

**WASHINGTON GATEWAY
PLANNED UNIT DEVELOPMENT**

**STATEMENT OF
MIDATLANTIC REALTY PARTNERS
IN SUPPORT OF AN APPLICATION
FOR CONSOLIDATED REVIEW OF A
PLANNED UNIT DEVELOPMENT**

SQUARE 3584

Lots 23, 811, 812, 813

February 27, 2006

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ZONING COMMISSION
CASE No. 06-14
EXHIBIT No. 2

PREFACE

This statement and the attached documents are submitted by MidAtlantic Realty Partners in support of its application to the Zoning Commission for the District of Columbia for the consolidated review and one-step approval of a planned unit development ("PUD") on that certain real property consisting of approximately 134,591 square feet located east of the intersection New York and Florida Avenues, N.E. in the Eckington Yards section of the District.

The PUD, to be known as Washington Gateway, is a mixed use project of residential, hotel and office uses housed in two buildings. The residential/hotel building, totaling approximately 318,670 square feet of gross floor area, will contain between 218 and 250 dwelling units, a portion of which will be devoted to affordable housing, and approximately 170 hotel rooms. The office building will consist of approximately 561,528 square feet of gross floor area within two wings attached by an above-grade connection. Overall, the PUD will have a gross floor area of approximately 901,656 square feet and a floor area ratio ("FAR") of 6.7. There will be approximately 681 below grade parking spaces for the project, and the maximum height of the buildings will be 130 feet on the north side of the project. The height of the buildings steps down to approximately 130 feet on the south side.

Notice of intent to file this application was mailed on January 27, 2006, to Advisory Neighborhood Commission 5B 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:	MidAtlantic Realty Partners 4504 Walsh Street Chevy Chase, MD 20815
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Architect of Residential/Hotel Building:	SK&I Architectural Design Group, LLC 7735 Old Georgetown Road, Suite 1000 Bethesda, MD 20814
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Landscape Architect:	Oculus 1754 T Street, NW Washington, DC 20009
Economic Benefits Consultant:	Bolan Smart Associates Suite 600 900 19th Street, NW Washington, DC 20036
Traffic Consultant:	Wells and Associates Suite 600 1420 Springhill Road McLean, VA 22102
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LIST OF EXHIBITS

Exhibit	Description
A	Architectural Plans and Elevations, Including Zoning Map (submitted separately)
B	Zoning Commission Application Forms
C	Legal Description of Subject Property
D	Plats of Survey
E	Generalized Land Use Map
F	Generalized Land Use Policies Map
G	Economic Impact Analysis
H	Traffic Impact Analysis (submitted separately)
I	Certificate of Notice, Notice of Intent, and Property Owner's List
J	Zoning Commission Order No. 970

I.

INTRODUCTION

This statement and the attached documents are submitted to the Zoning Commission of the District of Columbia for consolidated review and approval of the Washington Gateway PUD by MidAtlantic Realty Partners, on behalf of the owners of the Property – Sun Oil Company of Pennsylvania, GMK Title Holder, Inc., and D&H Title Holder III, Inc., the Washington Metropolitan Transit Authority (WMATA), and the District of Columbia (collectively, the "Applicant").

A. Project Overview

The Washington Gateway PUD is a mixed-use development consisting of between 218 and 250 dwelling units, some of which will be devoted to affordable housing, a hotel with approximately 170 rooms, and approximately 561,528 square feet of office use. It will be located on a triangular parcel of land east of the intersection of New York and Florida Avenues, N.E., adjacent to the WMATA and railroad rights-of-way. The residential/hotel building will be constructed on the westernmost portion of the Property and will devote approximately 217,796 square feet of gross floor area to residential use and approximately 100,874 square feet of gross floor area to hotel use. The office building will be situated on the easternmost portion of the Property and will have two wings attached by an above-ground connection. The north wing will have 14 stories at the New York Avenue frontage and contain approximately 378,958 square feet of gross floor area. The south wing will have 11 stories at the entry plaza level and contain approximately 182,570 square feet of gross floor area. In addition to affordable housing, other project benefits and amenities for the Washington Gateway PUD include

improvements to the sidewalks along Florida Avenue, including widening them from 6 to 15 feet through building setbacks; improvements to the sidewalks along New York Avenue, including the widening the sidewalk from 6 to 23 feet where a stairway will connect with the Washington Gateway plaza; providing connectivity between the plaza and New York Avenue; improvements to the Metropolitan Branch Trail; providing connectivity between the Washington Gateway plaza, the Trail and the New York Avenue – Florida Avenue – Gallaudet University Metrorail Station; creating a great urban space in an existing underdeveloped area; employment and training opportunities for District residents; and the incorporation of "green" building practices in the project design. The buildings will be constructed to a maximum height of 130 feet on the north side of the project, as measured from the curb opposite the middle of the front of the buildings on New York Avenue, and step down to a height of 130 feet on the south side of the project, as measured from the curb opposite the midpoint of the lot on Florida Avenue. The total PUD will consist of approximately 901,656 square feet of gross floor area with an FAR of approximately 6.7. The total gross floor area permitted on the Property as a matter of right is 807,365 square feet.¹ As a result, the total gross floor area achieved through the PUD process is 94,291 square feet.

B. Background Information Regarding Applicant

MidAtlantic Realty Partners ("MRP") is engaged in strategic real estate investment and development in the Washington, DC metropolitan area. Combined, its managing members have over 60 years experience in various aspects of commercial,

¹ The land area of the WMATA parcel (Lot 812) is included in the overall Property, but WMATA has reserved rights to the gross floor area for the parcel.

residential, and mixed-use real estate investment and development. In the Washington DC metropolitan area, they have been involved in 11.9 million square feet of development with a total capitalization of \$1.5 billion, including 5,991,094 square feet of office; 1,221,000 square feet of warehouse; and 1,543,000 square feet of high-rise residential. In addition to the Washington Gateway PUD, MRP's current development projects include the Carlyle Overlook, a 250,000 square-foot office development adjacent to the Eisenhower Metrorail Station in Alexandria, Virginia; a 500-unit condominium project with ground floor retail in Reston, Virginia; a 50-acre, 600,000 square foot suburban office and retail development in Loudon County, Virginia; and the Ashburn Center in Ashburn Virginia, which includes 400,000 square feet of office and flex space.

II.

PROJECT DESCRIPTION

A. Site Location and Description

The Property is located east of the intersection of New York Avenue and Florida Avenue, N.E., adjacent to the WMATA and railroad rights-of-way in the Eckington Yards section of the District. It consists of approximately 134,591 square feet of land area and is more particularly described as Square 3584, Lots 23, 811, 812, and 813. A portion of the Property is currently improved with a gas station, but the majority of the site is unimproved. The Property is located in Ward 5 of the District, and is designated in the medium-high density commercial land use category on the District's Generalized Land Use Map, where shopping and service areas that generally offer a large concentration and variety of goods and services outside the Central Employment Area are the predominant uses. Most customers arrive by car, bus, or subway. The Property is

also within the Northeast No. 1 Eckington Yards Special Treatment Area² on the District's Generalized Land Use Policies Map. The zoning district for the Property is C-3-C.³

B. Description of Surrounding Area

The area surrounding the Property is designated in the medium-high density commercial land use category to the south, southwest and west and in the production and technical employment land use category to the north and east. The area can best be described as transitioning from an area containing warehouses, vacant land, and limited commercial service uses to an area containing an increasing concentration of high-rise office and, more recently, proposed residential, uses. Several technology companies have constructed buildings to the north of the Property on Squares 3582 and 3516. The General Services Administration is constructing a new building for the Bureau of Alcohol, Tobacco and Firearms across Florida Avenue to the south of the Property on Square 710. The New York Avenue-Florida Avenue-Gallaudet University Metrorail Station is located within one block of the Property, between M and N Streets, N.E. The opening of this station has helped to spur development in the area.

² Special treatment areas are areas that exhibit unique physical, social, or functional characteristic and features and require case-specific actions. Special treatment areas may be defined by functional criteria, such as by the need for well-targeted and coordinated planning program initiatives to achieve common objectives, or may be designated in order to encourage specialized activities. Special treatment areas may incorporate parts of contiguous areas. These areas may include neighborhoods or areas of the District that exhibit unique cultural design or architectural and ethnic characteristics. 10 DCMR § 1118.2.

³ The zoning map depicts the Property as being in the M District, but the zoning map was amended, pursuant to Zoning Commission Order No. 970, to change the zoning district on the Property from M to C-3-C. A copy of the Zoning Commission Order is attached as Exhibit J.

C. Project Design and Components

1. PUD Master Plan

The Washington Gateway PUD will be highly visible as the northern anchor of the North of Massachusetts (NoMa) area. For this project, the fundamental concepts of gateway, street, and plaza are used to create an urban transformation in a place that has long been left to automobiles and warehouse commercial activity. Due to the complex site grading and traffic conditions, the typical structure and spatial volumes of street and city block are turned inward to create an interior urban street and plaza experience. The northern end of the interior street opens volumetrically to form a gateway from New York Avenue into NoMa, while the buildings along New York create a gateway on a different scale for commuters and visitors arriving to the District from the northeast.

The master plan for the Washington Gateway PUD is designed to create a connection between the urban street grid of NoMa to the south and New York Avenue to the north. A spatial axis of street-scaled proportions provides a visual connection from Florida Avenue to New York Avenue as a continuation of 2nd Street, and a grand stair provides a literal pedestrian connection from Florida to New York Avenue through the new plaza. The master plan carefully locates spaces between buildings to allow views of daylight and a sense of connection between the project and the area outside of the project, including the graceful connection from the Washington Gateway plaza to the Metropolitan Branch Trail.

Additionally, the Washington Gate PUD incorporates a network of pedestrian connections through beautiful urban spaces. Pedestrians may arrive to the Washington Gateway PUD by Metrorail and walk along an improved Metropolitan Branch Trail into

a new plaza without crossing Florida Avenue. Pedestrians may also cross Florida Avenue at street level, at a new signalized intersection, and enter the Washington Gateway PUD along a gentle slope into the plaza. A new sidewalk will provide access to the residential/hotel building, a new loggia will provide cover to the south wing of the office building, and there will also be a connecting roof between the north and south wing of the office building which provides covered access to the north wing. Finally, pedestrians may ascend a monumental stair from the plaza to New York Avenue.

Vehicular ingress and egress for the Washington Gateway PUD will be from both New York and Florida Avenues. A new signalized intersection at Florida Avenue will provide controlled access to and from the project. From New York Avenue, traffic will be limited to right turn in and right turn out.

2. Residential/Hotel Building

A tower element and dramatic triangular glass volume will identify the residential/hotel building for the Washington Gateway PUD, and mark its prominent location at the intersection of New York and Florida Avenues. Its location opens up to dramatic views towards Downtown, creates an architectural landmark for the project, and signifies the emergence of NoMa as a dynamic and vibrant location. The height of the building will be 130 feet on the New York Avenue side of the building, and then steps down on the Florida Avenue side of the building, which creates an urban edge and buffer from the traffic on New York Avenue. This design element also helps to minimize the scale of the New York Avenue/Florida Avenue intersection and the plaza on the interior of the Washington Gateway PUD. The double height retail podium, or the lower mass of the building, faces Florida Avenue while other taller elements of the building are set

back. This creates a more pedestrian friendly environment because the apparent scale of the building is reduced.

3. Office Building

The office building at the Washington Gateway PUD will consist of a north wing consisting of 14 stories at the New York Avenue frontage and a south wing with 11 stories at the entry plaza level, with a connecting roof between the wings at the third level. The connecting roof provides cover for a walkway between the primary entrance door of the south wing and the primary entrance door of the north wing. It also acts as a collecting point for pedestrians and bicyclists arriving from the bike path, and as a covered drop-off / pick-up area for the office building as a whole.

The north wing of the office building will be 130 feet in height as measured from the curb opposite the middle of the front of the building on New York Avenue. A tower element on the southwest corner, facing the plaza and the Florida Avenue entry of the interior street, provides a vertical focal point for the plaza and a sense of destination for those passing by or entering the Property from the south. A vertical glass volume on the northeast corner of the building emphasizes the drama of the sharp corner of the Property, and will provide a memorable and interesting gateway feature for those entering the District along New York Avenue. The east wall of the north wing opens at the base at the two-story lobby with an open, glassy wall that welcomes visitors and occupants. A space is created outside of the lobby that could become a beautiful outdoor café. The plaza tower, the two-story lobby expression of openness and the outdoor space near it will, together, provide a sense of welcome and openness to the plaza.

The south wing of the office building will be 130 feet in height as measured from the curb opposite the midpoint of the lot on Florida Avenue. The lower levels of the west façade of the south wing open up to become a loggia from Florida Avenue into the project, providing covered access to both office building wings. There is an opportunity for retail space at the southwest corner of the wing at the intersection of this loggia and Florida Avenue. The west and south facades of the south wing receive a greater level of architectural detail so that their finer grain will be a pleasant backdrop to the pedestrian activity expected along the plaza, the interior street of the project, and Florida Avenue.

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

1. C-3-C Regulations

The Property is zoned C-3-C, which 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. In the C-3-C District, the minimum parking requirements for the proposed uses are as follows: for residential uses, 1 parking space per 4 dwelling units; for hotel uses, 1 parking space for each 4 rooms usable for sleeping plus 1 parking space for each 300 square feet of floor area in either the largest function room or in the largest

exhibit space, whichever is greater; and for office use in excess of 2,000 square feet, 1 parking space for each additional 1,800 square feet of gross floor area. 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. For buildings in the C-3-C District containing an apartment house, residential recreational space must be provided at an area equal to 10% of the gross floor area dedicated for residential use. 11 DCMR §773.3. Finally, the Regulations require an office building in the C-3-C District with more than 200,000 square feet of gross floor area and cellar area to have 3 loading berths with a depth of 30 feet, 3 loading platforms at 100 square feet, and at least 1 service/delivery loading space at a depth of 20 feet. 11 DCMR §2201.1. A multiple dwelling 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. A hotel with 30 to 200 rooms is required to have 1 loading berths with a depth of 30 feet, 1 loading platform at 100 square feet, and at least 1 service/delivery loading space at a depth of 20 feet. 11 DCMR §2201.1.

2. PUD Regulations

In conjunction with the C-3-C zoning for the Property, 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 Washington Gateway PUD complies with the above requirements as follows:

- (a) The Property consists of 134,591 square feet where 15,000 square feet is required.
- (b) The development will have a lot coverage of 56%, where a maximum lot coverage of 100% is permitted.
- (c) The project will have an overall FAR of 6.7, where a maximum of 8.0 is permitted.
- (d) The height of both buildings will not exceed 130 feet.
- (e) The rear yard of the office building will be 32 feet 3 inches, measured along the open space of the bike path on the east side of the building, and meets the zoning requirement.
- (f) The rear yard of the residential/hotel building will be 28 feet 9 inches, measured from the southeast side of the building, and meets the zoning requirement.
- (g) The apartment house will have 109 parking spaces, where 55 are required, the hotel will have 102 parking spaces, where 40 are required; and the offices will have 470 parking spaces, where 242 are required.
- (h) The two buildings will provide the minimum number of loading berths, loading platforms and service/delivery loading spaces required by the Regulations, as more fully set forth on Sheets 212 (residential/hotel

building) and 312 (office building) of the architectural drawings attached as Exhibit A of the statement.

E. Flexibility Under PUD Guidelines

The Applicant seeks flexibility from the requirements for residential recreation space and setbacks for roof structures.

1. Residential Recreation Space

The Washington Gateway PUD has 19,660 square feet of residential recreation space where 22,887 square feet are required. This difference is nominal when considering that in lieu of residential recreation space, a significant portion of the roof will be used as a “green” roof, to facilitate stormwater management. The project incorporates as much residential recreation space as is possible in light of the overall project layout.

2. Roof Structure

The Regulations require that the penthouse structure on the roof of the residential/hotel building be setback from all exterior walls a distance of 18 feet 6 inches. The penthouse structure meets this requirement except on the southeast corner where it has a setback of 12 feet. This cannot be changed because of the location of the elevator bank in that corner. The elevators have been situated in the most efficient location of the building based on the overall project layout and design. This area of the roof structure is setback more than 100 feet from the property line at the closest point.

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, in addition to flexibility from the requirements for recreation space and roof structures, the Applicant respectfully requests flexibility in the following areas:

1. 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.

2. To vary the location and arrangement of parking spaces, provided that the total is not reduced below the minimum levels specified.

3. 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 Washington Gateway PUD is included on Sheets 301 through 315 of the architectural drawings attached as Exhibit A of the statement.

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 Washington Gateway 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 Washington Gateway PUD will have a favorable impact on the District as a whole and the area surrounding the Property by developing an under-utilized site with an exceptional, well-designed project that furthers the objectives of the Comprehensive Plan. A detailed discussion of the economic impact of the Washington Gateway PUD, including the direct tax revenues to the District, is contained in the economic impact report prepared by Bolan Smart Associates, attached as Exhibit G.

Additionally, as discussed in the traffic impact study prepared by Wells and Associates, attached as Exhibit H, the Washington Gateway PUD will not have an unacceptable impact on traffic.

C. Public Benefits and Project Amenities

The PUD guidelines require the evaluation of specific public benefits⁴ and project amenities⁵ for a proposed project. Additionally, when deliberating the merits of a PUD 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 Washington Gateway PUD creates great urban space in the form of a plaza enlivened with intricate paving patterns, landscape elements, seating and site furnishings, and a fountain that provides lively sheltering screen from automobiles entering the site. At the northernmost end of the space is a dramatic serpentine wall. In sharp contrast to the sleek geometric lines of the buildings, the soft curves of the wall are offered as visual

⁴ 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 likely result from the development of the site under the matter of right provisions....” 11 DCMR 2403.6.

⁵ 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.

art. Functionally, the wall serves as a screen to parking garage access points and addresses the 24 feet of grade change between the plaza and New York Avenue. Complementing the design composition of the serpentine wall and building architecture will be a monumental stair that connects the plaza to New York Avenue. Design of the stair intends it to be a light, airy element that gives the impression of floating over the landscape below. Located between New York Avenue and the main plaza level is an intermediate terrace level that can be accessed from the second floor of the hotel. This space is envisioned as a lush garden with a hardscaped terrace and outdoor seating. Vehicles and pedestrians are separated within the project by bollards instead of curbs offering a flush, accessible, and visually seamless space.

Safe and pleasant pedestrian mobility around the perimeter of the Washington Gateway PUD is essential to the overall design. The New York Avenue streetscape design includes wide sidewalks bordered by lush landscaping, and street trees and ground plane plantings separate pedestrian from the intense vehicular activities. Florida Avenue takes on a much different character. Its streetscape design places focus on first floor retail, the greatest catalyst to urban street activity.

The Metropolitan Branch Trail is a regional bike trail that runs along the east side of the Property and is considered a public amenity and critical pedestrian link to the Washington Gateway PUD. The trail offers pedestrian and bike access to and from the New York Avenue – Florida Avenue – Gallaudet University Metrorail Station. Lighting will be introduced along the trail to improve safety and security, and the trail will be paved in two contrasting materials to encourage separation of pedestrian and bikes. A

strong pedestrian connection from the trail into the plaza is offered at the opening between the north and south wings of the office building.

2. Site Planning and Efficient and Economical Land Utilization.

11 DCMR §2403.9(b).

The Washington Gateway master plan is designed to create a connection between the urban grid of NoMa to the south and New York Avenue to the north. Specifically, the city street grid is continued into the Washington Gateway PUD by extending 2nd Street into the heart of the project. The street serves as the central spine to which buildings front, as the primary vehicular joint of access, and as the center of pedestrian activity. It terminates at a large, pedestrian-oriented plaza that accommodates building entries and parking garage access. As stated earlier, the Washington Gateway PUD includes a significant network of pedestrian connections through beautiful urban spaces, including access from the New York Avenue – Florida Avenue-Gallaudet University Metrorail Station through the Metropolitan Branch Trail; access to and from Florida Avenue at street level via a new signalized intersection; and a monumental stair from the plaza to New York Avenue. Connectivity within the site is maintained with new sidewalks, a loggia for the residential/hotel building, and a connecting roof between the north and south wing of the office building. These elements, coupled with the mix of PUD uses, provide a better, more efficient and economical utilization of the Property than its current use.

3. Transportation Features. 11 DCMR §2403.9(c).

The Washington Gateway PUD incorporates several significant measures for effective and safe vehicular and pedestrian access and connections to public transit

service. First, the project includes the widening of the sidewalk along Florida Avenue adjacent to the Property from 6 feet to 15 feet. The streetscape improvements will provide retail opportunities along Florida Avenue and encourage pedestrian activity. Second, there will be a connection from New York Avenue to the PUD plaza through a monumental stair, and through the Plaza to both Florida Avenue and the New York Avenue – Florida Avenue-Gallaudet University Metrorail Station via the Metropolitan Branch Trail. The sidewalks along New York Avenue will be widened from 6 to 23 feet at the point where the stair connects to the Washington Gateway PUD plaza, and landscaping, street furniture, and paving upgrades to the streetscape will be installed. Third, the Washington Gateway PUD includes upgrades to the Metropolitan Branch Trail, which runs between the Washington Gateway site and the New York Avenue – Florida Avenue-Gallaudet University Metrorail Station. The improvements, including decorative fencing, landscape elements, paving upgrades and lighting, will create a graceful connection along the trail from the Washington Gateway plaza to the New York Avenue – Florida Avenue-Gallaudet University Metrorail Station. The improvements to the Trail are shown on Sheet 116 of the architectural drawings attached as Exhibit A of this statement. Fourth, the Master Plan includes vehicular ingress and egress from both Florida Avenue and New York Avenue in order to ensure proper vehicular circulation within the Property and the surrounding roadways. Fifth, although the regulations require only 348 parking spaces for the Washington Gateway PUD, the project will have approximately 681 below-grade parking spaces to accommodate the residential, hotel, and office uses. Finally, the project is within one block of the New York Avenue –

Florida Avenue-Gallaudet University Metrorail Station, and has immediate access to pedestrian and bicycle routes, which decreases reliance on private automobiles.

4. **Employment and Training Opportunities.** 11 DCMR §2403.9(e).

The new hotel and office uses at the Washington Gateway PUD will provide employment and training opportunities for the District. Additionally, the Applicant will also enter into a First Source Agreement with the Department of Employment Services ensuring cooperation with the Department for employee recruitment for jobs created by the Washington Gateway PUD with the objective that 51% of the new employees hired in connection with the development of the Project are District of Columbia residents.

5. **Housing and Affordable Housing.** 11 DCMR §2403.9(f).

One of the greatest benefits to the area, 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 Mayor's housing initiative. The Washington Gateway PUD will increase the District's housing stock by providing between 218 and 250 dwelling units, or approximately 217,796 square feet of gross floor area for residential use. Approximately 8,712 square feet of the apartment house, which represents 9.24% of the increase in total gross floor area achieved through the PUD process, will be reserved for households whose income does not exceed 80% of the area median income.

6. **Environmental Benefits.** 11 DCMR §2403.9(h).

The Washington Gateway PUD includes "green" building practices, including a "green" roof on the residential/hotel building to facilitate storm water management, ample trees and open space.

7. **Uses of Special Value to the Neighborhood or the District as a Whole.**

11 DCMR §2403.9(i).

The Property is adjacent to the Metropolitan Branch Trail which is used by many outdoor enthusiasts for non-motorized modes of transportation. When the trail was constructed, a portion of the trail encroached on the Property. The Applicant will execute a land swap agreement with WMATA and the District of Columbia, in conjunction with the District Department of Transportation (DDOT) to place the trail entirely on the property owned by DDOT and WMATA. As noted above, the portion of the trail adjacent to the Property will be upgraded and connected to the Washington Gateway plaza. These improvements will be of special value to the Eckington Yards neighborhood and the District of Columbia as a whole.⁶

IV.
COMPLIANCE WITH THE COMPREHENSIVE PLAN

The Washington Gateway PUD advances the purposes of the Comprehensive Plan, is consistent with the Generalized Land Use Map, and furthers and complies with the major themes and elements for the District and Ward 5 in the Comprehensive 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;

⁶ The land swap envisions more land being given to DDOT and WMATA than what is received by the Applicant. In addition, the land received by the Applicant will be of no more real value to the Applicant, while the swap affects the Applicant's frontage on Florida Avenue.

(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).

The Washington Gateway PUD significantly advances these purposes by promoting the social, physical and economic development of Eckington Yards, specifically, and the District, generally, through the redevelopment of an under-utilized site with a high-quality, well-designed mixed use project that increases the District's housing stock, including affordable housing, and brings employment and economic activity to the area.

B. Generalized Land Use Map

The Washington Gateway PUD is consistent with the Generalized Land Use Map, which designates the Property in the medium-high density commercial land use category. Shopping and service areas that generally offer the largest concentration and variety of goods and services outside the Central Employment Area are the predominate uses in this land use category.

C. Compliance with Major Themes of the Comprehensive Plan

The Washington Gateway PUD is consistent with many of the Comprehensive Plan's major themes as follows:

1. **Stabilizing and Improving the District's Neighborhoods.** 10 DCMR 101.1(a). The Washington Gateway PUD will help to stabilize and improve the Eckington Yards area by redeveloping an under-utilized parcel with a mix of residential,

hotel, and office uses – uses that are critical to the District's urban infrastructure and economy.

2. Increasing the Quantity and Quality of Employment Opportunities in the District. 10 DCMR 101.1(b). As discussed above, in addition to the employment opportunities created by the hotel and office uses proposed for the Washington Gateway PUD, the Applicant will also enter into a First Source Agreement with the Department of Employment Services ensuring cooperation with the Department for employee recruitment for jobs created by the Applicant with the objective that 51% of the employees hired in connection with the development of the project are District of Columbia residents.

3. Preserving and Promoting Cultural and Natural Amenities. 10 DCMR 101.1(d). The development of the Washington Gateway PUD includes improvements to the Metropolitan Branch Trail, which is used by many for non-motorized modes of transportation.

4. Respecting and Improving the Physical Character of the District. 10 DCMR 101.1(e). The Washington Gateway PUD respects and improves the physical character of the District through the construction of a well-planned and carefully designed development that will be representative of and serve as a catalyst for the continued revitalization of Eckington Yards.

5. Preserving and Ensuring Community Input. 10 DCMR 101.1(f). The PUD process, including the notice requirements, review by Advisory Neighborhood Commission 5B, and public hearings ensure community input in the review and approval of the Washington Gateway PUD.

6. Reaffirming and Strengthening the District's Role as an Economic

Hub. 10 DCMR 101.1(h). The Comprehensive Plan encourages making maximum use of the District's location at the center of the Region's radial Metrorail and commuter rail system, freeway and highway networks, communication networks and headquarters functions. The Washington Gateway PUD furthers this objective with a significant economic activity center that includes a mix of residential, hotel, and office uses in close proximity New York Avenue-Florida Avenue-Gallaudet University Metrorail Station, major roadways, and pedestrian and bicycle routes, thereby providing an opportunity for a live/work urban experience.

D. Compliance with Major Elements of the Comprehensive Plan

The Washington Gateway PUD furthers the objectives and policies of many of the Comprehensive Plan's major elements as follows:

1. Economic Development Element. According to the Economic Development element of the Comprehensive Plan, the District's overall economic development goals include the generation of a high-performance economy, the creation of job opportunities for District residents, and the expansion of the revenue base. 10 DCMR §200.5. The Washington Gateway PUD furthers these goals by providing a mix of uses critical to the District's urban infrastructure and economy. Moreover, the Washington Gateway PUD will generate new and productive uses on underdeveloped commercial land as encouraged by the Comprehensive Plan. 10 DCMR §200.10.

2. Housing Element. According to the Housing element of the Comprehensive Plan, housing in the District is viewed as a key part of a total urban living system that includes access to transportation and shopping centers, the availability of

employment and training for suitable employment, neighborhood schools, libraries, recreational facilities, playgrounds, and other public amenities. 10 DCMR § 300.4. Also, as stated in the Housing element of the Comprehensive Plan, the District recognizes its obligation to facilitate the availability of adequate, affordable housing to meet the needs of current and future residents. The District strives to stimulate a wider range of housing choices and strategies through the production of new units for a variety of household types. 10 DCMR §300.1 – 300.3.

The Washington Gateway PUD supports these objectives by providing new housing, including affordable housing, with immediate access to employment and economic activity centers, major thoroughfares (in New York and Florida Avenues), and in close proximity to the New York Avenue-Florida Avenue-Gallaudet University Metrorail Station, thereby providing new opportunities for a live/work experience within the District. The housing is provided, although not required under the C-3-C District regulations.

3. **Transportation Element.** Among the policies established to support the Transportation element objectives is to support land use arrangements that simplify and economize transportation services, including mixed-use zones that permit the co-development of residential and non-residential uses to promote higher density residential development at strategic locations, particularly near appropriate Metrorail stations. 10 DCMR §502.2(a). The Comprehensive Plan also encourages reverse commute options that provide District residents with access to the regional job market that is essentially equal to that afforded to suburban residents commuting to the District. 10 DCMR §502.2(j). Measures to increase the use of mass transit in the District and the

region and reduce dependence on the private passenger automobile are also major objectives of the Comprehensive Plan. 10 DCMR §503 – 504.

The policies and objectives of the Transportation element are supported by the Washington Gateway PUD. The project, as a mixed-use, higher density development, is appropriately located within one block of the New York Avenue-Florida Avenue-Gallaudet University Metrorail Station and will provide potential new riders for the Metrorail system at this location. Also, its proximity to Metrorail and Metrobus lines, employment activity areas, and pedestrian and bicycle routes help to reduce dependence on the private passenger automobile and allows residents to experience a live/work urban environment.

4. **Urban Design Element.** The Urban Design element states that it is the District's goal to promote the protection, enhancement and enjoyment of the natural environs and to promote a built environment that serves as a complement to the natural environment, provides visual orientation, enhances the District's aesthetic qualities, emphasizes neighborhood identities, and is functionally efficient. 10 DCMR §701.1. The Urban Design element also has an objective of encouraging new construction or renovation/rehabilitation of older buildings in areas with vacant or underused land or structures in order to create a strong, positive physical identity. 10 DCMR §712.1.

The Washington Gateway PUD supports the urban design objectives of the Comprehensive Plan. The master plan for the project is organized around an interior street and plaza, which are the basic elements of successful urban activity. The street rises gently as a tree-lined avenue from Florida Avenue into the project, creating a place that is easy to access, but is also protected from the significant traffic volumes on Florida

and New York Avenues. Like many great plazas, a single tower element punctuates the defining walls of the space, while other buildings define its overall spatial boundary.

Within the plaza of the Washington Gateway PUD significant hardscape and landscape features create a pedestrian scale of spaces to walk, meet, and linger, including the opportunity for an outdoor café near the lobby of the north wing of the office building. A fountain will provide a lively sheltering screen from automobiles entering the site. The third level connecting roof between the north and south wings of the office building and canopy at the residential/hotel building similarly articulate arrival points within the overall space.

5. **Land Use Element.** The policies in support of the commercial areas objectives of the land use element include promoting appropriate commercial development, including centers for retail and office uses, to serve the needs of the economy of the District and its neighborhoods, to provide a focus for the expansion of housing and employment that the District will have to accommodate in the future because of its urban center role within the region, and to expand employment opportunities in the region for District residents. 10 DCMR §1108.1(a). Also, the Comprehensive Plan encourages the establishment and growth of mixed use commercial centers at appropriate Metrorail Stations and major transportation interchange points to reduce automobile congestion; improve air quality, increase jobs, reduce reliance on the automobile, and ensure neighborhood stability through cooperative public and private efforts to increase the use of Metrorail and Metrobus. 10 DCMR §1108.1(j).

The Washington Gateway PUD furthers these policies by providing a mix of residential, hotel, and office uses that are critical to the District's urban infrastructure and

economy. The project includes new housing and employment opportunities for District residents and, because of its location and access to the Metrorail and Metrobus lines and major thoroughfares, supports the District's urban center role within the region. Also, the PUD's access to Metrorail and Metrobus lines, as well as pedestrian and bicycle routes, increases the potential users of the public transportation system, and reduces reliance on private automobiles.

The Washington Gateway PUD also supports policies established for the Northeast Number 1 and Eckington Yards Special Treatment Area. Specifically, the project supports the policy of creating a physical and regulatory atmosphere to encourage nascent high technology and light industries in the area north of Florida Avenue, N.E., and can help support a secondary lower rent office district contemplated for the area south of Florida Avenue, N.E. 10 DCMR §1121.2(a), (b).

E. Compliance with Ward 5 Elements of the Comprehensive Plan

The Washington Gateway PUD furthers the objectives and policies for Ward 5 elements of the Comprehensive Plan as follows:

1. **Ward 5 Economic Development Element.** The objectives for economic development in Ward 5 include enhancing and expanding the Ward's economic activity and employment centers, particularly in underused industrial and commercial areas. 10 DCMR §1605.1 (a). The Washington Gateway PUD furthers this objective with the construction of approximately 561,528 square feet of office and a 170-room hotel on a parcel that is currently under-utilized. These uses, along with the proposed residential use at the intersection of two major roadways (New York and Florida Avenues) and in close proximity to the New York Avenue-Florida Avenue-Gallaudet University Metrorail

Station allow the Washington Gateway PUD to serve as a significant economic and activity center for Ward 5 and a catalyst for the continued redevelopment of Eckington Yards.

2. **Ward 5 Housing Element.** The Ward 5 objectives for housing include stimulating the production of new housing. 10 DCMR §1608.1(b). In order to support this objective, the Comprehensive Plan encourages new and rehabilitated affordable housing for area residents, affordable new or rehabilitated housing for low and moderate income residents, and evaluating development proposals to ensure that a suitable amount of affordable housing units are offered. 10 DCMR §1609.1(a), §1609.1(c). The Washington Gateway PUD furthers these objectives and policies by providing 217,796 square feet of new housing, including affordable housing.

3. **Ward 5 Environmental Protection.** The objectives for environmental protection include protecting the natural environment and regulating the built environment in ways that maintain and enhance the quality of life and the sense of well-being of residents, workers, and visitors. 10 DCMR §1610.1. The Washington Gateway PUD supports this objective with improvements to the Metropolitan Branch Trail and sidewalks along New York and Florida Avenues that will enhance the use of these facilities.

4. **Ward 5 Transportation.** The objectives of the Ward 5 Transportation element include increasing the use of mass transit while minimizing problems associated with parking around Metrorail stations and commercial areas; using the transportation system to support economic development; improving the pedestrian environment on major streets and roadways; and promoting alternatives to private passenger vehicles

such as Metrorail, Metrobus, bicycling along bike routes and walking along pedestrian paths. §1614.1(a), (d), (e), (f). The Washington Gateway PUD furthers these objectives by providing a significant economic activity center in close proximity to the Metrorail and Metrobus lines, improving the sidewalks along Florida and New York Avenues, and enhancements to the Metropolitan Branch Trail. These aspects of the project provide viable alternatives to private passenger vehicles.

5. **Ward 5 Urban Design Element.** The objectives for urban design in Ward 5 include promoting a physical environment that upgrades the ward's aesthetic qualities, enhances neighborhood stability, emphasizes neighborhood identity and function, and physically enhances the gateways and entranceways into the District; give special design attention to those areas within the ward that have a poor physical image, where new development can improve the neighborhood's visual qualities while providing needed services. 10 DCMR §1620.1 (a), (b), (e). As stated earlier, the Washington Gateway PUD furthers the foregoing objective by providing a high quality development on a site that is currently underdeveloped, and by incorporating architectural and design elements that (1) provide a visual and literal connection to the urban street grid of NoMa to the south and New York Avenue to the north, (2) create an urban transformation in a place that has long been left to automobiles and warehouses, and (3) creates a beautiful urban space on the interior of the project.

6. **Ward 5 Land Use Element.** The Ward 5 objectives for land use and zoning include promoting economic development in the Ward's commercial areas, and encouraging and supporting an appropriate mix of uses in all economic development. 10 DCMR §1629.1 (a-c). The Washington Gateway PUD supports these objectives by

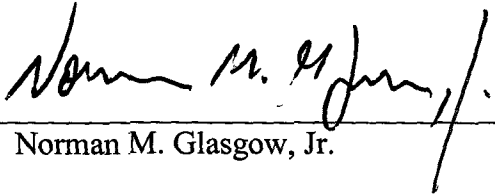
providing a high quality, well-designed project that, with its mix of residential, hotel, and office uses, will serve as a significant economic activity center for the Ward, specifically, and the District, generally.

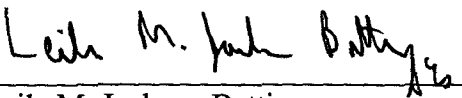
V. **CONCLUSION**

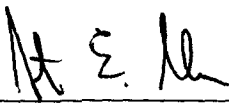
The Applicant proposes the development of the Washington Gateway PUD, a well-designed mixed-use project east of the intersection of New York and Florida Avenues, NE, in the Eckington Yards area of the District. The PUD meets the standards of the Zoning Regulations, specifically for those in the C-3-C District, as set forth in Chapter 24, and provides a number of public benefits and project amenities. Finally, the PUD is consistent with the objectives and policies established in the District of Columbia's Comprehensive Plan. Accordingly, the Applicant respectfully requests that the Zoning Commission determine that this PUD application has merit, and schedule a hearing on the application.

Respectfully submitted:

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