

REPORT TO THE ZONING COMMISSION

**CASE NO. 07-26
CITY MARKET AT O**

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- I. Introduction
- II. Nature of applications
 - A. Consolidated review of planned unit development
 - B. Map amendment from C-2-A to C-3-C
- III. Site location
 - A. 1400 7th Street, N.W.
 - B. Block bounded by 7th, 9th, O and P Streets, including the closed right-of-way of 8th Street running north-south in the center
- IV. Site description
 - A. Rectangular shaped property (Square 398, Lots 829 and 830)
 - B. Contains approximately 149,600 square feet of land area
 - C. Existing conditions:
 - 1. The remaining portion of the historic O Street Market at the southeast corner of the site (northwest corner of the intersection of 7th and O Streets)
 - 2. A Giant supermarket located west of the former right-of-way of 8th Street with loading on the 9th Street side
 - 3. Surface parking
 - 4. Vacant land at the southwest corner of 7th and P Streets

ZONING COMMISSION
District of Columbia

CASE NO. 07-26
EXHIBIT NO. 34

V. Description of the surrounding area

A. To the north:

1. P Street
2. Mixed residential development in rowhouse and mid-rise structures
3. Churches and other institutional uses

B. To the east:

1. 7th Street
2. Kennedy Recreation Center

C. To the south:

1. O Street
2. 10 story apartment building at southeast corner of 7th and O Streets
3. Parking lot
4. Scripture Cathedral
5. Mixed residential development in rowhouse, mid-rise and high-rise structures
6. Other churches and non-residential uses
7. Blagden Alley/Naylor Court Historic District
8. Commercial uses along 9th Street
9. Walter Washington Convention Center (south of N Street, east of 9th Street)

D. To the west:

1. 9th Street
2. Commercial uses in older row structures on the west side of 9th Street
3. Mixed residential development in rowhouse and some mid-rise structures

VI. Zoning

A. Existing zoning: C-2-A

1. General commercial district, permitting a broad range of retail, service and office uses, hotels, residential uses (single and multi-family) and many institutional uses
2. Maximum height: 50 feet
3. Maximum FAR: 2.5, of which no more than 1.5 may be for other than residential purposes
4. Maximum percentage of lot occupancy for residential use: 60%
5. Side yards: not required
6. Minimum rear yard: 15 feet
7. Off-street parking:
 - a) For retail or service use: 1 space for each 750 square feet of gross floor area in excess of 3,000 square feet
 - b) For residential use: 1 space for each 3 dwelling units
 - c) For hotel use: 1 space for each 2 rooms usable for sleeping plus 1 space for each 150 square feet of floor area in the largest function room or exhibit space
8. PUD guidelines
 - a) Height: 65 feet
 - b) FAR: 3.0, of which no more than 2.0 may be for commercial uses
 - c) Yards and courts: as otherwise provided, subject to the Zoning Commission's discretion to approve greater or lesser
 - d) Parking and loading: as otherwise provided, subject to the Zoning Commission's discretion to approve greater or lesser

B. Proposed zoning: C-3-C

1. General commercial district permitting almost all retail, service and office uses, as well as hotel, residential and institutional uses

2. Maximum height: 90 feet
3. Maximum FAR: 6.5
4. Maximum percentage of lot occupancy for residential building: 100%
5. Minimum rear yard – 2½ inches per foot of height at the rear
6. Side yard – not required
7. Minimum required parking:
 - a) For retail or service use: 1 space for each 750 square feet of gross floor area in excess of 3,000 square feet
 - b) For residential use: 1 space for each 4 dwelling units
 - c) For hotel use: 1 space for each 4 rooms usable for sleeping plus 1 space for each 300 square feet of floor area in the largest function room or exhibit space
8. PUD guidelines for C-3-C
 - a) Height: 130 feet (limited to 110 feet by Act of 1910)
 - b) FAR: 8.0
 - c) Yards and courts: as otherwise provided, subject to the Zoning Commission's discretion to approve greater or lesser
 - d) Parking and loading: as otherwise provided, subject to the Zoning Commission's discretion to approve greater or lesser

C. Zoning of the area

1. C-2-A zoning:
 - a) Along both sides of 7th Street north of P Street
 - b) On the east side of 7th Street between O and P Streets
 - c) On the north side of P Street between 7th and 9th Streets
 - d) On the west side of 9th Street between O and north of P Street
 - e) On the south side of O Street between 8th and 9th Street

- f) On both sides of 9th Street south of O Street (including the northern third of the Convention Center)
- 2. C-2-B zoning:
 - a) On the south side of O Street between 7th and 8th Streets
 - b) On the east side of 7th Street between M and N Streets
- 3. R-5-D zoning on 7th Street between N and O Streets
- 4. R-5-B zoning further to the southeast
- 5. R-4 zoning further to the northeast and west (not abutting or confronting the subject property)

VII. Description of the proposed project

A. Mixed-use development that includes:

- 1. 100 affordable residential units for rent to seniors
- 2. 227 market rate residential rental units
- 3. 300 condominium residential units
- 4. Hotel with 210 rooms (with the option to convert to additional residential units)
- 5. Retail and services uses to include:
 - a) A 65,000 square foot grocery store (relocated and expanded on the eastern half of the site, incorporating the remaining portions of the O Street Market building)
 - b) 10,000 square feet of additional retail
 - c) 8,000 square foot restaurant

B. Height:

- 1. East residential: 95 feet (over the grocery store)
- 2. West residential:
 - a) 90 feet facing 8th Street

- b) 72 feet stepping down to 62 feet at the property line facing 9th Street
- 3. Hotel: 90 feet
- 4. Retail bays along 8th Street: 15 feet
- 5. Grocery store: 24 feet
- C. Floor area ratio: 5.15 overall (total GFA of 770,780 square feet)
 - 1. Residential: 3.65 (GFA of 602,775 square feet)
 - 2. Hotel: 0.77 (GFA of 115,115 square feet)
 - 3. Retail: 0.46 (GFA of 69,000 square feet)
 - 4. Parking: 0.27 (GFA of 40,890 square feet of retail parking on the ground floor of the west building)
- D. Parking: 500 total spaces in underground and first floor garages (plus 80 additional spaces in vault space)
 - 1. First floor garage: 91 spaces
 - 2. Two levels of underground parking: 489 spaces
- E. Loading:
 - 1. All loading and service for the project is located on the lower garage level
 - 2. Provided:
 - a) 4 berths @ 55 feet deep
 - b) 3 berths @ 30 feet deep
 - c) 5 service/delivery loading spaces @ 20 feet deep
- F. Comparison to matter-of-right and PUD standards for proposed zoning
 - 1. Uses: apartments, retail and service and hotel uses permitted as a matter-of-right
 - 2. Height:
 - a) Matter-of-right: 90 feet

- b) PUD guideline: 130 feet (limited to 110 feet under Height Act of 1910)
 - c) Proposed: maximum of 95 feet
- 3. FAR:
 - a) Matter-of-right: maximum of 6.5
 - b) PUD: maximum of 8.0
 - c) Proposed: 5.15 (approximately 770,780 square feet of gross floor area)

VIII. Compliance with PUD evaluation standards of §2403

- A. Impact of project shall be favorable, capable of being mitigated or acceptable (§2403.3)
 - 1. Appropriate residential/retail infill development in an area designated to be the focal point for the 7th and 9th Street retail corridors
 - 2. Additional height is appropriate to gain better floor-floor heights for portion of the building over the grocery store
 - 3. Traffic will have no unacceptable impact on levels of service at build-out, per report by Vanasse, Hangen, Brustlin
 - 4. Sufficient parking provided, per report by Vanasse, Hangen, Brustlin
 - 5. All loading and maneuvering areas removed from surface, expanded and relocated to lower garage level
- B. Project is not inconsistent with the Comprehensive Plan (§2403.4): see section IX below
- C. Commission shall “judge, balance, and reconcile the relative value of project amenities and public benefits offered, the degree of development incentives requested and any potential adverse effects” (§2403.8)
- D. Public benefits and project amenities
 - 1. Retail
 - a) Reconstructed and expanded grocery store

- b) Additional retail spaces along O Street and the 8th Street axis
 - c) Restoration of O Street Market and return to active retail use as part of grocery store
- 2. Housing
 - a) 100 affordable residential units for rent to seniors (@ 60% of AMI)
 - b) 227 market rate residential rental units
 - c) 300 condominium residential units
- 3. Historic preservation
 - a) Renovation of historic O Street Market
 - b) Restoration of 8th Street axis
- 4. Superior architecture, design and site planning, including relocation of all loading and service activities below grade
- 5. First Source employment opportunities and MOU with Department of Small and Local Business Development

balanced against

E. Development Incentives

- 1. 5 foot increase in height over matter-of-right under C-3-C (to achieve better floor-to-floor height for residential over the grocery store)
- 2. More than 200,000 square feet less than permitted as a matter-of-right under C-3-C

F. Areas of flexibility from C-3-C or PUD standards:

- 1. Courts
 - a) Required: minimum width of court of 4 inches per foot of height but not less than 15 feet (27 feet for Court 5)
 - b) Provided: Court 5 (between the hotel and a wing of the west residential building is 17 feet, 2 inches
 - c) Relief requested: 9 feet 10 inches

2. Roof structure relief

- a) Required: single enclosure, setback 1:1 from exterior walls
- b) Provided: multiple enclosures, not meeting the 1:1 setbacks in all places

IX. Consistency with the Comprehensive Plan - The District Elements - The Comprehensive Plan Amendment Act of 2006 (D.C. Law 16-300, March 8, 2007)

A. Framework element – guiding principles

1. Managing growth and change

- a) "Change in the District is both inevitable and desirable. The key is to manage change in ways that protect the positive aspects of life in the city and reduce negatives such as poverty, crime, and homelessness." (§2.3, ¶217.1)
- b) "Diversity also means maintaining and enhancing the District's mix of housing types. Housing should be developed for households of different sizes, including growing families as well as singles and couples." (§2.3, ¶217.3)
- c) "The District needs both residential and non-residential growth to survive. Non-residential growth benefits residents by creating jobs and opportunities for less affluent households to increase their income." (§2.3, ¶217.4)
- d) "Redevelopment and infill opportunities along corridors and near transit stations will be an important component of reinvigorating and enhancing our neighborhoods. Development on such sites must not compromise the integrity of stable neighborhoods and must be designed to respect the broader community context. Adequate infrastructure capacity should be ensured as growth occurs." (§2.3, ¶217.6)
- e) "Growth in the District benefits not only District residents, but the region as well. By accommodating a larger number of jobs and residents, we can create the critical mass needed to support new services, sustain public transit, and improve regional environmental quality." (§2.3, ¶217.7)

2. Increasing access to education and employment

"An economically strong and viable District of Columbia is essential to the economic health and well being of the region. Thus, a broad spectrum of private and public growth (with an appropriate level of supporting infrastructure) should be encouraged. The District's economic development strategies must capitalize on the city's location at the center of the region's transportation and communication systems." (§2.3, ¶219.2)

B. Framework element – the Land Use Maps

1. The Generalized Policy Map purpose "is to categorize how different parts of the District may change between 2005 and 2025" (§2.4, ¶223)
2. Includes subject property in a Neighborhood Enhancement Area, described as follows:

"Neighborhood Enhancement Areas are neighborhoods with substantial amounts of vacant residentially zoned land. They are primarily residential in character. Many of these areas are characterized by a patchwork of existing homes and individual vacant lots, some privately owned and others owned by the public sector or non-profit developers. These areas present opportunities for compatible small-scale infill development, including new single family homes, townhomes, and other density housing types. Land uses that reflect the historical mixture and diversity of each community should be encouraged." (¶223.6)

"The guiding philosophy in Neighborhood Enhancement Areas is to ensure that new development "fits-in" and responds to the existing character, natural features, and existing/planned infrastructure capacity. New housing should be encouraged to improve the neighborhood and must be consistent with the land use designation on the Future Land Use Map. The unique and special qualities of each area should be maintained and conserved, and overall neighborhood character should be protected as development takes place. Publicly-owned open space within these areas should be preserved and enhanced to make these communities more attractive and desirable." (¶223.7)

"The main difference between Neighborhood Enhancement and Neighborhood Conservation Areas is the large amount of vacant land that exists in the Enhancement Areas. Neighborhood Enhancement Areas often contain many acres of undeveloped lots, whereas Neighborhood Conservation Areas appear to be "built out." As infill development takes place on undeveloped lots, special care must be taken to avoid displacement nearby. Existing housing should be enhanced through rehabilitation assistance. New development in these areas should improve the real estate market, reduce crime and blight, and attract complementary new uses and services that better serve the needs of existing and future residents." (§223.8)

3. The Future Land Use Map – includes property in mixed use medium density commercial and high density residential category, described as follows:

- a) Medium Density Commercial

"This designation is used to define shopping and service areas that are somewhat more intense in scale and character than the moderate-density commercial areas. Retail, office, and service businesses are the predominant uses. Areas with this designation generally draw from a citywide market area. Buildings are generally larger and/or taller than those in moderate density commercial areas but generally do not exceed eight stories in height. The corresponding Zone districts are generally C-2-B, C-2-C, C-3-A, and C-3-B, although other districts may apply." (§224.13)

- b) High Density Residential

"This designation is used to define neighborhoods and corridors where high-rise (8 stories or more) apartment buildings are the predominant use. Pockets of less dense housing may exist within these areas. The corresponding Zone districts are generally R-5-D and R-5-E, although other zones may apply." (§224.9)

4. Maps are intended to provide generalized guides for development and conservation decisions (§2.4.2, §224.24)

- a) Future Land Use Map does not follow parcel boundaries and its categories do not specify allowable uses or dimensional standards
- b) By definition Map is to be interpreted broadly

- c) Future Land Use Map is generalized depiction of intended uses in the 20 year horizon
- d) Densities within any given area are across-the-board; individual buildings may be higher or lower
- e) Density bonuses through PUDs may result in heights that exceed typical ranges
- f) Zoning is guided by the Future Land Use Map, interpreted in conjunction with the text of the Plan, including citywide elements, area elements and approved small area plans

C. Land Use element

1. Overall goal:

"Ensure the efficient use of land resources to meet long-term neighborhood, city-wide, and regional needs; to help foster other District goals, to protect the health, safety, and welfare of District residents and businesses; to sustain, restore, or improve the character and stability of neighborhoods in all parts of the city; and to effectively balance the competing demands for land to support the many activities that take place within District boundaries." (§302.1)

2. Policies and Actions

3. Policies and Actions – Transit-Oriented and Corridor Development

- a) "Fully capitalizing on the investment made in Metrorail requires better use of land around transit stations and along transit corridors. While many of the District's 40 Metrorail stations epitomize the concept of a "transit village," with pedestrian-oriented commercial and residential development of varying scales, others do not. Some stations continue to be surrounded by large surface parking lots and auto-oriented commercial uses." (§306.2)
- b) The principles in the management of land around Metrorail stations note a preference for mixed residential and commercial uses rather than single purpose uses, particularly a preference for housing above ground floor retail uses. A preference for attractive, pedestrian-friendly design and a de-emphasis on auto-oriented uses and surface parking is also stated. (§306.4)

- c) "Station area development policies must respond to the unique needs of each community and the unique setting of each station." (§306.5)
- d) "The reach of transit-oriented development around any given station or along a high volume transit corridor should vary depending on neighborhood context. While 1/4 to 1/2 mile is generally used across the country to define the walkable radius around each station, and therefore the area in which higher densities may accommodate growth without increased traffic congestion, applying a uniform radius is not appropriate in the District. The established character and scale of the neighborhood surrounding the station should be considered, as should factors such as topography, demographics, and the station's capacity to support new transit riders. Many stations abut historic or stable low density neighborhoods. Similarly, many of the city's priority transit corridors transition to single family homes or row houses just one-half block to less off the street itself." (§306.7)
- e) "To avoid adverse effects on low and moderate density neighborhoods, most transit-oriented development should be accommodated on commercially zoned land. Possible rezoning of such land in a manner that is consistent with the Future Land Use Map and related corridor plans should be considered. Current zoning already expresses a preference for the use of such land for housing by permitting more density for mixed use projects than for projects with commercial use alone." (§306.8)
- f) Policies
 - (1) Policy LU-1.3.1 Stations Areas as Neighborhood Centers

"Encourage the development of Metro stations as anchors for economic and civic development in locations that currently lack adequate neighborhood shopping opportunities and employment. The establishment and growth of mixed use centers at Metrorail stations should be supported as a way to reduce automobile congestion, improve air quality, increase jobs, provide a range of retail goods and services, provide civic gathering places, and capitalize on the development and public transportation opportunities which the stations provide. This policy should not be interpreted to outweigh other land use policies which call for neighborhood conservation. Each

Metro station is unique and must be treated as such in planning and development decisions." (§306.10)

(2) Policy LU-1.3.2 Development Around Metrorail Stations

"Concentrate redevelopment efforts on those Metrorail station areas which offer the greatest opportunities for infill development and growth, particularly stations in areas with weak market demand, or with large amounts of vacant or poorly utilized land in the vicinity of the station entrance. Ensure that development above and around such stations emphasizes land uses and building forms which minimize the necessity of automobile use and maximize transit ridership while reflecting the design capacity of each station and respecting the character and needs of the surrounding areas." (§306.11)

(3) Policy LU-1.3.4 Design to Encourage Transit Use

"Require architectural and site planning improvements around Metrorail stations that support pedestrian and bicycle access to the stations and enhance the safety, comfort and convenience of passengers walking to the station or transferring to and from local buses. These improvements should include lighting, signage, landscaping, and security measures. Discourage the development of station areas with conventional suburban building forms, such as shopping centers surrounded by surface parking lots." (§306.13)

(4) Policy LU-1.3.6 Parking Near Metro Stations

"Encourage the creative management of parking around transit stations, ensuring that automobile needs are balanced with transit, pedestrian, and bicycle travel needs. New parking should generally be set behind or underneath buildings and geared toward short-term users rather than all-day commuters." (§306.15)

(5) Policy LU-1.3.7 TOD Boundaries

"Tailor the reach of transit-oriented development (TOD) policies and associated development regulations to reflect the specific conditions at each Metrorail station and along each transit corridor. The presence of historic districts and conservation areas should be a significant consideration as these policies are applied." (§306.16)

- g) Policy LU-2.1.4: Rehabilitation Before Demolition: In redeveloping areas characterized by vacant, abandoned, and underutilized older buildings, generally encourage rehabilitation and adaptive reuse of existing buildings rather than demolition. 10 DCMR § 309.9.

D. Housing element

1. Overall goal

"Develop and maintain a safe, decent, and affordable supply of housing for all current and future residents of the District of Columbia." (§501.1)

2. Homes for an Inclusive City - Expanding Housing Supply

- a) "Expanding the housing supply is a key part of the District's vision to create successful neighborhoods. Along with improved transportation and shopping, better neighborhood schools and parks, preservation of historic resources, and improved design and identity, the production of housing is essential to the future of our neighborhoods. It is also a key to improving the city's fiscal health. The District will work to facilitate housing construction and rehabilitation through its planning, building, and housing programs, recognizing and responding to the needs of all segments of the community. The first step toward meeting this goal is to ensure that an adequate supply of appropriately zoned land is available to meet expected housing needs." (§503.1)

b) Policy H-1.1.1 Private Sector Support

"Encourage the private sector to provide new housing to meet the needs of present and future District residents at locations consistent with District land use policies and objectives." (§503.2)

c) Policy H-1.1.4 Mixed Use Development

"Promote mixed use development, including housing, on commercially zoned land, particularly in neighborhood commercial centers, along Main Street mixed use corridors, and around appropriate Metrorail stations." (§503.5)

d) Policy H-1.1.5 Housing Quality

"Require the design of affordable housing to meet the same high-quality architectural standards required of market-rate housing. Regardless of its affordability level, new or renovated housing should be indistinguishable from market rate housing in its exterior appearance and should address the need for open space and recreational amenities, and respect the design integrity of adjacent properties and the surrounding neighborhood. (§503.6)

e) Policy H-1.2.1: Affordable Housing Production as a Civic Priority

"Establish the production of housing for low and moderate income households as a major civic priority, to be supported through public programs that stimulate affordable housing production and rehabilitation throughout the city." (§504.8)

f) Policy H-1.2.3: Mixed Income Housing

"Focus investment strategies and affordable housing programs to distribute mixed income housing more equitably across the entire city, taking steps to avoid further concentration of poverty within areas of the city that already have substantial affordable housing." (§504.10)

g) Policy H-1.2.7: Density Bonuses for Affordable Housing

"Provide zoning incentives to developers proposing to build low- and moderate-income housing. Affordable housing shall be considered a public benefit for the purposes of granting density bonuses when new development is proposed. Density bonuses should be granted in historic districts only when the effect of such increased density does not significantly undermine the character of the neighborhood." (§504.14)

h) Policy H-1.3.2: Tenure Diversity

"Encourage the production of both renter-occupied and owner-occupied housing." (§505.7)

i) Policy H-4.2.2: Housing Choice for Seniors

"Provide a wide variety of affordable housing choices for the District's seniors, taking into account the income range and health care needs of this population. Recognize the coming growth in the senior population so that the production and rehabilitation of publicly-assisted senior housing becomes a major governmental priority." (§516.8)

E. Economic Development element

1. Overall goal

"Strengthen 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." (§701.1)

2. Policies and Actions – The Spatial Impacts of the Job Market

a) Policy ED-2.2.1 Expanding the Retail Sector

"Pursue 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." (§708.5)

b) Policy ED-2.2.3 Neighborhood Shopping

"Create additional shopping opportunities in Washington's neighborhood commercial districts to better meet the demand for basic goods and services. Reuse of vacant buildings in these districts should be encouraged, along with appropriately-scaled retail infill development on vacant and underutilized sites." (§708.7)

3. Policies and Actions - Supporting the Neighborhood Business Environment

Policy ED-3.1.1 Neighborhood Commercial Vitality

"Promote the vitality and diversity of Washington's neighborhood commercial areas by retaining existing businesses, attracting new businesses, and improving the mix of goods and services available to residents." (§713.5)

F. Urban Design element

1. Overall goal:
2. "Enhance 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." (§901.1)
3. Policy UD-1.1.2: Reinforcing the L'Enfant and McMillan Plans: Respect and reinforce the L'Enfant and McMillan Plans to maintain the District's unique, historic and grand character. This policy should be achieved through a variety of urban design measures, including appropriate building placement, view protection, enhancement of the L'Enfant Plan reservations (green spaces), limits on street and alley closings ..., and the siting of new monuments and memorials in locations of visual prominence. Restore as appropriate and where possible, previously closed streets and alleys, and obstructed vistas or viewsheds. (§903.7)

G. Historic Preservation element

1. Overall goal:
 - a) "Preserve and enhance the unique cultural heritage, beauty, and identity of the District of Columbia by respecting the historic physical form of the city and the enduring value of its historic structures and places, recognizing their importance to the citizens of the District and the nation, and sharing mutual responsibilities for their protection and stewardship" (§1001.1)
 - b) Policy HP-1.3.1: Designation of Historic Properties: Recognize and protect significant historic properties through official designation as historic landmarks and districts under both District and federal law, maintaining consistency between District and federal listings whenever possible. (§1005.2)
 - c) Policy HP-2.3.1: The Plan of the City of Washington: Preserve the defining features of the L'Enfant and McMillan plans for Washington. Work jointly with federal agencies to maintain the public squares, circles, and major reservations as landscaped open spaces that provide a means to experience the legacy of the city plan. Preserve the historic pattern of streets and associated minor reservations, and protect these historic rights-of-way from incompatible incursions and intrusions. (§1010.3)

- d) Policy HP-2.4.1: Rehabilitation of Historic Structures: Promote appropriate preservation of historic buildings through an effective design review process. Apply design guidelines without stifling creativity, and strive for an appropriate balance between restoration and adaptation suitable from the particular historic environment. (§1011.4)
- e) Policy HP-2.4.2: Adaptation of Historic Properties for Current Use: Maintain historic properties in their original use to the greatest extent possible. If this is no longer feasible, encourage appropriate adaptive uses consistent with the character of the property. (§1011.5)
- f) Policy HP-3.2.1: Preservation and Community Development: Promote historic preservation as a tool for economic and community development. (§1017.3)

H. Near Northwest Area element

1. Policy NNW-1.1.2: Directing Growth

"Generally direct growth within the Near Northwest Planning Area to the eastern side of the Planning Area (Logan Circle and Shaw), given the strong market demand and limited land available on the west side, and the need for reinvestment and renovation on the east side." (§2108.3)

2. Policy NNW-1.1.4 Neighborhood Commercial Revitalization

"Improve the neighborhood shopping areas along 7th, 9th, and 11th Streets NW. The success of the established businesses on these streets should be strongly encouraged, and new businesses that provide needed goods and services to area residents should be attracted." (§2108.5)

3. Policy NNW-2.1.1: Affordable Housing

"Protect existing affordable housing within the Shaw/ Convention Center area, and produce new affordable housing and market rate housing on underutilized sites. Use a range of tools to retain and develop affordable housing in the study area, including tenant organization and public education, inclusionary zoning, renewing project-based Section 8 contracts, tax abatements, public-private partnerships, and including affordable housing when development on publicly owned land includes a residential component." (§2111.5)

4. Policy NNW-2.1.2: Reinforce Existing Development Patterns

"Stabilize and maintain existing moderate-density row house areas within the Shaw/ Convention Center Area. Locate multi-unit buildings in areas already zoned for greater density, including areas near the Mount Vernon Square and Shaw/Howard University Metrorail stations, and on publicly owned land with the potential for housing. Ensure that development on infill sites scattered throughout the row house portions of the Shaw/ Convention Center area is consistent with the neighborhood's character." (§2111.6)

5. Policy NNW-2.1.3: Shaw/ Howard University and Mount Vernon Square Metro Stations

"Encourage mixed-income residential development with underground parking adjacent to the Shaw/Howard and Mount Vernon Square Metro stations, particularly on existing surface parking lots." (§2111.7)

6. Policy NNW-2.1.5: 7th and 9th Street Corridors

"Locate retail development within the Shaw/ Convention Center Area in a manner that best serves residents, creates the best environment for businesses to succeed, and uses land already zoned for commercial uses. Continuous ground floor retail uses should be encouraged along sections of 7th and 9th Streets as designated in the 2005 Strategic Development Plan to create a traditional pedestrian-oriented Main Street pattern and establish a unified identity for the community. These corridors should attract convention-goers, residents, and visitors, and should include both new and existing businesses." (§2111.9)

7. Action NNW-2.1-D: New Housing

"Provide incentives for mixed-income housing above retail space on 7th and 9th streets, and encourage development of multi-family apartments and condominiums on parcels that are vacant or that contain buildings identified as non-contributing to the Shaw Historic District on 11th Street." (§2111.16)

8. Action NNW-2.1-E: Retail Rezoning

Rezone the following parts of the Shaw/ Convention Center area to require ground floor retail in new development or in major rehabilitation projects:

- (a) 7th Street between Mount Vernon Square and M Street, and between O Street and Rhode Island Avenue;

...

(c) O Street between 7th and 9th Streets; (§2111.17)

9. Action NNW-2.1-F: O Street Market and Environs

"Support 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. Encourage NCRC to develop their properties on adjacent sites along O and P Streets with mixed use projects containing ground floor retail and upper story housing." (§2111.18)

X. Other Plans – Convention Center Area Strategic Development Plan

- A. Adopted by the Council in 2006
- B. O Street Market is the focal point for the retail corridor, connecting the commercial sections of 7th and 9th Streets.
- C. Allows for more intensive development
- D. Largest privately owned site in the Study Area with redevelopment potential
- E. Encourage a mixed use development
 - 1. Mixed income residential on 9th and P Streets
 - 2. Ground floor retail on 7th and O Streets
 - 3. Parking below grade
- F. Restore the 8th Street right-of-way
- G. Provide new loading facilities for Giant within the building envelope

XI. Compatibility with the area

- A. Uses: permitted under proposed zoning
- B. Heights generally consistent with area
- C. Restoration of existing historic market structure

XII. Conclusions

- A. Project is not inconsistent with the Comprehensive Plan

- B. Project is within the applicable height and bulk standards of the Zoning Regulations
- C. Project provides an appropriate balance between the development proposed, the flexibility requested and the benefits and amenities provided
- D. PUD allows the Zoning Commission to condition approval to what is specifically proposed, without allowing more density or uncontrolled development
- E. Project should be approved

