

400 Florida Avenue, NE

**STATEMENT OF THE APPLICANT
TO THE
DISTRICT OF COLUMBIA ZONING COMMISSION
FOR A
CONSOLIDATED PLANNED UNIT DEVELOPMENT
AND ZONING MAP AMENDMENT**

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HOLLAND & KNIGHT LLP

**800 17th Street, NW Suite 1100
Washington, D.C. 20006
(202) 955-3000**

Norman M. Glasgow Jr., Esq.

Kyrus L. Freeman, Esq.

Jessica R. Bloomfield, Esq.

DEVELOPMENT TEAM

Applicant/Owner: EAJ 400 Florida Avenue, LLC
c/o Ranger Properties
80 8th Avenue
Suite 1010
New York, NY 10011

Architect: SK+I Architecture
4600 East-West Highway
Suite 700
Bethesda, MD 20814

Landscape Architect: Parker Rodriguez, Inc, Landscape Architecture
101 North Union Street, Suite 320
Alexandria, VA 22314

Civil Engineer: Bohler Engineering
1301 Pennsylvania Ave NW
Suite 825
Washington, DC 20004

Traffic Consultant: Gorove/ Slade
1140 Connecticut Avenue, NW
Washington, DC 20036

Land Use Counsel: Holland & Knight, LLP
800 17th Street, NW
Suite 1100
Washington, DC 20006

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I. INTRODUCTION

EAJ 400 Florida Avenue, LLC (the "Applicant") submits this statement and the attached documents in support of its application to the Zoning Commission for the District of Columbia (the "Commission") for the consolidated review and approval of a Planned Unit Development ("PUD") and related Zoning Map amendment to rezone Lots 4, 25, and 803 in Square 3588 (the "Subject Property") from the C-M-1 District to the C-3-C District.

The Subject Property has a land area of approximately 20,455 square feet. The Subject Property is rectangular in shape with approximately 85 linear feet of frontage on 4th and 5th Streets, NE, and approximately 160.78 linear feet of frontage on Florida Avenue, NE. Square 3588 is located in the northeast quadrant of the District and is bounded by Morse Street to the north, 5th Street to the east, Florida Avenue to the south, and 4th Street to the west. The Subject Property encompasses the southern half of Square 3588 and is bounded by a 25-foot public alley to the north, 5th Street to the east, Florida Avenue to the south, and 4th Street to the west.

The Subject Property is presently zoned C-M-1. The Applicant is seeking to rezone the Subject Property to the C-3-C District in connection with this application. The requested Zoning Map amendment is consistent with the Comprehensive Plan's Future Land Use Map designation of the Subject Property as mixed-use: High-Density Commercial, Medium-Density Residential, and Production, Distribution and Repair. The requested map amendment is also consistent with the Comprehensive Plan's Generalized Policy Map designation of the Subject Property as a Multi-Neighborhood Center, and with the Florida Avenue Market Study ("FAMS") recommendations for medium-high density development for the Subject Property and the immediate area. *See* FAMS, at 57.

As shown in the photographs and on the existing conditions survey included in the Architectural Plans and Elevations (the "Plans") attached hereto as Exhibit A, the Subject Property

is currently improved with two two-story structures and is otherwise unimproved. The Subject Property is surrounded by a variety of uses, including warehouses and commercial uses to the northwest, residential and commercial uses to north and south, Gallaudet University to the east, and major large-scale mixed-use developments to the west in NoMa. The Subject Property is located one block south of Union Market and approximately two blocks to the northeast of the Uline Arena.

The Applicant proposes to raze the existing buildings in connection with redevelopment of the Subject Property and to construct a new mixed-use building composed of residential and hotel uses. The building will have a total of approximately 164,376 square feet of gross floor area (8.0 floor area ratio (“FAR”)), with approximately 98,836 square feet of gross floor area devoted to residential use (110 units, plus or minus 10%) and approximately 65,540 square feet of gross floor area devoted to hotel use (164 rooms, plus or minus 10%). Pursuant to 11 DCMR § 2403.2, the project is required to devote 8% of the residential gross floor area to inclusionary zoning (“IZ”) units. However, the Applicant proposes to dedicate 12% of the residential gross floor area (approximately 11,860 square feet) as IZ units, with 6% set aside for households earning up to 50% of the Area Median Income (“AMI”) and 6% set aside for households earning up to 80% of the AMI.

The project will provide three off-street parking spaces and convenient off-street loading facilities accessed from the public alley. The building will be constructed to a maximum height of 120 feet not including penthouses and with a maximum lot occupancy of 75%. Hereinafter, the proposed development on the Subject Property is referred to as the “Project.”

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

II. PROJECT DESCRIPTION

A. Project Components and Design

As shown on the Plans, the Project is sensitive to its varied context and responds in size, form, and in its use of materials. The Project consists of two distinctive architectural expressions that correspond to its two different programs: residential use on the east side and hotel use on the west side. Both expressions relate to the Union Market vernacular of industrial warehouse style and address the street with welcoming, pedestrian-friendly storefronts.

The residential portion of the building presents a modern style dark grey brick and metal façade that plays on the former warehouse and industrial backdrop reinterpreted with modernist elements. The residential portion is defined by the intersection of two masses rising from Florida Avenue and 5th Street. The Florida Avenue side follows a classical tripartite composition of base, middle mass, and top, with a masonry wall punctured by regular fenestration. The disposition of the fenestration, also represented on the hotel side, relates to the existing warehouse buildings which have masonry walls with utilitarian and repetitive openings. In contrast, the 5th Street façade has a post-industrial/loft expression. The windows are larger and the masonry is replaced with metal and composite panels. The intersection of the two facades at the southeast corner is emphasized by bay projections that mirror the expressions from the adjoining street, such that the Florida Avenue bay mirrors the 5th Street facade, and the 5th Street bay mirrors the Florida Avenue façade. Thus, each façade expresses itself as a bay projection on the adjacent side.

The hotel side of the building has a more rigorous approach that follows the Union Market vernacular more closely, with dark, unrefined brick walls and tighter windows patterned by repetitive small panes of glass. This rigor forms the backdrop for the hotel's signature piece: a three-story high loggia facing Florida Avenue that is enlivened by landscaping and an active terrace program. This space is designed as both a window into the Project and a venue for the public to experience the changing neighborhood. Programmatically, the loggia offers a generous outdoor space at the front of the hotel that is sheltered from the traffic on Florida Avenue. The hotel corner flag at the roofline announces the hotel and its "place" as a public space.

The street presence for both the residential and hotel programs is enhanced by a metal and glass storefront on the Florida Avenue ground floor façade. Residential and hotel amenities will be visible to pedestrian traffic, thus creating a friendly and walkable street environment. Amenities will include the hotel lobby, fitness center, billiard room, and work-lounge that is designed to have a mix of high and low seating area to encourage community interaction. Free Wi-Fi will be provided in all public areas.

The entrances to both the residential and hotel uses are recessed from the surrounding storefronts to create an inviting space that is offset from the surrounding elevation. The residential entrance is located at the corner of Florida Avenue and 5th Street, which location will anchor Florida Avenue and provide a buzz of activity to improve pedestrian safety and comfort 24-hours a day. The entrance to an oversized bicycle storage room is located on the alley near the corner of 5th Street and will be available to the public as well as building residents. The bike room will provide a free compressed air hose and tools for use by neighborhood cyclists. Also along the alley is a large landscaped garden that will serve as a welcome quiet zone from the street activity on Florida Avenue and will create a visual surprise for pedestrians on the typically gritty commercial

backways. The alley is also planned to be a lively programmed area for the hotel to host community events, including film features in the evening.

The hotel portion of the Project will be occupied by MOB Hotels, which is a Paris-based hotel brand founded by Cyril Aouizerate who also founded the acclaimed European brand, Mama Shelter. MOB Hotels will officially launch this fall with four hotels under development: three in Paris and one in Lyon. The first hotel in the United States will be at the Subject Property. MOB Hotels is an affordable, social, and intellectually-stimulating hotel brand that attracts an artistic and cultural network of individuals oriented in and around a dynamic casual bar and restaurant in a fun, eclectic atmosphere. The brand serves to connect the local community, neighbors and international travelers, including innovative startups. There will be music, a library with books and tablets, bingo, fairs, a live stage, outdoor cinema, vegetable gardens on the roof, and food trucks that come and go. The first Paris hotel will open its doors at the end of 2016, and the hotel in Lyon will follow soon thereafter.

The Project includes a substantial amount of public benefits and amenities. For example, the Applicant proposes to dedicate a total of 12% of the residential gross floor area of the Project as affordable housing, with 6% devoted to households earning up to 50% of the AMI and 6% devoted to households earning up to 80% of the AMI. The Project will also create significant new jobs at the hotel for District residents and will implement a documented internship and first-hiring program. Moreover, the Project is designed to integrate a host of sustainable features, including:

- Green roofs and solar panels;
- Superior energy efficiency from LED lighting in all public spaces;
- Occupancy sensors on all stairs, utility rooms, and storage areas;
- Superior variable speed pumps to improve its energy profile;

- Irrigation of landscaping from stormwater collection;
- Daylighting of lobbies with automatic shades and lighting controls;
- Locally-sourced products where practicable;
- Electric charging station access at the rear of the building;
- Two car-sharing spaces at the rear of the building;
- Public bicycle room that will include video monitoring for security, a changing room, and tools/air for public use maintained by the Applicant; and
- Private bicycle room for building residents that far exceeds the required number of spaces.

B. Matter-of-Right Development under Existing Zoning Requirements

As shown on the Zoning Map attached hereto as Exhibit B, the Subject Property is currently zoned C-M-1. The C-M Districts are "intended to provide sites for heavy commercial and light manufacturing activities employing large numbers of people and requiring some heavy machinery under controls that minimize any adverse effect on other nearby, more restrictive districts." 11 DCMR § 800.1. The Zoning Regulations note that "heavy truck traffic and loading and unloading operations are expected to be characteristic of C-M Districts." 11 DCMR § 800.2. The C-M-1 District prohibits residential development except as otherwise specifically provided. 11 DCMR § 800.4. As a matter-of-right, property in the C-M-1 District can be developed with a maximum density of 3.0 FAR. 11 DCMR § 841.1. The maximum permitted building height in the C-M-1 District is 40 feet and three stories. 11 DCMR § 840.1.

C. Development under Proposed C-3-C Requirements

The Applicant proposes to rezone the Subject Property to the C-3-C District in connection with this application. The C-3-C District permits medium-high density development, including office, retail, housing, and mixed-use development. 11 DCMR § 740.8.

As a matter-of-right, the C-3-C District permits a maximum building height of 90 feet with no limit on the number of stories (11 DCMR § 770.1) and a maximum density of 6.5 FAR for any permitted use, but a density of 7.8 FAR for projects subject to the IZ regulations. 11 DCMR §§ 771.2 and 2604.1. The maximum percentage of lot occupancy in the C-3-C District for all uses is 100%. 11 DCMR § 772.1. Rear yards in the C-3-C District must have a minimum depth of 2.5 inches per foot of vertical distance from the mean finished grade at the middle of the rear of the structure to the highest point of the main roof or parapet wall, but not less than 12 feet. 11 DCMR § 774.1. Buildings that front on three streets such as the Subject Property may measure the rear yard to the centerline of an abutting street. 11 DCMR § 774.11. A side yard is generally not required in the C-3-C District; however, when a side yard is provided, it must have a minimum width of two inches per foot of height of building, but not less than six feet. 11 DCMR § 775.5.

The maximum permitted penthouse height in the C-3-C District is 20 feet and one story plus a mezzanine, with a second story permitted for penthouse mechanical space. 11 DCMR § 770.6. Enclosing walls of the penthouse shall be of equal, uniform height as measured from roof level, except that: (i) enclosing walls of penthouse habitable space may be of a single different height than walls enclosing penthouse mechanical space; (ii) for a penthouse containing no habitable space, enclosing walls of penthouse mechanical space shall be of a single uniform height except walls enclosing an elevator override may be of a separate uniform height; and (iii) required screening walls around uncovered mechanical equipment may be of a single, different uniform

height. 11 DCMR § 411.9. A penthouse must be setback a distance equal to its height from (i) front building walls, (ii) rear building walls, (iii) side building walls if it is on a building that is located adjacent to a property that has a lower permitted matter-of-right building height, and (iv) walls that border any court other than closed courts. 11 DCMR § 411.18. A penthouse may house mechanical equipment or any use permitted within the zone, except that a nightclub, bar, cocktail lounge, or restaurant use shall only be permitted as a special exception if approved by the Board of Zoning Adjustment under 11 DCMR § 3104.

D. Tabulation of Development Data

The tabulation of the Project's development data is included in the Plans attached hereto as Exhibit A.

E. Flexibility under PUD Guidelines

The PUD process was created to allow greater flexibility in planning and design than might otherwise be possible under conventional zoning procedures. Thus, the Applicant seeks flexibility with respect to the following provisions of the Zoning Regulations. As permitted under 11 DCMR § 2403, the Commission may grant such flexibility in its discretion.

1. Flexibility from the Off-street Parking Requirements

Section 2101.1 of the Zoning Regulations requires 69 total off-street parking spaces for the proposed residential and hotel uses. The Applicant proposes to provide three off-street parking spaces at the rear of the Subject Property, with one space dedicated to an electric charging station and two spaces dedicated to a car-share company. The parking flexibility is appropriate in this case because (i) the residential portion of the Project is designed and will be marketed to a young demographic, which has little interest in owning a private vehicle in such an urban, walkable, and transit-rich area; and (ii) the hotel portion of the Project will attract guests who are unlikely to

utilize an automobile during their stay. Additionally, the Subject Property's close proximity to the NoMa-Gallaudet Metrorail station, multiple Metrobus routes, and nearby employment opportunities makes walking to work more practical than commuting by car. An abundance of retail and grocery options, including Union Market, are also located in the surrounding blocks, such that vehicles will not be needed for daily errands.

Finally, the Applicant has an arrangement with a Union Market affiliate for use of a portion of its proposed garage to be constructed on Square 3587, Lot 9. The Applicant proposes to reserve up to 20 monthly parking spaces for Project residents and up to 30 transient spaces for hotel guests, to be used on a first-come basis. Because there is no certainty that the retail garage will be constructed, Union Market has offered alternative spaces under its control for use by the Applicant. This alternative parking scenario is a best-efforts arrangement and only for 15 years from the date that the Applicant purchases the Property. The Applicant believes that these parking spaces are not necessary for the use, success, or enjoyment of the Project.

2. Flexibility from the Loading Requirements

Section 2201.1 of the Zoning Regulations requires one berth at 30 feet deep and one berth at 55 feet deep; one platform at 100 square feet and one platform at 200 square feet; and two service/delivery spaces at 20 feet deep each. The Applicant proposes to provide one berth at 30 feet deep and one platform at 500 square feet. The proposed loading facilities are appropriate for the mix of uses within the Project, and the requested flexibility is consistent with the Comprehensive Plan's recommendations to consolidate loading areas within new developments, minimize curb cuts on streets to the greatest extent possible, and provide shared loading spaces in mixed-use buildings. As shown on the Plans, the Applicant proposes to provide shared loading facilities for the residential and hotel uses, which will limit the amount of space dedicated to

loading and minimize the number and extent of curb cuts. Given the nature and size of the residential units, it is unlikely that residents will need a 55 foot berth to move in and out of the building. Moreover, the Applicant will implement a loading management plan that will avoid potential conflicts between residential and hotel users.

3. Flexibility from the Penthouse Setback Requirements

Section 411.18(c) of the Zoning Regulations requires penthouses to be setback 1:1 from the edge of building walls that border “any court other than closed courts.” In this case, the proposed penthouses are not setback 1:1 from the open court at the rear of the Subject Property. The proposed building has two penthouses: one above the residential portion of the building and one above the hotel portion of the building. Both penthouses contain amenity space for their respective uses, and this amenity space is setback at least 1:1 from all building walls. However, the penthouses are not setback 1:1 where mechanical equipment and the stair/elevator towers are located. This setback relief is necessary due to the building’s narrow floor plate and the desire to create a large open court facing the alley. The court will provide light, air, and ventilation to building occupants and will create space for the proposed landscaped garden on the ground level. If the court was not provided, the building could be extended out such that the penthouses would not need setback relief.

Approving setback relief along the court walls for the mechanical equipment and stair/elevator towers will not impair the intent and purpose of the Zoning Regulations and will not adversely affect the light and air of adjacent buildings. The penthouse setback relief is located interior to the building along court walls only, such that the penthouses will not be visible from any surrounding streets as a result of the setback relief requested. Moreover, given the building’s narrow floor plate, moving the stair/elevator tower away from the open court would result in

significant operating difficulties that would hinder reasonable efficiencies in the floors below. Indeed, the stair/elevator towers are pushed as far back into the building as possible in order to maximize space and create an efficient layout, which results in the setback relief needed in the interior portions of the building.

4. Additional Areas of Flexibility

The Applicant has made every effort to provide the highest level of detail in the drawings to convey the quality and appropriateness of the Project's design and uses for this location. Nonetheless, some flexibility is necessary with respect to certain details. Thus, the Applicant requests modest flexibility in the following areas:

- i. To be able to provide a range in the number of residential units and hotel rooms of plus or minus 10%.
- ii. 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.
- iii. To vary the number of electric charging stations and the number of car-sharing spaces.
- iv. To vary the sustainable design features of the building, provided the total number of LEED points achievable for the residential portion of the Project is not below the LEED Gold rating standards and that the total number of LEED points achievable for the hotel portion of the Project is not below the LEED Silver rating standards.
- v. 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, locations, and dimensions, including: window mullions and spandrels, window frames, doorways, glass types, belt courses, sills, bases, cornices, railings, canopies and trim; and any other changes in order to comply with all applicable District of Columbia laws and regulations that are otherwise necessary to obtain a final building permit.

- vi. To vary the features, means and methods of achieving (i) the code-required Green Area Ratio (“GAR”) of 0.2, and (ii) stormwater retention volume and other requirements under 21 DCMR Chapter 5 and the 2013 Rule on Stormwater Management and Soil Erosion and Sediment Control.

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

A. Standards Applicable to an Application for a Zoning Map Amendment

The Zoning Act sets forth a number of criteria that must be applied by the Commission when adopting and amending the Zoning Regulations and zoning map. The Zoning Act states that the Zoning Regulations are designed to "promote the health, safety, morals, convenience, order, prosperity, or general welfare of the District of Columbia and its planning and orderly development as the national capital" D.C. Code § 6-641.01 (2001). The Zoning Act further provides that:

[z]oning maps and regulations, and amendments thereto, shall not be inconsistent with the comprehensive plan for the national capital, and zoning regulations shall be designed to lessen congestion in the street, to secure safety from fire, panic, and other dangers, to promote health and the general welfare, to provide adequate light and air, to prevent the undue concentration of population and the overcrowding of land, and to promote such distribution of population and of the uses of land as would tend to create conditions favorable to health, safety, transportation, prosperity, protection of property, civic activity, and recreational, educational, and cultural opportunities, and as would tend to further economy and efficiency in the supply of public services. Such regulations shall be made with reasonable consideration, among other things, of the character of the respective districts and their suitability for the uses provided in the regulations, and with a view to encouraging stability of districts and of land values therein.

D.C. Code § 6-641.02 (2001). The Commission must apply those standards and criteria in determining whether to approve a requested map amendment. The proposed rezoning of the Subject Property from the C-M-1 District to the C-3-C District in conjunction with the PUD as requested herein will promote each of the purposes described above.

B. PUD Process is Appropriate Mechanism for the Project

The PUD process is the appropriate mechanism for guiding the development of the Subject Property. It allows the Project to be developed within the statutory 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 Project. 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.

C. PUD Requirements under Chapter 24 of the Zoning Regulations

1. Area Requirements under Section 2401.1

The Zoning Regulations require a minimum land area of 15,000 square feet for a PUD to be located in the C-3-C District. 11 DCMR § 2401.1(c). The Subject Property has a land area of approximately 20,455 square feet, and therefore meets the requirements of 11 DCMR § 2401.1(c).

2. Height and FAR Requirements under Sections 2405.1 and 2405.2

The PUD regulations permit a maximum building height of 130 feet and a maximum density of 8.0 FAR in the C-3-C District. The Project has a maximum building height of approximately 120 feet and a density of 8.0 FAR, and thus conforms with the PUD height and FAR allowances.

3. Impacts of the Project under Section 2403.3

The Project will have a favorable impact on the surrounding area through its exceptional architectural design that carefully considers nearby uses, other recently-approved development

projects in the area, and the overall urban context. The Project will provide new housing opportunities to District residents, including new affordable housing, and will create new overnight accommodations for visitors to the District in an area where visitor demand is anticipated to be high. The Project will generate new jobs for District residents and also significantly improve the streetscape on all sides of the Subject Property, resulting in a vibrant pedestrian experience at the street level. Moreover, the Subject Property is extraordinarily well-served by public transportation, including the NoMa/Gallaudet University Metrorail station located approximately three blocks to the southwest, multiple Metrobus routes on the surrounding streets, several Capital Bikeshare stations within close walking distance, and a variety of easily-accessible car- and ride-share options. Thus, the Project will generate a nominal amount of vehicular trips and will not have any unmitigated adverse traffic impacts on the surrounding neighborhood.

4. Not Inconsistent with Comprehensive Plan under Section 2403.4

As discussed at length below in Section IV, the Project is not inconsistent with the Comprehensive Plan.

D. Public Benefits and Project Amenities

1. Overview

The PUD guidelines require the evaluation of specific public benefits and project amenities for a proposed project. 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. 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. 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. Public benefits and project amenities may be exhibited in a variety of ways and may overlap with furthering of the policies and goals of the Comprehensive Plan.

The Project will help to achieve a number of the goals of the PUD process by creating a mixed use, mixed-income, transit-oriented development with a thoughtful, high-quality, environmentally-friendly design. These and the other significant public benefits and amenities, described in more detail below, reflect and implement the goals of the PUD process, enhance the surrounding community, and benefit the District.

2. Urban Design, Architecture, Landscaping and Open Space (Section 2403.9(a)) and Site Planning, and Efficient and Economical Land Utilization (Section 2403.9(b))

As shown on the Plans, the building is designed to have a positive impact on the visual and aesthetic character of the immediate neighborhood and will therefore further the goals of urban design while enhancing the streetscape. The building has a superior international design with a unique sensitivity to the Union Market aesthetic. The Project will include a large open loggia, which will have the effect of introducing greenery and contrast in a highly visible location.

Moreover, with respect to site planning and efficient and economical land utilization, the Applicant's proposal to replace the two existing buildings and associated vacant lots that currently lack any green or sustainable features with a new mixed-use infill development constitutes a significant urban design benefit. The proposed Project includes new landscape, garden and open space features. The streetscape will include permeable pavers and tree amenity panels, bio-retention planters and new trees, scored concrete pavers, and Americans with Disabilities Act

(ADA) compliant sidewalks, consistent with District Department of Transportation (“DDOT”) standards and with the public space improvements being implemented for surrounding projects along Florida Avenue. New street furnishings will include, benches, trash receptacle, LED lighting, bike racks, a bus shelter, and a cell phone charging kiosk. Moreover, the ground floor of the building will be programmed with active uses, including a fitness facility, amenity spaces, and an engaged lobby design, and will employ a minimum of 50% transparent material, which together will further enliven the streetscape. Throughout the Project, open spaces are used to create programmed amenity areas including the landscaped garden, hotel terrace, hotel loggia, green roof, roof terrace, and roof dining/bar. Overall, the excitement of the Project will draw the public in from afar with an unusual and exciting venue and public events, including occasional film viewings.

3. Transportation Features (Section 2403.9(c))

The Project will include a number of elements designed to promote effective and safe vehicular and pedestrian movement, transportation management measures, and connections to public transit services. For example, access to the parking and loading facilities will be provided from the rear alley so as to reduce the impact on pedestrians. Bicycle parking for 120 bicycles, including spaces for residents and the public, will be provided on the ground level. The Applicant will close existing curb cuts and replace them with a single entry point at the rear alley. The Applicant will also collaborate with DDOT to formulate a Transportation Demand Management (“TDM”) Plan to encourage residents, visitors, hotel guests, and employees to use the abundant alternative transportation options in the area.

In addition to site-specific transportation features, the Subject Property is extremely well linked to public transportation. The Subject Property is located 0.4 miles from the entrance to the

NoMa-Gallaudet University Metrorail station, which serves the Red Metrorail line, and is also located in close proximity to numerous Metrobus routes and stops, with the 90, 92, 93, and X3 Metrobus routes running immediately in front of the Subject Property on Florida Avenue. The Subject Property is also located within convenient walking distance of three existing Capital Bikeshare stations and approximately 3.5 blocks from the entrance to the Metropolitan Branch Trail, an 8-mile multi-use trail that runs from Union Station in the District of Columbia to Silver Spring in Maryland. Furthermore, the Subject Property is located in close proximity to the office district in the NoMa neighborhood, walking distance to the dining and entertainment options in the Union Market and H Street, NE neighborhoods, and just one Metro station away from intercity and commuter trains and buses connecting at Union Station.

4. Housing and Affordable Housing (Section 2403.9(f))

One of the Project's most important benefits is the creation of new housing and affordable housing, consistent with the goals of the Zoning Regulations, the Comprehensive Plan, and the Mayor's housing initiative. Given that the Subject Property is currently zoned C-M-1, new residential uses are not permitted to be developed. Thus, the Applicant's proposal to develop the Subject Property as a PUD under the C-3-C District and construct approximately 98,836 square feet of gross floor area dedicated to residential uses, including affordable units, is significant.

Pursuant to 11 DCMR § 2403.2, the Project is required to devote 8% of the residential gross floor area to IZ units. However, the Applicant proposes to devote 12% of the residential gross floor area (approximately 11,860 square feet) will be devoted to affordable housing units, with 6% set aside for households earning up to 50% of the AMI and 6% set aside for households earning up to 80% of the AMI. In contrast, under the existing zoning, there would be no housing or affordable housing at the Subject Property at all. Furthermore, the Applicant is providing

significantly more square footage and a deeper subsidy than is required by the IZ regulations. The Applicant's affordable housing proffer is set forth in the following table:

Residential Unit Type	GFA/Percentage of Total	Units	Income Type	Affordable Control Period	Affordable Unit Type
Total	98,836 sf of GFA (100%)	110	NA	NA	NA
Market Rate	86,976 sf of GFA (88%)	96	Market Rate	NA	NA
IZ	5,930 sf of GFA (6%)	7	Up to 50% AMI	Life of the project	Rental
IZ	5,930 sf of GFA (6%)	7	Up to 80% AMI	Life of the project	Rental

5. Employment and Training Opportunities (Section 403.9(e))

Development of the hotel component of the Project will generate significant new employment opportunities, and the Applicant is committed to hiring locally. Accordingly, the Applicant will reserve 25% of all new hotel jobs for qualified District residents, and will advertise those jobs through a job fair and other means in coordination with the ANC. The Applicant will also reserve 25% of all future hotel internship positions for qualified District residents. Training for all jobs will be provided.

6. Environmental Benefits (Section 2403.9(h))

Through the development of the Project, the Applicant will ensure environmental sustainability by implementing a variety of sustainable design features. The Project's features and systems will enhance the already sustainable nature of the Subject Property's mixed-use, transit-rich location and will promote a healthy lifestyle that will holistically benefit the Project's residents, visitors, and employees, while minimizing its impact on the environment. The Project provides a variety of environmental benefits consistent with the recommendations of 11 DCMR § 2403.9(h), including landscaping, street tree planting and maintenance, energy efficient and alternative energy sources, methods to reduce stormwater runoff, and green engineering practices

The building will be designed to include sustainable features and will register to be certified as LEED Gold for the residential portion of the Project and LEED Silver for the hotel portion of the Project. These features include a green roof, solar panels, energy efficient LED lighting, irrigation of landscaping from stormwater collection, daylight control with automatic shades and lighting controls, locally-sourced products, an electric charging station, carsharing spaces, and a large public bicycle room. *See* Conceptual LEED checklist included with Plans.

7. Uses of Special Value to the Neighborhood (Section 2403.9(i))

In addition to the benefits and amenities listed above, the Applicant also proposes to provide the following:

- For the life of the Project, the Applicant will contribute \$25,000 annually towards a “Life Quality Enhancement” fund, created by Edens, that will provide additional security and street cleaning. Edens will manage the fund until an official BID is created.
- For a period of 25 years, the Applicant will provide a minimum of 500 square feet in the residential lobby and a minimum of 100 square feet in the hotel lobby devoted to gallery space. The art to be displayed in the gallery will be selected in coordination with the ANC.
- The Applicant will provide a bicycle garage for public use.
- The Applicant will provide a cell phone charging station for public use within or adjacent to the building.
- The Applicant will provide one electric car charging space.
- The Applicant will provide two parking spaces devoted to car-sharing services.
- The Applicant will incorporate Deaf Space principles into the building’s ground floor design and program through optimizing visual and physical connectivity, enhancing visual cues for spatial awareness, creating space for visual communication, minimizing barriers to visual communication, and providing lighting conditions for visual communication and spatial awareness.

As part of the PUD process, the Applicant will be working with ANC 5D, the ANC within which the Subject Property is located, and the abutting ANC 6C, to develop additional benefits and amenities identified as needs within the community. The Applicant will continue to work with members of the ANCs and surrounding community stakeholders to finalize the benefits package prior to the public hearing on this application.

IV. COMPLIANCE WITH THE COMPREHENSIVE PLAN

The Project advances the purposes of the Comprehensive Plan, is consistent with the Future Land Use Map and Generalized Policy Map, complies with the guiding principles in the Comprehensive Plan, and furthers a number of the major elements of the Comprehensive Plan.

A. Purposes of the Comprehensive Plan

The purposes of the Comprehensive Plan are six-fold: (1) to define the requirements and aspirations of District residents and, accordingly, influence social, economic and physical development; (2) to guide executive and legislative decisions on matters affecting the District and its citizens; (3) to promote economic growth and jobs for District residents; (4) to guide private and public development in order to achieve District and community goals; (5) to maintain and enhance the natural and architectural assets of the District; and (6) to assist in conservation, stabilization, and improvement of each neighborhood and community in the District. *See D.C. Code § 1-245(b).*

The Project significantly advances these purposes by promoting the social, physical and economic development of the District through the provision of a high-quality mixed-use development on the Subject Property without generating any adverse impacts.

B. Future Land Use Map

As shown on the District of Columbia Comprehensive Plan Future Land Use Map attached hereto as Exhibit C, the Subject Property is designated in the mixed-use High-Density Commercial, Medium-Density Residential, and Production, Distribution and Repair (“PDR”) land use categories.

The High Density Commercial designation is used to define the central employment district of the city and other major office employment centers on the downtown perimeter. It is characterized by office, mixed residential/retail, and mixed office/retail buildings greater than eight stories in height, although many lower scale buildings, including historic buildings, are interspersed. The corresponding zone districts are generally C-2-C, C-3-C, C-4, and C-5, although other districts may apply. 10A DCMR § 225.11.

The Medium-Density Residential designation is used to define neighborhoods or areas where mid-rise (4-7 stories) apartment buildings are the predominant use. 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. 10A DCMR § 225.5.

The PDR category 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. The PDR designation is not associated with any industrial zone and therefore permits a building height of up to 90 feet with 6.0 FAR. 10A DCMR § 225.12.

The Applicant's proposal to rezone the Subject Property to the C-3-C District to construct the major new mixed use Project is consistent with the Comprehensive Plan's designations. The proposed C-3-C zoning classification is specifically identified to accommodate major business and employment areas and to provide substantial amounts of employment, housing, and mixed uses. 11 DCMR §§ 740.1-2. The C-3-C District permits medium and high density development, including retail, housing, and mixed-use development. 11 DCMR §§ 740.8. The Project incorporates all of these elements into a single, high-density building with a mix of residential and hotel uses and significant new employment opportunities.

The Framework Element of the Comprehensive Plan provides that the Land Use Map is not a zoning map. *See* 10A DCMR § 226.1(a); *see also* Z.C. Order No. 11-13; Z.C. Order No. 10-28. Whereas zoning maps are parcel-specific and establish detailed requirements for setback, height, use, parking, and other attributes, the Future Land Use Map does not follow parcel boundaries and its categories do not specify allowable uses or dimensional standards. *Id.* By definition, the Map is to be interpreted broadly. *Id.* Furthermore, the land use category definitions describe the general character of development in each area, citing typical building heights (in stories) as appropriate. The granting of density bonuses (for example, through Planned Unit Developments) may result in heights that exceed the typical ranges cited. *Id.* at § 226.1(c). The zoning of any given area should be guided by the Future Land Use Map, interpreted in conjunction with the text of the Comprehensive Plan, including the citywide elements and the area elements, as well as approved Small Area Plans. *Id.* at § 266.1(d).

Thus, in evaluating the proposed map amendment, the Subject Property should be viewed in context and not as an isolated parcel. When taken in context with the surrounding neighborhood, the Applicant's proposal to rezone the Property from the C-M-1 District to the C-3-C District is

consistent with the Comprehensive Plan designation of the Subject Property. The proposed C-3-C zoning classification and associated PUD designation will enable the Subject Property to be developed as with a mixed-use building constructed to a maximum density of approximately 8.0 FAR, which is consistent with the amount of density permitted in high density commercial zones. For example, the C-3-C District permits 6.0 FAR as a base density and up to 8.0 FAR as a PUD. The Project will be constructed to a maximum height of 120 feet, as measured from the level of the top of the curb opposite the middle of the front of the building to the highest point on the main roof, which is consistent with the medium-high density classifications and the PDR designation, and is appropriate given the location of the Subject Property along a major corridor.

Moreover, the Subject Property is surrounded by other recently-approved PUDs, many of which received a rezoning from the C-M-1 District to the C-3-C District, including the following:

1. ZC Case No. 15-28 - Setdown in February, 2016; rezoning from C-M-1 to C-3-C; 369 residential units (320,261 sf); 133,849 sf commercial use; 175 hotel rooms (6.68 FAR).
2. ZC Case No. 15-27 – Currently in process; rezoning from C-M-1 to C-3-C; 975 residential units; 67,215 sf retail use; 303,395 sf office use (6.0 FAR).
3. ZC Case No. 14-19 – Approved in September, 2015; rezoning from C-M-1 to C-3-C; 395-437 residential units; 10,302 sf retail (6.21 FAR).
4. ZC Case No. 15-01 – Approved in July 2015; rezoning from C-M-1 to C-3-C; 285-346 residential units; 8,472 sf retail (8.0 FAR).
5. ZC Case No. 14-07 – Approved in June 2015; rezoning from C-M-1 to C-3-C; 545-680 residential units; 41,042 sf retail (8.0 FAR).
6. ZC Case No. 06-40 – Approved in 2008 (extensions/modifications through 2016); rezoning from C-M-1 to C-3-C; 170-216 residential units; 27,410 sf retail (5.0 FAR). The project is under construction.
7. ZC Case No. 06-14 – Approved in 2007 (extensions/modifications granted through June 2013); rezoning from M to C-3-C; 230-270 residential units; 140-195 hotel rooms; 5,000-7,000 sf retail, which has been constructed. There is an unbuilt ~600,000 sf office building associated with the PUD (7.08 FAR).

C. Generalized Policy Map

As shown on the District of Columbia Comprehensive Plan Generalized Policy Map attached hereto as Exhibit D, the Subject Property is located in a Multi-Neighborhood Center category. Multi-Neighborhood Centers contain many of the same activities as Neighborhood Commercial Centers¹ but in greater depth and variety. Multi-Neighborhood Centers' service areas are typically one to three miles. These centers are generally found at major intersections and along key transit routes, and they might include supermarkets, general merchandise stores, drug stores, restaurants, specialty shops, apparel stores, and a variety of service-oriented businesses. These centers may also include office space for small businesses, although their primary function remains retail trade. Mixed use infill development should be encouraged to provide new retail and service uses, and additional housing and job opportunities. 10A DCMR § 223.18.

The proposed rezoning and PUD designation of the Subject Property is consistent with the policies indicated for Multi-Neighborhood Centers. The existing C-M-1 District is inconsistent with the Policy Map's designation of the Subject Property, since C-M Districts are "intended to provide sites for heavy commercial and light manufacturing activities employing large numbers of people and requiring some heavy machinery under controls that minimize any adverse effect on other nearby, more restrictive districts." 11 DCMR § 800.1. In contrast, the proposed mix of new residential and hotel uses at the Subject Property will help to improve the overall neighborhood fabric and bring new residents and retail uses to the area, in compliance with the goals and objectives of Multi-Neighborhood Centers.

¹ Neighborhood Commercial Centers meet the day to day needs of residents and workers in the adjacent neighborhoods. Typical uses include convenience stores, sundries, small food markets, supermarkets, branch banks, restaurants, and basic services such as dry cleaners, hair cutting, and child care. Office space for small businesses, such as local real estate and insurance offices, doctors and dentists, and similar uses, also may be found in such locations. 10A DCMR § 223.15.

D. Compliance with Guiding Principles of the Comprehensive Plan

The Project is consistent with the guiding principles in the Comprehensive Plan for managing growth and change, creating successful neighborhoods, increasing access to education and employment, and building green and healthy communities, as set forth below.

1. Managing Growth and Change.

In order to manage growth and change in the District, the Comprehensive Plan encourages, among other goals, the growth of both residential and non-residential uses. Non-residential growth benefits residents by creating jobs and opportunities for less affluent households to increase their income. 10A DCMR § 217.4. The Comprehensive Plan also states that redevelopment and infill opportunities along corridors is an important part of reinvigorating and enhancing neighborhoods.

The Project is fully consistent with these goals. Redeveloping the Subject Property as a vibrant new mixed-use development with residential and hotel uses will further the revitalization of the surrounding neighborhood. The proposed hotel will create overnight lodging opportunities for visitors to the District in an area where overnight accommodations are not readily available. The Project will also create significant new jobs for District residents, further increase the city's tax base, and help to reinvigorate the existing neighborhood fabric.

2. Creating Successful Neighborhoods.

One of the guiding principles for creating successful neighborhoods is getting public input in decisions about land use and development— from development of the Comprehensive Plan to implementation of the Plan's elements. The Project furthers this goal since, as part of the PUD process, the Applicant is working closely with ANC 5D and the abutting ANC 6C to ensure that the Project provides a positive impact on the immediate neighborhood. Indeed, the Applicant is in the process of working with the ANCs and other stakeholders on creating an appropriate public

benefits package that supports the surrounding neighborhood in a manner that is consistent with the community's goals.

3. Increasing Access to Education and Employment.

Increasing access to jobs and education by District residents is fundamental to improving the lives and economic well-being of District residents. 10A DCMR § 219.1. Land development policies should be focused to create job opportunities for District residents, and a mix of employment opportunities to meet the needs of residents with varied job skills should be provided. *Id.* at § 219.6. Moreover, providing more efficient, convenient, and affordable transportation for residents to access jobs in the District is critical. *Id.* at § 219.7. The Project is consistent with these goals since the new hotel use will create significant new jobs in the hospitality industry for District residents. Given the Subject Property's location in close proximity to a variety of public transportation options, the proposed hotel use also provides an employment setting that can be conveniently accessed by affordable public transportation options.

4. Building Green and Healthy Communities.

A major objective for building green and healthy communities is that building construction and renovation should minimize the use of non-renewable resources, promote energy and water conservation, and reduce harmful effects on the natural environment. As discussed in more detail above, the building will include a substantial number of sustainable design features.

E. Land Use Element

For many of the reasons discussed above, the Project supports the following policies of the Land Use Element of the Comprehensive Plan as follows:

1. Policy LU-1.2.2: Mix of Uses on Large Sites

The Project will provide residential and hotel uses on a large, underutilized, and partially vacant site. This type of redevelopment is consistent and compatible with adjacent uses (including recently-approved development projects) and will provide a number of benefits to the immediate neighborhood and to the District as a whole. In addition, as discussed above, the proposed mix of uses on the Subject Property is consistent with the Comprehensive Plan Future Land Use Map's mixed-use designation of the Subject Property.

2. Policy LU-1.3 Transit-Oriented and Corridor Development

The Project exemplifies the principals of transit-oriented. The Subject Property is located within a convenient walking distance of the NoMa/Gallaudet University Metrorail station and is served by several Metrobus routes that run along Florida Avenue. The Subject Property is also located within close walking distance of three existing Capital Bikeshare stations, and has ample access to a variety of car-share and ride-share transportation services. As stated above, the Project is also located approximately 3.5 blocks from the entrance to the Metropolitan Branch Trail, which provides safe and separated bicycle and pedestrian access from Union Station to Silver Spring, Maryland. Furthermore, the Subject Property is located close to the office district in the NoMa neighborhood, the dining and entertainment options in the Union Market and H Street, NE neighborhoods, and one Metro station away from intercity and commuter trains and buses connecting at Union Station. In addition, the Project is consistent with the following principles:

- A preference for mixed residential and commercial uses rather than single purpose uses;
- A preference for diverse housing types, including affordable units;
- A priority on attractive, pedestrian-friendly design and a de-emphasis on auto-oriented uses;

- A provision of well-designed, well-programmed, and well-maintained public open spaces;
- Convenient and comfortable connections to the bus system, thereby expanding access to the stations and increasing Metro’s ability to serve all parts of the city; and
- A high level of pedestrian and bicycle connectivity between the stations and the neighborhoods around them.

3. Policy LU-1.3.4: Design to Encourage Transit Use

The Project is designed to encourage transit use and to enhance the safety, comfort and convenience of passengers walking to the Metrorail station and local bus stops. The Project includes significant improvements to the public realm adjacent to the Subject Property and also incorporates active ground floor uses and building entrances to animate the surrounding streets and create vibrancy in the neighborhood.

4. Policy LU-2.1.3: Conserving, Enhancing, and Revitalizing Neighborhoods

Consistent with Policy LU-2.1.3, the Project architect sought to augment the mixed income housing supply in the area and expand neighborhood commerce with the parallel goals of protecting the neighborhood’s character and its existing environment.

5. Policy LU-2.2.4: Neighborhood Beautification.

Policy LU-2.2.4 encourages projects to improve the visual quality of the District’s neighborhoods. As shown on the Plans, the Project architect designed the building to improve the visual aesthetic of the neighborhood through two distinctive architectural expressions, relating to the different programs incorporated in the Project: residential on the east side and hotel on the west side. Both expressions relate to the Union Market vernacular of industrial warehouse style.

As described above, the residential portion of the building follows a classical tripartite composition with a masonry wall punctured by regular fenestration. The disposition of the

fenestration relates to the existing warehouse buildings and a postindustrial/loft expression. The hotel side has a more rigorous approach that follows the Union Market vernacular more closely, with dark, unrefined brick walls with tighter windows patterned by repetitive small panes of glass.

Moreover, the redevelopment of the Subject Property will result in a significant upgrade to the Subject Property's vacant and underutilized condition, and in so doing will help to revitalize the area. The Project also includes new landscaped areas and open spaces which will greatly enhance the streetscape and improve the safety and comfort of the pedestrian experience.

6. Policy LU-2.3.3: Buffering Requirements

This policy encourages the use of buffers to ensure that new commercial development adjacent to lower density residential areas provides effective physical buffers to avoid adverse effects. As shown on the Plans, the Project includes a number of elements designed to serve as buffers, including landscaping, setbacks, and other architectural and site planning measures that will prevent potential adverse effects. Furthermore, the Project will eliminate the existing two-story buildings and vacant lot with much-needed new residential and hotel uses.

7. Policy LU-3.1.4: Rezoning of Industrial Areas

This policy encourages the rezoning of land for non-industrial purposes when the land can no longer support industrial or PDR activities or is located such that industry cannot co-exist adequately with adjacent existing uses. As shown on the Plans, the Subject Property is surrounded by a variety of uses, including industrial, residential, institutional, and commercial uses. The Subject Property is located on the east side of the growing NoMa neighborhood, and the area immediately-surrounding the NoMa/Gallaudet University Metro station is rapidly transitioning into a mix of commercial and residential uses. As a result, the Subject Property is no longer suitable for industrial activities. The proposed Project and requested rezoning supports the policy of

rezoning industrial land to permit residential and commercial uses on land included in a targeted redevelopment area.

F. Transportation Element

The Applicant's proposal to develop a mixed-use development on the Subject Property will help to further several policies and actions of the Transportation Element of the Comprehensive Plan, including:

1. Policy T-1.1.4: Transit-Oriented Development

As described above, the Project is a textbook example of transit-oriented development. It also includes various transportation improvements, including the construction of new mixed-uses along a major transportation corridor, bicycle storage areas that include changing rooms and maintenance tools, convenient and appropriate vehicular and loading access from the rear alley to ensure pedestrian safety, the closure of existing curb cuts, and public space improvements to encourage pedestrian travel.

2. Policy T-2.3.1: Better Integration of Bicycle and Pedestrian Planning

As shown on the Plans, the Project's architect carefully considered and integrated bicycle and pedestrian safety considerations in the design of the Project. As previously stated, the Subject Property is located approximately 3.5 blocks from the entrance to the Metropolitan Branch Trail, which is a unique urban amenity for cyclists and pedestrians. To promote pedestrian travel on the north side of Florida Avenue, the Project will implement the following improvements:

- Sidewalks will be widened to comfortably accommodate pedestrians;
- The ground floor of the building will be built to a pleasing human scale;
- The facades on the ground level will consist of at least 50% transparent materials, in order to maintain the interest of pedestrians;

- Wide tree box/furnishing areas will be situated along the street for visual beauty and to create a buffer from passing vehicles; and
- Trees and planting areas will be located along the curb to act as a buffer for pedestrians from vehicles.

3. Action T-2.3-A: Bicycle Facilities

This element encourages new developments to include bicycle facilities. The Applicant proposes to include secure, long-term, indoor bicycle parking in addition to exterior short-term bicycle racks in the public space adjacent to the Subject Property. These options will accommodate and encourage bicycle use by residents, hotel patrons, visitors, and employees. The Project includes approximately 120 secure bicycle parking spaces on the ground floor of the building and the Applicant will work with DDOT to ensure there are an adequate number of outdoor bicycle parking spaces to accommodate the anticipated demand.

G. Housing Element

The overarching goal of the Housing Element is to "[d]evelop and maintain a safe, decent, and affordable supply of housing for all current and future residents of the District of Columbia." 10 DCMR § 501.1. The Project will help achieve this goal by advancing the policies discussed below.

1. Policy H-1.1.1: Private Sector Support

The Project helps meet the needs of present and future District residents at locations consistent with District land use policies and objectives. Specifically, the Project will contain approximately 98,836 square feet of gross floor area devoted to residential use, which represents a substantial contribution to the District's housing supply. Of the total residential gross floor area, 12% will be devoted to affordable housing (approximately 11,860 square feet of gross floor area),

which will add to the District's affordable housing stock. In contrast, under the current C-M-1 zoning no new housing could be developed at the Subject Property at all. Moreover, the provision of new housing at this particular location is fully consistent with the District's land use policies.

2. Policy H-1.1.3: Balanced Growth

This policy strongly encourages the development of new housing on surplus, vacant and underutilized land in all parts of the city, and recommends ensuring that a sufficient supply of land is planned and zoned to enable the city to meet its long term housing needs, including the need for higher-density housing. The Project supports this policy goal by developing new housing on underutilized land in a rapidly growing and changing mixed-use neighborhood.

3. Policy H-1.1.4: Mixed Use Development

The Project is consistent with the goals of promoting mixed use development, including housing on commercially or industrially zoned land, particularly in neighborhood commercial centers.

4. Policy H-1.2.3: Mixed Income Housing

The residential component of the Project is mixed-income and includes both market-rate and affordable housing units. Thus, the Project will further the District's policy of dispersing affordable housing throughout the city in mixed-income communities, rather than concentrating such units in economically depressed neighborhoods.

H. Environmental Protection Element

The Environmental Protection Element addresses the protection, restoration, and management of the District's land, air, water, energy, and biologic resources. This element promotes specific environmental policies, including the following:

- Encouraging the planting and maintenance of street trees in all parts of the city (*Policy E-1.1.1*);

- Encouraging the use of landscaping to beautify the city, enhance streets and public spaces, reduce stormwater runoff, and create a stronger sense of character and identity (*Policy E-1.1.3*);
- Promoting the efficient use of energy, additional use of renewable energy, and a reduction of unnecessary energy expenses (*Policy E-2.2.1*); and
- Promoting tree planting and landscaping to reduce stormwater runoff, including the expanded use of green roofs in new construction (*Policy E-3.1.2*).

As discussed in both the Environmental Benefits and Building Green and Healthy Communities sections of this statement, the proposed Project includes high performance building design, energy efficient systems, storm water management systems including roof retention as well as bio-retention on street level, air quality management, environmental noise reduction, and sustainable, usable and attractive open space. Moreover, the Project is a dense, infill development at a transit-oriented location, and is therefore fully consistent with the Environmental Protection Element.

I. Urban Design Element

The goal of the Comprehensive Plan's Urban Design Element is to:

[e]nhance the beauty and livability of the city by protecting its historic design legacy, reinforcing the identity of its neighborhoods, harmoniously integrating new construction with existing buildings and the natural environment, and improving the vitality, appearance, and security of streets and public spaces.

10A DCMR § 901.1. In keeping with this objective, the Applicant has carefully aligned the Project with the character of the surrounding neighborhood. Consistent with *Policy UD-2.2.1: Neighborhood Character and Identity* and *Policy UD-2.2.7: Infill Development*, the Project will help strengthen the architectural quality of the immediate neighborhood by relating the building's scale to the existing neighborhood context, including both existing and approved development projects. In addition, as shown on the Plans, the Project includes elegant, visually-interesting and

well-designed building façades to create stunning visual interest and contribute to the architectural quality of the neighborhood and streetscape. *See Policy UD-2.2.5.* The Project is also consistent with the goals of *Policy UD-3.2.5: Reducing Crime Through Design*, since the new residential and hotel uses will bring additional "eyes and ears" to the area, as well as improved lighting, clear lines of sight, and visual access, all of which will help to minimize the potential for criminal activity in the immediate area.

J. Economic Development Element

For the reasons discussed above, the Project supports the following policies of the Economic Development Element:

1. Policy ED-1.1.2: Economic Linkages

Consistent with this Policy, the Project leverages the hospitality industry to provide new employment opportunities.

2. Policy ED-2.3.1: Growing the Hospitality Industry

The Project helps the District achieve its goal of developing an increasingly robust tourism and convention industry. The Project will help to increase (i) the number of visitors to the District, (ii) the number of visitors staying in the District (rather than in suburban hotels), and (iii) longer visitor stays in the District. The Project also helps to promote the District as the preferred base for exploring the city's attractions, and also the preferred overnight base for visiting regional attractions.

3. Policy ED-2.3.4: Lodging and Accommodation

This policy encourages development of a diverse range of hotel types, serving travelers with varying needs, tastes, and budgets. The Project meets this policy's objective of providing a new hotel in an area that presently lacks quality accommodations.

4. Policy ED-2.3.9: Hospitality Workforce Development

The Project helps to recognize the potential for the hospitality sector to generate entry level jobs and opportunities for upward mobility for District residents.

J. Upper Northeast Area Element

The Subject Property is located within the boundaries of the Upper Northeast Area Element. The Upper Northeast Area Element encourages compatible infill development (*Policy UNE-1.1.2*), Metro station development (*Policy UNE-1.1.3*), streetscape improvements (*Policy UNE-1.2.1*), and environmental quality (*Policy UNE-1.2.8*), all of which are policies and goals that the Project will support. The Project will redevelop abandoned structures, consistent with *Policy UNE-1.1.5*, and will help link residents to jobs and increase economic opportunity, consistent with *Policies UNE-1.2.3 and 1.2.4*.

The Subject Property is within the Northeast Gateway Policy Focus Area within the Upper Northeast Area Element, which specifically encourages improving conditions for pedestrians along Florida Avenue and redeveloping the Union Market area into a regional destination with residential, dining, entertainment, and hotel uses (among others). *See Policies UNE-2.1.2 and 2.1.4*. The Project, with new residential and hotel uses and significant new public streetscape improvements on all sides, including Florida Avenue, will support these goals and will help continue the transformation of the Upper Northwest, and the Northeast Gateway in particular, into a vibrant, mixed-use neighborhood consistent with the goals set forth in the Comprehensive Plan.

V. COMPLIANCE WITH THE FLORIDA AVENUE MARKET STUDY

The PUD and related map amendment will help to implement the FAMS, which provides a framework for the strategic redevelopment of the FAMS area as a vibrant, mixed-use neighborhood that protects the look and feel of the historic retail markets while also providing a

basis for new development and rehabilitation. *See* FAMS at 9. The FAMS envisions the study area as one with a new mix of uses that creates a vibrant destination and incorporates a mix of densities, ranging from moderate to medium to high density, designed to be integrated into surrounding development and community fabric. *Id.* at 53. The FAMS Development Framework section makes detailed recommendations for improving the area’s land use, development priorities, transportation facilities, and public realm features. The Implementation section lists specific goals from the Development Framework and includes recommendations on how to achieve those goals. Key elements of the Development Framework and Implementation sections include the following:

- Provide opportunities for additional density and associated building height, especially in areas designated as “High Density” or “Medium High Density.” The Subject Property is designated “Medium-High Density,” which is further defined in the FAMS as providing a maximum building height of 130 feet and 8.0 FAR, when implementing the PUD mechanism. *Id.* at 55-6.
- Utilize design techniques in new construction to enhance the sense of place and pedestrian character. *Id.* at 58.
- Enhance Florida Avenue as a major symbolic entryway to the city and encourage a mix of street enlivening activity on the ground floor level. *Id.* at 60 and 82.
- Encourage excellence in sustainable design both in individual buildings and site systems and require low impact development best practices in streetscape design. *Id.* at 86.

The Project is consistent with all of these and many more specific recommendations in the FAMS. For example, the Project is designed within the height and density specifically recommended for the Medium High Density area. The Project implements design techniques that will enhance the sense of place on the surrounding blocks and enrich Florida Avenue with a vibrant streetscape. Moreover, the Project is designed to be LEED Gold (residential portion) and LEED Silver (hotel portion) and will include significant sustainable elements both for the site through low impact development techniques and within the building itself. Overall, the Project is consistent

with the vision for the study area as set forth in FAMS and will help implement many of the recommendations and goals detailed in the study.

VI. CONCLUSION

For the reasons stated above, the Applicant submits that the PUD and Zoning Map amendment meet the standards of Chapter 24 of the Zoning Regulations and are consistent with the purposes and intent of the Zoning Regulations and Zoning Map. Accordingly, the Applicant requests that the Zoning Commission determine that the application has merit and that a public hearing on the application should be scheduled.

Respectfully submitted:

HOLLAND & KNIGHT LLP

By: 

Norman M. Glasgow, Jr.
Kyrus L. Freeman
Jessica R. Bloomfield
800 17th Street, N.W., Suite 1100
Washington, D.C. 20006
(202) 955-3000