

**O STREET ROADSIDE, LLC
PLANNED UNIT DEVELOPMENT**

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

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ZONING COMMISSION
District of Columbia

CASE NO. 07-26
EXHIBIT NO. 5

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I. INTRODUCTION

This statement and the attached documents are submitted by O Street Roadside, LLC, as owner of Lots 829 and 830 in Square 398, (referred to herein as the “Applicant”), in support of its application to the Zoning Commission of the District of Columbia for the consolidated review and approval of a Planned Unit Development (“PUD”) and related map amendment from the C-2-A District to the CR or C-3-C District. The PUD and map amendment will enable the Applicant to rehabilitate the historic O Street Market at 7th and O Streets, N.W., and construct a major new mixed-use development consisting of housing, senior and affordable housing, hotel, a grocery store and other retail uses.

The property that is the subject of this application is located at 1400 7th Street, N.W. and consists of Lots 829 and 830 in Square 398, the city block bounded by 9th Street on the west, P Street on the north, 7th Street on the east, and O Street on the south, in northwest Washington, D.C. The subject property is bisected by the former 8th Street, N.W. right-of-way, which was legally closed in 1977. The property is currently improved with a grocery store, the landmark O Street Market, which has suffered a roof collapse, and a large surface parking lot. The PUD site contains approximately 149,600 square feet of land area and is currently zoned C-2-A.

The Applicant seeks to restore and incorporate the landmark O Street Market into a mixed-use development that will include a grocery store and other retail uses, apartment buildings, a hotel, and affordable senior housing. The Applicant also intends to visually re-establish and re-use the former 8th Street right-of-way as an area providing ingress and egress and retail kiosks. The refurbished O Street market, which will be put back to

grocery store use with the relocation of the existing grocery store to that area of the site along with an addition to accommodate a modern grocery store, will form the architectural centerpiece of the proposed design and will be complimented by additional buildings to the north and west. Upon completion, the development will contain approximately 800,000 square feet of gross floor area, which equates to a density of approximately 5.35 floor area ratio ("FAR").

The proposed residential buildings will have a maximum height of 110 feet, while the portion of the new construction adjacent to and incorporating the non-historic portion of the O Street Market will be only one story and approximately 23 feet in height. The portions of the buildings that exceed 90 feet in height will be set back from the buildings' exterior walls that have street frontage. The public benefits and amenities of the project will include, among other things, the rehabilitation and adaptive reuse of the O Street Market and the provision of significant new housing, of which up to 100 units will be set aside for senior citizens. The visual reopening and re-use of the former 8th Street right of way and its use for ingress and egress purposes, and the unique configuration of the proposed uses along H Street and throughout on the subject property will create vibrant streetscapes that will significantly enhance the pedestrian experience. The Applicant has received conceptual approval of the proposed project massing from the D.C. Historic Preservation Review Board and approval as a project of special merit from the Mayor's Agent for Historic Preservation. (See Exhibit G).

In conjunction with the PUD application, the Applicant will request a Zoning Map Amendment to convert the existing C-2-A land to the CR or C-3-C District. The existing C-2-A District permits a maximum height of 50 feet ? and a maximum density of

2.5 FAR, of which no more than 1.5 FAR may be devoted to nonresidential uses. The CR and C-3-C Districts, on the other hand, generally allow a maximum height of 90 feet and a maximum density of 6.0 and 6.5 FAR, respectively. In the CR District, no more than 3.0 FAR may be devoted to nonresidential uses, and in the C-3-C District, not more than 6.5 FAR may be devoted to nonresidential uses. The PUD guidelines for the CR and C-3-C Districts permit a maximum height of 110 and 130 feet, respectively, and a maximum density of 8.0 FAR, of which no more than 4.0 FAR may be devoted to commercial uses in the CR District. The proposed map amendment is consistent with the subject property's mixed use, high-density residential and medium-density commercial land use designation on the Future Land Use Map recently adopted by the Comprehensive Plan Amendments Act of 2006.

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

A. Information Regarding Applicant

O Street Roadside, LLC, is an affiliate of Roadside Development, a Washington, DC-based real estate firm that provides planning and development services for retail and mixed-use projects. The firm has expertise in retail leasing, acquisitions, land use, and development with a primary geographic focus on the Mid-Atlantic States. Roadside's in-depth market knowledge, creativity, and flexibility have enabled them to secure prime sites, successfully navigate local governments and regulatory agencies, and create solid investment strategies in these markets. Recent Roadside projects include:

- Cityline at Tenley - This historic D.C. property at 4500 Wisconsin Avenue, NW was acquired by Roadside in partnership with Madison Marquette. With 204 condominium units, 88,000 sq.ft. of retail (Best Buy, the Container Store, a

hardware store, and 320 parking spaces), Roadside maximized the property's prime location across the street from a Metro Station.

- Potomac Town Center - Owned by Blackrock and developed by Roadside, the center is located at the intersections of I-95 and Opitz and Dale Boulevards in Prince William County, Virginia. Anchored by Wegmans, the center will have over 600,000 sq.ft. of retail, 500 residential units, 500,000 sq.ft. of office space, and a 150-room hotel. The project is under construction and slated to open in the fall of 2008 with the delivery of Wegmans.
- Purcellville Gateway - Being developed by Roadside to resemble the old farm plantation that once occupied this 16-acre site, the project will be anchored by a 48,000-square foot Harris Teeter, six single-family homes, 26,000 sq.ft. of office space, restaurants, and 17,000 sq.ft. of small retail. Construction is planned to begin in 2008.
- University Town Center - Roadside Development served as the retail developer and consultant on this 56-acre infill mixed-use project. The project maximizes its proximity to the University of Maryland and metro, and includes an additional 1.6 million sq.ft. of office space, over 200,000 sq.ft. of retail (including a 56,000-square foot Safeway and a 14-screen Consolidated Theatre) a 910-bed student housing complex, 288 residential condominium units, 22 residential lofts, a hotel, and over 2,000 additional parking spaces.

II. PROJECT DESCRIPTION

A. Site Location and Description

1. Site Description

The property that is the subject of this application is located at 1400 7th Street, N.W. and consists of Lots 829 and 830 in Square 398, the city block bounded by 9th Street on the west, P Street on the north, 7th Street on the east, and O Street on the south, in northwest Washington, D.C. The subject property is bisected by the former 8th Street, N.W. right-of-way, which was legally closed in 1977. The property is currently improved with a grocery store, the remnants of the landmark O Street Market, and a large surface parking lot. The PUD site contains approximately 149,600 square feet of land area and is currently zoned C-2-A. The Applicant has received conceptual approval of

the proposed project massing from the D.C. Historic Preservation Review Board and approval from the Manager's Agent as a project of special merit. The Applicant will seek preliminary approval in the fall.

The Subject Property is designated in the mixed use, high-density residential and medium-density commercial land use category on the District of Columbia Comprehensive Plan Future Land Use Map.

B. Project Design

The design concept for the site is guided by the idea of expressing the multiple individual buildings and uses which make up the development program. The site's immediate architectural context consists of a varied group of buildings both in architectural style and scale. The site is located between the new convention center/Mount Vernon Square and Shaw neighborhoods.

An authentic expression of the various buildings, of which there are 5 in addition to the retail and existing market building, will allow an appropriately organic quality to emerge on the site. The approach, taken with the visual re-introduction of the 8th Street right-of-way, reinforces the finer 'grain' of buildings on the site and allows the buildings to relate to both the similarly scaled structures in the surrounding context and importantly the historic O Street Market building. Moreover, one-story retail pavilions will be located on 8th Street. These pavilions will be articulated as independent volumes which screen the store parking area, provide a visual base to the 8th Street buildings scaling them to the street, and most importantly activate the street through multiple retail tenants which form a two-side retail street.

Special architectural consideration is given to the historic market building, which will be restored and anchors the eastern side of the site. In response to the scale and

stature of the existing market building, additional massing setbacks and building articulation are proposed. Two wings, on the north and west of the market form an exterior court space which frames the existing market. These wings are further articulated to suggest two 'pavilions', which relate in scale to the existing market building, and which together with the existing market will read as three 'pavilions' in a larger courtyard.

With respect to massing, the buildings will be of differing heights across the site, reinforcing a varied streetscape surrounding the historic market. In the eastern and western edges of the site (along 7th and 9th streets), heights of 30 feet for the peak of the market roof to 70 feet on the 9th street frontage dominate. Toward the center of the site on 8th Street and along O and P Streets, 90 foot buildings match the existing 90 foot buildings adjacent to the site. Other interior areas of the site have building heights of 110 feet. A portion of the two-story mechanical penthouses shown will also be used for building program areas included within the previously mentioned 110 foot height. Generally, this approach places the taller buildings and penthouses along the wider 8th street frontage in the interior of the site, and tapers the buildings to the eastern and western sides of the site.

In response to the existing market building and to accomplish the expression of individual buildings as stated in the design concept, a rich material palette is proposed. While the predominant material on the site will be brick masonry, additional materials such as terra-cotta panels, colored fiber reinforced-concrete panels, and metal panels are being considered as primary materials for the 'pavilions' and as accent materials elsewhere on the site. To enliven the project at street level, murals are proposed for the

new grocery store walls. They may be used for larger scale graphics hinting at the building activities within or present a narrative about the rich history of the neighborhood and the market. Roadside will work with work with the Commission on Arts and Humanities to select local and national artists for their design and execution. The goal is to commission local Artists for their design and execution. Possible mediums are paint, ceramic tile mosaic, or more "modern" materials such as glass and metal.

C. Matter of Right Development under Existing and PUD Requirements

The Subject Property is current zoned C-2-A. The Applicant is seeking a Zoning Map amendment to convert the Subject Property from C-2-A to either the CR or C-3-C District in connection with this Application. The C-2-A District is designed to provide facilities for shopping and business needs, housing, and mixed uses for large segments of the District of Columbia outside of the central core. 11 DCMR § 720.2. Moreover, the C-2-A District are generally located in low and medium density residential areas with access to main highways or rapid transit stops, and include office employment centers, shopping centers and medium-bulk mixed use centers. 11 DCMR § 720.3.

The maximum permitted matter-of-right height in the C-2-A District is 50 feet, with no limit on the number of stories. 11 DCMR § 770.1. The C-2-A District permits a maximum floor area ratio ("FAR") of 2.5, all of which may be residential, but of which not more than 1.5 may be used for other, non-residential permitted purposes. 11 DCMR § 771.2. Pursuant to Section 772.1 of the Zoning Regulations, no building or portion of a building in the C-2-A District devoted to a residential use, may occupy more than 60% of the lot upon which the structure is located. 11 DCMR § 771.2. There is no lot occupancy limitation for commercial uses in the C-2-A District.

Moreover, pursuant to Section 774.1 of the Zoning Regulations, a 15 feet rear yard must be provided for each structure in the C-2-A District. Side yards are generally not required for any building or structure located in the C-2-A District. 11 DCMR §775.5. However, if a side yard is provided, its minimum width must be two inches wide per foot of building height, but not less than six feet. 11 DCMR §775.5.

Where an open court is provided in the C-2-A District for a building devoted to non-residential uses, at any elevation in the court, the width of court must be a minimum of three inches per foot of height of court, but not less than 12 feet. 11 DCMR § 776.1. Where a closed court is provided in the C-2-A District for non-residential uses, the court must have minimum area of at least twice the square of the width of court based upon the height of court, but not less than 250 square feet. 11 DCMR § 776.2.

The off-street parking and loading requirements are based upon the proposed use of the property. For example, an apartment house or multiple dwelling in the C-2-A District requires one parking space for each two dwelling units; a hotel requires one parking space for each two rooms useable for sleeping, plus one parking space for each 150 square feet of floor area in either the largest function room or the largest exhibit space (whichever is greater); and a retail establishment in excess of 3,000 square feet requires one additional parking space for each additional 300 square feet of gross floor area and cellar floor area. 11 DCMR §2101.1. The loading requirement for an apartment house or multiple dwelling with 50 or more dwelling units is one loading berth at 55 feet deep, one loading platform at 200 square feet, and one service/delivery loading space at 20 feet deep. 11 DCMR §2101.1. Likewise, a hotel with 30 to 200 rooms useable for sleeping must provide one loading berth at 30 feet deep, one loading platform at 100 square

feet, and one service/delivery loading space at 20 feet deep. Id. A grocery store in the C-2-A District with 20,000 to 100,000 square feet of gross floor area and cellar floor area must provide one loading berth at 30 feet deep and one at 55 feet deep, one loading platform at 100 square feet and one at 200 square feet, and one service/delivery loading space at 20 feet deep. Id.

Development of the Subject Property under the PUD guidelines for the C-2-A District would allow a maximum building height of 65 feet, and a maximum FAR of 3.0, of which not more than 2.0 may be devoted to commercial use, including hotels. 11 DCMR §§ 2405.1 and 2405.2.

D. Matter of Right Development Under Proposed CR or C-3-C Requirements

Under the proposed PUD, the zoning of the Subject Property would become either CR or C-3-C. The Mixed Use Commercial Residential (CR) District is designed to encourage a diversity of compatible land uses such as a mixture of residential, office, retail, recreational, light industrial, and other related uses. 11 DCMR §600.1. The CR District permits a maximum height of 90 feet, and a maximum FAR of 6.0, of which no more than 3.0 may be used for non-residential purposes. 11 DCMR §630.1, 631.1. Under the PUD guidelines for the CR District, the maximum permissible building height is 110 feet and the maximum FAR is 8.0, of which no more than 4.0 can be utilized for non-residential uses. 11 DCMR §2405.1, 2405.2.

The C-3-C District permits medium to high density development, including office, retail, housing and mixed-use development. 11 DCMR § 740.8. The C-3-C District also permits a maximum height of 90 feet, and a maximum FAR of 6.5 for all uses. 11 DCMR § 771.2. Under the PUD guidelines for the C-3-C District, the

maximum permissible building height is 130 feet and the maximum FAR is 8.0 for all uses. 11 DCMR §2405.1, 2405.2.

The applicant submits that either zoning district is compatible with the sites Comprehensive Plan Land Use Map Designation.

E. Tabulation of Development Data

See tabulation of development data included in the Architectural Plans and Drawings attached hereto as Exhibit A.

F. Flexibility under PUD Guidelines

The PUD process was created to allow greater flexibility in planning and design than may otherwise be possible under conventional zoning procedures. Thus, the Applicants seek flexibility from several provisions of the Zoning Regulations. As permitted under section 2403, the Commission may grant such flexibility in its discretion.

1. Flexibility to Permit Multiple Principal Buildings on a Single Record Lot

The Zoning Regulations provide that "[w]hen [two portions of a structure are] separated from the ground up or from the lowest floor up, each portion shall be deemed a separate building." 11 DCMR § 199.1 (definition of "building") In order to visually re-instate the 8th Street right of way relief from this provision is necessary, because there will be no meaningful above-grade communication between all of the proposed building. Therefore, the Applicant is seeking flexibility to permit multiple principal buildings on a single record lot. Section 2516 of the Zoning Regulations authorizes the placement of two or more principal buildings on a single record lot. 11 DCMR § 2516.1. The requested flexibility will allow the development of a project that will have a substantial benefit for the community, since the project includes, among other things, the

rehabilitation and adaptive reuse of the O Street Market and the provision of significant new housing, much of which will be set aside for senior citizens.

2. Flexibility from Roof Structure Requirements

The Applicant requests flexibility from the roof structure requirements of the Zoning Regulations because, as shown on the Zoning Plan (Sheet D2) and Roof Plan (Sheet A15) of the Architectural Plans and Elevations, there will be multiple roof structures (§411.3), and a number of the structures cannot be setback from all exterior walls a distance equal to their height above the roof (§411.2).

Each roof structure is a necessary feature and the structures have to be separated due to the different construction schedules for each component of the development, as well as the desire to break up massing on the roof. In addition, the Applicant is providing the greatest setbacks possible given the size of the roofs and the internal configuration of the proposed buildings. The requested roof structure design will not adversely impact the light and air of adjacent buildings since each element has been located to minimize their visibility. Therefore, the intent and purposes of the Zoning Regulations will not be materially impaired and the light and air of adjacent buildings will not be adversely affected.

3. Flexibility To Permit Phasing of Development

The Applicant also seeks flexibility in the phasing of the final approval for the individual portions of the PUD included in this development. As permitted under section 2408.7 of the Zoning Regulations, the Applicant proposes to build the project in stages but will require flexibility on the timing of those stages.

4. Additional Areas of Flexibility

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

- a. To be able to provide a range in the number of residential units, senior housing units, hotel rooms and the ability to convert the hotel to apartments.
- b. To vary the location and design of all interior components, including partitions, structural slabs, doors, hallways, columns, stairways, and mechanical rooms, provided that the variations do not change the exterior configuration of the building.
- c. To vary the number, location and arrangement of parking spaces, provided that the total is not reduced below the minimum level required under the zoning regulations.
- d. To vary the final selection of the exterior materials within the color ranges and material types as proposed, based on availability at the time of construction without reducing the quality of the materials; and to make minor refinements to exterior details and dimensions, including curtainwall mullions and spandrels, window frames, glass types, belt courses, sills, bases, cornices, railings and trim, or any other changes to comply with the District of Columbia Building Code or that are otherwise necessary to obtain a final building permit.

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

A. PUD Process is Appropriate Mechanism for the Project

The PUD process is the appropriate mechanism for guiding the development of the PUD Site. It allows the project to be developed within the purview of the Zoning Commission while at the same time providing opportunities for input from various agencies and parties. Through the PUD process, the Office of Planning and other District agencies will have the opportunity for greater participation in the fulfillment of the

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

B. PUD Requirements under Chapter 24 of the Zoning Regulations

1. Area Requirements under Section 2402.1(c)

The Subject Property has approximately 149,600 square feet in land area, which exceeds the minimum area requirement of 15,000 square feet set forth in 11 DCMR §2401.1(c).

2. Height and FAR Requirements under Sections 2405.1 and 2405.2

The PUD regulations permit a maximum building height of 110 feet and a maximum FAR of 8.0 in the CR District. 11 DCMR §§ 2405.1 and 2405.2. The PUD regulations permit a maximum building height of 130 feet and a maximum FAR of 8.0 in the C-3-C District. Id. The project has a maximum building height of 110 feet, and project's overall FAR is approximately 5.25. Thus, the project meets the PUD height and FAR requirements of both the CR and C-3-C District.

3. Impacts of the Project under Section 2403.3

The proposed PUD will have a positive impact on the surrounding area. Overall, the proposed development will significantly improve the existing area by virtue of the exceptional architectural design, which carefully considers the nearby uses and accordingly, will have a minimal impact on that area. Moreover, the proposed PUD will have no unacceptable impact on traffic. The construction of a significant mixed-use development which includes a new relocated grocery store, local retail establishments,

affordable and market-rate housing, and possibly a new hotel represents precisely the type of mixed-use development encouraged by the District's Comprehensive Plan. The proposed re-use of the former 8th Street, N.W. right of way to vehicular and pedestrian traffic is an additional neighborhood amenity. Additionally, the historic preservation program for the historic market building and the affordable housing in the new project constitute public benefits that have a high priority for the community and the District as a whole.

Also this relocation of the existing grocery store and the removal of the adverse visual and traffic effects it currently has on 9th Street N.W. are a significant community benefit. As shown in applicant's plans all loading maneuvering functions will occur below grade.

4. Not Inconsistent with Comprehensive Plan under Section 2403.4

As discussed at length below, the PUD project is not inconsistent with the Comprehensive Plan.

C. **Public Benefits and Project Amenities**

1. Overview

The PUD guidelines require the evaluation of specific public benefits and project amenities for a proposed project. Public benefits are defined as "superior features of a proposed planned unit development that benefit the surrounding neighborhood or the public in general to a significantly greater extent than would likely result from the development of the site under the matter of right provisions...." 11 DCMR 2403.6. A project amenity is further defined as "one type of public benefit, specifically a functional or aesthetic feature of the proposed development, that adds attractiveness, convenience or comfort of the project for occupants and immediate neighbors." 11 DCMR 2403.7.

Additionally, when deliberating the merits of a PUD application, the Zoning Commission is required to “judge, balance and reconcile the relative value of the project amenities and public benefits offered, the degree of development incentives requested, and any potential adverse effects according to the specific circumstances of the case.” 11 DCMR 2403.8. Public benefits and project amenities may be exhibited in a variety of ways and may overlap with furthering the policies and goals of the Comprehensive Plan.

2. Urban Design, Architecture, Landscaping and Open Space (Section 2403.9(a))

The Applicant has commissioned the architectural firm of Shalom Barnes Associates to design a project that will further the goals of urban design and enhance the streetscape and surrounding neighborhood. As discussed above, the design concept for the site is guided by the idea of expressing the multiple individual buildings and uses which make up the development program, and the expression of the various buildings reinforces the high quality of buildings on the site and allows the buildings to relate to both the similarly scaled structures in the surrounding context and importantly the historic O Street Market building. Moreover, the retail pavilions to be located on 8th Street provide a visual base to the 8th Street buildings scaling them to the street and activate the street through multiple retail tenants which form a two-side retail street. In addition, the architectural treatment of the project is sensitive to the scale and stature of the existing market building. With respect to massing, the project has been designed to place the taller buildings and penthouses along the wider 8th street frontage, and tapers the buildings to the eastern and western sides of the site. The use of a rich material palette and the proposed street level murals are additional enhanced features of the project.

3. First Source Employment Agreement and Local, Small and Disadvantaged Business Enterprises (Section 2403.9(j))

Expanding employment opportunities for residents and local businesses is a priority of the Applicants. Therefore, the Applicant will be entering into a First Source Employment Agreement with the Department of Employment Services. The Applicant will also be entering into a Local, Small, and Disadvantaged Business Enterprises (LSDBE) Memorandum of Understanding with the District's Office of Local Business Development.

IV. COMPLIANCE WITH THE COMPREHENSIVE PLAN

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

A. Purposes of the Comprehensive Plan

The purposes of the Comprehensive Plan are six-fold: (1) to define the requirements and aspirations of District residents, and accordingly influence social, economic and physical development; (2) to guide executive and legislative decisions on matters affecting the District and its citizens; (3) to promote economic growth and jobs for District residents; (4) to guide private and public development in order to achieve District and community goals; (5) to maintain and enhance the natural and architectural assets of the District; and (6) to assist in conservation, stabilization, and improvement of each neighborhood and community in the District. D.C. Code §1-245(b) (§ 1-301.62).

The PUD project significantly advances these purposes by promoting the social, physical and economic development of the District through the provision of a mixed-use

development that will include a grocery store and other retail uses, apartment buildings, a hotel, and an affordable senior housing facility, as well as the creation of additional employment opportunities, and the generation of significant tax revenues for the District.

B. Future Land Use Map

The Subject Property is designated in the mixed use, high-density residential and medium-density commercial land use category on the District of Columbia Comprehensive Plan Future Land Use Map. The high-density residential designation is used to define neighborhoods and corridors where high-rise (8 stories or more) apartment buildings are the predominant use, and the corresponding zones districts are generally R-5-D and R-5-E (although other zones may apply). The medium-density commercial designation is used to define shopping and service areas where retail, office and service businesses are the predominant uses, and the corresponding zone districts are generally C-2-C, C-3-C, C-4 and C-5, although other districts may apply.

The Applicant's proposal to construct affordable and reasonable rate housing, retail and possibly a hotel on the Subject Property is consistent with the Future Land Use Map's designation of the Subject Property. The Applicant is proposing to rezone the Subject Property from C-2-A to either CR or C-3-C in connection with this application. The purpose of the CR district is to encourage a diversity of compatible land uses that may include both residential and commercial uses, which is consistent with the stated principle of the mixed-use designation of the Subject Property. Likewise, the C-3-C Districts permit medium to high density development, including office, retail, housing and mixed-use development, which is equally consistent with the designation of the Subject Property.

C. Compliance with Guiding Principles of the Comprehensive Plan

The Project is consistent with many guiding principles in the Comprehensive Plan for managing growth and change, creating successful neighborhoods, and building green and healthy communities, as set-forth in the Comprehensive Plan.

1. Managing Growth and Change.

In order to manage growth and change in the District, the Comprehensive Plan encourages, among other factors, the growth of both residential and non-residential uses, particularly since non-residential growth benefits residents by creating jobs and opportunities for less affluent households to increase their income. (§ 2.3, ¶ 217.4). The Comprehensive Plan also states that redevelopment and infill opportunities along corridors is an important part of reinvigorating and enhancing neighborhoods. (§ 2.3, ¶ 217.6). The proposed PUD is fully-consistent with each of these goals. Redeveloping the Subject Property into a mixed-use development that will include a grocery store and other retail uses, apartment buildings, a hotel, and an affordable senior housing facility will further the revitalization of the neighborhood and will generate significant tax revenue for the District.

2. Creating Successful Neighborhoods.

One of the guiding principles for creating successful neighborhoods is the recognition that many neighborhoods include commercial uses that contribute to the neighborhood's character and make communities more livable. (§ 2.3, ¶218.2). Another guiding principle for creating successful neighborhoods is getting public input in decisions about land use and development, from development of the Comprehensive Plan to implementation of the plan's elements. (§ 2.3, ¶218.8).

The proposed PUD further these goals with the construction of a grocery store and other retail uses, apartment buildings, a hotel, and an affordable senior housing facility, the creation of additional employment opportunities, and generate significant tax revenues for the District. In addition, as part of the PUD process, the Applicant will continue to work with the Advisory Neighborhood Commission, local community groups and HPRB to assure that the development provides a positive impact to the immediate neighborhood. See Exhibit I, ANC 2C support letter.

D. Land Use Element

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

1. Policy LU-1.1.5: Urban Mixed Use Neighborhoods

The proposed development encourages new central city mixed used neighborhoods combining high-density residential, office, retail, cultural, and open spaces uses. Housing, including affordable housing, is particularly encouraged and should be a vital component of the future land use mix.

2. LU-1.4.1: Infill Development

The project is consistent with the goal of encouraging infill development on vacant land within the city, particularly in areas where there are vacant lots that create "gaps" in the urban fabric and detract from the character of a commercial or residential street. The development complements the established character of the area and does not create sharp changes in the physical development pattern.

3. Policy LU-2.1.1: Variety of Neighborhood Types

Consistent with this policy element, the development adds to the variety of residential neighborhood types in the District, ranging from low-density, single family neighborhoods to high-density, multi-family mixed use neighborhoods.

4. Policy LU-2.2.4: Neighborhood Beautification

Policy LU-2.2.4 encourages projects to improve the visual quality of the District's neighborhoods. The development of the site will be an improvement to the current neighborhood condition and will help to revitalize the area.

5. Policy LU-2.4.10: Use of Public Space within Commercial Centers.

This policy encourages the development of outdoor sidewalks cafes, flower stands, and similar uses which "animate" the street. As shown on the Architectural Plans and Elevations, the project includes visual the reestablishment of the 8th Street right-of-way for use as plaza retail, and access area is ideally situated to engage the public throughout the day and is designed to become part of the urban streetscape.

E. Transportation Element

1. Policy T-1.1.4: Transit-Oriented Development Encourages support for transit-oriented development by investing in pedestrian-oriented transportation improvements at or around transit stations, major corridors, and transfer points. The subject property has frontage on 7th Street, which provides convenient access to numerous locations on the District. Moreover, the subject property is within walking distance of the Mount Vernon Metrorail station.

2. Action T-2.3-A: Bicycle Facilities.

This element encourages new developments to include bicycle facilities. The Applicant proposes to include secure bicycle parking and bike racks as amenities within the development that accommodate and encourage bicycle use.

F. Housing Element

The policies and actions for the Housing Element state that expanding the housing supply is a key part of the District's vision to create successful neighborhoods, and housing production is essential to the future of the District's neighborhoods and key to improving the city's fiscal health. (§H-1.1, ¶503.1) Ensuring the affordability of housing is also a critical objective of the housing element. (§H-1.2, ¶504) The PUD supports these initiatives by increasing the housing supply with the construction of a significant number of new units, as well as the construction of affordable senior housing.

G. Economic Development Element

The Economic Development Element of the Comprehensive Plan recommends expanding the retail sector and pursuing a retail strategy that will allow the District to fully capitalize on the spending power of residents, workers and visitors, and that will meet the retail needs of underserved areas. Policy ED-2.2.1. Policy ED-2.2.6 specifically highlights the need to develop new grocery stores and supermarkets, particularly in neighborhoods where residents currently have to travel long distances for food and other shopping services.

The economic development element also recommends the continued support and growth of the hospitality industry, which is a core industry in the District. See Policy ED-1.1.1. Indeed, Policy ED-2.3.1, "Growing the Hospitality Industry," provides that the

District should develop an increasingly robust tourism industry and strive to increase the number of visitors staying in the District (rather than in suburban hotels). The Applicant's proposal to construct a mixed-use development on the property that includes a grocery store, other retail uses, and a hotel is consistent with, and implements, each of these goals.

H. Urban Design Element

The proposed project is also consistent with a number of the policies included in the Urban Design Element of the Comprehensive Plan. For example, as shown on the Architectural Plans and Elevations, the project includes an attractive, visually-interesting and well-designed building façade that eschews monolithic or box-like forms, or long blank walls which detract from the human quality of the street. *See* Policy UD-2.2.5. As shown on the Architectural Plans and Elevations, the project is also consistent with the improved streetscape design goals.

I. Historic Presentation Element

The Historic Preservation Element calls for the promotion of appropriate preservation of historic buildings, the application of design guidelines without stifling creativity or having an adverse impact on the balance between restoration and adaptation of historic buildings, permitting compatible new infill development, and using historic preservation as a tool for economic and community development and revitalization. *See* Policy HP-2.4.1, 2.4.3, 3.2.1 and 3.2.3.

The Historic Preservation Review Board has recommended approval of the overall site plan and architectural plans in concept. In addition, the Mayor's Agent has found that the scope of the preservation program contemplated by the proposed project represents a significant public benefit to the District. Moreover, the Mayor's Agent found

that the sensitive treatment of the historically significant portions of the O Street Market, and the integration of that historic structure into the new development, is precisely the type of adaptive reuse encouraged by the city and will provide a significant public benefit to the city. Thus, the project is fully consistent with the historic preservation element of the Comprehensive Plan.

J. Near Northwest Area Element

The proposed project is consistent with a number of the policies of the Near Northwest Area Element. For example, Policy NNW-1.1.4 calls for improving the neighborhood shopping areas along 7th and 9th Streets, which the proposed development will certainly help to improve. Moreover, the Shaw/Convention Center Area element also recommends protecting existing affordable housing within the Shaw/Convention Center area, producing new affordable housing and market rate housing on underutilized sites, and supporting development of the O Street market site as a mixed use project that becomes the focal point for the 7th and 9th Street retail corridors (Policy NNW-2.1.1 and Policy NNW-2.1-F). The proposed project is fully consistent with, and helps to implement, each of these policy objectives.

V. CONCLUSION

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

Respectfully submitted:

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