites must not compromise the integrity of stable neighborhoods and must be designed to respect the broader community context. (§2.3, ¶217.6)

The development of the Modified PUD will increase the mix of housing types in the greater Eckington neighborhood, which consists primarily of row houses. The scale and density of the project will be compatible with the surrounding area, serving as an appropriate transition between the office and commercial uses surrounding the Property and row houses to the north and west. The project is also supported by access to the Metrorail Station, and vice versa.

2. Creating Successful Neighborhoods. One of the guiding principles for creating successful neighborhoods is the production of new affordable housing.

Affordable renter – and owner-occupied housing production and preservation is central to the idea of growing more inclusively. (§2.3, ¶218.3) Another guiding principle for creating successful neighborhoods is getting public input in decisions about land use and development, from development of the Comprehensive Plan to every facet of its implementation. (§2.3, ¶218.8)

The Modified PUD furthers the former principle by reserving approximately 49,385 square feet, or 8% of the floor area for the project, for persons whose income does not exceed 80% of the AMI; thereby making the renter/ownership opportunities within the project available to a greater range of persons. The latter principle is supported by the PUD process, which gives Advisory Neighborhood Commission 5C, the surrounding property owners and the area residents an opportunity to express their views about the project.

3. Connecting the City. The Comprehensive Plan states that increased mobility can no longer be achieved simply by building more roads. The priority must be on investment in other forms of transportation, particularly transit. Mobility can be enhanced further by improving the connections between different transportation modes, improving traveler safety and security, and increasing system efficiency. (§2.3, ¶220.1) Also, the Comprehensive Plan states that investments in the transportation network must be balanced to serve local access needs for pedestrians, bicyclists, transit users, autos and delivery trucks as well as the needs of residents and others to move around through the city. . (§2.3, ¶220.2)

The Q Street extension is critical to supporting the foregoing principles. It provides a new vehicular, bicycle and pedestrian connection by linking Eckington Place

and Harry Thomas Way. Next, with the monetary contribution from the developer, there will be a new bicycle and pedestrian connection from Harry Thomas Way to the Metropolitan Branch Trail. From the Metropolitan Branch Trail cyclists and pedestrians will have access to the Metrorail Station. Their experience will be enhanced by the improvements planned along the Metropolitan Branch Trail and towards the Metrorail Station.

4. **Building Green and Healthy Communities.** One of the guiding principles for building green and healthy communities is that planning decisions should improve the health of District residences by reducing exposure to hazardous materials, improving the quality of surface and groundwater, and encouraging land use patterns and land uses that reduce air pollution and facilitate pedestrian and bicycle travel. (§2.3, ¶221.4)

The Modified PUD supports this principle by (1) removing the existing contaminated soils from the Property, (2) promoting the use of the Metropolitan Branch Trail and the Metrorail Station as alternatives to vehicular transportation as discussed above, and (3) providing a neighborhood park that is intended for use by residents in the surrounding area and to enhance the experience from the project to the Metropolitan Branch Trail connection and the Metrorail Station.

E. **Land Use Element**

For the reasons discussed above, the PUD supports the following policies of the Land Use Element:

1. **Policy LU-1.1.5: Urban Mixed Use Neighborhoods.** Encourage new central city mixed used neighborhoods combining high-density residential, office, retail,

cultural, and open spaces uses in NoMA area. Housing, including affordable housing, is particularly encouraged and should be a vital component of the future land use mix.

2. **LU-1.4.1: Infill Development.** Encourage infill development on vacant land within the city, particularly in areas where there are vacant lots that create "gaps" in the urban fabric and detract from the character of a commercial or residential street. Such development should complement the established character of the area and should not create sharp changes in the physical development pattern.

3. **Policy LU-2.1.1: Variety of Neighborhood Types.** Maintain a variety of residential neighborhood types in the District, ranging from low-density, single family neighborhoods to high-density, multi-family mixed use neighborhoods.

4. **Policy LU-2.1.11: Residential Parking Requirements.** Ensure that parking requirements for residential buildings are responsive to the varying levels of demand associated with different unit types, unit sizes, and unit locations (including proximity to transit). Parking should be accommodated in a manner that maintains an attractive environment at the street level and minimizes interference with traffic flow. Reductions in parking may be considered where transportation demand management measures are implemented and a reduction in demand can be clearly demonstrated.

All of the required parking for the Modified PUD will be below-grade to minimize any adverse impacts to the streetscape or vehicular circulation. As noted in the Memorandum from Gorove/Slade Associates, the number of parking spaces provided is sufficient to support the proposed development. In order to maintain the urban fabric, on-street parking will be available on the Q Street extension.

F. Transportation Element

As stated above, the development of the Modified PUD includes the extension of Q Street from Eckington Place to Harry Thomas Way, and the developer will make a monetary contribution of \$55,000 for a new bicycle/pedestrian connection from Harry Thomas Way to the Metropolitan Branch Trail. As a result, and in light of the project's proximity to the Metropolitan Branch Trail and the Metrorail Station, the Modified PUD furthers several policy and actions of the Transportation Element of the Comprehensive Plan, including:

1. Policy T-1.1.4: Transit-Oriented Development. Encourages support for transit-oriented development by investing in pedestrian-oriented transportation improvements at or around transit stations, major corridors, and transfer points.

2. Action T-1.1-B: Transportation Improvements. Requires transportation demand management measures and transportation support facilities such as crosswalks, bus shelters and bicycle facilities in large development projects and major trip generators, including projects that go through the PUD process.

3. Policy T-2.2.2: Connecting District Neighborhoods. Encourages improved connections between District neighborhoods through updated transit, auto, pedestrian and bike connections, and by removing or minimizing existing physical barriers such as railroads and highways.

4. Policy T-2.3.1: Better Integration of Bicycle and Pedestrian Planning. Integrate bicycle and pedestrian planning and safety considerations more fully into the planning and design of District roads, transit facilities, public buildings and parks.

5. **Policy T-2.3.2: Bicycle Network.** Provide and maintain a safe, direct, and comprehensive bicycle network connecting neighborhoods, employment locations, public facilities, transit stations, parks and other key destinations. Eliminate system gaps to provide continuous bicycle facilities.

6. **Policy T-2.3.3: Bicycle Safety.** Increase bicycle safety through traffic calming measures, provision of public bicycle parking, enforcement of regulations requiring private bicycle parking, and improving bicycle access where barriers to bicycle travel now exist.

7. **Policy T-2.4.1: Pedestrian Network.** Develop, maintain, and improve pedestrian facilities. Improve the city's sidewalk system to form a network that links residents across the city.

8. Policy T-2-4.2.: Pedestrian Safety. Improve safety and security at key pedestrian nodes throughout the city. Use a variety of techniques to improve pedestrian safety, including textured or clearly marked and raised pedestrian crossings, pedestrian-actuated signal push buttons, and pedestrian count-down signals.

G. Housing Element

The policies and actions for the Housing Element state that expanding the housing supply is a key part of the District's vision to create successful neighborhoods, and housing production is essential to the future of the District's neighborhoods and key to improving the city's fiscal health. (§H-1.1, ¶503.1) Ensuring the affordability of housing is also a critical objective of the housing element. (§H-1.2, ¶504)

The Modified PUD supports these initiatives by increasing the housing supply in the NoMA and Eckington areas and reserving a portion of the units for households whose income does not exceed 80% of the AMI.

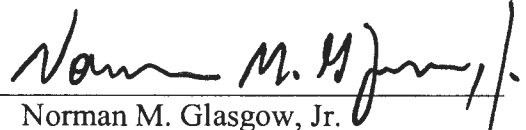
**V.
CONCLUSION**

The Applicant proposes to modify the PUD approved for Lot 815 in Square 3576, in order to develop a residential project that consists of approximately 617,318 square feet and approximately 540-660 multifamily units. The Modified PUD meets the standards of the Zoning Regulations, specifically for those in the C-3-C District, as set forth in Chapter 24, and provides a number of public benefits and project amenities. Finally, the Modified PUD is consistent with the objectives and policies established in the

District of Columbia's Comprehensive Plan and the NoMA Vision Plan. Accordingly, the Applicant respectfully requests that the Zoning Commission determine that this application to modify a PUD has merit, and schedule a hearing on the application.

Respectfully submitted,

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