

Analysis of Consistency with the Comprehensive Plan and Small Area Plan With a focus on Racial Equity

This document analyzes the Application’s consistency with the Comprehensive Plan (“**Plan**”)¹ with a particular focus on the Application’s effect on advancing racial equity in the District. The racial equity focus responds to the Plan’s directive that the Commission “evaluate all actions through a racial equity lens as part of its Comprehensive Plan consistency analysis.”²

I. Summary

In sum, the Application is not inconsistent with the Plan, when considering as a whole the Plan’s two maps, the Plan’s heightened focus on racial equity, and the individual policy objectives of the District Elements, Upper Northeast Area Element, the Florida Avenue Market Study, a small area plan adopted to supplement to the Plan (“**Small Area Plan**”), and the Ward 5 Works Industrial Land Study (“**W5W Study**”). To the extent the Application is not fully consistent with any individual objectives of the Plan and Small Area Plan, this analysis demonstrates that the Application is not inconsistent with the Comprehensive Plan and other plans *as a whole*.

In identifying racial equity as a primary lens for the Commission’s review, the Plan notes that equity considerations include both the substantive (“rising costs and inequitable access to opportunity . . . for housing . . . businesses, employment, and other necessities”³) and the procedural (“a participatory approach for meeting the needs of underserved communities”⁴). More specifically, in this proceeding racial equity includes (i) substantively, an evaluation of affordable housing, direct displacement effects, access to opportunities, and a balanced sharing of the benefits and impacts of development, and (ii) procedurally, participation in the decision-making process.

- **Maps**: The height, density, and mix of uses proposed for the Project are consistent with the Future Land Use Map and Generalized Policy Map designations for the Property.
- **Racial Equity**: The Project reserves 11 percent of its residential gross floor area as affordable for households earning 60% MFI and 2 percent units for households earning 50% MFI. From an equity perspective, the Project increases housing opportunities and affordable housing opportunities in an amenity-rich neighborhood without causing any direct displacement of residents. Additionally, the Project provides numerous opportunities for new jobs for a variety of skill sets, ranging from construction jobs to full time hourly and salaried employment. The Project also begins to pivot away from the PDR-related harms disproportionately experienced by Black residents of Ward 5.
- **District Elements**: The Project directly advances numerous individual policy objectives in the Land Use, Transportation, Housing, Economic Development, Environmental, Urban Design, Infrastructure, and Implementation Elements.
- **Area Element/Small Area Plan/W5W Study**: The Project helps implement the Area Element, Small Area Plan and “Vision” of the W5W Study, especially as each study focuses on creating housing, food-based economy, and job opportunities in Ward 5.
- **Overall**: The Project is not inconsistent with the Plan and other policies *as a whole*.

¹ See 11-X DCMR §§ 304.4, and 500.3.

² 10-A DCMR § 2501.8 (2021).

³ *Id.* § 107.21.

⁴ *Id.* § 213.7. See also *id.* §§ 213.6 and 213.9 (“Equity is both an outcome and a process.”).

II. Analysis

The table below evaluates the consistency of the Application with the Plan. Potential inconsistencies are noted in *bold italics* and considered in the table. The construction of new development almost necessarily involves trade-offs, and the Project is no exception. While the Project presents some inconsistency with a handful of individual policy objectives, these issues are either consistent with other legislative actions by the D.C. Council or outweighed by the Application’s overall consistency with the vast majority of applicable policy objectives in the Plan.

Most significantly, the Project is not inconsistent with the Land Use Element and attendant maps, which together are to be evaluated as having the greatest weight of any portion of the Plan, although the Plan’s two maps are themselves somewhat at tension with respect to PDR and retail uses. The Project’s consistency with the Land Use Element’s density, use mix, housing and job creation objectives, combined with the similar consistency with the affordable housing and resilience civic priorities outweigh the identified inconsistencies. None of the inconsistencies noted below, whether individually or considered collectively, justify finding that the Application is inconsistent with the Plan and Small Area Plan when considered “*as a whole*”.⁵ In totality, the Application is broadly consistent with the Plan and Small Area Plan as demonstrated in the foregoing analysis of more than 250 policies from the Plan and the principles, recommendations, and goals in the Small Area Plan and W5W Study.

| Comprehensive Plan Element | | Analysis |
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| Maps | Future Land Use Map: Mixed Use PDR/High Density Residential/High Density Commercial (allows FAR > 6.0) | The Project, including the requested Zoning Map amendment is not inconsistent with the Future Land Use Map’s designation for the Property. The mixed-use Project with an FAR in excess of 9.0 is not inconsistent with this designation, and the Project accommodates and incorporates PDR/Maker uses consistent with the PDR designation for the Property. |
| | Generalized Policy Map: Multi-Neighborhood Center ⁶ | The Project is not inconsistent with the Generalized Policy Map’s Multi-Neighborhood Center designation for the Property given the proposed amount of upper-story residential, branch banks, and retail/restaurant/service uses within the Project. Notably, the definition of the Multi-Neighborhood Center does not contemplate any sort of PDR use but does note that the “primary function” of such area is “retail trade”. |

⁵ The Commission’s review must consider the Plan “read as a whole”, and if the Commission approves an application that is inconsistent with one or more individual policies reflected in the Plan, “the Commission must recognize these policies and explain why they are outweighed by other, competing considerations.” See *Wheatley v. District of Columbia Zoning Commission*, 229 A.3d 754, 759 (2020).

⁶ *Id.* §§ 225.15 and 225.17 (“Multi-Neighborhood Centers contain many of the same activities as Neighborhood Commercial Centers [Typical uses include convenience stores, sundries, small food markets, supermarkets, branch banks, restaurants, and basic services such as dry cleaners, hair cutting, and childcare. . . . Many buildings have upper-story residential uses], but in greater depth and variety. . . . These centers are generally found at major intersections and along key transit routes. These centers might include supermarkets, general merchandise stores, drug stores, restaurants, specialty shops, apparel stores, and a variety of service-oriented businesses. These centers also may include residential and office space for small businesses, although *their primary function remains retail trade*”) (emphasis added).

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| | <p>Resolving the Tension in the Plan’s Two Maps:</p> | <p>The Project is overall not inconsistent with the Plan’s two Maps. However, the Generalized Policy Map and FLUM designations for the Property are clearly in tension: the Policy Map encourages primarily retail functions and upper-story residential but is silent with respect to PDR uses. The FLUM encourages a mix of three categories of use. The residential objectives of the FLUM are relatively easily resolved: those uses are placed above grade consistent with the Policy Map. The at-grade “primarily retail” objectives uses of the Policy Map are more readily resolved with the FLUM’s preference for commercial uses.</p> <p>The Policy Map is silent as to the FLUM’s encouraged PDR uses. Accordingly, given the clear direction in the Policy Map that the Property should have a “primarily retail” function, the Project resolves this tension by allocating 10% of the Project’s ground floor to PDR uses for a period of time and providing the capability to expand PDR uses if the Project evolves from the Property’s current service use. The Project’s grade level uses are thus “primarily retail” consistent with the Policy Map, while not foreclosing future PDR uses, consistent with the companion FLUM. (Of course, the Comprehensive Plan consistency analysis is not reducible to mere consistency with the FLUM. The Comprehensive Plan gives the two maps equal weight (i.e., the Future Land Use Map does not supersede the Generalized Policy Map), so contradictions in the direction of the two maps must be resolved per the terms of each.)</p> |
| <p>Racial Equity Analysis</p> | <p>New Affordable Housing and Family-Sized Units</p> | <p>The Project provides more than 50% more affordable housing than the inclusionary zoning standards, and all of the Project’s affordable housing exceeds what is possible as a matter of right (because residential uses are prohibited on the Property today). The Project’s units are reserved as affordable for households earning 50% or 60% MFI, an amount of affordable housing units and levels of affordability that substantively advance racial equity in the District. This housing primarily benefits the District’s Black and low-income residents by providing affordable housing opportunities within an overall inclusive development.</p> <p>Sixteen (16) of the Project’s residential units contain three bedrooms (and an additional twelve (12) are two-bedroom-with-den units), which will create housing opportunities for families.</p> |
| | <p>No Displacement</p> | <p>No residences existing on the Property today, so the Project does not displace any existing residents, notable in the District where many Black residents and members of other vulnerable communities face displacement concerns. The inclusive nature of the overall development supports, rather than destabilizes, existing low-income Black and other residents who live in Ward 5.</p> |
| | <p>Access to Job Opportunities</p> | <p>The Project continues the development of the Union Market District with ample space for job opportunities for future employees with a range of skills. The Union Market District is one of the District’s strongest hubs of entrepreneurship and small business growth.</p> |

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| <p>Balancing the Benefits and Impacts of New Development in the Union Market District and Ward 5</p> | <p>For residents who will live through the Project’s construction, the Project brings future benefits including: affordable housing, job opportunities, safer streets, and a contribution to the overall improvement of the Union Market district as a mixed-use neighborhood that improves the quality of life for existing neighbors and future residents. The Project helps to further create a critical mass of residents and amenities in the neighborhood, which helps justify future public investments in neighborhood-serving transit, infrastructure, public services, and healthcare.</p> |
| <p>PDR Uses and Historical and On-Going Racial Land Use Inequities</p> | <p>The Project’s treatment of PDR uses and the Property’s PDR designation is also beneficial from a racial equity perspective: First, the Property does not include PDR uses today. Second, the Project’s mix of uses also largely forecloses the types of harmful PDR uses that have disproportionately negatively affected primarily Black residents in Northeast DC. Although there are many laudable aspects of PDR uses (and although some PDR uses are appropriate for the Project going forward), the deeply unfortunate history of such uses in the District is that many have had direct and adverse health, wealth, and quality of life impacts on Black residents primarily, as set forth in the Comprehensive Plan. PDR uses were historically deliberately located in primarily Black areas, which had the self-reinforcing adverse effects of increasing negative health outcomes for Black citizens, reducing property values for Black homeowners (making it more difficult for Black residents to accumulate wealth), and limiting the development of amenities that desired to be away from PDR uses’ harmful effects. It is difficult to look at the history of PDR uses through a racial equity lens and not find that history disproportionately negative for Black residents of Ward 5 (and elsewhere), notwithstanding the many job-related benefits of PDR uses.</p> <p>The Project begins to redress some of the harmful effects of past PDR uses without precluding the benefits of future PDR uses. The Project includes primarily non-PDR uses on mixed-PDR-striped land that does not currently contain PDR uses. The Project holds on to the job-producing potential of PDR land while essentially foreclosing the most harmful PDR uses that have historically been located in Ward 5. Rather than continue the history of concentrating PDR uses in Ward 5, the Project slightly dilutes the concentration of PDR uses, provides a bulwark against large-footprint PDR uses, and adds in amenities and other local benefits that improve the quality of life for Black residents of Ward 5.</p> |
| <p>Equitable Process and Participation</p> | <p>The Project has gone through a robust public process with multiple, intensive rounds of meetings with the ANC. The Applicant has made itself available for discussing the Project with any interested neighbors or community groups to the maximum extent possible given the public health situation in the District.</p> |
| <p>Overall:</p> | <p>Substantively, the Project advances substantive racial equity goals of affordable housing and job creation, sharing of benefits, avoiding displacement, and restoring historic PDR-related environmental injustices. Procedurally, the Project team has initiated a sustained participatory process that has allowed for “meaningful involvement” in the development process.</p> |

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| District Elements | Land Use Element (ch. 3) | The Project balances the myriad and sometimes competing objectives of the Land Use Element of the Plan, which is the Element that should be given the greatest weight. ⁷ In general, the Project’s uses, high density, and quality design advance the objectives of this Element. The Project is pedestrian-oriented and includes high-quality architecture and public spaces, affordable and family-sized housing to allow District residents to remain in the neighborhood and share in the benefit of the development of the Union Market District. Community engagement was a priority in the Project’s development, and no residents are displaced as a result of the Project. | | |
| | More specifically and consistent with the Land Use Element, the Project: | | | |
| | Is a high-density development constructed to its Height Act limit in a manner compatible with the surrounding Union Market District and appropriate for the growing, densifying District, particularly the expanded Central Employment Area (CEA) | LU-1.2.2 LU-2.4.6 LU-2.4.4 | | |
| | Adds density, housing diversity and affordability, and publicly accessible plazas and parklets on currently underutilized land in a manner compatible with the surrounding Multi-Neighborhood Center and the high-density scale of the emerging neighborhood | LU-2.1.5 LU-2.1.1 | | |
| | Achieves and balances multiple objectives by (a) developing a privately-owned property with a mix of uses including deeply affordable housing and family housing in the CEA, (b) creating employment opportunities, (c) enhancing racial equity through inclusion, housing, and public participation efforts, (d) increasing residential density within walking distance of Metrorail transit and in a manner to encourage transit use | LU-1.2.3 LU-1.3.2 LU-1.4.3 LU-1.4.5 LU-1.4.6 | | |
| | Focuses District resources to (a) create opportunities for family-sized and affordable housing to relieve development pressure in lower density neighborhoods, (b) expand commercial opportunities in a way that avoids “unreasonable and unexpected traffic, parking, litter, shadow, view obstruction, odor, noise, and vibration impacts” on nearby residences, (c) advance sustainability and Fair Housing goals, (d) optimize tax and job creation benefits, and (e) revitalize the Union Market district | LU-2.1.2 LU-2.1.3 LU-2.3.2 | | |
| | Mixes uses and mitigates land use conflicts by enhancing activity at an existing node that keeps potential evening and crowd activity away from quieter residential areas | LU-2.4.7 | | |
| | Helps establish the Union Market District multi-neighborhood center, which has a role as a destination shopping/retail use by (a) devoting the ground floor to compatible commercial uses, (b) adding upper story residential uses that create weekend/evening populations to support the growth of retail and services in Ward 5, (c) offering other employment opportunities, and (d) designing public and private outdoor spaces that are inviting, accessible, attractive and supportive of social interaction | LU-2.4.1 LU-2.4.2 | | |
| | Integrates the development of the Project into the Union Market district urban fabric by (a) establishing a compatible, inclusive, connected, ungated relationship with the existing neighborhood fabric, (b) improving upon sidewalks and public spaces surrounding the Property in a manner that maintains pedestrian zones, facilitates public interaction, and does not privatize or enclose public space, (c) infilling a high-quality design a surface parking-dominated existing condition that currently detracts from the character of surrounding commercial streets, (d) deliberately creating an urban design that results in dramatic step down to the south as a gesture of openness and light for views to the west despite it being a “sharp edge” in the vertical streetscape, and (e) including landscaping and other improvements to the neighborhood’s overall visual quality and animation levels of the street | LU-1.3.6 LU-1.5.1 LU-1.5.2 LU-2.2.2 LU-2.2.4 LU-2.4.10 | | |

⁷ *Id.* §§ 300.3, 2504.6 (“the Land Use Element . . . should be given greater weight than the other elements”).

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| | <p>Combines land use and transportation planning by (a) providing garage parking spaces, in an amount that responds to site- and use-specific parking demand, (b) locating all parking below-grade to maintain an attractive street environment, (c) including transportation demand and loading management elements that address any potential parking and traffic impacts, (d) prioritizing pedestrians and cyclists along 4th Street, NE, and (e) remedying existing auto-oriented commercial strip development (i.e., removing six curb cuts and surface parking)</p> | <p>LU-2.1.11 LU-2.3.2 LU-2.4.5 LU-2.4.8</p> |
| | <p>Advances a site-specific resilient design and actively anticipates future flood risk by (a) being located outside of the flood plain in a neighborhood that is otherwise likely to be flood-prone, (b) incorporating parks, vegetated open spaces, and enhanced stormwater retention capacity as adaptive, resiliency, and quality of life measures, and (c) being designed to withstand a more severe stormwater event than a 100-year flood</p> | <p>LU-1.1.2 LU-1.2.8 LU-1.2.9</p> |
| | <p>Seizes on an opportunity for an innovative land use regulatory process (i.e., a consolidated PUD and Map Amendment with associated public space improvements) that simultaneously advances civic and ANC-led beautification objectives and incorporates enforceable conditions regarding design, building, and operating criteria</p> | <p>LU-1.3.4 LU-2.2.5 LU-2.2.6</p> |
| | <p>Avoids items the Land Use Element cautions against including (a) unnecessary demolition or replacement of any structures (the Project adaptively reuses one existing building and replaces another, which is not historic), (b) negative impacts to any row house neighborhoods, loss of family-sized units, or intrusion of commercial/PDR uses into other residential areas (instead adding density and commercial/PDR uses away from such neighborhoods to relieve pressure in those areas), (c) conversion of existing alleys (instead improving a new multi-functional and active alley), (d) any encroachment of or adverse impacts from commercial uses into existing residential areas in Ward 5, (e) conflicts with lower-scale development (i.e., the Project’s height and density is sufficiently buffered and distanced from lower-scale residential areas in the wider area around the Property), (f) adverse limitations on federal sites or land use goals, or (h) creating any deficiencies in public utility infrastructure</p> | <p>LU-2.1.4 LU-2.1.6 LU-2.1.7 LU-2.1.9 LU-2.1.10 LU-2.2.7 LU-2.3.1 LU-2.3.3 LU-3.5.1 LU-3.5.2 LU-3.2.13</p> |
| <p>PDR-Related Objectives (ch. 3 and 7)</p> | <p>As a subset of the Land Use and Economic Development Elements’ objectives, this analysis also considers the Project against the objectives of those Elements that pertain specifically to PDR uses.</p> | |
| <p>The Project is not inconsistent with any of the nine applicable PDR-retention related objectives of the Land Use Element or Economic Development Element because:</p> | | |
| | <p>The Property is designated for a mix of uses on the Future Land Use Map and Small Area Plan and does not include any existing PDR uses (“... The supply of areas designated for PDR on the Future Land Use Map (FLUM) should not fall below its current level, <u>unless the land is designated for mixed uses including PDR through a Small Area Plan</u> (including those changes made to the FLUM as a result of a Small Area Plan). Efforts to convert areas <u>except as just stated</u> to other designations must be resisted. Any further designation of PDR land must consider the racial impact, and ideally should be designated throughout the District. Zoning regulations and land use decisions shall continue to preserve <u>active and viable PDR land uses</u> while considering compatible uses and development under standards established within PDR zoning.” and “<u>Unless land is designated for mixed uses, including PDR, on the FLUM,</u> uses such as retail, office, or residential must be accessory to these high impact PDR uses and must not overwhelm the PDR use or pose potential conflicts in use. Users of these areas must minimize any adverse impacts on adjacent areas that have more restrictive land uses”) (emphasis added)</p> | <p>LU-3.2.1 LU-3.2.2</p> |
| | <p>The Property is subject to the Small Area Plan, which controls over this policy objective (“To promote long term retention of PDR uses, development on areas striped to include PDR on the Future Land Use Map must include industrial space intended for use during the life of the project, and on sites containing existing industrial space the amount of industrial space on-site should be substantially preserved. The mix of uses and site design of these areas must support the long-term retention of PDR uses, and minimize potential conflicts with PDR uses. PDR uses that are less intense and/or have less impacts may be more appropriate for areas striped to include PDR. <u>The Florida Avenue Market Study area shall be subject to the industrial use concepts set forth in that Small Area Plan but is not subject to this policy.</u>”) (emphasis added)</p> | <p>LU-3.2.3</p> |

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| | The Property is obsolete from an industrial use perspective as two single-story buildings with large expanses of surface parking (“Encourage the reuse of nonproductive industrial sites, such as vacant warehouses and open storage yards, with higher value PDR uses, including public works facilities, and other activities that support the core sectors of the District economy”) | LU-3.2.4 |
| | The Property is not well-buffered from the existing and approved residential uses elsewhere along 4 th Street NE and therefore is inappropriate for intense PDR uses (“Accommodate PDR uses, including municipal public works facilities, in areas that are well buffered from residential uses (and other sensitive uses such as schools), easily accessed from major roads and railroads, and characterized by existing concentrations of PDR and industrial uses.”) | LU-3.2.5 |
| | The Property is not viable for industrial land uses (“Allow the rezoning of industrial land for non-industrial purposes <u>only when the land can no longer viably support industrial or PDR activities</u> is located such that industry cannot co-exist adequately with adjacent existing uses.”) | LU-3.2.6 |
| | The Project adds dedicated space for low-impact “PDR/Maker uses” in a way that avoids impacts on adjacent sites and that anticipates future growth of that industry (“Support low-impact cottage industries and makers in neighborhood commercial districts and on appropriate industrial lands. Maintain zoning regulations that regulate such uses in residential areas to avoid land use conflicts and negative business-related impacts while allowing residents to explore low-impact entrepreneurship in or near their homes.”) | LU-3.2.10 |
| | The Project provides support for PDR uses in a building with best in class environmentally sustainable design (“Support business attraction, business retention, and technical assistance targeted toward PDR areas. Partner with stakeholders to develop and implement initiatives” and “Improve the environmental performance of PDR areas by capturing and treating stormwater on-site, generating renewable energy on-site, implementing energy efficiency upgrades, and improving air quality”) | ED-2.5.1 ED-2.5.2 |
| Transportation Element (ch. 4) | The Project advances the pedestrian, cycling, safety, public space, and parking optimization objectives of the Transportation Element and is accompanied by a robust analysis and TDM measures. | |
| Consistent with the Transportation Element of the Plan, the Project: | | |
| | Builds and improves pedestrian and cycling infrastructure in a safe manner that (a) improves the overall Union Market District pedestrian and cycling network, (b) creates multimodal, alternative, and redundant connections (particularly important in light of the adverse effect New York Avenue and the adjacent rail corridor have on inter-neighborhood connectivity), and (c) calms on-site traffic via a new shared and narrowed 4 th Street, NE with innovative elements to separate pedestrians from vehicles and prioritize pedestrians and cyclists over vehicles | T-1.1.4 T-1.2.4 T-2.2.2 T-2.3.1 to T-2.3.3 T-2.4.1 to T-2.4.3- T-2.5.1 T-4.1.3 EDU-1.5.4 |
| | Balances off-street parking supply with demand and the multitude of transit and other mobility options serving Union Market today and includes a curbside plan to limit long-term curbside parking and innovative and future-thinking parking measures (e.g., EV parking) in the Project’s garage | T-1.1.8 T-3.2.1 T-3.2.2 T-3.2.3 |
| | Improves the urban design and streetscape and overall visual quality of the New York Avenue, NE corridor, a gateway entrance to the District, with a building of substantial design quality and mass in light of the width of that corridor | T-1.2.1 |
| | Avoids auto-oriented uses, removes a drive-through use, and closes all six existing curb cuts to rely on the existing alley system serving the west side of 4 th Street NE | T-1.2.3 |
| | Constructs significant enhancements to public space to support an active and naturally-landscaped pedestrian environment that includes areas and gathering spaces for a mix of ages and abilities (with an emphasis on innovative accessibility measures) without introducing walking or cycling obstructions and revises 4th Street NE to include parklets and plaza that animate the street | T-1.4.1 T-1.4.2 T-2.4.4 T-2.5.5 |
| | Expands at the Applicant’s cost (a) cycling infrastructure and adds residents and workers who will contribute to the use of CaBi stations and the overall cycling system | T-2.3.5 T-5.2.1 T-5.2.2 |

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| | and (b) electric vehicle (EV) charging capacity in a new mixed-use development consistent with the District’s goal of supporting the growth of EVs | E-5.1.9 |
| | Includes a robust multimodal transportation impact assessment with required mitigation measures | T-1.1.2 |
| | Delivers a robust TDM package that (a) improves overall system efficiency and minimizes new trips, (b) manages loading and truck activities to minimize negative impacts elsewhere on 4 th Street, NE, and (c) does its part to help broader Vision Zero and climate resilience goal through an emphasis on walkability and cycling infrastructure | T-3.1.1 T-3.3.4 T-4.2.1 T-4.4.2 |
| | Adds density and uses in Union Market District that will ultimately help justify adding transit investments and a connection to the NoMA Metrorail station stop in support of the objectives of the Plan’s Transportation Element, especially when viewed through a racial equity lens (e.g., Ward 5 historically not receiving as much focus on transit expansion) and in light of the diverse educational resources within walking distance of the Property (KIPP, Gallaudet, etc.) | T-1.1.7 T-2.1.1 T-2.1.2 T-2.1.6 T-2.6.1 T-2.6.2 |
| Housing Element (ch. 5) | The Project helps satisfy the District’s goal of 6,900 new units in the Upper Northeast planning area. The District’s <i>Housing Equity Report</i> shows that as of October 2019, shortly before this Application was filed, the Upper Northeast planning area was short 190 units of affordable housing, meaning that the Project alone provides more than 25% of the Upper Northeast planning area’s affordable housing deficiency. H-1.2.2, H-1.2.3, and H-1.2.9 | |
| Consistent with the Housing Element of the Plan, the Project: | | |
| | Addresses two major housing production civic priorities: includes affordable housing (where none is currently allowed or required) and imposes perpetual affordability restrictions to preserve such housing and includes 3-bedroom (“family-sized”) units, including affordable 3-bedroom units | H-1.1.5 H-1.1.9 |
| | Is a private-sector-led, high-density, mixed-use development with market rate and affordable housing that (a) consistent with the density designation for the Property relies on a zoning density bonus as an incentive for additional deeply affordable housing, (b) helps meet present and long-term housing needs for Ward 5, an area designated for housing growth that is becoming a high-cost area of the District but that through the Project will remain inclusive, (c) redevelops underutilized land in a commercial center within walking distance of Metro access, (d) minimizes impacts on the design character of existing residential areas, (e) minimizes any future displacement effects, and (f) balances housing opportunities in Ward 5 (i.e., by adding market rate housing in an emerging submarket and building in affordability in anticipation of future rent growth) | H-1.1.1 H-1.1.2 H-1.1.3 H-1.1.4 H-1.1.8 H-1.3.1 H-1.2.1 H-1.2.7 H-1.2.11 H-2.1.6 |
| | Achieves high quality architecture and interior quality/sustainability standards despite its high levels of affordability and provides market rate and affordable units that (a) are externally indistinguishable, (b) include access to recreational amenities such as balconies, and (c) achieve high levels of environmental sustainability, and (d) avoid long-term potential health hazards (e.g., no lead paint) | H-1.1.5 H-2.2.4 |
| | Achieves LEED Gold, a high level of sustainability and water efficiency, although short of the net-zero energy target encouraged (but not mandated) by the Plan; however, net-zero (i.e., “net-zero” means that the housing should generate or offset as much energy as it uses) is a lofty goal that is not achievable in light of the other objectives that the Project advances, including through other sustainability measures that address issues like stormwater management and PDR and placemaking objectives | H-1.6.5 |
| | Is being developed consistent with (a) the Small Area Plan which takes a “whole neighborhood” view of the development of Union Market (i.e., to ultimately include | H-1.4.6 H-1.6.1 |

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| services, job training, food access, parks, gardens, transit, and the like) even if the Project does not include those items and (b) sustainable design and resiliency goals | | |
| Does not displace any existing residents or convert any existing housing and provides a mix of affordable and age-restricted units to help mitigate displacement elsewhere in Upper Northeast/Ward 5 | | H-2.1.4 H-2.2.1 |
| Complies with all fair housing laws and begins to redress through investment in amenities and infrastructure the adverse effects of redlining which occurred in neighborhoods immediately adjacent to Union Market | | H-3.2.1 H-3.2.2 H-3.2.3 |
| Does not include any housing specifically for seniors, persons with disabilities, or vulnerable populations, however, the Project does not preclude housing anyone in such groups and includes 15 percent of units reserved as accessible and includes broad accessibility measures for all units (e.g., elevators, in-unit washer/dryer, etc.) not possible or available in older buildings | | H-4.1.3 H-4.3.3 H-4.3.4 |
| Does not anticipate any owner-occupied housing (or any future homeowner assistance program), however, it is unusual for a single building to have rental and owner-occupied units together; instead, the Project contributes to a mix of rental and owner-occupied units in Union Market overall | | H-1.3.2 H-1.4.2 H-3.1.1 |
| Environmental Element (ch. 6) | The Project proactively advances climate resiliency, stormwater, landscaping, water efficiency, renewable energy, and energy efficiency objectives of the Plan. | |
| Consistent with the Environmental Element of the Plan, the Project: | | |
| Advances climate resilience objectives consistent with the District’s civic priorities by, among other things, (a) being located outside of any flood plain, (b) capturing a very high amount of stormwater runoff through parks and other “absorbent” features, (c) providing on-site energy generating capabilities, and (d) relying on resilient and native vegetation selections | | E-1.1.1 E-1.1.6 E-2.1.3 |
| Incorporates a heavy amount of landscaping and tree planting to (a) reduce adverse heat island impacts, (b) capture and manage stormwater as part of climate resilience and general infrastructure resilience priorities, (c) provide habitat for pollinating species, and (d) improve the overall quality of the environment in the Anacostia River watershed | | E-1.1.2 E-2.1.5 E-2.1.6 E-4.1.1 to E-4.1.3 IN-2.2.1 IN-2.2.2 |
| Complies with green building methods, helps raise awareness of those methods, minimizes the risk of future groundwater contamination, and mitigates and anticipates environmental impacts through stormwater capture, water and energy efficiency measures, and other sustainable elements | | E-4.2.1 E-4.2.2 E-4.4.1 E-6.1.5 |
| Adds street trees where none currently exist | | E-2.1.2 |
| Employs water conservation methods to achieve LEED targets | | E-3.1.1 |
| Incorporates renewable energy and energy efficiency measures that reduce greenhouse gases and improve overall air quality although the Project does not achieve the lofty net zero goals encouraged in this Element (see above in the Housing Element for further discussion regarding the Plan’s net zero objectives) | | E-3.2.1 to E-3.2.3 E-3.2.5 to E-3.2.8 E-3.2.13 to E-3.2.15 E-5.1.1 E-5.1.7 |
| Includes an evaluation of climate and resiliency measures and consideration of other environmental measures; however, the Project does not undergo a full environmental review at the zoning entitlement stage even though the Plan encourages impact assessments that consider environmental and other impacts before any decision is made and because the Project is located within the CEA, it is categorically exempt | | E-4.4.2 E-4.4.3 E-5.1.3 IM-1.1.1 |

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| <i>from such environmental analysis pursuant to District law. Such reviews are not mandatory requirements in the Plan and are not typically included as part of design review or PUD modification cases)</i> | | |
| Provides TDM measures, multi-modal enhancements, and other measures to reduce vehicle-related emissions (<i>see also</i> the Transportation Element analysis above) | | E.5.1.5 |
| Avoids adding noise-generating uses near existing residential areas and is designed comply with the District’s noise limits | | E-6.2.1 E-6.2.5 |
| Generates construction demolition debris because the site contains one building that will be razed; however, the deconstruction (rather than demolition) objective is not stated in mandatory terms in the Plan, one of the Property’s buildings is anticipated to be preserved and adaptively reused, and any demolition activity will comply with applicable health and safety standards | | E-3.3.2 E-6.3.2 |
| Anticipates construction-period measures to limit erosion and avoid any adverse construction-period effects even with respect to the topographic changes across the Property | | E-2.3.1 E-2.3.2 E-2.3.3 E-2.4.1 E-6.1.3 |
| Includes plans to control vectors, airborne dust, and vehicle emissions and otherwise mitigate impacts during construction | | E-6.5.1 E-5.1.3 IM-1.1.1 |
| Reduces the likelihood that the Property will be used for the sort of PDR use(s) that have historically had disproportionately negative and environmentally unjust effects on Ward 5 residents | | E-6.7.1 E-6.7.2 |
| Economic Development (ch. 7) | The Project includes PDR/Maker, retail, service, and eating and drinking uses that help revitalize an underutilized corner of the Union Market District as a thriving gateway and add entry-level and salaried jobs. ED-3.1.5 and ED-3.1.6 | |
| Consistent with the Economic Development Element of the Plan, the Project: | | |
| Adds approximately 50,000 square feet of floor area to diversify and expand the retail, service, and PDR/Maker use job sectors to capture more regional and District resident discretionary spending and to help anchor the future development of neighborhood shopping options in a neighborhood commercial center outside from the District’s historic commercial core that is developing its own unique identity | | ED-1.1.3 ED-2.2.1 ED-2.2.3 ED-2.2.5 ED-2.2.7 ED-2.3.2 ED-2.3.3 ED-3.1.1 ED-3.1.8 |
| Provides dedicated space and construction to specifications suitable for a range of PDR/Maker uses, a category of uses custom-built for the Union Market District based on the W5W Study and including emerging industries such as technology, media (among others), which advances the Plan’s adaptive and technological change objectives (see also the PDR section above) | | ED-1.3.1 ED-1.3.2 ED-1.3.4 |
| Continues EDENS’ pipeline of development in the Union Market District which has resulted in the creation and success of numerous small business, many of which have been and are women- minority- and/or deaf-owned businesses | | ED-1.1.4 ED-2.2.4 ED-3.2.1 ED-3.2.2 |
| Adds opportunities for (a) entry-level jobs and jobs that result in upward mobility for District residents and (b) very small start-up and incubator businesses through innovative parklets | | ED-2.2.8 ED-4.2.6 ED-4.2.9 |
| Adds residents to support the success of a local grocery store, one of a relatively small number of stores in Ward 5 (only Wards 7 and 8 have fewer) | | ED-2.2.6 |

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| | Retains and avoids displacement of the PNC Bank branch on the Property; however, also does not provide any opportunities for direct community equity investment, hiring incentives, CBE requirements, or small business incubator space, or mitigation efforts for potentially rising commercial rents, measures that, when viewed through the lens of racial equity, could help to redress the longstanding racial inequities in wealth building that have resulted from real estate development in the District. As with many policy objectives of the Plan, these items are only ambiguously applicable to private developers (as opposed to District policymaking more generally). On balance, the Project's other positive attributes—affordable housing, family-sized housing, PDR commitments, and job creation opportunities, chief among them—make the Project overwhelmingly inconsistent with the Plan and Small Area Plan | ED-3.2.6 ED-3.2.7 ED-3.1.7 ED-3.2.2 ED-3.2.8 ED-4.2.12 |
| Parks, Recreation, and Open Space and Arts and Culture Elements (ch. 8 and 14) | The Project adds to the diversity of open spaces in the Union Market District, by adding a linear interconnected series of parklets and public plaza areas in front of the Project, a rooftop area that will be more accessible to the public than many others, and improved cycling connections to the nearby Metropolitan Branch Trail. PROS-1.1.3, PROS-3.3.2, PROS-3.4.4, and PROS-4.3.3. The Project's parklets also represent opportunities for temporary and seasonal public art displays and performances. AC-1.1.7 and AC-1.2.2 | |
| Urban Design Element (ch. 9) | The Project's design advances the Plan's design objectives on scales ranging from massing, orientation, and siting to the streetscape, placemaking, and pedestrian-level façade detailing. | |
| Consistent with the Urban Design Element of the Plan, the Project: | | |
| | Is consistent with the block-scale massing, design, Height Act-limited/horizontal urbanism principles in Washington DC and improves upon the delivery of such principles in the image of the District generally relative to the existing suburban and auto-oriented conditions | UD-1.1.1 UD-2.2.1 UD-1.1.5 |
| | Creates a gateway to the District and the Union Market District and helps strengthen the New York Avenue corridor, a major thoroughfare into Washington, DC, in a location that does not disturb the "topographic bowl" of the city and that currently expresses with very little Plan-based urban design consideration in the vicinity of the Project | UD-1.4.4 UD-1.4.2 UD-1.4.1 UD-1.2.2 |
| | Employs superior and innovative architectural design that advances the Small Area Plan's design goals (see below), improves nearby public spaces, avoids monotony, emphasizes the Property's corners, and will endure for decades | UD-4.1.2 UD-4.1.7 UD-4.1.8 UD-4.2.1 |
| | Advances the streetscape objectives of the Plan including: (a) comfortable, safe, and interesting walking paths with direct, accessible pedestrian corridors and numerous pedestrian entrances to a mix of at-grade uses, (b) street trees and pedestrian lighting, (c) cycling infrastructure, (d) integrated non-vehicular transportation options, (e) seamless connections to publicly accessible space on adjacent (privately-owned) portions of the Property, (f) pedestrian-focused placemaking and traffic-calming improvements including parklets and bulbouts, (g) no curb cuts (indeed six closed curb cuts), and (h) "public spaces that can be flexibly programmed to enhance public life" all as memorialized in an addendum to approved Streetscape Design Guidelines | UD-2.1.1 UD-2.1.2 UD-2.1.3 UD-2.1.4 UD-2.1.5 UD-2.1.6 UD-2.1.7 UD-2.1.8 UD-2.2.3 |
| | Provides high-quality, street-activating publicly accessible plazas and parklets that enrich 4 th Street NE and provide opportunities for social interaction (i.e., a "third place"), gathering, play, art, sidewalk vendors, cafés, and foodsellers, special events, and other activities, with features, lighting, and an overall design that promotes public safety, inclusion, and accessibility; importantly, the Project does not remove or | UD-2.3.1 to UD-2.3.5 UD-2.4.1 to UD-2.4.4 UD-3.1.1 UD-3.1.3 |

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| | adversely affect any meaningful existing open spaces – the Project replaces parking lots and curb cuts | UD-3.1.4 UD-3.1.5 UD-3.2.2 UD-3.3.1 to UD-3.3.4 UD-3.2.5 UD-3.3.5 UD-2.2.7 |
| | Creates a strong streetwall where none currently exists, employs projections (canopies, porches, balconies, and steps), provides high-quality storefronts, and improves the adjacent streetscape with social and pedestrian-oriented features that also add visual interest. The Project’s canopies also provide protection against sun and rain. | UD-4.2.2 UD-4.2.3 UD-4.2.6 UD-4.3.2 UD-4.3.5 |
| | Provides a classic tripartite design with a strong top level that respects the urban design intent of the Height Act and penthouse setback requirements as well as the character of the neighborhood while also leveraging the views available at the Property and creating opportunities for outdoor gathering, and resident interactions, and children’s play | UD-3.2.1 UD-4.2.5 UD-4.3.1 UD-4.3.3 UD-4.3.4 UD-2.3.5 UD-1.2.4 |
| | Arguably creates sharp transitions in mass, scale, and character relative to the single-story buildings and existing rooflines in the immediate vicinity of the Property (without any of the more customary stepping or transitioning that might be expected), however, such transitions are a characteristic of the Union Market District, a unique mix of new and old buildings in Washington, DC, and the Project complements and contributes to rather than detracts from the emerging architectural eclecticism of the Union Market District (in a manner not possible elsewhere) | UD-2.2.4 UD-2.2.5 UD-2.2.2 UD-4.2.4 |
| Historic Preservation Element (ch. 10) | The Project respects the Height Act’s limits, generally does not adversely affect the nearby historic district, and does not adversely affect views of the District’s skyline. HP-1.6.2, HP-2.1.1, HP-2.1.3, and HP-2.1.4. It reinforces the “tilted grid” endogenous to the Union Market District and in which the historic district’s fabric is situated and is compatible with the historic district even though it is located outside of such district (the Union Market historic district is one that can accommodate more dramatic new design than predominantly residential historic districts). HP-2.5.3, HP-2.5.4, and HP-1.6.3 | |
| Community Services Element (ch. 11) | The Project continues the incremental advancement of community-serving facilities in Ward 5. | |
| Consistent with the Community Services and Facilities Element of the Plan, the Project: | | |
| | Contributes property taxes to ensure that it pays its fair share for public facilities (impact fees are only to be “considered” for new development and are not required or even necessarily recommended or prioritized) | CSF-1.1.2 CSF-1.2.6 |
| | Adds residential density and demand to the Union Market District and Ward 5 generally that is currently lacking in primary and urgent care options but once built out will attract and justify those community-serving services | CSF-2.3.1 CSF-4.2.4 |
| | Includes amenities, programming, and services for the future senior residents of the neighborhood (sidewalks, parks, balconies, etc.) | CSF-2.4.4 |

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| Infrastructure Element (ch. 13) | The Project is served by adequate infrastructure, which will be updated as necessary as part of the construction of the Project. |
| Consistent with the Infrastructure Element of the Plan, the Project: | |
| Is served by adequate infrastructure (all of it currently underground), and the Applicant’s team has worked with PEPCO, DC Water, and other service providers on the location, scale, and scheduling/timing of facilities to meet future development and neighborhood demand, fees for which are paid at the time of obtaining a building permit | IN-5.1.1 IN-5.1.2 IN-6.1.1 IN-6.1.3 IN-6.2.2 IM-1.1.3 |
| Includes solid waste collection from a fully-indoor trash collection facility which reduces adverse effects (noise, odors, truck movements) on neighbors | IN-3.1.1 IN-3.1.2 |
| Implementation Element (ch. 12 and 25) | The Project is consistent with the implementation objectives of the Plan, including those specifically applicable to the Zoning Commission’s review of the Applications. |
| Consistent with the Implementation Element of the Plan, the Project: | |
| Considers, and provides this analysis to allow the Commission to evaluate, the Project against the Plan’s overlapping policy objectives as part of a consolidated PUD and related Zoning Map amendment case | IM-1.1.5 IM-1.3.3 IM-1.3.4 |
| Was developed as part of a robust public process that included meaningful ANC participation in the design of the Project and its program | IM-1.5.1 IM-1.5.2 IM-1.5.3 IM-1.5.5 |
| Is consistent with the existing Small Area Plan (see below) | IM-1.2.1 |
| Uses additional height and density to achieve other objectives of the Plan including affordable housing and other goals that advance racial equity outcomes | IM-1.1.4 |
| Includes a transportation study (with recommended conditions to mitigate potential impacts), an economic impact analysis, and the racial equity analysis contained herein | IM-1.1.6 |
| Includes a significant housing component with “housing for low-income households . . . and larger family-sized units to serve growing and multigenerational families” per this objective | IM-1.1.7 |
| Includes a package of public benefits that accrue either to the District as a whole or to ANC 5D specifically | IM-1.1.8 |
| Does not involve any school-related proffers, but there was no request from the community for such proffers and additional proffers are not warranted in light of the Project’s robust package of public benefits | EDU-1.2.3 EDU-1.3.3 |
| Is subject to specific and enforceable commitments | IM-1.1.9 |
| District Elements Overall | The Project is not inconsistent with the Land Use Element, which is the most heavily weighted Element of the Plan, even when considering the PDR-related objectives of the Plan, as recently amended. Modest inconsistencies with individual policy objectives of other District Elements are significantly outweighed by the Project’s overall consistency with the District Elements. |

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| Area Element | Upper Northeast (ch. 24) | The Project provides new mixed-use development consistent with other Elements of the Plan (regarding PDR uses, mobility, services, etc.) on an infill development site along New York Avenue, NE. UNE-1.1.3 and UNE-2.3.3 |
| | Consistent with the Area Element, the Project: | |
| | Provides for new affordable and mixed-income housing and growth in Ward 5 away from the predominantly residential Upper Northeast neighborhoods | UNE-1.1.1 |
| | Improves economic development, business, and linkages to job opportunities and pedestrian-oriented retail near Florida Avenue NE and Metrorail in a manner that does not diminish the “area’s ability to function as an industrial district” given that no industrial uses are present on the Property today; however, although policy objective UNE-1.1.8 notes that “The uses, height, and bulk permitted under the existing PDR zones are expected to remain for the foreseeable future”, such language (a) does not preclude changes to PDR zones consistent with the Future Land Use Map and Policy Map, which have greater weight than this section, (b) should be understood as subject to and superseded by the effective Small Area Plan recommendations with which it is in conflict, and (c) in any event is couched merely as an “understanding” and not a requirement (e.g., it does not say that uses, height, and bulk under the existing PDR zones shall not change) | UNE-1.1.6 UNE-1.1.8 UNE-1.2.4 UNE-1.2.5 UNE-2.3.2 |
| | Provides (a) uses that are environmentally improving relative to more intense PDR uses allowed as a matter-of-right on the Property and (b) street trees where none exist | UNE-1.2.9 |
| | Improves the appearance of New York Avenue as a gateway to Washington, DC with an iconic and visually striking new building to serve as a gateway into the District and the neighborhood, a building serves the dual function of acting as a buffer between the highly-trafficked New York Avenue (and the railyards to the north) and the Union Market District | UNE-1.1.11 UNE-2.3.1 |
| | Includes streetscape improvements along New York Avenue, NE (as well as along 4 th Street NE) | UNE-1.2.1 |
| | Avoids any adverse effects on Upper Northeast historic resources | UNE-1.2.2 |
| | Improves pedestrian and bicycle access and safety within the Union Market District and along Mount Olivet Road as part of a larger Northeast DC connection effort | UNE-1.2.6 UNE-2.6.2 |
| | Implements the redevelopment of the Union Market District (sometimes called the “Florida Avenue Market”) consistent with the Small Area Plan (see discussion below) | UNE-2.1.2 |
| Small Area Plan and W5W Study | Florida Avenue Market Study | <p>The Small Area Plan includes four overarching goals, an eight-point summary of the vision statement for the future of the Union Market District, and specific recommendations for 4th Street NE. In addition, the Small Area Plan includes intensity and use maps.</p> <p>In general, the Project is consistent with each of the eight recommendations and with the urban design and open space commentary in the Small Area Plan except arguably with respect to one “Urban Design” objective, as noted below.</p> <p>The Project’s high-density nature is consistent with the “Zoning and Intensity Plan” designation for the Property as appropriate for “high density” development. The Small Area Plan’s “Illustrative” (i.e., land use) map identifies the Property as appropriate for mixed-use development including potentially wholesale/retail market space, which is consistent with the Project’s mix of uses.</p> |
| | Consistent with the Small Area Plan, the Project: | |

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| | <p>Matches the “Function” (i.e., use) recommendation (i.e., “New residential, office, and retail uses create a vibrant mixed use destination that retains a revitalized wholesale/retail market” – p55) because the Project contributes to the vibrant, mixed-use nature of the Union Market District that accommodates retention of food-based uses and maker/wholesale uses; in particular, the Small Area Plan strongly encourages a food-based economy (“There is a unique opportunity to cluster food retail and related uses in the [Union Market District] to highlight its unique character and history. . . . Other enterprises such as catering companies, cooking supply stores, culinary schools and retail stores can also realize this opportunity.” – p56-57)</p> | <p>Function/ Land Use (p52, 55(1)⁸- 58, 60-61)</p> |
| | <p>Is consistent with the “Character” (i.e., intensity or density) recommendation for the Property (i.e., “High Density” as shown in the Small Area Plan for areas along New York Avenue and with the heights and densities of the Washington Gateway Project PUD, and now the 500 Penn Street, NE and other PUDs⁹), reaches the desired high-density level yet is designed to be integrated into the overall form of the Union Market District and does not harm the preservation, renovation or reuse of the historically contributing structures elsewhere in the Union Market District</p> | <p>Character (Intensity) (p52, 55(2)- 58, 61)</p> |
| | <p>Adaptively reuses one of the two structures on the Property (i.e., the existing 1346 4th Street building), however, neither existing building is historic and the Property is not within the historic district (neither renovation nor adaptive reuse of the existing structure on 1348 4th Street lot is desirable in light of other recommendations, and that structure is not an original market building)</p> | <p>Historic/ Adaptive Reuse (p54-55(8), 57)</p> |
| | <p>Addresses what the Small Area Plan acknowledges is a complex urban design environment, in that the Project:</p> <ul style="list-style-type: none"> • Does not adversely affect or involve any contributing structures; • Is architecturally compatible with other new buildings in the Union Market District, employs canopies and ground level design to reflect and reinterpret the existing historic structures, and is unmistakably bold and contemporary in its overall form and materiality; thus, although the Project does not “seamless blend” into its surroundings, its design approach is consistent with the Small Area Plan’s vision for the Union Market District; • Maintains a relatively uniform 130-foot height, which varies from other nearby approved buildings by approximately 10 feet but matches the heights of others recently approved to the south • Provides a ground floor and façade design that is pedestrian-friendly with large retail windows, high ceilings, no blank expanses, and pedestrian-activating streetscaping • Features multiple pedestrian entrances and articulation at the ground level create a pedestrian scale. | <p>Urban Design (p62)</p> |
| | <p><i>[the Small Area Plan discusses the following four topics with respect to 4th Street, NE as a whole]</i> (p76)</p> | |
| | <p>Advances the “functional, safety, dynamism, and appealing” recommendations with:</p> <ul style="list-style-type: none"> • <u>Functions</u>: housing and commercial/retail uses (i.e., “functions”) • <u>Safety</u>: improvements to pedestrian and cyclist safety and street-activating uses | <p>Sense of Place (p52, 55(3), 63, 76)</p> |

⁸ This numbering refers to the page numbers of the Small Area Plan. Page 55 includes a list of eight bullets, each of which is referenced in this section with a number in parenthesis corresponding to the bullet on page 55.

⁹ “The high density sub-area encourages the development of larger scale projects adjacent to the rail line and along New York Avenue, which is considered one of the “gateways” to the city. The width and traffic volumes of New York Avenue support this level of building height and density. It is also consistent with the density approved for the Washington Gateway Project PUD. High density development at these locations is in accordance with the goals of the Northeast Gateway Revitalization Strategy and the New York Avenue Corridor studies.” – p60

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| | <ul style="list-style-type: none"> • Dynamism: a mix of uses that will promote > 18-hour per day activity (“activities will be early in the morning and continue into the evening” – p52) • Appeal: an innovative and bold design that will draw visitors to the District to appreciate the architecture and views • The Project’s streetscape is designed pursuant to the Union Market Streetscape Design Guidelines, which are intended to enhance the sense of place and pedestrian character of the Union Market District • Finally, the Project advances the food-economy origins of the Union Market District (“Ground floors will be filled with a variety of retail shops with a particular emphasis on food” and “Visitors are drawn to [4th Street NE] either for wholesale activities or to take advantage of distinctive retail food shops” – p76) | |
| | Creates a pedestrian-friendly public realm, with textural materials to create a connection between passersby and the building itself, streetscape improvements and wayfinding in accordance with the Design Guidelines to create a unique identity in the District, and a highly usable and desirable ground-level streetscape that promotes activity (i.e., the entire ground level of the Project (apart from the residential lobby) is devoted to a mix of retail and PDR/Maker uses) | Public Realm (p53, 55(5), 64, 61, 76) |
| | Includes thoughtful design in accordance with the Union Market Streetscape Guidelines which includes unique amenities and other pedestrian-focused features, with parklets and integrated plaza spaces in front of the building entrances | Open Space (p76) |
| | Create pedestrian-oriented streetscapes, with: <ul style="list-style-type: none"> • all vehicular access and loading de-emphasized and moved to the functional rear of the Property, • planned improvements to the sidewalks and removal of all six existing curb cuts, • the Small Area Plan-identified traffic calming measures in 4th Street, NE and • proposed innovative “parklet” features in the parking lane | Transport (p53, 55(6), 62-64, 76) |
| | Reinforces the appeal of the Union Market District as a neighborhood with a unique mix of uses and architecture, and its modern design contrasts with the grittier mercantile nature of the center spine wholesale buildings, highlighting their historic nature; Capitalizes on the Property’s proximity to Metrorail and the street grid and fabric of the District and provides features that will draw residents, workers, shoppers, wholesale and retail market vendors, visitors from across the region, students from Gallaudet and other universities, and students from KIPP and other nearby schools | Allure (p52, 55(4), 63) |
| | Achieves LEED v.4 Gold certification, satisfies stormwater and GAR requirements (on a lot that currently is mostly just a paved surface parking lot), and provides on-site renewable energy | Sustainability (p54-55(7)) |
| | <i>[the Small Area Plan also includes four implementation goals]</i> (p88-92) | |
| | Implements the mixed-use amenity-rich development goal | Goal 1 (p88) |
| | Improves pedestrian and bicycle access and safety along 4 th Street NE (and funds study of other improvements along Mt. Olivet Road) | Goal 2 (p90) |
| | Is not inconsistent with the illustrative site plans in the Small Area Plan with respect to green space and furthers those plans by adding parklets and plaza areas along 4 th Street, NE | Goal 3 (p92) |
| | Incorporates sustainable design principles (e.g., LEED Gold, solar panels, GAR compliance, etc.) | Goal 4 (p92) |
| WSW Study | The Project advances the Ward 5 Works overarching “Vision” and many of the eight specific “Goals”. The Vision seeks “a cutting-edge and sustainable production, distribution, and repair industry that diversifies the District’s economy, serves as a hub for low-barrier employment, | |

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| | <p>complements and enhances the integrity of neighborhoods, and provides opportunities for arts, recreation and other community amenities.” The Project provides the physical infrastructure for future production uses.</p> <p>The Project continues the Union Market District’s diversification of the District’s economy, and provides space for inclusive employment and other amenities. The Project helps “Create great places, improve physical appearance and enhance connectivity” among other Goals of the W5W Study summarized below.</p> |
| Consistent with the W5W Study, the Project: | |
| Adds a mix of uses, including PDR/maker uses that diversify the overall District economy, bolster the mix of food-based PDR uses in the Union Market District, and create opportunities for new and emerging businesses | Goal 1 Goal 2 |
| Promotes inclusive economic growth with a range of job opportunities | Goal 3 |
| Avoids the type of “nuisance” uses experienced in other PDR-zoned areas | Goal 4 |
| Improves environmental performance and stewardship (especially compared with existing conditions) | Goal 5 |
| Serves other (non-PDR) municipal functions through the production of on-site affordable housing to house future employees of on-site and other nearby PDR uses | Goal 6 |
| Includes other community amenities (e.g., public space improvements) | Goal 7 |
| Improves the physical appearance of the Property, helps create a “great place” in the Union Market District, and enhances pedestrian and cyclist connectivity | Goal 8 |
| Uses a zoning process (a) to add PDR uses to a PDR-zoned site where no PDR uses exist today and (b) to add new maker spaces | Action 2.1 Action 2.2 Action 2.3 |
| Improves environmental performance with respect to tree boxes, non-automotive forms of transportation, low impact development via on-site stormwater retention, building energy efficiency improvements | Actions 3.3-3.5, 12.4 |
| Incentivizes PDR uses through a mandatory set-aside of ground floor space for such uses and through build out to PDR-supportive building specifications | Action 5.4 |
| Serves as a buffer between the highly-trafficked New York Avenue (and the railyards to the north) and the Union Market District | Action 8.7 |
| Invests in bicycle and pedestrian connection improvements | Action 11.1 |
| Area Element, Small Area Plan, and W5W Study Overall | The Project implements the affordable housing and other objectives of the Area Element, the food-based economy, public realm, and density recommendations of the Small Area Plan, and the diversification, sustainability, connectivity, and procedural action items of the W5W Study and is overwhelmingly consistent with those documents, when taken as a whole. |