

MEMORANDUM

TO: District of Columbia Zoning Commission

FROM: Stephen Cochran, Project Manager
JLS
Jennifer Steingasser, Deputy Director, Development Review and Historic Preservation

DATE: July 14, 2017

SUBJECT: Preliminary Report on Zoning Commission Case No. 17-09, Consolidated Planned Unit Development and Related Map Amendment for 1501 Harry Thomas Way, N.E. (a.k.a. Eckington Park) Square 3581, Lot 15)

I. RECOMMENDATION

The Office of Planning (OP) recommends the Commission **set down** the application by FP Eckington Holdings LLC (the applicant) for a consolidated PUD with a PUD-related map amendment from PDR-2 and PDR-4 to MU-5-A, to construct a seven-story, 4.0 far, 81' 6" high mixed-use building with ~ 328 apartment dwelling units of which 4 would be artist live-work units, ground floor retail and the dedication of approximately 20,500 square feet of land (27% of the record lot) for the extension a planned public park south of the site. The project would be located on a 77,898-square foot site in southern Eckington, north of Florida Avenue and adjacent to tracks servicing CSX, Amtrak and Metrorail's red line.

The proposal is not inconsistent with the Comprehensive Plan and the filing generally meets the requirements of 11DCMR Subtitle X, Chapter 3. Additional information and clarifications are need from the applicant prior to holding a public hearing for this case. A full list of needed items is included in Section VII of this report. The most important include:

- Provide a more significant balance of the residential and PDR designation identified on the Comprehensive Plan's Generalized Future Land Use Map by enhancing or increasing PDR uses;
- Enhance or increase the affordable housing component;
- Clarify the control period for the 60% MFI artist live/work units;
- Clarify the exact amount to be donated to the NoMA Park foundation for the "South Park" and specify the expected purchases, outcomes and procedures;
- Clarify which party would be responsible for relocating the Metropolitan Branch Trail segment in the proposed "East Park" adjacent to the site;
- Enhance the architectural treatment of the four northern-most ground-floor bays on the east side of the building;

- Provide a Transportation Study including Transportation Demand Management (TDM) measures;
- Explain why neither First Source or CBE are being proffered.

II. AREA DESCRIPTION

Postal Address and Legal Address: 1501 Harry Thomas Way, NE; Square 3581, Lot 15

Ward, ANC Ward 5; ANC 5+

Comprehensive Plan Area: Mid-City Area Element

General Context:

The site in southern Eckington is bounded by R Street, Harry Thomas Way, the Metropolitan Branch Trail and rail lines, and a two-acre site to be developed as a park. It is the last large uncommitted site south of R Street in Eckington.

The location is part of the former Eckington Yards rail marshalling facilities, which has seen considerable mixed-use re-development since 1990 through both the Large Tract Review and PUD processes. The trend accelerated after the opening of the NoMA/Gallaudet U Metrorail station in 2005 (see Map), with PUDs including related map amendments enabling residential development on land that had been zoned for industrial uses.

A 50-foot high early 20th century brick warehouse is to the north, across R Street. Row-house and moderately-scaled apartment development prevails in the established Eckington neighborhood to the north and west. A 600-unit apartment development (ZC 05-23) is west of the site, across Harry Thomas Way. North-adjacent to this the Commission has approved development of a 692-unit residential/retail and maker-space project (ZC 15-15). The NoMA Parks Foundation has secured funds and approval to construct an approximately 2-acre park south-adjacent to the Applicant's site. A Pepco substation and the FedEx regional distribution center are south of the park site.

A similar pattern of re-development through PUDs with related map amendments and Large Tract Review is occurring to the south, at the intersection of New York and Florida Avenues (ZC 06-14) and to the east, across the tracks, at the Union Market.

III. SITE DESCRIPTION

Property Size: 77,898 sf

Current Zoning: PDR-2 (19% of site); PDR-4 (81% of site)

Site Characteristics: Vacant former industrial tract. Orthogonal property lines on 3 sides with fourth (east) boundary angling eastward from south to north. Generally level, with an 8-foot upward slope from southeast to northwest.

Existing Use of Property: Vacant

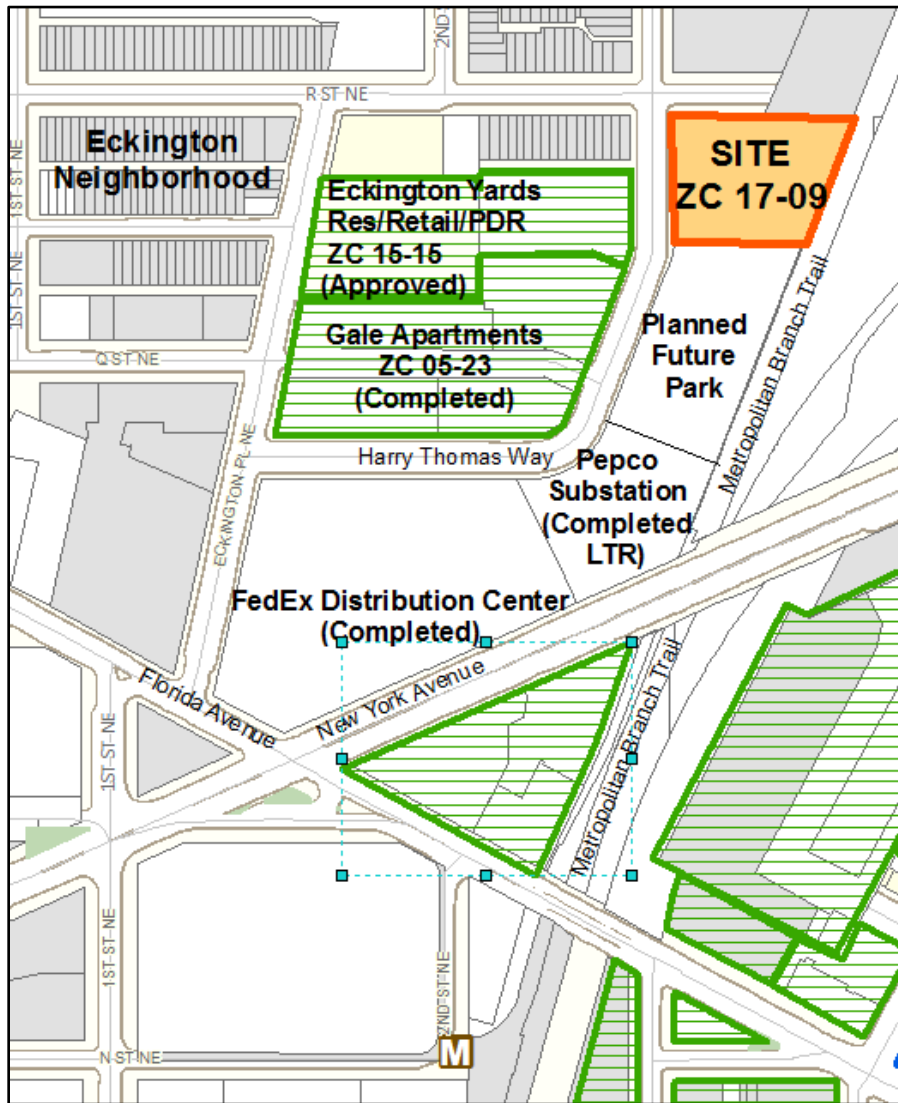


Figure 1. Site Location and Nearby Development

IV. PROJECT DESCRIPTION

Applicant: by FP Eckington Holdings LLC

Proposed Zoning: MU-5-A

Proposed Use of Property: Mixed use residential (including four artist live-work units), and ground floor retail.

Table 1. Project Summary

	Proposal
Building Height (ft.)	81 ft. 6 inches to roof 83 ft. including parapet
FAR:	Residential 3.8 Office 0 Retail 0.2 Other -- Total 4.0
GFA (sq. ft.)	Residential .312,398 sq..ft. Office n/a Retail 8,380 sq..ft. Other n/a Total 320,778 sq..ft.
Residential Units	~ 328

The proposed project would be a seven-story primarily residential building with fully-designed facades on all sides. The site boundaries are: Harry Thomas Way (west); R Street, (north); a planned 2-acre public park known as the NoMA Green (south); and an applicant-proposed 20,000 square foot “East Park” extension of that park (east) – including a re-alignment of the District’s Metropolitan Branch Trail (MBT) (Exhibit 3A2, Sheet A01).

The ground floor would contain retail space facing Harry Thomas Way, at the northwest and southwest corners of the building. The residential units on the ground level would be over 15 feet high (Exhibit 3A3, Sheet A07). Nine are proposed to be dedicated to artist live-work units, with four of the nine being reserved for . These and all other residential units would be double-loaded, with inner units facing a landscaped courtyard with a pool.

The main pedestrian entrance would be on Harry Thomas Way, with a secondary pedestrian entrance off of the park to the south. Accessed from R Street, near the northeastern corner of the building (Exhibit 3A2, Sheet A02) would be 124 vehicle underground parking spaces and 174 long-term bicycle spaces, as well as ground-level front-in/front-out loading with a 30-foot berth, a 100 square foot platform and a 20-foot service/delivery space. Another 30 short-term bicycle spaces would be located on the ground level at a too-be-determined location outside pf the building.

The design would incorporate nine façade types, each referencing a different period of 19th and 20th century industrial architecture (Illustrations, Exhibit 3A3 Sheets A10-A12 , and Exhibit 3A4 Sheets A13 – A18; Description, Exhibit 2, pages 6-8). There would be balconies on all sides of the building, and a communal terrace on the southeastern corner of the sixth floor. With the exception of two 12-foot high mechanical penthouses serving two elevator cores, the entire roof would be a green roof with only service access.

As required by the Inclusionary Zoning regulations, 8% of the gross residential area (19,945 square feet¹) would be devoted to approximately 20 - 22 units reserved for households earning no more than 60% of the area's median family income (MFI). 10 of these IZ units would contain two-bedrooms.

The principal project proffers are:

- The dedication of 20,000 square feet of land for the proposed “East Park”;
- Donation of up to \$350,000 for improvements to the planned South Park;
- The reservation, for an unspecified time period, of four of the ten artist live-work space for households earning no more than 60% of the MFI;
- A full discussion of other proffers and uses of special value to the neighborhood and the District can be found in Section VII of this report.

V. PLANNING CONTEXT

As described in its Introduction, the Comprehensive Plan is the centerpiece of a “Family of Plans” that guide public policy in the District. The Introduction goes on to note three “Tiers” of Planning (Chapter 1 Introduction, Section 104) including:

- a. Citywide policies
- b. Ward-level policies
- c. Small area policies.

The Generalized Future Land Use and Generalized Policy Maps are integral with the written elements.

A. SUMMARY OF PLANNING CONTEXT ANALYSIS

The proposed project is not inconsistent with the Comprehensive Plan's Generalized Policy Map or with the Generalized Future Land Use Map (FLUM). However, the application's consistency with the FLUM could be strengthened by dedicating a percentage of the proposed retail space to PDR-type uses, such as maker-spaces and dedicating the proposed artist live-work units for the life of the project.

The project would not be as dense or as tall as what could be built by-right on the site. The principal reason for seeking a PUD is to be able to build housing units. Unfortunately, while the design, and the proffered contribution of land and funds for the MBT and the park are significantly above-average, the amount of permanently dedicated affordable housing may not be. If the application is set down the applicant will need to address concerns about the overall benefits and amenities and the average contribution to affordable housing.

OP notes that another 2% of the units would be reserved for artists earning no more than 60% of the AMI, but, without more details about the length of the dedication and the process for selecting artist-renters, OP is not yet able to evaluate this proffer for its relationship to the planning context.

¹ The 8% is calculate on a total residential square footage minus a 17% core factor.

B. COMPREHENSIVE PLAN MAPS

As described in the Guidelines for Using the Generalized Policy Map and the Future Land Use Map (Chapter 2 Framework Element, Section 226,) the maps are intended to provide generalized guidelines for development decisions. They are to be interpreted broadly and are not parcel-specific like zoning maps; i.e. the maps, in and of themselves, do not establish detailed requirements or permissions for a development's physical characteristics including building massing or density; uses; or support systems such as parking and loading. They are to be interpreted in conjunction with relevant written goals, policies and action items in the Comprehensive Plan text, and further balanced against policies or objectives contained in relevant Small Area Plans and other citywide or area plans.

Generalized Future Land Use Map (FLUM)

The Future Land Use Map (FLUM) indicates that the site is appropriate for a mix of medium density residential use and production / distribution / repair (PDR) uses. The project would be not-inconsistent with the residential stripe. The commitment to PDR uses, on balance, appears to be sufficient for setdown but OP is continuing discussion with the applicant to strengthen the type and amount of the project's PDR uses.

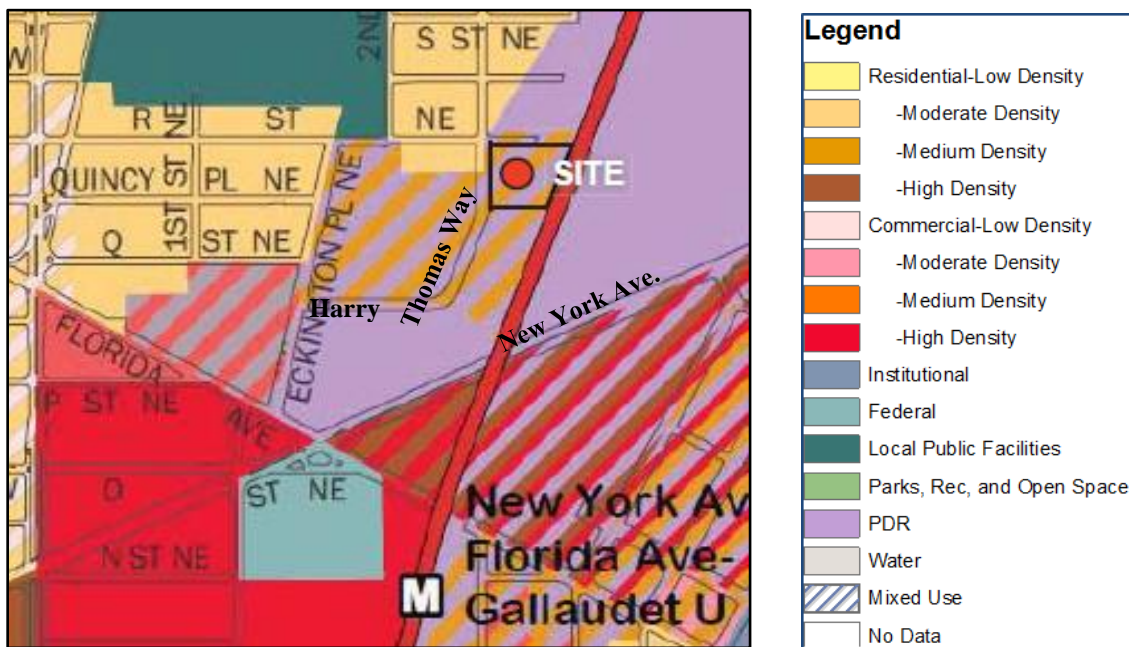


Figure 2. Comprehensive Plan Generalized Future Land Use Map

Medium Density Residential Category: *This category defines 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. This designation also may apply to taller residential buildings surrounded by large areas of permanent open space.*

The proposed 4.0 FAR, seven-story, 81'6"-foot height would be well within what is typically considered appropriate for medium density residential land uses, particularly for PUDs.

Production/Distribution and Repair (PDR) Category: *This category defines 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. This category is also used to denote railroad rights-of-way, switching and maintenance yards, bus garages, and similar uses related to the movement of freight, such as truck terminals.*

The applicant is proposing 10 units of double-height live/work space for artists, with 4 of those being reserved for artists earning no more than 60% of the MFI. This type of maker-space is typically considered not inconsistent with the PDR category. OP is working with the applicant to increase the amount and types of maker-spaces within the proposed project.

Mixed Use Categories: *The Future Land Use Map indicates areas where the mixing of two or more land uses is encouraged. The particular combination of uses desired in a given area is depicted in striped patterns, with stripe colors corresponding to the categories defined on the previous pages. The Mixed-Use category generally applies in the following three circumstances:*

- a. Established, pedestrian-oriented commercial areas which also include substantial amounts of housing, typically on the upper stories of buildings with ground floor retail or office uses;*
- b. Commercial corridors or districts which may not contain substantial amounts of housing today, but where more housing is desired in the future. The pattern envisioned for such areas is typically one of pedestrian-oriented streets, with ground floor retail or office uses and upper story housing; and*
- c. Large sites (generally greater than 10 acres in size), where opportunities for multiple uses exist but a plan dictating the precise location of these uses has yet to be prepared. 225.18*

The general density and intensity of development within a given Mixed Use area is determined by the specific mix of uses shown. If the desired outcome is to emphasize one use over the other (for example, ground floor retail with three stories of housing above), the Future Land Use Map may note the dominant use by showing it at a slightly higher density than the other use in the mix ... 225.19

A variety of zoning designations are used in Mixed Use areas, depending on the combination of uses, densities, and intensities. ... 225.21

While the PUD proposes a mixed-use building, additional attention should be paid to the PDR designation.

Generalized Policy Map

The Generalized Policy Map designates the southern two-thirds of the site as a Land Use Change area where the creation or enhancement of neighborhoods is encouraged. The proposed development of the vacant site is not inconsistent with that designation. The northern third, adjacent to R Street, NE, is designated as a Neighborhood Conservation Area. The nearby area has moderate-density residential uses to the north and west, and PDR uses to the northeast, east and southeast. If the application is set down, OP will continue working with the applicant on the enhancement or expansion of proposed PDR uses.

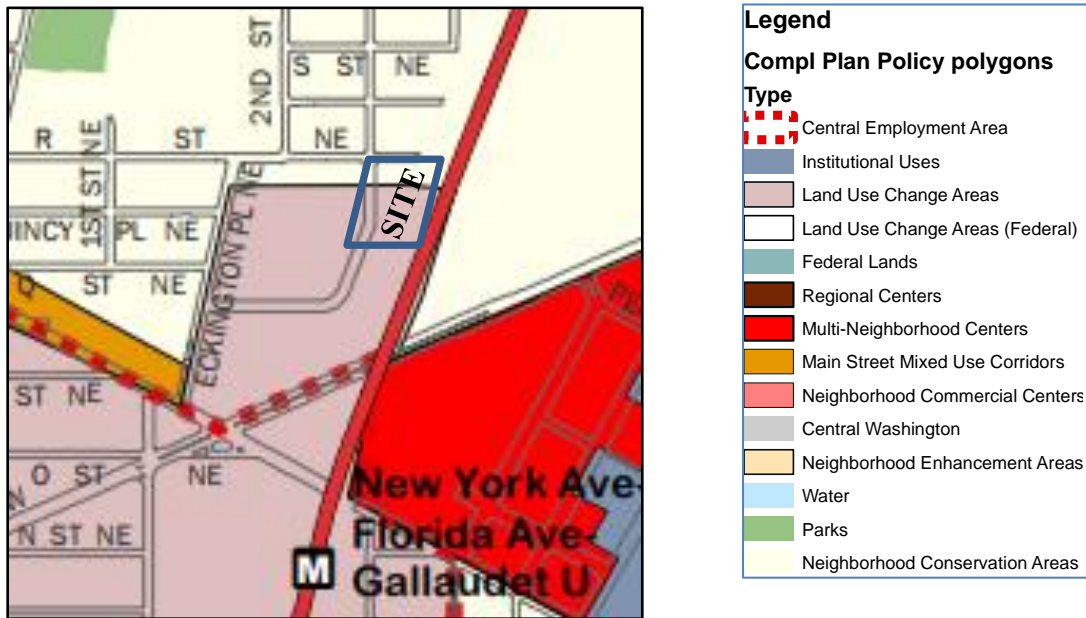


Figure 3. Comprehensive Plan Generalized Policy Map

Land Use Change Area Category: *These are areas where change to a different land use is anticipated. The guiding philosophy in the Land Use Change Areas is to encourage and facilitate new development and to promote the adaptive reuse of existing structures. Many of these areas have the capacity to become mixed-use communities containing housing, retail shops, services, workplaces, parks and civic facilities. The Comprehensive Plan’s Area Elements provide additional policies to guide development within the Land Use Change Areas, including the desired mix of uses in each area. Land Use Change Areas include: ...NoMA/New York Avenue Metro... As Land Use Change Areas are redeveloped, the District aspires to create high quality environments that include exemplary site and architectural design and that are compatible with and do not negatively impact nearby neighborhoods. Programs to avoid and mitigate any undesirable impacts of development of the Land Use Change Areas upon adjacent neighborhoods should be required as necessary.*

Neighborhood Conservation Areas Category: *These are areas with 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 site infill housing, public facilities, and institutional uses. Major changes in density are not expected but some new development and reuse opportunities are anticipated. Neighborhood Conservation areas that are designated for Production, Distribution & Repair uses on the Future Land Use Map are expected to be retained with the mix of industrial, office and retail uses they have historically provided.*

The guiding philosophy in Neighborhood Conservation Areas is to conserve and enhance established neighborhoods. Limited development and redevelopment opportunities do exist within these areas but they are small in scale. The diversity of land uses and building types in these areas should be

maintained and new development and alterations should be compatible with the existing scale and architectural character of each area. Densities in Neighborhood Conservation Areas are guided by the Future Land Use Map.

The proposed development is on a vacant site with a proposed density within a range typically associated with the medium density designation on the Future Land Use Map. The uses of the Metrorail-proximate project would conserve the existing mix of residential and PDR uses in Eckington neighborhood but additional attention should be paid to the PDR designation and OP encourages the applicant to provide additional enhancement or expansion of proposed PDR uses. .

C. COMPREHENSIVE PLAN WRITTEN ELEMENTS

Mid-City Area Elements of the Comprehensive Plan

The proposed development is located at the southeastern corner of the area covered by the Mid-City Area Element of the Comprehensive Plan. The element establishes policies for the 3.1 square miles between the CSX/Amtrak/Metrorail Red line tracks on the east and Connecticut Avenue on the west, north-adjacent to the Central Area Element's boundaries. The proposal would particularly further the following Area Element statements and policy objectives:

Policy MC-1.1.2: Directing Growth

*Stimulate high-quality transit-oriented development around the Columbia Heights, Shaw/Howard University, and U St./African American Civil War Memorial/Cardozo Metrorail station areas, as well as along the Georgia Avenue corridor and **the North Capitol Street/Florida Avenue business district**. Opportunities for new mixed income housing, neighborhood retail, local-serving offices, and community services should be supported in these areas, as shown on the Comprehensive Plan Policy Map and Future Land Use Map. 2008.3 (emphasis added)*

Policy MC-1.1.3: Infill and Rehabilitation

*Encourage redevelopment of vacant lots and the rehabilitation of abandoned structures within the community, particularly along Georgia Avenue, Florida Avenue, 11th Street, and North Capitol Street, and in the Shaw, Bloomingdale, and **Eckington communities**. Infill development should be compatible in scale and character with adjacent uses. 2008.4 (emphasis added).*

Policy MC-1.1.4: Local Services and Small Businesses

Protect the small businesses and essential local services that serve Mid-City. Encourage the establishment of new businesses that provide these services in areas where they are lacking, especially on the east side of the Planning Area. 2008.5

The PUD would further the three above policies by providing additional services and retail near the intersection of North Capitol and Florida Avenues, by infilling a long-vacant site with additional residential units and neighborhood-serving retail uses in Eckington at a scale and of a character compatible with the existing PDR-oriented buildings as well as the newer primarily residential developments.

Policy MC-1.1.8: Traffic and Parking Management: *Improve traffic circulation along major Mid-City arterial streets, with a priority on 14th Street, Georgia Avenue, U Street, 18th Street, Columbia*

Road, and Connecticut Avenue. Implement programs in these areas to improve bus circulation, improve pedestrian and bicyclist safety and ease of travel, and mitigate the effects of increased traffic on residential streets. Consistent with the Transportation Element of the Comprehensive Plan, provide alternatives to automobile use—including improved transit and innovative personal transportation options—for existing and new residents to reduce the necessity of auto ownership, particularly where parking and traffic problems exist. 2008.9

Nearby New York and Florida Avenues, and North Capitol Street, are major mid-city arterial streets. The proposed development's improvements to the Metropolitan Branch Trail's pedestrian and bicycle connections to the Red Line Metro station would likely encourage the use of transit and discourage the regular use of private automobiles.

***Policy MC-1.2.4: New Parks:** Explore the possibility for new neighborhood parks within the Mid-City area, particularly in the area around the proposed Howard Town Center, and on the McMillan Reservoir site. Additionally, pocket parks and plazas such as those planned for the Columbia Heights Metro station area should be encouraged elsewhere in the Planning Area, particularly near higher density development. The dearth of parks in the Mid-City area is a serious problem that must be addressed as its population grows—all recreation areas must be retained and new recreation areas must be provided wherever possible. 2009.4*

The proposed \$350,000 contribution to the NoMA Parks Foundation would significantly enhance the quality of the planned 2-acre park located south-adjacent to the PUD site. The dedication of almost one-half acre of land on the eastern side of the site to the expansion of the planned park on the south would, at a total of approximately 2.5 acres, make for one of the most significant parks on the eastern side of Mid-City and would be proximate to a rapidly developing area of downtown.

Citywide Elements of the Comprehensive Plan

The proposed development is not inconsistent with the following policies of the Citywide Elements of the Comprehensive Plan:

Chapter 3 Land Use

The Land Use Chapter provides the general policy guidance on land use issues across the District.

The PUD would be one of several proposed developments in the area that would address gaps in the urban fabric (§ 307.5) by developing long-vacant sites, consistent with the following policies:

LU-1.3 Transit-Oriented and Corridor Development

***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

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*

The proposed development would be on a 1.75-acre vacant site within ½ mile of the New York/Florida Avenue/Gallaudet University Metrorail Station. For pedestrians and cyclists, there would be a direct connection to that station via the MBT, without need for crossing streets. The project would include enhancements to that trail's alignment and immediate surroundings. More than the required amount of long-term and short-term bicycle parking would be provided. The applicant is in conversation with the NoMA Parks Foundation about detailed PUD proffers that may include a contribution to the installation of a Capital Bikeshare station in the south-adjacent park.

LU-1.4 Neighborhood Infill Development

LU-2 Creating and Maintaining Successful Neighborhoods

LU-2.2 Maintaining Community Standards

Policy LU-1.4.1: Infill Development: *Encourage 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. Such development should complement the established character of the area and should not create sharp changes in the physical development pattern. 307.5 (Ch.3-23).*

Policy LU-1.4.2: Long-Term Vacant Sites: *Facilitate the reuse of vacant lots that have historically been difficult to develop due to infrastructure or access problems, inadequate lot dimensions, fragmented or absentee ownership, or other constraints. Explore lot consolidation, acquisition, and other measures which would address these constraints. 307.6 (Ch. 3-23).*

Policy LU-2.1.3: Conserving, Enhancing, and Revitalizing Neighborhoods: *Recognize the importance of balancing goals to increase the housing supply and expand neighborhood commerce with parallel goals to protect neighborhood character, preserve historic resources, and restore the environment. The overarching goal to "create successful neighborhoods" in all parts of the city requires an emphasis on conservation in some neighborhoods and revitalization in others. 309.8*

Policy LU-2.2.4: Neighborhood Beautification: *Encourage projects which improve the visual quality of the District's neighborhoods, including landscaping and tree planting, facade improvement, anti-litter campaigns, graffiti removal, improvement or removal of abandoned buildings, street and sidewalk repair, and park improvements. 310.5*

The site has been vacant since railroad marshalling yards were removed in the last quarter of the 20th century. Since then, new development has been constructed or approved on all other former marshalling yard sites south of R Street, N.E. and there has been a resurgence of rehabilitation and redevelopment

throughout the Eckington neighborhood to the north. The proposed PUD would fill-in the remaining gap and provide a continuous and appropriate gradation of development from the high-density commercial and residential development in NoMA, to the medium-scale residential and PDR development in the Capital Commerce Center, to the moderate density residential development in Eckington. The proposed public space improvements and landscaping would help to further integrate the site into the character of the neighborhood.

LU-3 Balancing Competing Demands For Land

***Policy LU-3.1.1: Conservation of Industrial Land:** Recognize the importance of industrial land to the economy of the District of Columbia, specifically its ability to support public works functions, and accommodate production, distribution, and repair (PDR) activities. Ensure that zoning regulations and land use decisions protect active and viable PDR land uses, while allowing compatible office and retail uses and development under standards established within CM- and M- zoning. Economic development programs should work to retain and permit such uses in the future. 314.7*

***Policy LU-3.1.5: Mitigating Industrial Land Use Impacts:** Mitigate 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. 314.11*

As filed, the proposal would devote ten of the ground-floor residential units to live-work space for artists, with four being reserved for artists earning no more than 60% of the MFI. This would provide for a very modest mix of PDR-type uses within what is otherwise a residential and retail development While the proposed mix of uses is sufficient for setdown OP strongly encourages the applicant to enhance and expand the PDR-oriented uses proposed for the development. This might include more artist live-work space or the inclusion of maker-space within the retail uses. OP recognizes the challenges the applicant may face in achieving this, given the mix of uses already required by ZC Order 15-15 for the approved PUD directly across Harry Thomas Way from the applicant's site. OP would work with the applicant after project-setdown to address this.

Chapter 4 Transportation

The Transportation Element provides policies and actions to maintain and improve the District's transportation system and enhance the travel choices of current and future residents, visitors and workers.

T-1.1 Land Use—Transportation Coordination

T-2.3 Bicycle Access, Facilities, and Safety

T-2.4 Pedestrian Access, Facilities, and Safety

***Policy T-1.1.4: Transit-Oriented Development:** Support transit-oriented development by investing in pedestrian-oriented transportation improvements at or around transit stations, major bus corridors, and transfer points. 403.10*

Policy T-2.3.1: Better Integration of Bicycle and Pedestrian Planning: Integrate bicycle and pedestrian planning and safety considerations more fully into the planning and design of District roads, transit facilities, public buildings, and parks. 409.8

Policy T-2.3.2: Bicycle Network: Provide and maintain a safe, direct, and comprehensive bicycle network connecting neighborhoods, employment locations, public facilities, transit stations, parks and other key destinations. Eliminate system gaps to provide continuous bicycle facilities. Increase dedicated bike-use infrastructure, such as bike-sharing programs like Capital Bikeshare, and identify bike boulevards or bike-only rights of way. 409.9

Policy T-2.4.1: Pedestrian Network: Develop, maintain, and improve pedestrian facilities. Improve the city's sidewalk system to form a network that links residents across the city. 410.5

Policy T-2.4.2: Pedestrian Safety: Improve safety and security at key pedestrian nodes throughout the city. Use a variety of techniques to improve pedestrian safety, including textured or clearly marked and raised pedestrian crossings, pedestrian-actuated signal push buttons, and pedestrian count-down signals. 410.6

The PUD is designed to provide a broad range of transportation choices for the project's residents and workers through the provision of more than the required amount of off-street parking for vehicles and bicycles, and improvements to the pedestrian and bicycle trail network connecting to the NoMA / Gallaudet U Metro station. The dedication of land on the east side of the building for the re-alignment of the MBT would enhance safety for bicyclists by correcting the deficient geometry of the 90 degree turn at R Street, NE. The design of the eastern side of the building may also enhance trail-user's safety by having ground-level windows that would place more "eyes on the trail". The introduction of new sidewalks and the reconstruction of others would also enhance pedestrian safety

T-3.1 Transportation Demand Management

Policy T-1.1.2: Land Use Impact Assessment: Assess the transportation impacts of development projects using multimodal standards rather than traditional vehicle standards to more accurately measure and more effectively mitigate development impacts on the transportation network. Environmental and climate change impacts, including that of carbon dioxide, should be included in the assessment to land use impacts. 403.8

Policy T-3.1.1: Transportation Demand Management (TDM) Programs: Provide, support, and promote programs and strategies aimed at reducing the number of car trips and miles driven (for work and non-work purposes) to increase the efficiency of the transportation system. 414.8

Action T-3.2.D: Unbundle Parking Cost: Find ways to "unbundle" the cost of parking from residential units, allowing those purchasing or renting property to opt out of buying or renting parking spaces. "Unbundling" should be required for District-owned or subsidized development, and the amount of parking in such development should not exceed that required by Zoning. Further measures to reduce housing costs associated with off-street parking requirements, including waived or reduced parking requirements in the vicinity of Metrorail stations and along major transit corridors, should be pursued during the revision of the Zoning Regulations. These efforts should be

coupled with programs to better manage residential street parking in neighborhoods of high parking demand, including adjustments to the costs of residential parking permits.

The applicant is working with the District Department of Transportation (DDOT) to address these policies and would be undertaking a full transportation study with TDM proposals after setdown.

Chapter 5 Housing

The Housing Element describes the importance of housing to neighborhood quality in the District of Columbia and the importance of providing housing opportunities for all segments of our population.

H-1 Homes for an Inclusive City

H-1.2 Ensuring Housing Affordability

H-1.1 Expanding Housing Supply: *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 The overarching goal for housing is: Develop and maintain a safe, decent, and affordable supply of housing for all current and future residents of the District of Columbia. 503*

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*

Policy H-1.1.3: Balanced Growth: *Strongly encourage the development of new housing on surplus, vacant and underutilized land in all parts of the city. Ensure that a sufficient supply of land is planned and zoned to enable the city to meet its long-term housing needs, including the need for low- and moderate-density single family homes as well as the need for higher-density housing. 503.4*

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*

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*

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. 504.8*

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

The PUD would produce approximately 328 new residential units. Of these, 8% would meet IZ requirement, with several two-bedroom units. An additional 2% has been proffered as affordable live-work space for artists for an unspecified time. While sufficient for setdown, OP strongly encourages the applicant to increase the project's affordable housing percentage to at least 12% of the residential total and to make more of the units affordable to households earning no more than 60% of the MFI.

Chapter 6 Environmental Protection

The Environmental Protection Element addresses the protection, restoration, and management of the District's land, air, water, energy, and biologic resources.

E-1 Protecting Natural and Green Areas

E-2 Conserving Natural Resources

E-3 Promoting Environmental Sustainability

Policy E-1.1.1: Street Tree Planting and Maintenance: Plant and maintain street trees in all parts of the city, particularly in areas where existing tree cover has been reduced over the last 30 years. Recognize the importance of trees in providing shade, reducing energy costs, improving air and water quality, providing urban habitat, absorbing noise, and creating economic and aesthetic value in the District's neighborhoods. 603.4

Policy E-1.1.3: Landscaping: Encourage the use of landscaping to beautify the city, enhance streets and public spaces, reduce stormwater runoff, and create a stronger sense of character and identity. 603.6

Policy E-1.3.1: Preventing Erosion: Ensure that public and private construction activities do not result in soil erosion or the creation of unstable soil conditions. Support the use of retaining walls and other "best management practices" that reduce erosion hazards. Erosion requirements should be implemented through building permit and plan reviews, and enforced through the permitting and regulatory processes. 605.2

Policy E-1.3.3: Reducing Sedimentation: Prevent sedimentation of rivers and streams by implementing comprehensive stormwater management measures, including regular maintenance of storm drains and catch basins and the use of sedimentation ponds where appropriate. 605.4

Policy E-2.1.1: Promoting Water Conservation: Promote the efficient use of existing water supplies through a variety of water conservation measures, including the use of plumbing fixtures designed for water efficiency, drought-tolerant landscaping, and irrigation systems designed to conserve water. 609.3

Policy E-2.2.3: Reducing Home Heating and Cooling Costs: Encourage the use of energy-efficient systems and methods for home insulation, heating, and cooling, both to conserve natural resources and also to reduce energy costs for those members of the community who are least able to afford them. 610.5

Policy E-2.2.5: Energy Efficient Building and Site Planning: Include provisions for energy efficiency and for the use of alternative energy sources in the District's planning, zoning, and building standards. The planning and design of new development should contribute to energy efficiency goals. 610.7

Policy E-3.1.1: Maximizing Permeable Surfaces: Encourage the use of permeable materials for parking lots, driveways, walkways, and other paved surfaces as a way to absorb stormwater and reduce urban runoff. 613.

Policy E-3.1.2: Using Landscaping and Green Roofs to Reduce Runoff: Promote an increase in tree planting and landscaping to reduce stormwater runoff, including the expanded use of green roofs in new construction and adaptive reuse, and the application of tree and landscaping standards for parking lots and other large paved surfaces. 613.3

Policy E-3.2.1: Support for Green Building: Encourage the use of green building methods in new construction and rehabilitation projects, and develop green building methods for operation and maintenance activities. 614.2

The project would have 3,640 square feet of green roof and no surface parking. Its dedication of 20,500 square feet of land to future parkland would preserve permeable surfaces. The proposed environmental practices (Exhibit 3A1, Sheet G 12) would enable it to qualify for LEED-NC Silver. After setdown, the Department of Energy and Environment (DOEE) would work with the applicant to explore the feasibility of measures that could enable the project to achieve LEED Gold.

Environmental Protection Element: Consistency Issues Needing Additional Consideration

Although the project would further the overall goals and policies of the Environmental Element, it would not necessarily further the following specific policies:

Policy E-3.4.3: Environmental Assessments: Ensure full and meaningful compliance with the District of Columbia Environmental Policy Act of 1989, effective October 18, 1989 (D.C. Law 8-36; D.C. Official Code § 8-109.01 et seq.), including the use of procedures to assess the environmental impacts of major development projects comparable to the regulations developed by the Council on Environmental Quality for the National Environmental Policy Act of 1969, approved January 1, 1970 (83 Stat. 852; 42 U.S.C. 4321 et seq.). The environmental review should include all pertinent information about the effects of the project on the human environment, including information about existing conditions, projected impacts, and mitigation measures. Carbon dioxide and other greenhouse gas (GHG) emissions impacts should be included in the environmental impact assessments. The process should ensure that such information is available when a development is proposed and is available to the public and decision makers before any decision is made. 616.5

If the application is set down for a hearing, OP will refer the application to the District Department of Energy and Environment to ensure the project's compliance with the District's environmental standards.

Chapter 7 Economic Development

The Economic Development Element addresses the future of the District's economy and the creation of economic opportunity for current and future District residents.

ED-1 Defining Our Economic Future

ED-1.3 Creating a Knowledge Economy

ED-2.2 The Retail Economy:

ED-3.1 Strengthening Neighborhood Commercial Center

ED-2.5 The Production, Distribution, and Repair Economy

***Policy ED-1.1.3: Diversification:** Diversify the District's economy by targeting industries with the greatest potential for growth, particularly technology-based and creative industries, retail, international business, and the building trades. 703.11*

***Policy ED-1.3.3: Media and Design:** Capitalize on the success of established broadcast media and design companies by continuing to grow these industries, and by growing related industries such as web design and multimedia content*

***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. Promote the creation of locally-owned, non-chain establishments because of their role in creating unique shopping experiences. 708.7*

***Policy ED-2.5.1: Industrial Land Retention:** Retain an adequate supply of industrially zoned land in order to accommodate the production, warehousing, distribution, light industrial, and research and development activities which sustain the local economy, support municipal services, and provide good employment opportunities for District residents.*

***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*

The project would provide approximately 8,300 square feet of retail space oriented to neighborhood-serving needs for Eckington. It would reserve 10 units of artist live-work space, which would likely assist the retention and growth of creative work-sector jobs and housing, thereby contributing to the PDR economy. OP encourages the applicant to consider developing an outreach program, to be submitted prior to a public hearing, for encouraging the presence of locally-owned or locally-run businesses in the retail square footage and local artists in the live-work space.

Chapter 8 Parks Recreation and Open Space

The Parks, Recreation and Open Space Element addresses the future of parks, recreation, and open space in the District of Columbia. It recognizes the important role parks play in recreation, aesthetics, neighborhood character, and environmental quality.

PROS-1.2 Closing the Gaps

PROS-1.4 Meeting the Needs of a Growing City

***Policy PROS-1.2.1: Closing the Gaps** Achieve a better distribution of parks in all neighborhoods of the city. This will require a priority on improving or expanding parks in: (a) more densely populated neighborhoods with limited open space; (b) areas that are more than ½ mile from a neighborhood or community park (or a federal park that serves an equivalent function); (c) areas where substantial new housing growth is expected, based on the forecasts of the Comprehensive Plan; and (d) areas where the existing recreation centers and parks are in poor condition. 805.5*

***Policy PROS-1.2.2: Improving Access:** Improve access to the Major Park and open space areas within the city through pedestrian safety and street crossing improvements, bike lanes and storage areas, and adjustments to bus routes.*

***Policy PROS-1.2.3: Responding To Community Change:** Update and improve existing parks in response to changing demographics, cultural norms, and community needs and preferences. Parks should reflect the identity and needs of the communities they serve. 805.7*

***Policy PROS-1.4.1: Park Acquisition:** Acquire and improve additional parkland to meet the recreational needs of existing and future residents. This should occur both through the expansion of existing parks, and the development of new parks. 807.4*

The proposed dedication of approximately 20,500 square feet of private land for an extension of the planned public park south of the applicant's site would greatly enhance the open space and recreational opportunities available to residents of Eckington and NoMA.

Chapter 9 Urban Design

The Urban Design Element addresses the District's physical design and visual qualities.

UD-2.2 Designing for Successful Neighborhoods

***Policy UD-2.2.2: Areas of Strong Architectural Character:** Preserve the architectural continuity and design integrity of historic districts and other areas of strong architectural character. New development within such areas does not need to replicate prevailing architectural styles exactly but should be complementary in form, height, and bulk (see Figure 9.10). 910.7*

***Policy UD-2.2.5: Creating Attractive Facades:** Create visual interest through well-designed building facades, storefront windows, and attractive signage and lighting. Avoid monolithic or box-like building forms, or long blank walls which detract from the human quality of the street. 910.12*

Policy UD-2.2.7: Infill Development *Regardless of neighborhood identity, avoid overpowering contrasts of scale, height and density as infill development occurs. 910.15*

The proposed design is consistent with “new urbanism” principles. It creates strong street frontages and mixes several industrially-referenced façade designs into a coherent whole. The design and scale is consistent with the 20th century warehouses nearby. The building would look like it could have been part of Eckington for several decades, had the site been devoted to an industrial building, rather than to a rail yard.

UD-3.1 Urban Design Hits the Street

Policy UD-3.1.1: Improving Streetscape Design: *Improve the appearance and identity of the District’s streets through the design of street lights, paved surfaces, landscaped areas, bus shelters, street “furniture”, and adjacent building facades. 913.8*

Policy UD-3.1.2: Management of Sidewalk Space: *Preserve the characteristically wide sidewalks of Washington’s commercial districts. Sidewalk space should be managed in a way that promotes pedestrian safety, efficiency, comfort, and provides adequate space for tree boxes. Sidewalks should enhance the visual character of streets, with landscaping and buffer planting used to reduce the impacts of vehicle traffic. 913.9*

Policy UD-3.1.8: Neighborhood Public Space: *Provide urban squares, public plazas, and similar areas that stimulate vibrant pedestrian street life and provide a focus for community activities. Encourage the “activation” of such spaces through the design of adjacent structures; for example, through the location of shop*

Policy UD-3.1.11: Private Sector Streetscape Improvements: *As appropriate and necessary, require streetscape improvements by the private sector in conjunction with development or renovation of adjacent properties. 913.18*

Apart from the proposed vaults in public space along R Street, the proposed treatment of the adjacent streetscape (Exhibit 3A5, Sheets: L01, L02) appears to be heading towards consistency with District public space standards. Sidewalks would be rebuilt; street trees would be added and DDOT’s green infrastructure standards would be met.

The applicant has specified that the land-dedication to the east of the building would be limited to the following uses: a realignment of the MBT; a dog park; and related open space. It is not yet clear who would be the responsible party for the construction and maintenance of these elements.

UD-3.2 Balancing Security and Civic Life

Policy UD-3.2.5: Reducing Crime Through Design *Ensure that the design of the built environment minimizes the potential for criminal activity. Examples of preventive measures include adequate lighting, maintaining clear lines of sight and visual access, and avoiding dead-end streets. 914.10*

The southern façade, which faces the planned public park, has windows serving both retail and residential space facing the park, as well as a secondary building lobby. The eastern façade has residential windows on all floors facing the MBT and the open space that would be dedicated by the applicant.

Chapter 14 Arts and Culture

The Arts and Culture Element provides policies and actions dedicated to the preservation and promotion of the arts in the District.

AC-1 Creating and Enhancing Arts and Cultural Facilities

***Policy AC-1.1.2: Development of New Cultural Facilities** Develop new neighborhood cultural facilities across the District, providing affordable space for grass roots and community arts organizations. Provide technical and financial assistance to organizations to help plan and build such facilities. 1403.3*

***Policy AC-1.1.3: Distribution of Facilities** Promote improved geographic distribution of arts and cultural facilities, including development of arts facilities and venues east of the Anacostia River and in other parts of the city where they are in short supply today. 1403.4*

***Policy AC-1.1.6: Performance and Events in Non-Traditional Settings** Encourage the provision of spaces for performances and art events in neighborhood parks, community centers, schools, transit stations, residential developments and public areas in private development. This can help reach new audiences and increase access to the arts for people in all parts of the city. 1403.7*

The applicant is reserving 10 residential units for artists' live-work space, with 4 of those units being reserved for households earning no more than 60% of the MFI. The applicant has also suggested that a portion of the \$350,000 to be donated to the park would be used for an amphitheater or other performance-type spaces.

AC-3.1 Housing for the Creative Workforce

***Policy AC-3.1.1: Affordable Artist Housing:** Include provisions for arts professionals in the District's affordable housing programs. 1409.4*

***Policy AC-3.1.2: Live-Work Spaces:** Ensure that the District's zoning and land use regulations support the development of live-work space for artists in a variety of settings around the city. 1409.5*

There would be 10 units of artist live-work space.

VI. ZONING ANALYSIS

The site is currently zoned PDR-2 and PDR-4; the applicant is requesting a PUD-related zoning map amendment to the MU-5-A zone, which is not inconsistent with the Comprehensive Plan, including the FLUM designation of medium-density residential and PDR. Below is a table comparing the existing and proposed zone to the proposal:

Table 2. Zoning Analysis

77,898 SF site	Existing Zone (19%) PDR-2	Existing Zone (81%) PDR-4	Proposed Zone MU-5-A PUD:	Proposal	Difference from MOR	Flexibility
Height (ft.)	60 ft. <i>J §203</i>	90 ft. <i>J § 203</i>	90 ft. <i>G § 403</i>	83 ft.	30 ft./ PDR-2 0/ PDR-4	None
FAR Individual zone; Blended	4.5 5.7 <i>J §202</i>	6.0 5.7 <i>J §202</i>	5.04 <i>G § 402</i>	4.0	- 1.7 less than blended MOR	None
Residential:	3.0	1.0	5.04	3.8	+ 0.8 PDR-2 + 2.8 PDR-4	None
Non-Resid.:	4.5	6.0	2.01	0.2	- 4.3 PDR-2 -5.8 PDR=4	None
IZ Units (8%)	No requirement <i>C §1001.2</i>	No requirement <i>C §1001.2</i>	8% of max. net residential sf (w/ 17% core factor) = 26,069 SF <i>C §1003</i>	{0.8 x [.83x(3.8x77,898)]} = 19,945 net SF @ 60% MFI (17% core factor)	19,945 net SF	None
Lot Occupancy	100 %	100 %	80 % <i>G § 404</i>	57 %	-43 %	None
Rear Yard	Greater of 2.5"/ft. of height or 12' <i>J § 205</i>	Greater of 2.5"/ft. of height or 12' <i>J § 205</i>	15' <i>G §405</i>	49'10"	n/a	None
<i>Side Yard</i>	None required <i>J §206</i>	None required <i>J §206</i>	Greater of 2"/ft. ht. or 5'= 14'4" <i>G §406</i>	5'	n/a	9'4" flexibility requested

77,898 SF site	Existing Zone (19%) PDR-2	Existing Zone (81%) PDR-4	Proposed Zone MU-5-A PUD:	Proposal	Difference from MOR	Flexibility
<p>Courtyards Width, Open</p> <p>Width, Closed</p> <p>Area, Closed</p>	----	----	<p>Greater of: 4"/ft.ht or 10'=22'4"; 4"/ft.ht or 15'=32'4";</p> <p>2(req.width²) or 350SF= 2090.5 SF</p> <p><i>G § 202.1</i></p>	<p>53'</p> <p>83'</p> <p>9745 SF</p>	n/a	None
<p>Penthouse <i>C §1500</i></p>	<p>FAR: ≤ 0.4 Ht.:18'6"/1 story Setback:1:1 <i>J § 203.6</i></p>	<p>FAR: ≤ 0.4 Ht.:18'6"/1 story+mezz.+ mechanicals Setback:1:1</p>	<p>FAR: ≤ 0.4 Ht.:20'/1 story Setback:1:1</p> <p><i>G § 203</i></p>	<p>FAR: 0 Ht.:12' Setback:1:1</p>	- 6/6"	None
<p>Parking <i>C § 701.5</i></p>	<p>Res.: 1/3DU>4DU Retail: 1.33/1000SF> 3000 SF</p> <p><i>Sub.C §702.1</i></p>	<p>Res.: 1/3DU>4DU Retail: 1.33/1000SF> 3000SF</p> <p><i>Sub.C §702.1</i></p>	<p>Res.: 1/3DU>4DU Retail: 1.33/1000SF> 3000SF BUT w/ <i>Sub.C §702.1</i> (Metro reduction) = 60</p>	<p>Res.: 110 Retail:14 Total: 124</p>	Greater than required	None
<p>Bicycle Parking <i>C § 802</i></p>	<p>Res. 1 long /3DU 1 short/20 DU Retail 1 long/10,000 SF 1 short/3,500 SF</p>	<p>Res. 1 long /3DU 1 short/20 DU Retail 1 long/10,000 SF 1 short/3,500 SF</p>	<p><u>Res.</u> 1 long /3DU = 110 1 short/20 DU = 17 <u>Retail</u> 1 long/10,000 SF = 1 1 short/3,500 SF = 3 <u>Sub-Total</u> Long-term= 111 Short-term: 20 Total: 131</p>	<p>Res. Long-Term: 170 Res. Short-Term: 20 Retail Long-term: 4 Retail Short Term: 10</p> <p>Total: 204</p>	+ 73	None

77,898 SF site	Existing Zone (19%) PDR-2	Existing Zone (81%) PDR-4	Proposed Zone MU-5-A PUD:	Proposal	Difference from MOR	Flexibility
Loading <i>C §901</i>	<u>Res.: 1@ 30'</u> 1 20'serv. Space 100 sf platform; <u>Retail: none</u>	<u>Res.: 1@ 30'</u> 1 20'serv. Space 100 sf platform; <u>Retail: none</u>	<u>Res.: 1@ 30'</u> 1 20'serv. Space 100 sf platform; <u>Retail: none</u>	2 30' berths and 2 100 sf platforms shared per C § 901.8	n/a	None
Green Area Ratio	0.3 <i>J § 208</i>	0.3 <i>J § 208</i>	0.3 <i>G § 407</i>	0.3	n/a	None

Requested Zoning Flexibility

The applicant requests the following flexibility:

1. **PUD-related map amendment from PDR-2 and PDR-4 to MU-5-A**
2. **Side Yard Relief from Subtitle G § 406 Requirements**
3. **Additional Flexibility**

The applicant requests flexibility to (Exhibit 2, page 12):

- vary the location of all interior components;
- vary the final selection of exterior materials within the color ranges and materials types approved by the Commission to respond to materials' availability or to DC code requirements;
- increase by no more than 5% the number of units within the limits of approved residential gfa;
- vary the streetscape design to comply with DDOT requirements;
- vary the garage design but not to decrease the number of spaces;
- vary public space design to comply with DDOT requirements;
- locate retail entrances and modify facades to suit retail tenants, within parameters approved by the Commission;
- vary signage within dimensions and materials of approved PUD
- modify the design of the proposed East Park provided it is maintained only for the realignment of the MBT, a dog park and related open space;
- vary types of retail uses within the categories "retail", "general services", "financial services", and "eating and drinking establishments".

Details of the additional flexibility requests are in the Applicant's Statement in Support. OP has concerns about some of them and will provide more detailed analysis prior to a public hearing.

VII. PUD EVALUATION STANDARDS

The Zoning Regulations define a Planned Unit Development (PUD) as "A plan for the development of residential, institutional, and commercial developments, industrial parks, urban renewal projects, or a combination of these, on land of a minimum area in one (1) or more zones irrespective of restrictions

imposed by the general provisions of the Zoning Regulations, as more specifically set forth in Subtitle X, Chapter 3.” (B-28). The purpose and general standards for a Planned Unit Development are established in Subtitle X 300:

300.1 The purpose of the planned unit development (PUD) process is to provide for higher quality development through flexibility in building controls, including building height and density, provided that the PUD:

- (a) Results in a project superior to what would result from the matter-of-right standards;*
- (b) Offers a commendable number or quality of meaningful public benefits; and*
- (c) Protects and advances the public health, safety, welfare, and convenience, and is not inconsistent with the Comprehensive Plan.*

300.2 While providing for greater flexibility in planning and design than may be possible under conventional zoning procedures, the PUD process shall not be used to circumvent the intent and purposes of the Zoning Regulations, or to result in action that is inconsistent with the Comprehensive Plan.

Table 3. Additional Entitlements Gained Through the Proposed PUD:

	MoR	Proposed PUD	DIFFERENCE
Height:	90 ft.	81’6” ft.	8’ 6” less
Gross Floor Area:	5.7 FAR x 77,898 sf= 444,018 sf.	5.04 FAR x 77,898 sf.= 392,606 sf	51,412 sf less, overall; 296,012 sf more residential than by-right
Lot Occupancy:	100 %	80%%	20% less
Use:	All uses <u>other than</u> residential permitted	Residential permitted; some PDR restrictions	Residential permitted; some PDR restrictions

Public Benefits and Amenities:

Chapter X Section 305.2 states that *“Public benefits are superior features of a proposed PUD that benefit the surrounding neighborhood or the public in general to a significantly greater extent than would likely result from development of the site under the matter-of-right provisions of this title.”*

Chapter X Section 305.5 provides a summary of eligible categories for PUD benefits and amenities. The applicant has proffered the following for the proposed PUD:

- (a) Superior urban design and architecture*

The design complements the existing industrial and formerly-industrial buildings and includes modern elements that are congruent with elements of the recently approved PUD across Harry Thomas Way from the applicant’s site. As noted above, OP’s principal design concern is the lack of detail in the solid-filled bays at the ground level of the east façade.

(b) Superior landscaping, or creation or preservation of open spaces

The project would dedicate approximately 20,500 square feet for additional park-like uses north of the planned public park.

(c) Site planning and efficient and economical land utilization

The plan makes effective use of a double-loaded corridor design organized around a central courtyard with communal features. Its low 57% lot occupancy signifies its economical land utilization.

(d) Commemorative works or public art

Details about such an element, if one were to be proposed as part of the \$350,000 park donation, would be needed prior to a public hearing.

(e) Historic preservation of private or public structures, places, or parks

The design would be congruent with an adjacent early 20th century brick warehouse.

(f) Housing

The project would create 328 new housing units proximate to the NoMA/Gallaudet U metro station.

(g) Affordable housing

The project would meet its minimum IZ requirement and dedicate an additional 2% of the net residential square footage to live-work units for low-income artists for an unspecified period.

The figures in the following table are based on information supplied in the application.

Table 4. Affordable Housing

Residential Unit Type	Res. GFA	Units	Income Type	Affordable Control Period	Affordable Unit Type
Residential Total	312,398 GSF	328			
Market Rate		none			
IZ Total Required @ 8% of Res. GFA	19,945	~20-22	moderate	Life of project	n/a
IZ Total Provided	19,945	~20-22	moderate	Life of project	
Affordable/Non IZ (~ 2% of Res. GFA)	~ 5,000 GSF	4	to low	To Be Clarified Prior to Setdown	n/a

(h) Employment and training opportunities;

The applicant should address whether there would be outreach to recruit workers from the neighborhood for the ground floor retail spaces.

(i) Building space for special uses

There would be ten units of artist live-work space for an unspecified period.

(j) Environmental and sustainable benefits

The project would be eligible for a LEED Silver rating; OP encourages Gold.

(k) Park maintenance or participation

The applicant would be contributing \$350,000 towards the creation of a new public park that would include play areas for children.

(l) Transportation infrastructure beyond that needed to mitigate any potential adverse impacts

The applicant would be providing land for the relocation and reconfiguration of the MBT. The applicant will need to clarify the responsibility for the construction and maintenance of that portion of the trail.

TABLE 5, Benefits: ITEM	MITI- GATION	PUBLIC BENEFIT	PROJECT AMENITY	REQUIRED	PROFFER	NOTES FOR POST- SETDOWN
Urban Design, Architecture <i>X § 305.5(a)</i>	No	Yes	No	No	No	none
Landscaping Open Space, Streetscape <i>X §§ 305.5(b) and (l)</i> <ul style="list-style-type: none"> • New sidewalk and public space and trees on R Street; • Rebuilt sidewalk and public space and new trees on Harry Thomas Way 	No	Yes	No	Partially	Partially	<u>No utility vaults should be in public space.</u>
Site Planning, Efficient Land Utilization <i>X § 305.5 (c)</i>	No	Yes	Yes	No	No	none
Public Art <i>X § 305.5 (d)</i>	No	Not known	Not known	No	Not known	Details needed about park elements to be funded
Housing and Affordable Housing <i>X §§ 305.5 (f) and (g)</i>	No	Yes	No	At least IZ @ moderate income by RFP	4 units @ 60% MFI for unspecified period	Prior to setdown provide OP with information about the length of the term for the 60% MFI units; After setdown Consider proffering at least 12% affordable units
Employment and Training Opportunities	No	Yes	No	No	No	Consider neighborhood outreach for

TABLE 5, Benefits: ITEM	MITI- GATION	PUBLIC BENEFIT	PROJECT AMENITY	REQUIRED	PROFFER	NOTES FOR POST- SETDOWN
X § 305.5 (h)						employment in retail spaces
CBE	None proffered	None proffered	None proffered	No	No	
First Source	None proffered	None proffered	None proffered	No	No	
Environmental Benefits –Sustainable Design Features X § 305.5 (k)	Yes	Yes	No	No	Yes	Work with DOEE on achieving LEED Gold
Uses of Special Value to the Neighborhood X § 305.5 (q) Donation of land and “up to” \$350,000 to NoMA Parks foundation for improvements to planned “South Park” Construction of permanent dog park to plans approved by NoMA Parks Foundation, not to exceed \$150,000 “in the aggregate”	No	Yes	No	No	~ \$3.3 to \$5.8 million value of land ² \$350,000 donation to park to south Dog park construction	Clarification of “up to” \$350,000 needed. Specific recipients and expected products needed Provide estimate of value of land donation Clarify term “in aggregate”.

The applicant should continue to work closely with OP, other agencies, the ANC and other community groups to develop a full proffer that is commensurate with the flexibility requested, for submission prior to the setting of a date for a public hearing on this case. OP will provide detailed analysis of the benefits and amenities proffer prior to a public hearing.

VIII. MATTERS REQUIRING ADDITIONAL CLARIFICATION

It is typical that some issues require additional resolution or detail at this stage of a PUD application – many applicants benefit from the additional direction provided by the Commission at the setdown

² The 20,500 SF of land is currently assessed at ~ \$ 5.8 million. Applicant calculates that, if based on purchase price, value would be ~ \$3.3 million.

meeting before preparing final drawings and proposals. However, it is important that identified issues be sufficiently resolved by the applicant prior the date being set for a public hearing, to ensure that District agencies, the ANC, and the public have a reasonable opportunity to review a complete and comprehensive submission as final recommendations and comments to the Commission are being formulated.

OP will continue to work with the applicant to ensure the submissions of the following additional information prior to the setting of a date for a public hearing in this case, as noted in this report and summarized below:

- Provide a more significant balance of the residential and PDR uses indicated on the Comprehensive Plan's Generalized Future Land Use Map by enhancing or increasing PDR uses;
- Enhance or increase the affordable housing component of the net residential square footage;
- Relocate the proposed electric vaults along R Street to a location inside of the property line;
- Clarify the control period for the 60% MFI artist live/work units;
- Clarify which party or agency would be responsible for relocating the Metropolitan Branch Trail segment adjacent to the site;
- Provide details of equipment, landscaping, and other items intended to be purchased with \$350,000 contribution to NoMA Park Foundation. The applicant should provide a copy of its draft agreement with the foundation and should consider placing security cameras to monitor the MBT and integrating their operation with the larger system's operations.
- Enhance the architectural treatment of the four northern-most ground-floor bays on the east side of the building. These masonry panels screen the building's parking and loading ramp on the other side of the panels, but, being adjacent to the MBT, should be designed with more visual appeal from the MBT.
- Provide a Transportation Study including Transportation Demand Management (TDM) measures, with guidance for the study outline to be provided by DDOT;
- Clarify whether parking fees are "un-bundled" from rents.;
- Justify lack of either First Source or CBE proffer;
- Provide specific amount of contribution to "South Park", not just "up to \$350,000" and provide details on goods, products, services, facilities to be made possible with such funds;
- Clarify what is meant by the construction of a permanent dog park in the proposed East Park at a cost of no more than \$150,000 "in aggregate";
- Provide Materials samples; and
- Other information / materials as may be requested by the Zoning Commission at the setdown meeting.

IX. AGENCY REFERRALS

If this application is set down for a public hearing, the Office of Planning will refer it to the following District agencies for review and comment:

- Department of Energy and the Environment (DOEE)
- Department of Housing & Community Development (DHCD)
- District Department of Transportation (DDOT)
- Department of Parks and Recreation (DPR)
- DC Public Schools (DCPS)
- Department of Public Works (DPW)
- Department of Aging (DOA)
- Department of Employment Services (DOES);
- Fire and Emergency Medical Services Department (FEMS)
- Metropolitan Police Department (MPD)
- DC Water
- WMATA

JLS/slc