

## **CONSISTENCY OF THE PROJECT WITH THE COMPREHENSIVE PLAN**

The Project is not inconsistent with the guiding principles, policies, and goals of the Comprehensive Plan for the National Capital, including the land use designation assigned to the Site on the Future Land Use Map (the “FLUM”), and the general policy designation on the Generalized Policy Map (the “GPM”).

### **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. (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 building and a neighborhood park on the Site. The proposed building will help improve the surrounding neighborhood by providing housing, including affordable housing, jobs, and neighborhood-serving retail and four artist live-work spaces.

### **B. Future Land Use Map**

The Future Land Use Map of the Comprehensive Plan (January 2013), adopted as part of the Land Use Element of the Comprehensive Plan for the National Capital, designates the Site as mixed-use (Medium Density Residential/Production, Distribution, and Repair). The Future Land

Use Map indicates areas where the mixing of two or more land uses is encouraged.  
10A DCMR § 225.18.

According to the Framework Element, the Medium Density Residential land use category is used to define neighborhoods or areas where mid-rise (4-7 stories) apartment buildings are the predominant use. Pockets of low and moderate density housing may exist within these areas. The Medium Density Residential designation also may apply to taller residential buildings surrounded by large areas of permanent open space. The R-5-B and R-5-C Zone districts are generally consistent with the Medium Density designation, although other zones may apply.<sup>1</sup>  
10A DCMR § 225.5.

The Production, Distribution, and Repair (“PDR”) land use 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. A variety of zone districts apply within PDR areas, recognizing the different intensities of use and impacts generated by various PDR activities.  
10A DCMR § 225.12.

The PUD contemplates the construction of a medium density, seven-story, multifamily residential building with ground floor retail and two-story artist live-work spaces. The Comprehensive Plan text specifically identifies a seven-story building as being consistent with a Medium Density Residential designation on the FLUM. Pursuant to Subtitle G § 404.4(a) of the Zoning Regulations, the MU-5 Districts are intended to permit medium-density, compact mixed-

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<sup>1</sup> The Comprehensive Plan was last adopted in 2013, prior to the effective date of the 2016 Zoning Regulations (“ZR16”). Thus, the definitions contained in the Framework Element of the various land use designations of the Future Land Use Map refer to the zone districts of the 1958 Zoning Regulations. Under ZR16, the zone designations that correspond to the former R-5-B and R-5-C zone districts are RA-2 and RA-3, respectively.

use development with an emphasis on residential use. In addition, the artist live-work spaces fulfill the Comprehensive Plan's goals for the Site's designation as Production, Distribution, and Repair on the FLUM. Accordingly, the proposed rezoning to the MU-5 District, compliance with the development standards in the MU-5 District (including height and density) and the proposed range of uses are not consistent with the FLUM designation.

### **C. Generalized Policy Map**

The majority of the Site is located in a Land Use Change Area on the GPM, while a small portion at the north of the Site is located in a Neighborhood Conservation Area on the GPM. As described in the Framework Element, the guiding philosophy for Land Use Change Areas is to encourage and facilitate new development and promote the adaptive reuse of existing structures. Many of these areas have the capacity to become mixed-use communities containing housing, retail, services, workplaces, parks and civic facilities. 10A DCMR § 223.11.

Neighborhood Conservation areas have very little vacant or underutilized land. They are primarily residential in character. Maintenance of existing land uses and community character is anticipated over the next 20 years. Where change occurs, it will be modest in scale and will consist primarily of scattered property infill housing, public facilities, and institutional uses. Neighborhood Conservation Areas that are designated "PDR" on the Future Land Use Map are expected to be retained with the mix of industrial, office, and retail uses they have historically provided. 10A DCMR § 223.4.

The Project is not inconsistent with both of the above designations. Specifically, the Applicant is proposing to redevelop a vacant site with uses that are consistent with the Site's designation on the FLUM, as detailed above, supporting the Land Use Change Area designation. In addition, at the northwest corner of the Site, the building height is lowered to 70 feet, and the façade contains

lowered balconies and a dropped minor cornice, which results in a reduced scale of building that relates well to the lower scale residential development to the northwest of the Site. Moreover, the proposed PDR use (artist live-work spaces) is compatible with existing residential uses in the vicinity of the Site. The PDR use will also front on the East Park and face the WMATA tracks and industrial uses to the east. Thus, the Project addresses the Site's designation as both a Neighborhood Conservation Area and Land Use Change area on the GPM.

#### **D. Compliance with Guiding Principles of the Comprehensive Plan**

The Project is consistent with many of the guiding principles of the Comprehensive Plan for managing growth and change, creating successful neighborhoods, increasing access to education and employment, connecting the city, and building green and healthy communities.

##### **1. Managing Growth and Change**

The Project is consistent with several of the principles contained within this section that focus on overcoming physical, social, and economic obstacles to ensure that the benefits and opportunities available to District residents are equitably distributed. Specifically, in order to manage growth and change, the Comprehensive Plan encourages, among other factors, growth in both residential and non-residential sectors, with residential uses comprising a range of housing types to accommodate households of varying sizes and income levels, and nonresidential uses that include services that support residents. The Comprehensive Plan also states that redevelopment and infill opportunities along corridors and near transit stations are an important part of reinvigorating and enhancing District neighborhoods as well as the surrounding region.

The Project is fully consistent with these goals. Redeveloping the Site, which is currently vacant, with a mixed-use building comprised of residential units, neighborhood-serving retail, artist live-work spaces, and a neighborhood park will benefit the residents and employees who live

and work in the neighborhood, and will help further development along the MBT. The retail space and artist live-work spaces will create new jobs for District residents and provide additional neighborhood-serving amenities to new and existing residents. In addition, the proposed building will help grow the District's tax base and help reinvigorate the existing neighborhood fabric. The new residential units will greatly assist in addressing the continuing demand for additional housing, including artist housing and affordable housing in the District.

## 2. Creating Successful Neighborhoods

One of the guiding principles for creating successful neighborhoods is to protect and stabilize neighborhood businesses, retail districts, parks, and other facilities, and to reinforce neighborhood identity and provide destinations and services for residents. In addition, noting the crisis of affordability that has resulted from the continued housing boom in the District, the guiding principles recognize the importance of preserving existing affordable housing and producing new affordable housing to avoid deepening of racial and economic divides in the city. Citizen participation and quality, responsive neighborhood services are also recognized as keys ingredients to creating successful neighborhoods, such participation includes garnering public input in decisions about land use and development, from development of the Comprehensive Plan to implementation of the Plan's elements.

The Project is consistent with each of these principles. The Applicant continues to work closely with ANC 5E, the Eckington Civic Association, and other neighborhood stakeholders and associations to ensure that the Project provides uses that respond to the neighborhood's current demands. In addition, the Applicant is working with NPF on creating the East Park and programs and amenities for the South Park.

The Project responds to the communities demands by providing a substantial number of additional residential units within a walkable, town center environment that is in close proximity to several modes of transit, including Metrorail and the MBT. In addition, not only will the proposal result in additional retail uses, the Applicant has committed to providing artist live-work spaces on the ground-floor of the Project and the creation of the East Park, which will include a dog park. This will also result in a new artistic destination along the MBT.

### 3. Increasing Access to Education and Employment

The guiding principles pertaining to increasing access to education and employment focus on growing economic activity in the District, as well as improving the lives and economic well-being of District residents. To do this from a policy and transportation perspective, the Comprehensive Plan recognizes the importance of improving access to education and jobs by capitalizing on the city's location at the center of the region's transportation systems. Providing more efficient, convenient, and affordable transportation for residents increases resident access to jobs within the District and the surrounding region. Moreover, expanding the economy means increasing shopping and services for many District neighborhoods, bringing tourists beyond the National Mall and into the city's business districts, and creating more opportunities for local entrepreneurs and small businesses.

The Project will advance the District's goals of improving access to jobs and education by redeveloping a vacant Site with a mixed-use building that will provide a substantial amount of new housing, including artist live-work spaces, and retail use directly adjacent to the MBT, and in close proximity to other modes of public transportation. The close proximity to transit will increase resident's and artist's ability to access educational opportunities and jobs without owning a vehicle and without the added expenses associated with vehicle ownership. This is especially relevant to

those residents living in the affordable dwelling units that will be integrated into the Project and made available to households earning no more than 60% of the MFI. Furthermore, the Project includes four two-story, artist live-work spaces. The artist live-work spaces will also be designated as being affordable for households earning equal to or less 60% of the MFI. The proposed retail space will expand the District's economy in the Eckington neighborhood and along the MBT. This will create more opportunities for small and local businesses to thrive and create new employment opportunities for residents and will bring new artist centric enterprises along the East Park and MBT.

#### 4. Connecting the City

The Site is well-served by public transportation, including numerous Metrobus routes and is in close proximity to the NoMa-Gallaudet U Metrorail station (0.5 miles). The Project includes streetscape improvements that will improve mobility and circulation around the Site and throughout the neighborhood, including a much needed realignment of the MBT. The realignment of the MBT will increase bicycler safety through the removal of the hard right turn that crosses the Site. The streetscape and landscape design for the Project fosters a pedestrian-friendly environment along the perimeter of the Site, and creates a seamless integration with the proposed East Park and South Park.

#### 5. Building Green and Healthy Communities

The Project is fully consist with the Comprehensive Plan's guiding principles pertaining to building green and healthy communities. A major component to successfully building green and healthy communities is the use of sustainable building construction and renovation techniques that minimize the use of non-renewable resources, promote energy and water conservation, and reduce harmful effects on the natural environment. The Project is designed to integrate a host of

sustainable features and will achieve a minimum of 55 points, which is greater than LEED-NC Silver.

#### **E. Land Use Element**

The Land Use Element is the cornerstone of the Comprehensive Plan. It establishes the basic policies guiding the physical form of the city, and provides direction on a range of development, conservation, and land use compatibility issues. This element describes the balancing of priorities that must take place in order to accommodate a multiplicity of land uses within the boundaries of the District of Columbia, and because of the role it plays in integrating the policies and objectives of all the other elements of the Comprehensive Plan, the Land Use Element is given greater weight than the other elements as competing policies in different elements are identified and balanced. The overarching goal of the Land Use Element is to ensure that the District's limited land resources are efficiently utilized in a manner that meets a wide range of long-term needs and helps foster other District goals; protects the health, safety, and welfare of District residents, institutions, and businesses; maintains and improves the character and stability of all neighborhoods; and balances competing land demands to support the many activities that take place within the District. For the reasons discussed below, the proposal is consistent with this overarching goal through its advancement of a number of Land Use Element policies:

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

Development of the Site with new residential use, retail use, and artist live-work spaces that are consistent and compatible with adjacent uses and will provide a number of benefits to the immediate neighborhood and to the city as a whole. This proposed mix of uses is consistent with the FLUM designation of the Site as Medium Density Residential and PDR, and the GPM designation as a Land Use Change Area and Neighborhood Conservation Area. Furthermore, the



range of uses proposed on the Site is responsive to the supplemental guidance provided by the Ward Five Industrial Land Transformation Study, which encourages the creation of artist studios and live/make space for District artists within Ward Five and on properties that are located on the edges between industrial areas and residential neighborhoods. *See* Ward Five Industrial Land Transformation Study, pgs. 13 and 109. Finally, the proposed artist live-work spaces fulfill the PDR portion of the Site's FLUM designation while being compatible with the medium-density residential component of the FLUM designation.

2. Policy LU-1.3 Transit-Oriented and Corridor Development
3. Policy LU-1.3.1: Station Areas as Neighborhood Centers
4. Policy LU-1.3.2: Development Around Metrorail Stations

These policies recognizes the importance of capitalizing on the investments made in Metrorail by maximizing the use of land around transit stations and along transit corridors. When addressing the management of land around Metrorail stations, the Comprehensive Plan encourages the application of principles that favor mixed use rather than single purpose buildings, and particularly a preference for a diverse range of housing types (market-rate and affordable) above ground floor uses; well-designed, programmed, and maintained public space; and convenient connections to the transit. Beyond these core principles, the Comprehensive Plan also contains policies that treat Metrorail station areas as neighborhood centers that are tailored to the unique needs of each community and the surrounding neighborhood.

The Project exemplifies the principals of transit-oriented development. The Project is located directly adjacent to the MBT, which serves the rapidly expanding use of bicycles as a major form of transportation in the District. In addition, the Site is located within 0.5 miles from the NoMa-Gallaudet U Metrorail station, which is serviced by the red line. Development of the Site utilizes the Metrorail station and MBT as anchors for economic, artistic and civic

development, and helps reduce automobile congestion, improve air quality, increase jobs, provide a range of retail goods and services, enhance neighborhood stability, and create a stronger sense of place. The NoMa-Gallaudet U Metrorail station in particular is an excellent location for new growth, particularly residential growth, and the Applicant will ensure that the Project respects the character of the surrounding area and maximizes transit ridership. Most notably, the Project provides approximately 328 new residential dwelling units, which includes four artist live-work spaces, adjacent to the MBT, including approximately 19,945 square feet of floor area reserved as affordable units that will be devoted to households earning 60% of the MFI, which would not otherwise be provided under the existing PDR zoning.

In addition, the Project proposes a minimum of four artist live-work spaces, directly opening up on to the East Park. These units will be designated as being affordable for households earning equal to or less 60% of the MFI. This additional space equals approximately 5,400 square feet, to increase the amount of affordable housing overall to more than 10% of the Project.

#### 5. Policy LU-1.3.3: Housing Around Metrorail Stations

The Project is consistent with this policy, which seeks to build housing, including affordable housing, near Metrorail stations, particularly given the reduced necessity of auto ownership in such locations.

#### 6. Policy LU-1.3.4: Design to Encourage Transit Use

The Project has been designed to encourage transit use and helps to enhance the safety, comfort, and convenience of passengers walking to the NoMa-Gallaudet U Metrorail station and to local Metrobus stops, since the Project includes the construction of sidewalks adjacent to the Site along R Street, where none currently exist. The Project also includes realignment of the MBT, which will increase bicycler safety surrounding the Site.

7. Policy LU-1.4.1: Infill Development

Currently, the Site is vacant and underutilized. The design of the building complements the proposed buildings along Harry Thomas Way, and will strengthen the character of Harry Thomas Way through the provision of an approximately 20,050 square foot neighborhood park. The East Park will also provide buffering between the residential building and the WMATA tracks to the east. Further, the lower building height at the northwest corner of the building establishes an appropriate scale in relation to the existing low scale residential uses to the north and west across Harry Thomas Way and R Street.

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

Consistent with this policy, in designing the Project the Applicant sought to balance the housing supply in the area and expand neighborhood commerce and compatible art uses, with the parallel goal of protecting the neighborhood character and restoring the environment. The Project satisfies these goals by providing a new mixed-use community that will take advantage of the Site's location along a major artery for alternative forms of transportation, and along the East Park and South Park. The Project will be compatible with, and invigorate, these important neighborhood amenities and has also been designed to respect the lower scale residential uses to the northwest of the Site.

9. Policy LU-2.2.4: Neighborhood Beautification

This policy encourages projects to improve the visual quality of the District's neighborhoods. As shown on plans, the Project is designed to improve the visual aesthetic of the Site and the neighborhood in general, since development of the Site will be an improvement over the currently vacant lot. The Project also includes a significant amount of landscaping and open

spaces, as well as the creation of the East Park, which will enhance the streetscape and improve the visual quality of the surrounding area. The Applicant has focused on creating a pedestrian-friendly streetscape, especially along Harry Thomas Way and along the East Park and South Park. The design proposal includes substantial streetscape improvements including new paving for the sidewalks, street lighting fixtures, new and replacement shade trees, and 30 bike parking spaces.

10. Policy LU-3.1.1: Conservation of Industrial Land
11. Policy LU-3.1.5: Mitigating Industrial Land Use Impacts

These policies recognize the importance of industrial land to the economy of the District of Columbia, while also recognizing the importance of mitigating the adverse impacts created by industrial uses through a variety of measures, including buffering, site planning and design, strict environmental controls, performance standards, and the use of a range of industrial zones that reflect the varying impacts of different kinds of industrial uses.

The Site is currently vacant, and the use of the Site as a PDR-related use is supported by the existing PDR zoning. However, the FLUM also shows the Site designated for residential use, and the GPM shows a majority of the Site as a Land Use Change Area. When these principles are interpreted in concert with other Comprehensive Plan policies, the Project is consistent with the seemingly incompatible mixed-use designation for the Site. The proposed artist live-work spaces provide for the retention of industrial uses in the District, while at the same time respecting the residential uses currently existing and proposed in the vicinity of the Site. The artist live-work spaces are also compatible with the East Park. As a result, the Project is an effective use of existing industrially-zoned land and the Applicant has successfully designed the Project in a manner that is sensitive to the surrounding context.

## **F. Transportation Element**

The Transportation Element provides policies and actions that are devoted to maintaining and improving the District's transportation system and enhancing the travel choices available to District residents, visitors, and workers. These transportation-related policies are integrally related to other Comprehensive Plan policies that address land use, urban design, and environmental protection. The close interplay between these policy areas is necessary to improving mobility and accessibility. As discussed above, the proposal will increase the amount of housing available near Metrorail stations, thereby making it easier for District residents to access transit and decrease the need, and associated environmental impact and economic burden, of owning a vehicle. In addition, the Site is uniquely located along one of the District's major arteries for alternative modes of transportation, the MBT. The Project includes the realignment of the portion of the MBT that crosses a portion of the Site. Thus, the proposal is well positioned to advance the policies and goals of the Transportation Element including:

1. Policy T-1.1.4: Transit-Oriented Development

As described above, the Project is an example of transit-oriented development due to its location near the NoMa-Gallaudet U Metrorail station. The Project also includes various transportation related improvements, including realignment of the MBT. Other related improvements include bicycle storage areas, and public space improvements, including new lighting, trees, benches, bicycle parking spaces, and paving.

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

The Project includes realignment of the MBT. The realignment results in the elimination of the hard right angle along this portion of the MBT, creating a more gentle curve to access the MBT to north of R Street. The realignment will increase safety on the MBT for all District residents

who utilize this vital form of transportation to commute and travel throughout the city. The Applicant carefully considered and integrated bicycle and pedestrian safety considerations in the design of the Project. The building incorporate secure indoor bicycle parking and exterior short-term bicycle parking to encourage residents, visitors, and employees of the building to travel by bike. The Applicant will also repave the streetscape surrounding the building in accordance with DDOT's standards, and will otherwise improve the public realm by planting trees and making other landscape and lighting improvements to improve the pedestrian experience.

All access to parking for the Project is from R Street, N.E., which dead ends to the east of the Site. This will minimize pedestrian and vehicular conflicts. In addition, in order to minimize conflicts between trucks accessing the Site and bicyclers using R Street to access the MBT, the loading berth has been designed to achieve front-in/front-out loading access.

### 3. Policy T-2.3.3: Bicycle Safety

This policy promotes increasing bicycle safety through various measures including traffic calming measures, provision of public bicycle parking, and compliance with regulations requiring private bicycle parking. This policy is supported by a Comprehensive Plan action that requires new commercial and residential buildings to be designed with amenities that accommodate bicycle users. The Project is consistent with this policy since it will provide secure indoor bicycle parking and bicycle parking spaces in public space to accommodate and encourage bicycle use. Furthermore, the Project includes realignment of the MBT, as discussed above, to address much needed bicycle safety along the trail. In addition, the Project was designed to minimize conflict between bicycles and trucks accessing the Site.

4. Policy T-2.4.1: Pedestrian Network
5. Policy T-2.4.2: Pedestrian Safety

The Project incorporates significant improvements to the public space that will improve the city's sidewalk system to form a network that links residents across the city. As a result, the proposed improvements will improve safety and security in the neighborhood and will incorporate new pedestrian amenities that will encourage residents, visitors, and employees to walk within and around the Site. The streetscape improvements are also designed for seamless integration with the proposed East Park and South Park.

6. Policy T-3.1.1: Transportation Demand Management (TDM) Programs

Consistent with this policy, the Applicant will incorporate a TDM program that is developed to reduce the number of car trips and increase the efficiency of the transportation system.

## **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 approximately 328 new residential units proposed will be a substantial contribution to the supply of District housing that is in close proximity to Metrorail stations. In addition, four of the 328 units will be artist live-work spaces, which is consistent with the Ward Five Industrial Land Transformation Study, which encourages the creation of artist studios and live/make space for District artists within Ward Five

and on properties that are located on the edges between industrial areas and residential neighborhoods. *See Ward Five Industrial Land Transformation Study*, pgs. 13 and 109.

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 needs for affordable housing and higher-density housing. The Project supports these policy goals by developing new medium-density housing on underutilized land in a rapidly growing mixed-use neighborhood. Housing provided on the Site will include market rate and affordable housing, and artist live-work spaces, to ensure that a sufficient housing supply is provided for District residents of all income levels.

3. Policy H-1.1.4: Mixed Use Development

The Project is consistent with the goals of promoting mixed use development. The Project incorporates residential, retail, and artist live-work spaces on land adjacent to the MBT, and within 0.5 miles of a Metrorail station.

4. Policy H-1.1.5: Housing Quality

The Applicant will devote an amount equal to 8% of the Project's residential gross floor area to affordable dwelling units (60% MFI), and more importantly, provides affordable housing than would otherwise be provided if the Site was developed solely under the current PDR zoning. The Applicant will also reserve a minimum of 10 two-bedroom units as IZ units within the 8% set aside, which will likely be more than 50% of the provided IZ units. These larger units will provide opportunities for affordable housing for families.



In addition, the Project proposes a minimum of four artist live-work spaces, directly opening up on to the East Park. These units will be designated as being affordable for households earning equal to or less 60% of the MFI. This additional space equals approximately 5,400 square feet, to increase the amount of affordable housing overall to more than 10% of the Project.

The affordable and artist housing will be designed and constructed according to the same high-quality architectural design standards used for the market-rate dwelling units. Furthermore, the design of the Project will address the need for open space and recreational amenities, through the provision of the East Park, which includes a neighborhood dog park. Finally, the Project will relate to the scale and design of adjacent properties, open space, and the surrounding neighborhood as a whole.

#### 5. Policy H-1.2.3: Mixed Income Housing

The residential component of the Project is mixed-income and includes market-rate, artist housing, and affordable housing units. Thus, the Project will advance the District's policy of distributing mixed-income housing equitably across the city, rather than concentrating poverty within areas of the city that already have substantial affordable housing.

### **H. Economic Development Element**

The overarching goal for economic development in the District is “[s]trengthen the District’s economy by sustaining its core industries, attracting new and diverse industries, accommodating future job growth, fostering the success of small businesses, revitalizing neighborhood commercial centers, improving resident job skills, and helping a greater number of District residents find and keep jobs in the Washington regional economy.” 10A DCMR §701.1. By incorporating retail uses and artist live-work space, the Project is consistent with several policies of the Economic Development Element as follows:

1. Policy ED-1.1.2: Economic Linkages

The Project is consistent with this policy since it will provide new employment opportunities in the retail and artist live-work space.

2. Policy ED-1.1.5: Use of Large Sites

Development of the Site with a mixed-use building composed of residential, retail, and artist live-work spaces advances the goals of this policy. The Project will result in development that is compatible with the surrounding context and will diversify the District economy by providing much needed space for local District artists. Consistent with this policy, the Project will take advantage of creating opportunities for new jobs, in addition to new housing.

3. Policy ED-2.2.1: Expanding the Retail Sector

Consistent with this policy, the Project incorporates new ground floor retail that will capitalize on the spending power of residents, workers, and visitors in the area and will meet the existing retail needs of the neighborhood. The retail will animate the Harry Thomas Way and provide retail opportunities along the South Park.

4. Policy ED-2.2.3: Neighborhood Shopping

The Project will create new shopping opportunities within the Eckington neighborhood through the provision of ground-floor retail and artist live-work spaces. Consistent with this policy, the retail will be appropriately-scaled infill development and located on a vacant, underutilized site.

5. Policy ED-3.1.1: Neighborhood Commercial Vitality

By incorporating both retail uses and artist live-work spaces within the primarily residential buildings, the Project will strengthen the vitality and diversity of Eckington by attracting new local businesses and, artists, and improve the mix of goods and services available to residents, visitors,

and employees in the area. The artist live-work spaces will activate the area adjacent to the MBT and East Park, creating a local artist enclave within the Eckington community.

## **I. Environmental Protection Element**

The Environmental Protection Element addresses the protection, restoration, and management of the District's land, air, water, energy, and biological resources. This element provides policies and actions on important issues such as restoring the city's tree canopy, energy conservation, and air quality. The Project is fully consistent with the policies of the Environmental Protection Element. The Project includes street tree planting, landscaping, energy efficient systems and materials, alternative energy sources, and methods to reduce stormwater runoff, and is therefore fully consistent with the Environmental Protection Element. Additionally, the Project has been designed to achieve a minimum of 55 points, which is greater than LEED-NC Silver.

### **1. Policy E-1.1.1: Street Tree Planting and Maintenance**

As part of the Project, the Applicant will construct the streetscape adjacent to the Site along R Street and improve the streetscape along Harry Thomas Way. The Project also includes new street trees that will add tree canopy, provide shade, improve air quality, provide urban habitat, and add aesthetic value along both Harry Thomas Way and R Street.

### **2. Policy E-1.1.3: Landscaping**

The Project will incorporate landscaping within the building courtyards, an outdoor terrace on the 6<sup>th</sup> floor, and as part of the green roof. In addition, the Applicant will provide additional landscaping as part of the public space improvements, which will enhance and beautify the streetscape, reduce stormwater runoff, and strengthen the character of the public realm. The Project also includes the creation of the East Park, which includes new trees and landscaping.

3. Policy E-3.1.2: Using Landscaping and Green Roofs to Reduce Runoff

The design of the Project, and the public space surrounding the proposed building, includes landscaping and green roofs that will reduce stormwater runoff. The Project also includes the creation of the East Park with new trees and landscaping, which will also help reduce stormwater runoff.

4. Policy E-3.2.1: Support for Green Building

This policy encourages the use of green building methods in new construction, as well as use of green building methods for operation and maintenance activities. The Project is consistent with this policy. As stated above, the Project is designed to achieve a minimum of 55 points, which is greater than LEED-NC Silver.

**J. 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. The Project will greatly assist in achieving this Comprehensive Plan goal. The height and massing of the building is consistent with the surrounding context, including the recently approved PUDs along Harry Thomas Way.

1. Policy UD-2.2.1: Neighborhood Character and Identity

The Project will strengthen the defining visual qualities of the Site and the Eckington neighborhood. The Site is surrounded by a variety of uses including residential developments to the northwest, the Eckington Yards project to the west, and the WMATA tracks and industrial uses to the north and east. To the south and east of the Site will be the South Park and the East Park.

Due to this unique siting, the building has been designed in a pentagonal shape, with a central landscaped courtyard onto which interior units will front and with five finished sides to respond to each of the varied contexts. The Project will enhance the character of the neighborhood through the redevelopment of a vacant site and will create a new artistic identity for this portion of Eckington.

2. Policy UD-2.2.5: Creating Attractive Facades

The proposed building is designed in a manner that avoids large expanses of unarticulated facades through the use of projections, recesses, and a mixture of materials. Furthermore, the lower building height at the northwest corner of the building establishes an appropriate scale in relation to the existing low scale residential uses to the north and west across Harry Thomas Way and R Street. Overall, the proposed building design establishes an attractive building pattern at a prominent location adjacent to large open spaces, industrial uses, and residential uses.

3. Policy UD-2.2.7: Infill Development

The Project will help strengthen the architectural quality of the immediate neighborhood by relating to the architectural scale and massing of the existing and proposed buildings in the existing neighborhood, as well as the East Park and South Park.

4. Policy UD-2.3.1: Reintegrating Large Sites

This policy promotes the reintegration of large self-contained sites back into the city pattern. The Site is currently vacant and the surrounding properties have recently been approved for a variety of mixed use development. Redevelopment of the Site with a mixed-used building and the East park will facilitate the reintegration of the Site into the urban fabric.

5. Policy UD-3.1.11: Private Sector Streetscape Improvements

With development of the Project, the streetscape along Harry Thomas Way will be significantly improved to include a 6-foot wide continuous tree amenity zone, an 8-foot sidewalk,

and a 3-foot to 15-foot building zone. While no sidewalk currently exists on R Street, the new development will include construction of a 6-foot wide continuous tree amenity zone, a 7.5-foot sidewalk, and a 14-foot wide building zone. The Applicant will also provide new street trees that will add tree canopy, provide shade, improve air quality, provide urban habitat, and add aesthetic value along both Harry Thomas Way and R Street.

6. Policy UD-3.2.5: Reducing Crime Through Design

Development of the Site with a mixed-use buildings containing residential use, retail use, and artist live-work spaces will bring additional "eyes and ears" to the street and the MBT, as well as improved lighting, clear lines of sight, and visual access, all of which will help to minimize the potential for crime in the immediate area.

**K. Infrastructure Element**

The Infrastructure Element provides policies and actions on the District's water, sanitary sewer, stormwater, solid waste management, energy, and telecommunication systems. 10A DCMR § 1300.1. The overarching goal for infrastructure is to provide high-quality, efficiently managed and maintained, and properly funded infrastructure to serve existing development, as well as future change and growth. 10A DCMR § 1301.1. The Project will help achieve this goal by advancing the policies discussed below.

- i. *Policy IN-1.2: Modernizing Water Infrastructure – in conjunction with WASA, the District must consider the impacts of new development and ensure that water infrastructure will be able to meet future demand. Planned improvements to the water system involve normal maintenance to replace aging water distribution mains and small diameter pipes, and upgrades to keep pace with population growth and new development. This may also include the addition of new water storage facilities, increasing the capacity of certain water mains, and upgrading pump stations;*
- ii. *Policy IN-2.1.1: Improving Wastewater Collection - provides for the safe and efficient collection of wastewater generated by the households and businesses of*

*the District. Ensure that new development does not exacerbate wastewater system deficiencies, and instead supports improved system efficiency and reliability; and*

- iii. Policy IN-6.1.3: Developer Contributions - requires that private developers fund the necessary relocation or upgrading of existing utilities to address limitations with existing infrastructure on or adjacent to proposed development sites. For necessary upgrades to water and wastewater infrastructure, developers should contribute to the cost of extending utilities to the project site or upgrading existing utilities to the specifications necessary for their proposed project.*

The Applicant will be required to construct and maintain all public facilities and infrastructure, including water infrastructure, to accommodate future demand and maintain efficient delivery of public services for the Project. The civil sheets of the Plans include plans for utilities, grading, erosion and sediment control, and stormwater management. Moreover, the Applicant will be required to coordinate with all applicable public utilities and District agencies during the permitting process, including DC Water, to ensure that adequate services will continue to be available for the existing and new uses. The Applicant will also pay any required costs/fees associated with securing required utility permits for the Project. As a result, the Project is consistent with the Infrastructure Element.

#### **L. Arts and Culture Element**

The Arts and Culture Element provides policies and actions dedicated to the preservation and promotion of the arts in the District of Columbia. Its focus is on strengthening the role of the arts in shaping the physical form of our city. 10A DCMR § 1400.1. One of the key issues facing the District of Columbia as it seeks to foster and enhance arts and culture include improving the distribution of arts facilities throughout the city. 10A DCMR § 1400.2. The Project is well positioned to advance the policies and goals of the Arts and Culture Element.

##### **1. Policy AC-3.1.1: Affordable Artist Housing**

This Policy encourages the provision of affordable housing for arts professionals in the District. The Project includes four artist live-work spaces. These units will be designated as being

affordable for households earning equal to or less 60% of the MFI. In addition, the Ward Five Industrial Land Transformation Study, encourages the creation of artist studios and live/make space for District artists within Ward Five, on properties that are located on the edges between industrial areas and residential neighborhoods. *See* Ward Five Industrial Land Transformation Study, pgs. 13 and 109. As a result, the Project is consistent with the Arts and Culture Element.

**L. Mid-City Area Element**

The Site is located within the boundaries of the Mid-City Area Element. The Project is not inconsistent with the policies set forth in the Mid-City Area Element. The Project includes redevelopment of a vacant lot in the Eckington community with a new mixed-use building that will contain small and local businesses, artist live-work spaces, and affordable housing units that are compatible in scale and character with adjacent uses (MC-1.1.3, MC-1.1.4, MC 1.1.6, MC-1.1.7). The Project is also located within 0.5 miles of the NoMa-Gallaudet U Metrorail station (and adjacent to the MBT, which is a vital artery for alternative modes of transportation in the District. (MC-1.1.2). The Project also includes transit improvements such as realignment of the MBT, which will increase bicycler safety along the MBT, and the creation of the East Park (MC 1.1.9, MC 1.1.8, MC. 1.2.4). The Project includes substantial streetscape improvements along Harry Thomas Way and R Street including new paving, street lighting fixtures, new and replacement shade trees (MC 1.2.5).