



POPLAR POINT RBBR LLC

APPLICATION TO THE DISTRICT OF COLUMBIA ZONING COMMISSION FOR
REVIEW AND APPROVAL OF A CONSOLIDATED PLANNED UNIT DEVELOPMENT
AND AMENDMENT TO THE ZONING MAP

December 13, 2016

DEVELOPMENT TEAM

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PREFACE

This statement and the attached documents support the application of Poplar Point RBBR LLC (the “Applicant”) to the Zoning Commission for first stage approval of a Planned Unit Development and Zoning Map Amendment (“PUD”) for the property known as Square 5860, Lots 97, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1036, 1037, and a portion of the alley to be closed, and Square 5861, Lot 91 (the “Property”). The Property is located on either side of Howard Road SE and in between Interstate 295 and South Capitol Street SE in Ward 8. The Project will result in a truly mixed-use development with office, residential, and retail use.

This PUD application is consistent with the District of Columbia Comprehensive Plan, D.C. Law 16-300, 10A DCMR (Planning and Development) § 100 et seq. (2006) (the “Comprehensive Plan”), as well as numerous goals and policies of the District of Columbia. This Project will benefit the District through exemplary architecture, sustainable design, affordable housing, and attractive, place-making development. The Project will also benefit the surrounding area through land utilization, grid connection, streetscape improvements, and other new benefits and amenities to be provided, commensurate with the increase in height and density resulting from the PUD process.

Submitted in support of this application are completed application forms, a copy of the notice of intent to file a PUD that was mailed to surrounding property owners and parties (with the certification of mailing and list of property owners), architectural drawings, plans, and elevations of the proposed project, and a map depicting the Zone Districts for the Property and surrounding area. As set forth below, this statement and the attached documents meet the filing requirements for a PUD application under Chapter 3 of Subtitle X and Chapter 3 of Subtitle Z of the District of Columbia Zoning Regulations.

I. INTRODUCTION

A. *Summary of Requested Action*

This statement and the attached documents support the application of Poplar Point RBBR LLC (the “Applicant”) to the Zoning Commission for first stage approval of a Planned Unit Development and Zoning Map Amendment (“PUD”) for the property known as Square 5860, Lots 97, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1036, 1037, and a portion of the alley to be closed, and Square 5861, Lot 91 (the “Property”). The Property is located on Howard Road SE in Ward 8, within the jurisdiction of Advisory Neighborhood Commission (“ANC”) 8A and 8C.

The Property is located on either side of Howard Road SE and in between Interstate 295 and South Capitol Street SE. Lot 97 in Square 5860 is owned by 9 Howard RD LLC, 632 Howard RD LLC, 700 Howard Road LLC, and 730 Howard RD LLC. Lots 1025, 1026, 1036, and 1037 in Square 5860 are owned by 822 Howard Road LLC. Lots 1027, 1028, and 1029 in Square 5860 are owned by 752 Howard Road LLC. Lots 1030 and 1031 in Square 5860 are owned by Earth Conservation Corporation. Lot 91 in Square 5861 is owned by 731 Howard Road LLC, 701 Howard Road LLC, 633 Howard Road LLC, 631 Howard Road LLC, and 715 Howard Road LLC. The Property is near the Anacostia River waterfront in Ward 8 and consists of approximately 271,219 square feet (including private streets), or approximately 6.23 acres, of land area. The Property is currently located in the MU-14 Zone District; through the Project, the Applicant seeks to rezone the property to the MU-9 Zone District.

The Property is currently largely unimproved or improved with small buildings. The Applicant intends to redevelop the Property into a truly mixed-use development with office, residential, and retail use. The Applicant proposes a mixture of uses including approximately 45,300 square feet of retail, 1,617,000 square feet of office use, and 680-700 residential units (the “Project”). The Project will also contain parking below grade. The total gross floor area included

in the Project is approximately 2,339,780 square feet, for a total Floor Area Ratio (“FAR”) of 8.99 (excluding private streets). The Project will occupy approximately 75% of the Property. The Project will be constructed to a building height of approximately 130 feet.

The Future Land Use Map of the Comprehensive Plan locates the Property in the Mixed Use High Density Residential/High Density Commercial, as well as Institutional, land use categories. The Property is also located within the Central Employment Area of the District. The Applicant will use the PUD process and the Zoning Map Amendment to increase the permitted FAR and height on the Property consistent with the Comprehensive Plan.

B. The Applicant

The Applicant is managed and controlled by an affiliate of the principals of Redbrick LMD. Redbrick LMD is a diversified real estate investment management and development firm headquartered in Washington, DC. The firm specializes in the development of large scale mixed-use projects with a focus on the Washington D.C. metro market and selectively invests and develops in other markets. Redbrick LMD’s leadership team has significant experience in the acquisition and repositioning of existing projects, the entitlement and ground-up development of large scale planned developments, and the financial and legal structuring of transactions to optimize outcomes while mitigating risks for all parties.

The team has developed, redeveloped and managed over 10,000 multifamily units nationally, 2.5 million square feet of ground up and adaptive re-use office development, and participated as master or associate master developer in five large scale master plans of projects over 500 acres each. In addition, they have developed a substantial portfolio of mixed use assets. Since 2000, the principals have developed, structured, and participated in the acquisition and sale of more than \$2.5 billion of real estate transactions, and over \$10 billion throughout their careers.

Redbrick LMD has a current development pipeline in excess of four million square feet primarily comprised of large scale, transit oriented master planned communities, as well as ground up residential and retail infill developments.

Members of the team have won numerous business and planning awards, including American Property Award's Best Residential Architecture 2007 (MSNBC and NY Times Award), various corporate leadership awards, including Institutional Investor's Real Estate Deal of the Year, the Engineering Excellence Award, as well as the prestigious Webby award for Best Real Estate Website 2008.

C. Project Goals and Objectives and the Benefits of Using the PUD Process

Consistent with the goals of the District as outlined in the Land Use Element of the Comprehensive Plan, the Applicant intends to redevelop the Property with a mixed-use office, residential, and retail project on the Property. The Project will provide a significant development in an underutilized area within walking distance of a major Metrorail station in attractive and sustainable buildings that are compatible with anticipated future development in the area.

The PUD process outlined in Chapter 3 of Subtitle X of the Zoning Regulations serves as the appropriate means of achieving the above objectives, because the PUD process provides the community and District agencies with the tools needed to ensure that the Project is well-designed and best meets the needs of the community while making sure that the density and uses are appropriate and the architecture is compatible with the surrounding neighborhood.

D. Development Timetable

The Project will be completed in three phases, as discussed further below. The Applicant will return to the Zoning Commission for second-stage approval for those later stages.

II. THE PROPOSED PUD PROJECT

A. Site Location

The Property consists of approximately 271,219 square feet of land area (including private streets) located on either side of Howard Road SE and in between Interstate 295 and South Capitol Street SE in close proximity to the Anacostia Metrorail station. The site is bounded by National Park Service property to the north, the Anacostia Metrorail station to the east, and the Interstate 295 and South Capitol Street SE interchanges to the south and west. The Property is largely unimproved with some small commercial buildings. The Property is located entirely in the MU-14 Zone District.

The Property is located within the Poplar Point area on the Anacostia River. The Anacostia, Historic Anacostia, and Barry Farms neighborhoods are located to the east and southeast of the Property. Across the Anacostia River are the Buzzard Point, National Ballpark, and Navy Yard areas. The site is adjacent to the Anacostia Metrorail station, which serves as a Green Line Metrorail station as well as a pick-up point for numerous bus lines.

The surrounding area features a variety of uses and zone categories. To the north is unzoned National Park Service property, to the east and southeast are residential and mixed use communities, and Joint Base Anacostia-Bolling is located to the southwest. Property immediately to the south of the Property is in the PDR-1 Zone District, and the residential and mixed use areas to the east and southeast are predominantly in the RA-1 Zone District.

B. Project Description

The Project will raze the existing improvements at the Property to develop a truly mixed-use project providing residential, retail, and office uses. As shown on the architectural plans, elevations, and drawings attached as Exhibit I, the Project has been designed to create a premier development vitalizing the Poplar Point area of the Anacostia River. The Project will provide

housing, employment, and shopping in a new neighborhood adjacent to the Anacostia Metrorail station.

The Project will be developed with five “buildings,” shown as Buildings A-E on the plans attached as Exhibit I¹. Building A is planned for fully office use, providing an ideal office building for a federal user or a large office tenant. Buildings B and C will both be residential buildings with ground floor retail uses. Buildings D and E will both be office buildings with ground floor retail uses. All of the buildings will contain up to two levels of underground parking. In total, the Project plans to construct 45,300 square feet of gross floor area of retail use, 1,617,000 square feet of gross floor area of office use, and approximately 680-700 residential units. The Applicant plans to construct the Project in three phases. Building C, designed for residential use with ground floor retail, is expected to be Phase 1. Buildings D and E, both designed for office use with ground floor retail, are expected to be Phase 2. Finally, Buildings A and B, one office (A) and one residential with ground floor retail (B) are expected to be Phase 3.

Because the Property is largely undeveloped or underdeveloped, the Project presents a significant opportunity to improve the streetscape and surrounding area. As part of the Project, the Applicant will conduct major streetscape improvements, including potentially regrading Howard Road and creating a network of private streets intersecting the buildings to create a traditional grid network with a large private alley behind the northern buildings. The public and private street network will meet DC standards and will have space for two-way traffic, parking, and bicycle lanes along Howard Road. The Project also includes significant pedestrian space. The overall circulation plan of the Project not only provides effective circulation for the Project, but creates

¹ Buildings B and C on the north side of Howard Road SE and Buildings D and E on the south side of Howard Road SE will each have an above-grade, meaningful connection of conditioned space to be considered one building for zoning purposes.

openings along the private streets and alleys for future development in the Poplar Point area. The Applicant has designed the Project to anticipate and foster future development to seamlessly connect to the Project's three PUD phases. The Applicant will also coordinate the development of bicycle lanes to connect to the Anacostia Riverwalk Trail and other bicycle networks in the District.

The Project will contain up to two levels of underground parking underneath all of the buildings, some interconnected below grade. Parking entrances will largely be accessed via the private streets and alleys. The Project will include up to approximately 930 vehicular parking spaces and approximately 541 long-term bicycle parking spaces and 90 short term bicycle parking spaces.

In total, the Project will feature approximately 45,300 square feet for retail use, 1,617,000 square feet for office use, and 680-700 residential units with a total residential gross floor area of approximately 677,480 square feet. The Applicant will set aside ten percent (10%) of the residential net area, or approximately 50,811 square feet, as affordable housing, which is a greater amount of affordable housing than required by the Zoning Regulations.

The Project will be constructed to a FAR of 8.99 and a height of 130 feet. The MU-9 District permits a maximum FAR of 9.36 in a PUD project. A PUD project in the MU-9 Zone District is permitted a maximum building height of 130 feet. The Development Program in Exhibit I as well as the summary of development data attached as Exhibit B illustrate the zoning standards for the existing and proposed zoning.

C. Community Outreach and Response

The Applicant has engaged in numerous community outreach efforts, including city meetings, ANC meetings, and meetings with individual community groups regarding the Project. The Applicant met with the Office of Planning on June 8, 2016 and again on September 15, 2016,

with the District Department of Transportation on March 31, 2016, and again on October 14, 2016, and with the Department of Energy and Environment on August 24, 2016. The Applicant has also met with the following community groups:

- Far Southeast Family Strengthening Collaborative, Inc. on September 15, 2016;
- Training Grounds on September 29, 2016; and
- Eagles Nest Youth Organization on September 29, 2016.

The Applicant met with Ward 7 City Council Member-elect Vincent Gray and Ward 8 City Council Member-elect Trayon White to present the PUD plans on August 1, 2016. The Applicant presented at a monthly ANC 8A meeting on December 6, 2016 and an ANC 8C monthly meeting on November 2, 2016. The Applicant also conducted a Poplar Point PUD application informational meeting with the newly elected ANC 8A and 8C Commissioners as well as other community members on December 8, 2016. The informational presentation included PUD application architectural design and development overview, public amenities and benefits, public engagement process and schedule as well as specific follow-up items from the discussion.

As a result of all of these meetings, the Applicant has revised the Project to address thoughts and concerns raised by the community. First, the Applicant has specifically tailored the proposed benefits package to include such items as:

- Three-bedroom affordable units;
- Improvements to the Anacostia Metrorail station; and
- Coordination with DDOT on the South Capitol Street Bridge Project.

Additionally, the Applicant has revised the Project design to address community concerns, specifically by:

- Reducing the size of the proposed Project from 2,487,263 s.f. to 2,339,780 s.f.;
- Breaking down massing with 60-foot private streets between the buildings north of Howard Road;
- Implementing private streets into an anticipated street-grid pattern for future development; and

- The west portion of Building E dropped two top floors to allow Buildings D and E to read as separate buildings and to provide a great potential exterior amenity space for the tenants of the building.

The Applicant will continue to revise the benefits package to incorporate further feedback from the community.

D. Flexibility Under the PUD Guidelines

The PUD process was created to allow greater flexibility in planning and design than is possible under conventional zoning procedures. Under Subtitle X, Section 303.11, the PUD regulations specifically allow the Zoning Commission discretion to approve any zoning relief to development standards other than height and maximum density. The Project does not require relief from any development standards in the Zoning Regulations. However, the Applicant requests flexibility to (1) vary the phasing anticipated for the Project, as the proposed phasing may need to be revised to meet market demands, (2) vary interim uses at the Property while the other phases of the Project are being finalized; (3) adjust parking downwards if needed to meet market demand; (4) vary the locations of the office and residential components; and (5) for the residential buildings, provide above-ground parking within the building's core instead of underground parking consistent with Subtitle C, Section 710.2.

III. PLANNING ANALYSIS

A. Land Use Impact

As detailed in Section V, the proposed PUD Project is fully consistent with the goals and policies of the Comprehensive Plan for the District of Columbia. Specifically, the Project will create prime office, residential, and retail space in an undeveloped area within the Central Employment Area in close proximity to a major Metrorail station, including affordable housing. The height and density of the Project are appropriate given the proximity to transit, the Comprehensive Plan's Future Land Use Map designation, and the avoidance of adverse impacts

on nearby residential areas. The Project will improve the Poplar Point area and begin the overall area development, including beginning the street grid and utility improvements needed for the area. The Project will have a positive land use impact that is consistent with the Comprehensive Plan and other planning goals of the District of Columbia.

B. Zoning Impact

As shown on the Proposed Zone District Plan included in Exhibit I, the Applicant requests a Zoning Map Amendment for the Property to the MU-9 Zone District. This proposed zone plan is consistent with the Comprehensive Plan. As discussed more fully in Section V, the Future Land Use Map of the Comprehensive Plan locates the Property in the Mixed Use High Density Residential/High Density Commercial, as well as Institutional, land use categories, and the Property is located within the Central Employment Area.

At the Property, the Applicant proposes a truly mixed-use development with robust office, residential, and retail uses. The proposed MU-9 zoning is necessary to accommodate these uses at the proposed height and density. The Comprehensive Plan explicitly lists the proposed MU-9 Zone District as consistent with the High Density Commercial designation. § 225.9.² Additionally, the MU-9 Zone is generally described as a zone that permits high density development, specifically located in the Central Employment Area. The Property is located in the Central Employment Area and ripe for high-density development. Accordingly, the proposed rezoning of the Property to the MU-9 Zone District is consistent with the Comprehensive Plan.

C. Environmental Impact

As more specifically detailed in Exhibit E, no adverse environmental impact will result from the construction of the Project. The Project will include features attaining LEED-Gold

² The Comprehensive Plan lists the C-3-C Zone District as appropriate for this designation, which was the MU-9 Zone District under the 1958 Zoning Regulations.

certification for the Project. The Project will also meet the Green Area Ratio and stormwater management requirements. Finally, the Project includes substantial bicycle improvements, including bicycle lanes at the Property and increasing area connections to the Anacostia Riverwalk Trail and the overall bicycle path network in the District.

D. Facilities Impact

The proposed Project will not have an adverse impact on the facilities that it will rely on for service. The Anacostia Metrorail station is adjacent to the Property. Numerous Metrobus lines also service the site via the Anacostia Metrorail station, and it is expected that many of the Project's occupants and visitors will use public transit. The Project also contains 930 parking spaces to accommodate the parking demand of residents, employees, and visitors who may choose to drive to the Project. Bicycle usage will also be coherently integrated into the design of the Project, including the bicycle lanes on the streets, connecting into the overall D.C. bike network, and providing 541 long term spaces and 90 short term spaces in connection with the Project. The Applicant has engaged Wells + Associates to conduct a Comprehensive Transportation Review for the Project.

IV. PUD EVALUATION STANDARDS

A. Public Benefits and Project Amenities

Section 305 of Subtitle X provides categories of public benefits and project amenities for review by the Zoning Commission. The objective of the PUD process is to encourage high-quality development that provides public benefits and project amenities by allowing applications greater flexibility in planning and design than may be possible under matter-of-right zoning. The proposed Project will achieve the goals of the PUD process by providing new office, housing, and retail opportunities in a well-designed project that vitalizes a vacant area, enhances the surrounding

public space, and improves public facilities near the Property. This furthers several goals set forth by the District of Columbia.

1. Housing

Pursuant to Section 305.5(f) of Subtitle X of the Zoning Regulations, the PUD guidelines state that the production of housing is a public benefit that the PUD process is designed to encourage. The Project will create approximately 680-700 new residential units. There is currently no housing at the Property, and therefore the Project will create all new housing in an underserved area, totaling 677,480 gross square feet of new housing.

2. Affordable Housing

Pursuant to Section 305.3(g) of Subtitle X, the production of affordable housing above what is required under the Inclusionary Zoning (“IZ”) regulations is considered a public benefit of a PUD project. The Project will create approximately 50,811 net square feet of affordable housing, which is 10% of the total residential net square footage, with 50% set aside as low-income affordable housing (i.e. for households earning below 50% of the average median income) and 50% set aside as moderate-income affordable housing (i.e. for households earning below 80% of the average median income). Additionally, some of the affordable housing provided will include three-bedroom units to serve larger families at the Project. This proffer provides additional housing at a deeper level of affordability than is required by the IZ regulations. Specifically, all affordable housing provided by the Project is required to only be provided at the moderate-income level, while the Applicant is proposing half of the affordable housing be offered at the low-income level.

3. Superior Urban Design and Architecture

Section 305.5(a) of Subtitle X lists urban design and architecture as categories of public benefits and project amenities for a PUD. As shown on the detailed plans, elevations, and

renderings included in Exhibit I, the proposed Project exhibits many characteristics of exemplary urban design. Specific features include the use of a variety of public spaces, redesigning the streetscape and providing public access to new private streets, well-designed sidewalks with street trees and active storefronts along Howard Road SE, and well-located and carefully designed parking garages, loading zones, alleys, and private streets for not only the Project but also future development of nearby properties.

The Project also features exceptional architectural design. The Property's prominence on the Anacostia River, proximity to the Monumental Core of Washington across the river, and position as a primary point of entry and departure from the Anacostia community are reflected in the proposed architectural massing of the Project. The whole of the mass sits comfortably at the base of Washington's green topographic bowl and relates strongly to downtown. The east and west ends of the buildings clearly reflect their importance as gateways, and are scaled to read as such from both near and far. To the north of Howard Road, the Project is broken into three distinct volumes separated by 60-foot wide private streets, welcoming future development of Poplar Point anticipated by the Anacostia Waterfront Initiative. At the same time, the development is sensitive to maintaining views of the river from the community.

The architectural design is clean, classic, and contemporary. The gateway ends of the Project are treated as light and transparent volumes, and the glassy facades facing west to the river will reflect their relationship to the water. Office uses face west to downtown, and residential uses face east to Anacostia. All of the buildings are urban in character, and within the Project their focus is on creating a positive urban street presence. A clearly defined retail base and streetscape will enhance the pedestrian scale and environment. The residential buildings are articulated with continuous projecting balconies, bay windows and carefully selected materials to add warmth and

elegance. The Metrorail entrance improvements proposed by the Applicant further enhance the Project's connection to the greater community.

4. Streetscape Plans

Section 305.5(l) of Subtitle X states that streetscape plans are considered to be public benefits and project amenities of a PUD. In order to capitalize on the pedestrian activity generated by the office, retail, and residential features of the Project, the Applicant has proposed significant streetscape improvements as a key benefit and amenity of the Project. The existing streetscape is dilapidated and needs complete redesign. The Applicant proposes to regrade the street and completely redesign the streetscape with appropriate sidewalks. Further, as part of the Project, the Applicant proposes to create private streets with public easements for access not only to the Project, but for future access to adjacent properties. Additionally, the proposed curb cuts at the Project will be designed to be shared by future developers in the area. The Howard Road frontage will be created in a manner that is place-making, creating a destination point in the community. Streetscape enhancements will include street trees and special paving features. Additionally, the Project will include regrading and replacing and undergrounding all of the utility lines along Howard Road SE in front of the Property.

The Applicant proposes other streetscape improvements related to the Project that will also significantly improve pedestrian access along this key gateway location. The Applicant will replace the existing streetscape with new improvements that include new street trees and other plantings to create more defined, attractive pedestrian access. Finally, the Applicant is proposing significant bicycle-related streetscape improvements, including bicycle lanes along Howard Road SE and a greater bicycle connection to the Anacostia Riverwalk Trail and the bicycle lanes in the District.

5. Site Planning, and Efficient and Economical Land Utilization

Pursuant to Section 305.5(c) of Subtitle X of the Zoning Regulations, “site planning and efficient and economical land utilization” are public benefits and project amenities to be evaluated by the Zoning Commission. The site is currently underutilized and fails to capitalize on its proximity to the Anacostia Metrorail station. The site currently has little activity and does not encourage any pedestrian access. The proposed Project has been designed to provide residents, customers, employees, and visitors with open and inviting public and private spaces for entertainment and relaxation as detailed above. Additionally, the proposed private streets and alleys will be designed for future, adjacent development and curb cuts will be designed so that they may be used by neighboring properties in the future. The Project transforms an underutilized and inactive area into an attractive 21st century mixed-use development.

6. Environmental and Sustainability Benefits

Section 305.5(k) of Subtitle X states that environmental benefits are considered to be public benefits and project amenities of a PUD. The Project will provide a number of environmental benefits that improve sustainability of the site and contribute to the sustainability of the neighborhood. These sustainability features include a commitment to achieve LEED Gold for all of the buildings, capitalizing on the strategic potential of a transit-oriented location proximate to a Metrorail station, updating existing utilities, and planting additional street trees. Additionally, the Applicant proposes to underground the utilities along the Howard Road SE street frontage. Finally, the Applicant proposes to clean up the contaminated Property by removing hazardous materials, contaminated soils, and underground tanks in connection with each of the development phases.

7. Uses of Special Value

Subtitle X, Section 303.5(q) lists uses of special value to the neighborhood or the District of Columbia as a whole as public benefits and project amenities of a PUD. The proposed Project will provide approximately 45,300 square feet of ground-floor retail uses as well as streetscape

improvements along the Project frontage, which have been previously recognized by the Commission as uses of special value. The Project will also create much-needed jobs in an underutilized area in the District.

In addition, the Applicant has engaged in discussions with the community and the District Department of Transportation (“DDOT”), as well as the Washington Metropolitan Area Transit Authority (“WMATA”) regarding the Anacostia Metrorail station. The Metrorail station is in great need of improvements. The Applicant proposes, as part of the Project, to assist in improving the Anacostia Metrorail station, including improvements to the entrance to the station nearest the Project.

8. Comprehensive Plan

According to Section 305.5(r) of Subtitle X, public benefits and project amenities include “other ways in which the proposed planned development substantially advances the major themes and other policies and objectives of any of the elements of the Comprehensive Plan.” As described in greater detail in Section V, the Project is consistent with and furthers many goals and policies of the Comprehensive Plan.

B. Public Benefits of the Project

Section 305.3 of Subtitle X requires the Applicant to demonstrate how the public benefits offered are superior in quantity and quality to typical developments of the type proposed. This application achieves the requirement of this provision by offering:

- Housing,
- Affordable housing,
- Superior Urban Design and Architecture,
- Streetscape improvements,
- Bicycle and pedestrian path connections to South Capitol and the Anacostia Riverwalk Trail,
- Exemplary site planning,
- Sustainable development features,

- Uses of special value, including street-level retail and office uses,
- Significant public space and facility improvements, and
- Neighborhood benefits.

For the reasons set forth above, the Project contains numerous public benefits and project amenities that are superior to typical developments.

V. COMPLIANCE WITH THE COMPREHENSIVE PLAN

The proposed PUD is consistent with and fosters numerous goals and policies of the Comprehensive Plan.

The purposes of the District elements of the Comprehensive Plan for the National Capital are to: (1) Define the requirements and aspirations of District residents, and accordingly influence social, economic and physical development; (2) Guide executive and legislative decisions on matters affecting the District and its citizens; (3) Promote economic growth and jobs for District residents; (4) Guide private and public development in order to achieve District and community goals; (5) Maintain and enhance the natural and architectural assets of the District; and (6) Assist in the conservation, stabilization, and improvement of each neighborhood and community in the District.

D.C. Code § 1-306.01(b) (2006). The proposed Project significantly advances these purposes by furthering the social, physical, and economic development of the District through the development of a mixed-use office, residential, and retail space and creating vibrant public space on the Property in close proximity to a Metrorail station and other public transit avenues.

A. Citywide Elements

1. Framework Elements and Maps

The Framework Element provides guidelines for using the Future Land Use Map. This Element states that the Future Land Use Map should be interpreted “broadly” and notes that the zoning for an area should be guided by the Future Land Use Map interpreted in conjunction with the text of the entire Comprehensive Plan. The Framework Element also clearly provides that density and height gained through the PUD process are bonuses that may exceed the typical ranges cited for each category. Comprehensive Plan § 226(c).

On the Future Land Use Map the Property is mapped for mixed uses. The Property is mapped for Mixed Use High Density Residential/High Density Commercial, as well as Institutional, land uses. The High Density Residential designation characterizes neighborhoods and corridors with high-rise apartment buildings (8 stories or more). The Plan notes that “the R-5-D and R-5-E Zone districts are generally consistent with the High Density Residential category.” §225.6. 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 . . . characterized by office and mixed office/retail buildings greater than eight stories in height.” § 225.11. The Plan notes that the C-3-C Zone District under the 1958 Zoning Regulations, now the MU-9 Zone District, is appropriate for the High Density Commercial designation.

The Project is consistent with the Future Land Use Map because the Property is in the exact designation for which re-zoning of the Property to the MU-9 Zone District (which was the C-3-C Zone District when the Comprehensive Plan was written) is appropriate and contemplated by the Future Land Use Map. The Project will create a prime office, retail, and residential property in close proximity to a major Metrorail station in accordance with the overall vision of the Future Land Use Map.

On the Generalized Policy Map, the Property is designated as a “Land Use Change Area.” Land Use Change Areas “are areas where change to a different land use from what exists today is anticipated.” § 223.9. These areas “include many of the city’s large development opportunity sites.” § 223.10. The Framework Element specifically notes that the Lower Anacostia Waterfront/Near Southwest Area, where the Property is located, is predicted to house 16.5% of the District’s household growth and 20.3% of its job growth. §215.19. The proposed Project on the Property is a quintessential Land Use Change Area development. The Project will take largely

vacant and underutilized land and provide office, retail, and housing near a Metrorail station that is pedestrian friendly and enhances a vacant property on the Anacostia River.

2. Land Use Element

The proposed Project advances several policies of the Land Use Element. First, the Land Use Element advises that the Central Employment Area (“CEA”) should include higher density mixed use areas, § 304.8 (LU-1.1.3 Central Employment Area), and that specifically the Near Southeast/Navy Yard area should see “mixed use neighborhoods combining high-density residential, office, [and] retail.” §304.11 (LU-1.1.5 Urban Mixed Use Neighborhoods). Additionally, the Land Use Element encourages a “mix of new uses on large redeveloped sites,” §305.7 (LU-1.2.2 Mix of Uses on Large Sites), including Poplar Point. Finally, the Land Use Element encourages development around Metrorail stations with “the establishment and growth of mixed use centers at Metrorail stations,” §306.10 (LU-1.3.1 Station Areas as Neighborhood Centers), including supplying housing and affordable housing around Metrorail stations. §306.12 (LU-1.3.3 Housing Around Metrorail Stations). Here, the Project presents a large site within the CEA ideal for high-density mixed use as proposed by the Project. The Project will provide office, retail, and housing, including affordable housing, in close proximity to a Metrorail station on a currently largely vacant site.

Second, the residential use at the Project meets the goals of “maintaining the multi-family residential character of the District’s Medium- and High- Density residential areas” by taking an underutilized and undeveloped area and developing that property to office, retail, and multi-family residential use at the Property. § 309.15 (LU-2.1.10 Multi-Family Neighborhoods).

Third and finally, the Land Use Element encourages creative parking management to respond to the level of demand and mitigate congestion. §§ 306.15, 309.16, and 312.12 (LU-1.3.6 Parking near Metro Stations, LU-2.1.11 Residential Parking Requirements, and LU-2.4.8

Addressing Commercial Parking Impacts). The Element focuses developments on placing “a priority on attractive, pedestrian-friendly design and a de-emphasis on auto-oriented uses and surface parking.” §306.4 (LU-1.3 Transit-Oriented and Corridor Development). Here the Project meets the objectives of the Land Use Element by offering an appropriate amount of below-grade parking for residents, visitors, and employees of the Project. The Property is also located adjacent to a major Metrorail station, and as part of the Project the Applicant proposes improvements to the Metrorail station to help make the Poplar Point area truly transit-oriented.

3. Other Elements

This PUD application is also consistent with policies in the Transportation, Housing, Economic Development, and Urban Design Elements of the Comprehensive Plan. The Transportation Element encourages pedestrian-oriented development around transit stations, § 403.1 (T-1.1.4 Transit-Oriented Development) and discourages auto-oriented uses such as “drive-through” business, and large surface parking lots, § 404.8 (T-1.2.3 Discouraging Auto-Oriented Uses). Additionally, the element encourages “transit-oriented and transit-accessible employment throughout the region.” §405.11 (T-1.3.1 Transit-Accessible Employment). The Project is a model transit-oriented development and adds none of the auto-oriented features the Comprehensive Plan seeks to discourage. As discussed, the Project is located in close proximity to the Anacostia Metrorail station and multiple bus lines at the Metrorail station. Therefore, the site encourages residents, students, and employees to take public transit based on the convenient location and opportunity to do so. Further, the Project will provide below-grade parking at the Property, but will not employ any auto-oriented uses such as large surface parking lots. This enables the Project to account for traffic generated by the Project, while still encouraging pedestrian access to the site, thus furthering the Transportation Element’s policies. Finally, the Project includes numerous improvements related to bicycles, including bike lanes, long and short term bicycle parking, and

connection to the overall DC bicycle network, thus advancing the Element’s policies regarding bicycle integration and safety. §§409.8-10 (T-2.3.1 Better Integration of Bicycle and Pedestrian Planning; T-2.3.2 Bicycle Network; T-2.3.3 Bicycle Safety).

The mixed-use development in the Project promotes both the Housing Element and the Economic Development Element. By having numerous residential units, the Project “provide[s] new housing to meet the needs of present and future District residents at locations consistent with District land use policies and objectives.” § 503.2 (H-1.1.1 Private Sector Support). The specific location of the Project in a vacant area on the Anacostia waterfront in close proximity to the Anacostia Metrorail station fulfills the Housing Element’s goal of “promot[ing] mixed use development, including housing, on commercially zoned land, particularly . . . around appropriate Metrorail stations,” § 503.5 (H-1.1.4 Mixed Use Development). The Project specifically provides “new high-density housing in Central Washington and along the Anacostia River,” §503.7 (H-1.1.6 Housing in the Central City) with a “new neighborhood developed on [a] large site.” §503.8 (H-1.1.7 New Neighborhoods). The ground-floor retail use at the Project “create[s] additional shopping opportunities in Washington’s neighborhood commercial districts to better meet the demand for basic goods and services.” §708.7 (ED-2.2.3 Neighborhood Shopping). This mixed-use development will “promote the vitality and diversity of Washington’s neighborhood commercial areas.” §713.5 (ED-3.1.1 Neighborhood Commercial Vitality).

Finally, the Project also supports the Urban Design Element of the Comprehensive Plan. The Project furthers the Element’s goal of creating “neighborhood centers . . . that reinforce community identity” by creating an “urban square [that] stimulate[s] vibrant pedestrian street life and provide[s] a focus for community activities.” § 910.9 (UD-2.2.3 Neighborhood Centers); §913.15 (UD-3.1.8 Neighborhood Public Space). The Project “creates [an] attractive and

interesting commercial streetscape” that will make the Property a place-maker for this area of the District. The Project also “protects major views in the city,” §904.6 (UD-1.2.4 View Protection) in the way it designed the “buildings . . . and pedestrian walkways on or near [a] waterfront site.” §905.10 (UD-1.3.5 River Views). Finally, the Project considers “not only the site itself, but the broader context presented by surrounding neighborhoods,” §911.6 (UD-2.33 Design Context for Planning Large Sites) by designing and anticipating “a street grid that is more compatible with the texture of Washington’s neighborhoods.” §911.4 (UD-2.3.2 Large Site Scale and Block Patterns).

B. Compliance with Area Elements

The Property is within the Lower Anacostia Waterfront/Near Southwest Area Element. This element encourages the exact kind of mixed-use development contemplated by the Project – “Create new mixed use neighborhoods on vacant or underutilized waterfront lands. . . . new neighborhoods should be developed at . . . Poplar Point.” §1908.3 (AW-1.1.2 New Waterfront Neighborhoods). The Element also encourages “bring[ing] more retail services and choices to the Anacostia Waterfront as well as space for government and private sector activities, such as offices.” §1908.4 (AW-1.1.3 Waterfront Area Commercial Development), which the Project provides in significant amounts.

Specifically, for the Poplar Point area, the Area Element prioritizes creating “a new transit-oriented mixed use neighborhood . . . linked to the Anacostia Metrorail station. . . . [which] include[s] a significant component of affordable housing, . . . retail . . . [and] segments of the future development . . . devoted entirely to office use to encourage location of Federal office space and other office space.” §1914.9 (AW-2.4.3 Poplar Point Mixed Use Neighborhood). The Project provides all of these uses as contemplated by the Area Element. Further, the scale of the development is consistent with the Area Element as it “recognizes the area’s proximity to a Metrorail station and other major surface arterials and that the area is physically separated from

surrounding neighborhoods and, therefore, may accommodate buildings and site plans unlike but compatible with the fine-grained pattern found in nearby Historic Anacostia.” §1914.11 (AW-2.4.5 Scale of Development at Poplar Point). Finally, the Project will “capitalize on significant views to the river and U.S. Capitol,” §1914.12 (AW-2.4.6 Poplar Point Vista and View Preservation) and will “bring economic development opportunities to adjacent neighborhoods.” §1914.13 (AW-2.4.7 Poplar Point as an Economic Catalyst). The Project will create a truly mixed use, vitalizing development for the underutilized area as the start of future development in this area of the District.

VI. CONCLUSION

For the foregoing reasons, the Applicant submits that the enclosed applications meet the standards of Chapter 3 of Subtitle X and Chapter 3 of Subtitle Z of the Zoning Regulations; are consistent with the purposes and intent of the Zoning Regulations and Map; will enhance the health, welfare, safety, and convenience of the citizens of the District of Columbia; satisfy the requirements for approval of the included applications; provide significant public benefits; and advance important goals and policies of the District of Columbia. Therefore, the PUD application and the related Zoning Map Amendment should be approved and adopted by the Zoning Commission.

Accordingly, the Applicant respectfully requests that the Zoning Commission set the PUD applications down for a public hearing at the earliest possible date.

Respectfully submitted,

GOULSTON & STORRS, PC

/s/
John T. Epting

/s/
Meghan Hottel-Cox

Date: December 13, 2016