

MEMORANDUM

TO: District of Columbia Zoning Commission

FROM: ^{JLS}
Jennifer Steingasser, AICP Deputy Director, Development Review & Historic Preservation

Matt Jesick, Development Review Specialist

DATE: June 1, 2021

SUBJECT: Preliminary Report on Zoning Commission Case No. 19-29, Consolidated Planned Unit Development and Related Map Amendment at 1348 4th Street, NE

I. RECOMMENDATION

UM 1348 4th Street NE, LLC and 1250 4th ST EDENS, LLC request a consolidated PUD and related map amendment to construct a 130', 9.83 FAR mixed use building on a property on the west side of 4th Street in Florida Avenue Market, at Penn Street and New York Avenue. The Office of Planning (OP) supports redevelopment of the site and the design direction for the building.

However, OP cannot recommend that the public benefits and project amenities of the PUD are commensurate with the degree of development incentives requested including the increase in density from the PUD-related rezoning because the proposed use mix and the amount of affordable housing proposed is not consistent with the Comprehensive Plan and the Mayor's Order on Housing of May 10, 2019.

II. BACKGROUND AND EXECUTIVE SUMMARY

The applicant originally submitted case #19-29 on November 26, 2019. At that time the PUD site consisted of the PNC Bank lot on the west and south sides of 4th Street, where that street bends, and the lot on the north side of 4th Street on New York Avenue. Subsequently, however, the lot on the north side of 4th Street was removed from the application, and Lot 7 in Square 3587, immediately south of the bank site, was added. The building design was completely reimagined, and a revised application package was submitted on December 23, 2020. Since that time OP and the applicant have had discussions about the nature of the application, its relationship to the Comprehensive Plan, and the degree of benefits proposed with the PUD.

OP’s current evaluation of the application is framed by two threshold issues: the provision of a robust production, distribution and repair (PDR) component, and the provision of a robust inclusionary zoning (IZ) residential component. OP strongly supports redevelopment of the site with a mixed use building and approves of the design direction proposed in the architectural drawings. However, the Comprehensive Plan, together with other District policy guidance, and the large degree of flexibility in floor area, height and use sought through the PUD, strongly suggest significant increases in the amount of both PDR and IZ floor area.

PDR – The applicant has committed to provide 2.5% of the commercial floor area – 1,373 square feet – as “PDR / maker” uses, but only for a period of five years. Furthermore, the applicant’s proposed definition of “PDR / maker” uses would potentially include any type of retail. OP recommends that 50% of the commercial floor area be reserved permanently for true PDR or maker uses.

IZ – In the record, the applicant has committed to provide 10% of the residential floor area as inclusionary residential units¹. That equates to 37,539 gross square feet. One to two IZ units would be three bedroom units. OP recommends that a minimum of 15% of the residential floor area be inclusionary, and that more units be three bedroom or larger.

The Council adopted a new Comprehensive Plan Framework Element, effective February 11, 2020 that identifies affordable housing as “*high-priority public benefits in the evaluation of residential PUDs...*” (§224.9).

A Mayor’s Order directing District agencies to study a variety of approaches to accelerate housing production while addressing the housing needs of specific populations was released on May 10, 2019. Specifically, the Order proposed increasing the supply of dedicated affordable housing by 12,000 units to low income households.

Resolution of these two issues is necessary for the level of benefits to be commensurate with the degree of flexibility sought through the PUD.

III. APPLICATION-IN-BRIEF

Applicant	Edens (UM 1348 4th Street NE, LLC and 1250 4th ST EDENS, LLC)	
Location	1348 4 th Street, NE Square 3587, Lots 3 and 7	Ward 5, ANC 5D
Current Zoning	PDR-1 – Moderate-density commercial and PDR activities employing a large workforce and requiring some heavy machinery under controls that minimize any adverse impacts on adjacent, more restrictive zones.	

¹ In email correspondence with OP, the applicant has indicated that they would revise their IZ contribution to 12%. That proffer, however, is not yet reflected in the record of the case.

Proposed PUD-Related Zoning	MU-9 – Permits high-density mixed-use development including office, retail, and housing, with a focus on employment.
Additional Relief and Flexibility Requested	<ul style="list-style-type: none"> • Special Exception for penthouse eating and drinking establishment per C § 1500.3(c); • Flexibility for court dimensions; • 5% bonus density beyond typical 20% PUD bonus, per X § 303.10; and • Design flexibility.
Site Characteristics	The subject site is bound by 4 th Street on the east and northeast, a small portion of New York Avenue to the northwest, and an alley and railroad easement to the west. The property slopes up from south to north along 4 th Street, to a high point at New York Avenue. The existing grade also drops off at the western edge of the property down toward the alley and railroad easement.
Existing Development	One story bank with parking lot and drive through on northern lot; One story commercial building on the southern lot.
Comprehensive Plan Generalized Policy Map	Multi-Neighborhood Center
Comprehensive Plan Future Land Use	Mixed-Use: <ul style="list-style-type: none"> • High Density Residential • High Density Commercial • Production, Distribution, and Repair
Relevant Small Area Plan and Studies	<ul style="list-style-type: none"> • Florida Avenue Market Study Small Area Plan; • Ward 5 Industrial Land Transformation Study (Ward 5 Works); and • Mayor’s Order on Housing.

SUMMARY OF DEVELOPMENT PARAMETERS		
Height	130’, 13 Stories	
Site Area	43,782 sf	
Floor Area*		
Residential	375,387 sf	(8.57 FAR)
Comm., Retail, Back of House	54,902 sf	(1.25 FAR)
Total	430,289 sf	(9.83 FAR)
Penthouse floor area*	15,807 sf	(0.36 FAR)
Dedicated PDR / Maker Space – for 5 years**	1,773 sf (0.03 FAR) (= 5% X (50% of Non-residential floor area constructed to PDR standards))	
Dwelling Unit Breakdown	Studio	Not provided
	1 Bedroom	Not provided

	1 Bedroom + Den	Not provided
	2 Bedroom	Not provided
	2 Bedroom + Den	Not provided
	3 Bedroom	10 – 15 (3% – 4%)
	Total	379
IZ Proffer*** (does not include required penthouse IZ)	10%, 37,539 sf 90% at 60% AMI (33,785 sf) 10% at 50% AMI (3,754 sf) 10% of all 3 BR units to be affordable at 60% AMI (1 to 1.5 units) [†]	
Vehicle Parking	254 spaces	
Bicycle Parking	410 long term, 39 short term	

* Exhibit 12A, p. 7

** Description of PDR proffer at Exhibit 12A, p. 10. Calculated by OP.

*** Description of IZ proffer at Exhibit 12A. Calculations by OP. In email correspondence with OP, the applicant has indicated that they would revise their IZ contribution to 12%. That proffer, however, is not yet reflected in the record of the case.

† Exhibit 12A, p. 33

IV. SUMMARY OF OP COMMENTS

The following summarizes OP Comments from this report. OP will continue to work with the applicant to adequately address these issues, and, should the case be set down, attempt to reach resolution prior to a public hearing.

	OP Comment	Planning and/or Zoning Rationale
1	In order to render the application not-inconsistent with the Comprehensive Plan, and to provide a benefit commensurate with the degree of flexibility sought through the PUD, a significant portion of the non-residential floor area should be reserved for PDR uses for the life of the project. OP recommends 50% of the non-residential floor area.	<p>The applicant has proposed to construct 50% of the non-residential floor area to “PDR Maker construction specifications” (Exhibit 12A, p. 10), and reserve 5% of that space for PDR / maker uses for a period of five (5) years. This would result in a total commitment of only 1,373 square feet for a period of only five years.</p> <p>This proffer is insufficient, given the policy guidance of the Comprehensive Plan, including the FLUM, as well as the Ward 5 Works Industrial Land Transformation Study and the Florida Avenue Market Small Area Plan. For a complete analysis of these policy documents, please see below in this report.</p>

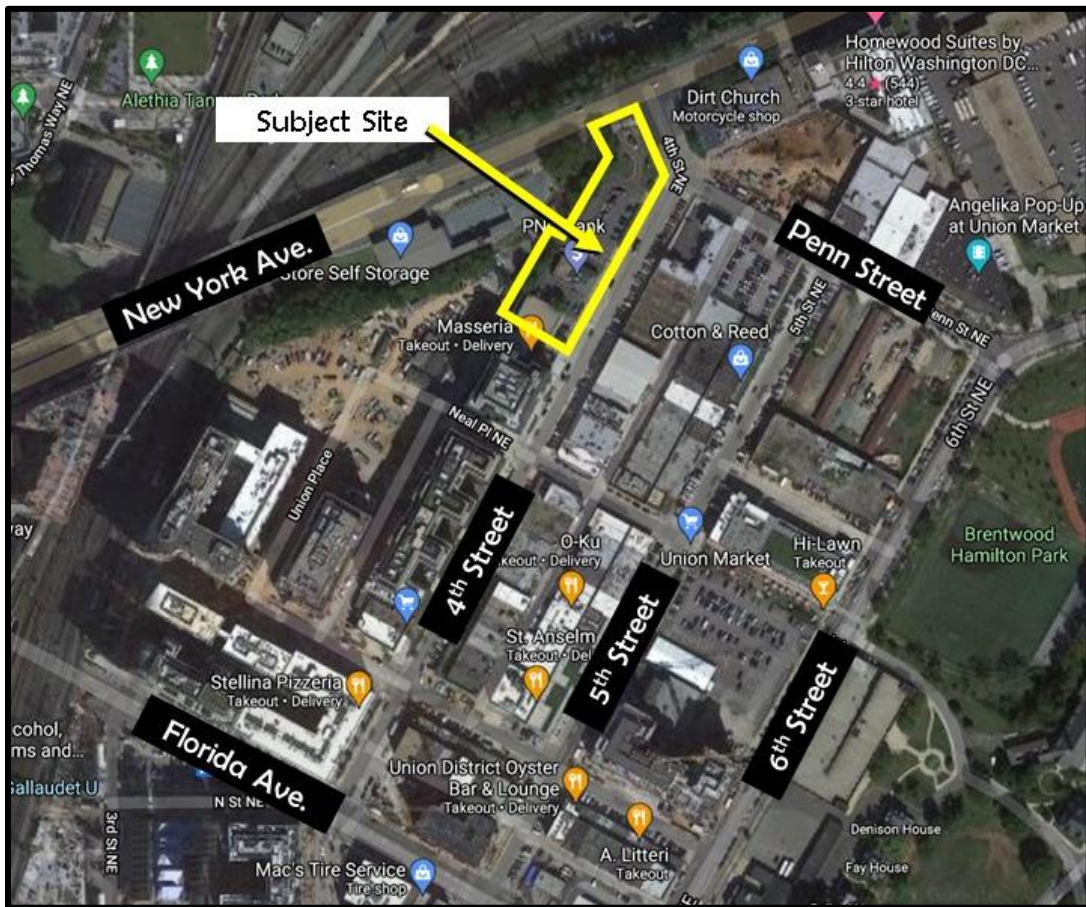
2	<p>In order to render the application not-inconsistent with the Comprehensive Plan, and to provide a benefit commensurate with the degree of flexibility sought through the PUD, a higher percentage of the residential floor area should be reserved for inclusionary dwelling units. OP recommends a minimum of 15% of the residential floor area.</p>	<p>The applicant has proposed to dedicate 10% of the residential floor area to IZ units², or approximately 37,500 gross square feet.</p> <p>This proffer is insufficient, given the</p> <ul style="list-style-type: none"> • Policy guidance of the Comprehensive Plan; and • Direction provided by the Mayor’s Order on Housing. <p>For a complete analysis of these policy documents, please see below in this report.</p>
3	<p>The applicant’s definition of “PDR / Maker” uses appears to be overly broad and needs refinement.</p>	<p>In order to meet the Comprehensive Plan’s goal of providing true PDR uses on this site, the definition of which uses are permitted in the PDR-reserved space should be focused, rather than allowing for general retail, which can be accommodated elsewhere in the building.</p>
4	<p>As part of refining the definition of PDR uses, the applicant should examine a separate commitment to small and local businesses.</p>	<p>OP applauds the applicant’s idea to support small and local businesses. However, not all small and local businesses would qualify as PDR or maker uses. The applicant has the ability to support true local PDR uses as part of their PDR commitment, but can also support local uses that are not PDR in the remaining commercial space.</p>
5	<p>The applicant should provide an analysis that identifies how the project and commercial tenants would further the <i>Ward 5 Works</i> plan.</p>	<p>The <i>Ward 5 Works</i> plan focuses on the adaptation of industrial land to develop a cutting-edge and sustainable production, distribution, and repair industry that diversifies the District’s economy, serves as a hub for low-barrier employment, complements and enhances the integrity of neighborhoods, and provides opportunities for arts, recreation and other community amenities. The applicant should address how the specific proposed development furthers this goal.</p>
6	<p>According to page 3 of Exhibit 12A, the Florida Avenue Market “retains a conglomeration of wholesalers”. The applicant should provide a list or summary of which wholesalers remain in the market.</p>	<p>A knowledge of the complete range of current uses within Florida Avenue Market, including existing wholesalers, will help the Commission and staff understand the background for the current PUD.</p>

² In email correspondence with OP, the applicant has suggested that they would provide 12% of the residential floor area as inclusionary units. That commitment, however, is not yet in the record.

7	Provide additional explanation for why the additional FAR provided for under X § 303.10 is “essential to the successful functioning of the project”.	The explanation provided at Exhibit 12A, p. 16 seems to say that the grade changes result in areas counting as floor area that would otherwise not count. It does not explain, however, as required by the Regulations, why the resulting FAR, above what is normally permitted, would be necessary, and why the design couldn’t be refined in other areas of the building to reduce the excess FAR.
8	The mix of residential unit types should include more “family sized” units.	The Comprehensive Plan strongly supports the development of larger units to house families with children. Currently 3% to 4% of the units are proposed to be 3 bedroom, approximately equivalent to 10 to 15 units.
9	The applicant should provide a description and drawings showing the proposed interim and ultimate conditions for 1346 4 th Street, the existing building that will remain. The applicant should also explain why the curb cuts to that property would remain, as stated on p. 8 of Exhibit 12A.	1346 4 th Street is part of the PUD, but the record does not yet contain drawings for that building, or a description of its use after the bank has finished its interim tenure there. In order for staff and the Commission to evaluate the PUD, complete information about all of the PUD’s components is required. Furthermore, OP questions why, as stated on page 8 of Exhibit 12A, the existing curb cuts at 1346 would remain. That would seem to work against District pedestrian safety goals.
10	Throughout the application (see, for example, p. 7 of Exhibit 12A), the description is ambiguous about the exact mix of uses at the rooftop level. The applicant should commit to an exact penthouse use program.	Staff and Commission review of a PUD is dependent on precise information, including the proposed mix of uses. The use of the penthouse level would impact IZ contributions, and the Commission would also be reviewing features like lighting and noise, depending on the rooftop use.
11	Explore design details that could add interest to the wall on the western exposure of the building, including adding balconies.	Because of the railroad easement, that façade of the building would likely remain highly visible from New York Avenue, and should be more visually interesting and not so plain.
12	The design should incorporate many more balconies for residential units.	According to page 11 of Exhibit 12A, only 17% of the units would have balcony access. While the balconies provided appear to be large in size, a much greater percentage of the building’s residents should have access to private outdoor open space and fresh air. Balconies should be of a useable dimension.
13	The applicant should provide a sign plan identifying sign locations on the building, and provide additional information about and renderings of the proposed large scale lighting and static signage on the New York Avenue side of the building.	Sign standards are an important element of building design, as their design and placement may impact the appearance of the building. The large scale lighting and signage could have visibility from a great distance, and whether positive or negative, their impact must be understood.

14	The applicant is encouraged to include solar panels within the project.	Environmental protection is a goal of the Comprehensive Plan and Sustainable DC Plan, and the placement of solar panels on PUD projects is highly supported by OP, DOEE, and the Commission.
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V. AREA AND SITE DESCRIPTION



The project would be located in the Florida Avenue Market, which is an approximately 40-acre area located north of Florida Avenue, south of New York Avenue, and west of Sixth Street. The subject site is at the north end of Florida Avenue Market, on the west side of 4th Street, where 4th meets Penn Street and New York Avenue. It is about half a mile walk to the Noma Metro station. The property slopes up approximately 25 feet from south to north along 4th Street, to a high point at New York Avenue. The existing grade also drops off at the western edge of the property down toward the alley and railroad easement. The market and its immediate surroundings have been and are being redeveloped with a number of mixed use projects, including to the south of the subject site along 4th Street and to the southwest, adjacent to 3rd Street and the railroad right of way. Much of the area between 4th and 5th Streets is designated as an historic district, but the area

between 5th and 6th is also approved or proposed for high density mixed use redevelopment. Many new restaurants and retailers have located in Florida Avenue Market in recent years. According to page 3 of Exhibit 12A, the Florida Avenue Market “retains a conglomeration of wholesalers”. The applicant should provide a list or summary of which wholesalers remain in the market. That background information would help the Commission and staff fully understand the background for the current PUD. Beyond 6th Street to the east is Gallaudet University. Immediately to the west of the subject site, across the alley and railroad easement, is a self-storage facility fronting on New York Avenue.

VI. PROJECT DESCRIPTION

General Description

The applicant proposes to construct a 13 story, 130 foot high building consisting of ground floor commercial space and 12 stories of residential above. A habitable penthouse would also be provided, although the exact use of the penthouse has not been confirmed. OP requests that the applicant firmly establish a use mix for the rooftop. According to page 6 of Exhibit 12A, the residential units in the building would be rental. The entrance to the residential would be at approximately the midpoint of the building’s east façade, and commercial entrances would be possible all along the 4th Street and New York Avenue façades of the building. Parking and loading would be accessed from the alley at the rear of the building.

Because of the slope of 4th Street, the commercial space would have a “headroom” height of at least 10 feet at New York Avenue, but would have headroom of over 30 feet at the southern end of the building (Exhibit 12F, p. 13). The top of the ground floor would be demarcated on the exterior of the building by a projecting canopy reminiscent of historic buildings within Florida Avenue Market.

The building footprint generally follows the outline of the lot, with two major courts breaking up the upper-story eastern residential façade. Some of the corners on that side of the building are chamfered to give additional shape and unique opportunities for balconies. According to renderings – Exhibit 12F, p. 19, for example – the balconies would have extensive landscaping. Page 12 of Exhibit 12A states that “The landscaping on the balconies is both a design and a sustainability feature and will be maintained by an integrated irrigation system and regular monthly upkeep and semi-annual maintenance conducted by property management in a coordinated fashion.” OP strongly supports the landscaping, as well as the large size of the balconies and their prominent incorporation into the design of the building. However, page 11 states that only 17% of the units in the building would have balconies. The design should be revisited to incorporate more balconies so that a high percentage of tenants can have private outdoor open space and fresh air. All balconies should be of a useable dimension. The western façade of the building is proposed to be much less articulated. See the rendering on p. 21 of Exhibit 12F. Because of the railroad easement, that façade of the building would likely remain highly visible from New York

Avenue, and OP recommends that the applicant explore design details that could add interest to that wall. Additional balconies could play a part in that redesign.

The applicant also proposes to install large-scale lighting and signage on the New York Avenue side of the building. See pages 72 – 75 of Ex. 12F. OP does not object to the exploration of different signage options, especially in an area of very modern character. But given the site's prominent location, it is critical that the applicant provide additional detail about the nature of the signage, beyond the description on pp. 11 and 12 of Ex. 12A, and provide several additional renderings, including renderings from distant viewpoints that may have sight lines to the subject site. The application should also include a sign plan for general site signage.

Use Mix

The building would have 54,902 sf of commercial, retail and back of house space. According to p. 10 of Exhibit 12A, “Half of the non-residential area on the ground floor of the Project will be constructed to “PDR/Maker” use specifications. Moreover, the Applicant will reserve five percent (5%) of such space for PDR/Maker uses for a period of five (5) years.” That is equivalent to 2.5% of the non-residential area dedicated to PDR uses for five years, or 1,373 sf. The building would have 375,387 sf of residential use, 10% of which would be dedicated to IZ units. These figures do not include the penthouse, which would have “up to approximately 15,807 square feet of penthouse habitable space to be allocated among a mix of amenity space for the building’s residents..., and/or residential units, and/or rooftop commercial uses” (Exhibit 12A, p. 7). The applicant has requested special exception relief to permit a restaurant or bar at the rooftop level, though the record does not seem to contain much information about the use and how it would function. Should this case advance to a public hearing, the applicant should provide additional details necessary for review of the special exception.

PDR Definition

At page 10 of Exhibit 12A, the applicant proposes a definition of “PDR / Maker” uses – that is, uses that could qualify for the space reserved for PDR uses. This definition contains many positive elements, but is also ambiguous in parts, and so broad in parts as to potentially allow almost any kind of retail or restaurant use. For example, the applicant seeks to allow the “curation and sale of small-scale production goods”. While the definitions of “curation” and “production goods” has not been provided, it seems that this is another way to describe general retail. Similarly, the proposed food and beverage use definition could be interpreted very broadly: “production, sale, and/or distribution of food and beverages (provided that the onsite consumption of food and beverages shall only be permitted when associated with such production, sale, and/or distribution user);” OP will continue to work with the applicant on refining these use definitions so that they permit only true PDR or maker uses in the space reserved for such uses.

Another portion of the definition proposes to allow “new and locally-owned small businesses as certified with the Department of Small & Local Business Development”. OP strongly supports

reserving space for small and local businesses, whether new or well established. However, not all of those businesses will be PDR uses. This project presents the applicant with an opportunity to enact their laudable goal of supporting local businesses by reserving a portion of their general retail and a portion of their PDR space for local, minority-owned, and/or Ward 5 based businesses. This commitment could overlap with the PDR commitment, but should be separate from it.

Additional FAR

Subtitle X § 303.10 allows the Commission to grant an increase of 5% in the permitted FAR, provided “that the increase is essential to the successful functioning of the project and consistent with the purpose and evaluation standards of this chapter”. The applicant requests that the Commission grant the increase, and their written justification is contained on p. 16 of Exhibit 12A. The explanation seems to say that the grade changes result in areas counting as floor area that would otherwise not count, such as mezzanines and portions of the garage level. It does not explain, however, as required by the Regulations, why the resulting FAR, above what is normally permitted, would be necessary, and why the design couldn’t be refined in other areas of the building to comply with the maximum FAR. The following table shows the relationships between the densities permitted on the site under various scenarios.

	Site Area	PDR-1	Base MU-9	MU-9 IZ	MU-9 PUD	X § 303.10
Calculation	-	-	-	=base + 20%	=IZ + 20%	=PUD + 5%
FAR	-	3.5	6.5	7.8	9.36	9.828
Area (sf)	43,782	153,237	284,583	341,500	409,800	430,289

Sustainable Design

According to the application, “The Project is designed to be certified at the level of LEED Gold v4 (Exhibit 12A, p. 13). OP supports the sustainable elements incorporated into the design of the building, and requests that the applicant confirm that it will obtain LEED certification. The LEED checklist (Ex. 12F, p. 71) indicates that “Renewable Energy Production” is a potential source of LEED points. OP recommends that the applicant commit to including solar panels on the building and to work with DOEE to find ways to maximize on-site energy generation.

VII. PLANNING EVALUATION

As described in the Introduction to the Comprehensive Plan, the Plan is the centerpiece of a “Family of Plans” that guide public policy in the District (Chapter 1, Section 103). The Introduction goes on to note three “Tiers” of Planning (Section 104), including:

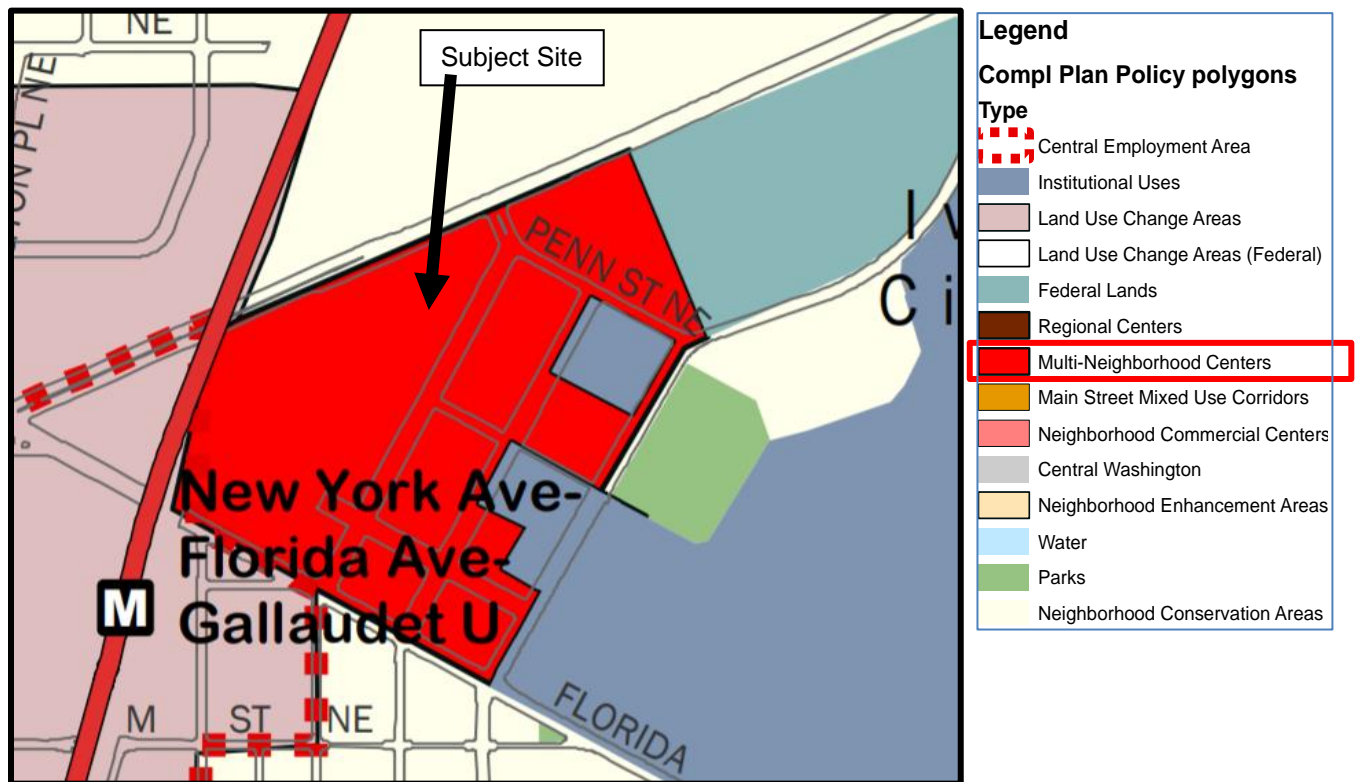
- a. Citywide policies
- b. Ward-level policies
- c. Small area policies.

The Generalized Policy Map and the Future Land Use Map are integral with the written elements. This section provides an analysis of the project against District policy.

A. COMPREHENSIVE PLAN MAPS

The Comprehensive Plan includes two land use maps – the Generalized Policy Map and the Future Land Use Map. The guidance of those maps as they relate to the subject site is described below. The maps are to be interpreted in conjunction with relevant written goals, policies and action items in the Comprehensive Plan text, and further balanced with policies or objectives contained in relevant Small Area Plans and other citywide or area plans.

Generalized Policy Map



Comprehensive Plan Generalized Policy Map

The Generalized Policy Map designates most of the Florida Avenue Market as a Multi-Neighborhood Center, which is defined as follows:

Multi-Neighborhood Centers

Multi-neighborhood centers contain many of the same activities as neighborhood centers but in greater depth and variety. Their service area is typically one to three miles. 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 office space for small businesses, although their primary function remains retail trade... Mixed-use infill development at these centers should be encouraged to provide new retail and service uses, and additional housing and job opportunities. (Comprehensive Plan Framework Element §§ 225.17-225.18)

The proposed development would not be inconsistent with that designation, as it would provide approximately 379 new housing units and 55,000 square feet of non-residential space. The Florida Avenue Market, however, is a unique multi-neighborhood center because the Comprehensive Plan, the small area plan and the Ward 5 Works plan all encourage the maintenance of PDR uses in the area. A substantial commitment to true PDR uses on this site could provide job opportunities typically seen in multi-neighborhood centers and provide a location in the city for light industrial or heavy commercial uses.

Future Land Use Map (FLUM)

The Future Land Use Map (FLUM) indicates that the site is appropriate for a mix of high density residential, high density commercial, and production, distribution, and repair (PDR) uses. Please refer to the map excerpt below. Mixed use categories are used on the FLUM in a variety of circumstances, including commercial corridors or districts which may not contain substantial amounts of housing today, but where more housing is desired in the future; and locations where it is anticipated that development would include residential uses, particularly affordable housing, and residentially compatible industrial uses, typically achieved through a Planned Unit Development or in a zone district that allows such a mix of uses (Framework Element §§ 227.20(b) and (d)). The individual use categories are defined as follows.

High Density Residential

This designation is used to define neighborhoods and corridors generally, but not exclusively, suited for high-rise apartment buildings. Pockets of less dense housing may exist within these areas. Density is typically greater than a FAR of 4.0, and greater density may be possible when complying with Inclusionary Zoning or when approved through a Planned Unit Development. The RA-4 and RA-5 Zone Districts are consistent with the High Density Residential category, and other zones may also apply. (Framework Element § 227.8)

High Density Commercial

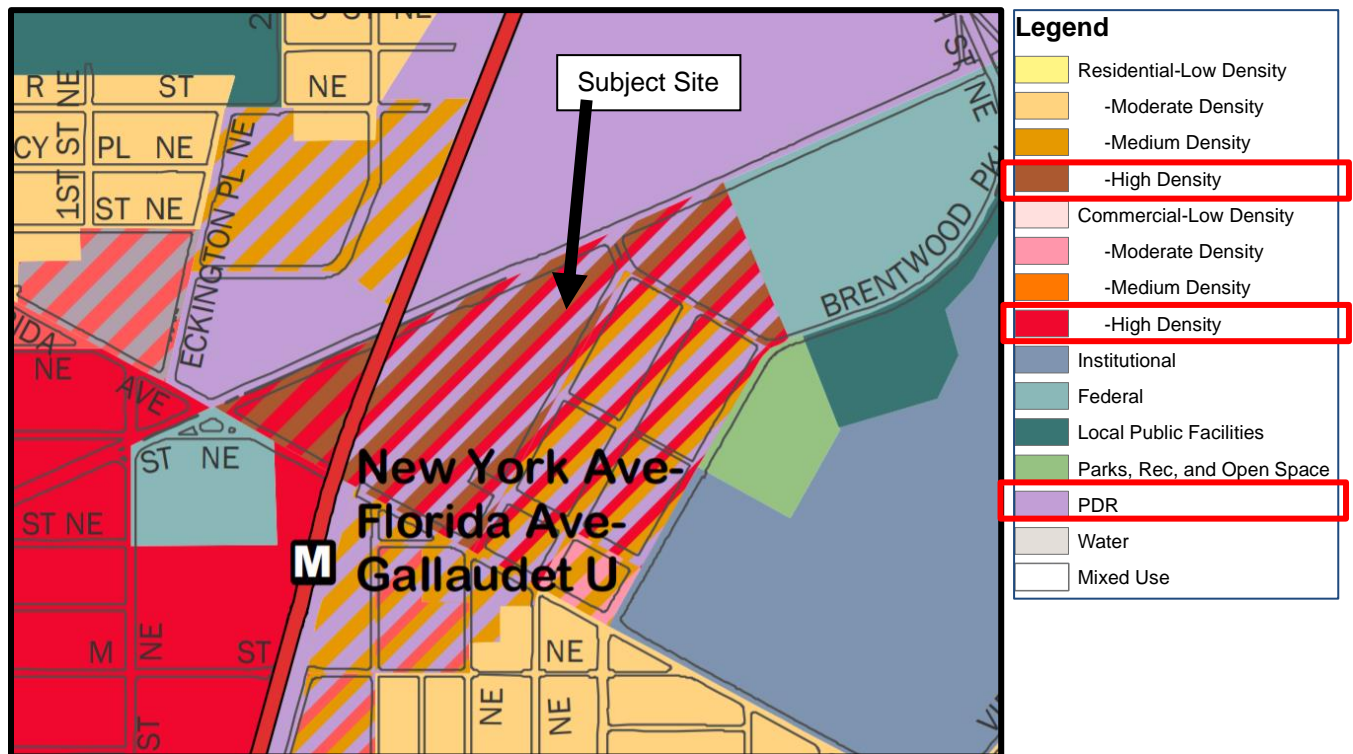
This designation is used to define the central employment district, other major office centers, and other commercial areas with the greatest scale and intensity of use in the District. Office and mixed office/retail buildings with densities greater than a FAR of 6.0 are the predominant use, although high-rise residential and many lower scale buildings (including historic buildings) are interspersed. The MU-9, D-3, and D-6 Zone Districts are consistent with the High Density Commercial category, and other zones may also apply. (Framework Element § 227.13)

Production, Distribution, and Repair

The Production, Distribution, and Repair (PDR) category is used to define areas characterized by manufacturing, warehousing, wholesale and distribution centers, transportation services, food

services, printers and publishers, tourism support services, and commercial, municipal, and utility activities which may require substantial buffering from housing and other noise-, air-pollution- and light-sensitive uses. This category is also used to denote railroad rights-of-way, switching and maintenance yards, bus garages, and uses related to the movement of freight, such as truck terminals. It is important to ensure that adequate, appropriate land is provided for these PDR uses that are critical to supporting the retail, transportation and service needs of the city. A variety of zone districts apply within PDR areas, recognizing the different intensities of use and impacts generated by various PDR activities. The corresponding zone category is PDR, and the present density and height limits set in these districts are expected to remain for the foreseeable future. **Other districts may also apply where the PDR map designation is striped with other land uses. In an area striped to include PDR, development must include PDR space, and on sites containing existing PDR space the amount of PDR space on-site should be substantially preserved.** (Framework Element § 227.14; emphasis added)

While the general density is not inconsistent with other developments located in high density residential and high density commercial areas, the overall use mix does not meet the goal of the Plan of maintaining PDR space in the District. The FLUM highlights areas where it is expected that PDR uses should be accommodated, even when sites are redeveloped with other compatible uses. Florida Avenue Market, including the subject site, is so designated, and the small PDR commitment so far proffered by the applicant would not adequately further that designation.



Comprehensive Plan Future Land Use Map

B. COMPREHENSIVE PLAN WRITTEN ELEMENTS

A full analysis of the Comprehensive Plan’s relevant written elements has been provided in Attachment I. While OP finds that the project would further a number of Plan policies, the proposal would not be consistent with several others, including policies from the Upper Northeast, Land Use, Housing and Economic Development Elements, which call for the conservation of industrial land and the development of greater amounts of affordable housing. Until further commitments are made to the provision of PDR space and inclusionary zoning, the project would remain inconsistent with the Comprehensive Plan.

C. SMALL AREA PLAN

Florida Avenue Market Small Area Plan

The proposed PUD is located in the Florida Avenue Market, an area subject to the Florida Avenue Market Small Area Plan (SAP), adopted by Council on October 6, 2009. The vision for the market is that the revitalized market area should feature a mix of land uses such as retail, office, and residential, with a unique focus on wholesale food uses. The SAP notes that this vision – maintaining PDR uses while layering in other compatible uses – was a long-standing concept expressed in preceding planning documents such as the NoMa Vision Plan Small Area Plan and the Northeast Gateway Revitalization Strategy, and built upon in the Florida Avenue Market SAP (SAP, p. 14).

The Plan calls for high density and greater building heights on the west side of 4th Street, and the applicant’s proposal is consistent with that designation. The maximum height and density suggested by the SAP, however, is achievable only through a PUD that includes the provision of “significant amenities” (SAP, p. 58). The applicant should revise its benefits and amenities to ensure that they are significant and commensurate with the degree of flexibility sought through the PUD process.

D. OTHER PLANNING AND POLICY DOCUMENTS

Ward 5 Industrial Land Transformation Study

In addition to the Comprehensive Plan and Small Area Plan, this site is identified in the *Ward 5 Industrial Land Transformation Study* as one of the major centers for retention and reinforcement of the existing industrial fabric. Although the Study is not a Council-adopted policy document, it was generated by a task force established by Mayoral Executive Order to create a strategy for the modernization and adaptive use of industrial land in Ward 5, and completed in August 2014. The Vision of this Study is to adapt existing industrial land to develop a cutting-edge and sustainable production, distribution, and repair industry that diversifies the District’s economy, serves as a hub

for low-barrier employment, complements and enhances the integrity of the neighborhood, and provides opportunities for arts, recreation and other community amenities.

The study notes that development pressures to convert industrial land and buildings to permitted, but less industrial, uses are already reducing the effective supply of industrial land and raising prices above the level that most small businesses can afford. Entrepreneurial opportunities for small business creation and growth are being limited by the high cost and limited availability of industrial space (Ward 5 Works, p. 16). Given the identified shortage in industrial space, OP suggests that this project provide a more robust and permanent PDR commitment. The applicant should also supplement their written statement with an analysis of the project against the goals and policies of Ward 5 Works.

Mayor’s Order on Housing

On May 10, 2019, the Mayor issued Order #2019-036, which addressed the need for additional housing in the District. It stated that housing provides “physical, financial and emotional health and opportunity for our residents, their children and grandchildren, [and] also represents a critical underpinning for Washington, DC’s sustainable and inclusive economic growth. For this reason, housing affordability is a top policy priority for Washington, DC” (Mayor’s Order, p. 1). It goes on to say that “...increasing supply can help to slow housing cost increases, and affordable set-asides can help to ensure our communities remain inclusive to a wide range of income levels.” The Mayor set a goal of producing 36,000 total units by 2025, 12,000 of which would be affordable (p. 2). The Order also emphasizes the need to provide “units for large and/or multigenerational families” (p. 2).

The project would provide a significant overall amount of new housing on the site, but to date the proffer includes 10% inclusionary housing, with one to two of the IZ units provided as three bedroom units. A more significant IZ contribution with more larger units would more successfully address the Mayor’s goals.

VIII. ZONING SUMMARY

The site is currently zoned PDR-1, and the applicant is requesting a PUD-related map amendment to the MU-9 zone. MU-9 in itself is not inconsistent with the Comprehensive Plan, including the FLUM designation of High Density Commercial / High Density Residential / Production, Distribution and Repair. Below is a table comparing the existing and proposed zone to the proposal.

Item	Existing Zone PDR-1	Proposed Zone MU-9 PUD	Proposal	Flexibility
Site Area	n/a	n/a	43,782 sf	None
Height J § 203 X § 303.7	50 ft.	130 ft.	130 ft.	None
FAR J § 202 X § 303.3	3.5	9.36	9.83 (extra flexibility requested per X 303.10)	Requested
IZ Units C § 1003	n/a	8% residential GFA at 60% MFI (rental) Penthouse Habitable Space: 8% GFA at 50% MFI	10% residential GFA 90% at 60% MFI (33,785 sf) 10% at 50% MFI (3,754 sf) Penthouse Habitable Space Required Contribution: TBD based on ultimate use mix in penthouse	None
Lot Occupancy G § 404	None prescribed	No limit	86.2% at ground floor	None
Vehicle Parking C § 701.5	Retail: 1.33 spaces/1,000 sf in excess of 3,000 sf Residential: 1 space/3 units in excess of 4 units	Retail: 1.33 spaces/1,000 sf in excess of 3,000 sf Residential: 1 space/3 units in excess of 4 units	Retail: 1.33 spaces/1,000 sf in excess of 3,000 sf = 82 spaces Residential: 1 space/3 units in excess of 4 units = 138 spaces 220 total required 261 total provided	None
Bicycle Parking C § 802	Long-term Retail: 1 space/10,000 sf Long-term Residential: 1 space/3 units Short-term Retail: 1 space/3,500 sf Short-term Residential: 1 space/20 units	Long-term Retail: 1 space/10,000 sf Long-term Residential: 1 space/3 units Short-term Retail: 1 space/3,500 sf Short-term Residential: 1 space/20 units	Long-term Retail: 1 space/10,000 sf = 6 spaces Long-term Residential: 1 space/3 units (half the ratio after 50) = 139 spaces 410 Long Term Provided Short-term Retail: 1 space/3,500 sf = 18 spaces Short-term Residential: 1 space/20 units = 21 spaces 39 Short Term Provided	None
Green Area Ratio J § 208 G § 407	0.3	0.2	0.2	None
Rear Yard J § 205 G § 405	12 ft. min.	27'1" required	45'	None

Item	Existing Zone PDR-1	Proposed Zone MU-9 PUD	Proposal	Flexibility
Open Court J § 209 G § 202	Width 2.5" / ft. of height; 6' min.	Width 4" / ft. of height 10' min.	Court 1 – See Exhibit 12F, Sheet 14	Requested
Closed Court J § 209 G § 202	Width 2.5 in./ft. of ht. of court; 12 ft. minimum Area 2*(Width ²); 250 sq. ft. minimum	Width 4 in./ft. of height of court; 15 ft. minimum Area 2*(Width ²); 350 sq. ft. minimum	Court 3 – See Exhibit 12F, Sheet 14	Requested

Requested Zoning Flexibility

The applicant requests the following flexibility:

1. PUD-related map amendment from PDR-1 to MU-9;
2. Court Dimension Flexibility;
3. Special Exception to permit a rooftop restaurant / bar.

Should the application be set down for a public hearing, OP will provide an analysis of the requested flexibility.

IX. PUD EVALUATION STANDARDS

The purpose and evaluation standards for a Planned Unit Development are established in Subtitle X Chapter 3:

- 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.
- 304.3 In deciding a PUD application, the Zoning Commission shall judge, balance, and reconcile the relative value of the public benefits and project amenities offered, the degree of development incentives requested, and any potential adverse effects according to the specific circumstances of the case.

304.4 The Zoning Commission shall find that the proposed development:

- (a) Is not inconsistent with the Comprehensive Plan and with other adopted public policies and active programs related to the subject site;
- (b) Does not result in unacceptable project impacts on the surrounding area or on the operation of city services and facilities but instead shall be found to be either favorable, capable of being mitigated, or acceptable given the quality of public benefits in the project; and
- (c) Includes specific public benefits and project amenities of the proposed development that are not inconsistent with the Comprehensive Plan or with other adopted public policies and active programs related to the subject site.

The proposed project and map amendment would result in the following additional height, density and uses. Should this project move forward to a public hearing, OP will evaluate the project against the above standards.

	<u>PDR-1</u>	<u>MU-9 PUD + X § 303.10</u>	<u>Difference</u>
FAR	3.5	9.828 (=PUD FAR(9.36) + 5%)	6.33
Floor Area	153,237 sf	430,289 sf	277,052 sf
Height	50'	130'	80'
Use	Light industrial and commercial uses	Mixed uses including residential	Residential uses permitted

Public Benefits and Amenities

Subtitle X of the Regulations describe PUD benefits and amenities, and the Commission's evaluation of them, as follows.

- 305.2 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.
- 305.10 A project amenity is one (1) type of public benefit, specifically a functional or aesthetic feature of the proposed development that adds to the attractiveness, convenience, or comfort of the project for occupants and immediate neighbors.
- 305.11 The Zoning Commission may not compel an applicant to add to proffered public benefits, but shall deny a PUD application if the proffered benefits do not justify the degree of development incentives requested (including any requested map amendment).

Nevertheless, the Zoning Commission may at any time note the insufficiency of the public benefits and suggest how the benefits may be improved.

305.12 A project may qualify for approval by being particularly strong in only one (1) or a few of the categories in this section, but must be acceptable in all proffered categories and superior in many.

The Comprehensive Plan's Framework Element also speaks to how PUD benefits should be viewed by the Commission, and puts a particular emphasis on affordable housing:

Specific public benefits are determined through each PUD application and should respond to critical issues facing the District as identified in the Comprehensive Plan and through the PUD process itself. In light of the acute need to preserve and build affordable housing, described in Section 206, and to prevent displacement of on-site residents, the following should be considered as high-priority public benefits in the evaluation of residential PUDs:

- The production of new affordable housing units above and beyond existing legal requirements or a net increase in the number of affordable units that exist on-site;... (Comprehensive Plan Framework Element § 224.9)

Should this application be set down, OP will provide an analysis of all benefits and amenities and whether, as required by X § 305.12, they are acceptable in the benefit categories listed in X § 305.5, and whether they are actual benefits of the PUD or requirements of any redevelopment at the site. At this time, however, OP finds that the proffered amount of affordable housing and the small commitment to PDR uses would not be commensurate with the degree of flexibility that would be conferred if the PUD were approved, including height, density and uses. The following is the applicant's summary of the benefits, from pp. 13 and 14 of Exhibit 12A.

1. Superior urban design and architecture, as described above, including distinctive forms and building configuration, balconies, high-quality materials, detailing, and a modernization of the Union Market District canopy vernacular;
2. Site planning and efficient and economical land utilization, including removing surface parking, closing four existing curb cuts, and locating all parking and loading below grade with access only from a private alley and no new curb cuts;
3. Extensive streetscaping along of 4th Street and New York Avenue, NE in accordance with the Union Market Streetscape Guidelines;
4. Housing that exceeds the amount that would have been required through matter-of-right development under existing zoning (i.e., none of the residential uses on the Property are permitted under the existing PDR-1 zoning, so all 375,387 square feet of residential GFA is a public benefit);
5. Affordable housing (10 percent of residential GFA) in excess of the amount that would have been required through matter-of-right development;

6. Affordable housing at lower levels of affordability than is required under the Zoning Regulations (i.e., 10 percent of such units at 50% MFI and the balance at 60% MFI);
7. Three to four percent (3-4%) of the units (approximately ten (10) to fifteen (15) units) as three-bedroom housing;
8. Environmental and sustainable benefits including LEED v.4 Gold design;
9. A commitment to study adding bicycle infrastructure along Mt. Olivet Road, NE from 9th Street, NE into the Carver-Langston neighborhood;
10. A \$25,000 contribution for projects requested by ANC 5D5, including
 - a. \$10,000 for lighting, landscaping, cleanup, and related improvements at Lewis Crowe Park (located at the corner of West Virginia Avenue and Mt Olivet Road, NE);
 - b. \$10,000 for establishing a seasonal farmers' market at Lewis Crowe Park;
 - c. \$2,500 for murals and public art in Lewis Crowe Park; and
 - d. \$2,500 for an ANC 5D neighborhood art project to design and install flags for the Single Member Districts within ANC 5D.
11. PDR/Maker use and design package on the lower floors of the Project similar to that included by affiliates of the Applicant in recent approvals.

X. 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

XI. ATTACHMENTS

Attachment 1 – Comprehensive Plan Policies

Attachment 1 Comprehensive Plan Policies

Upper Northeast Area Element

The subject site is located within the area covered by the Upper Northeast Area Element of the Comprehensive Plan, and in the Northeast Gateway and New York Avenue Policy Focus Areas. The proposal would further many of the policies that call for expanded retail options, especially near metro, and would help fulfill the goal of improving the appearance of New York Avenue, which serves as a gateway into the city. The project would also generally complement the other redevelopment that has occurred or is approved in Florida Avenue Market. However, the proposal falls short of the Plan's job creation and PDR retention goals. A significant PDR component could create the lower-barrier-to-entry jobs often associated with those uses. The relevant policies from the Upper Northeast Area Element are listed below.

Policy UNE-1.1.6: Neighborhood Shopping

Improve neighborhood shopping areas throughout Upper Northeast. Continue to enhance 12th Street NE in Brookland as a walkable neighborhood shopping street and encourage similar pedestrian-oriented retail development along Rhode Island Avenue, Bladensburg Road, South Dakota Avenue, West Virginia Avenue, Florida Avenue, and Benning Road. New pedestrian-oriented retail activity also should be encouraged around the area's Metro stations.

Policy UNE-1.1.8: Untapped Economic Development Potential

Recognize the significant potential of the area's commercially and industrially-zoned lands, particularly along the New York Avenue corridor, V Street NE, and Bladensburg Road, and around the Capital City Market, to generate jobs, provide new shopping opportunities, enhance existing businesses, create new business ownership opportunities, and promote the vitality and economic well-being of the Upper Northeast community. The uses, height, and bulk permitted under the existing M and CM-1 zones are expected to remain for the foreseeable future.

Policy UNE-1.1.9: Production, Distribution, and Repair Uses

Retain the existing concentration of production, distribution, and repair (PDR) uses in Upper Northeast, but encourage the upgrading of these uses through higher design standards, landscaping, and improved screening and buffering. Emphasize new uses, including retail and office space, that create jobs for Upper Northeast area residents, and that minimize off-site impacts on the surrounding residential areas.

Policy UNE-1.2.4: Linking Residents to Jobs

Improve linkages between residents and jobs within Upper Northeast so that more of the area's 40,000 working age adults fill the approximately 40,000 jobs located within the Planning Area. Achieve this linkage by developing additional vocational and trade schools within Upper Northeast, encouraging apprenticeships and internships, and creating new partnerships between the area's major employers the District, the public and charter schools, local churches, and major institutions.

Policy UNE-1.2.5: Increasing Economic Opportunity

Create new opportunities for small, local, and minority businesses within the Planning Area, and additional community equity investment opportunities as development takes place along New York Avenue, Bladensburg Road, Benning Road, and around the Metro Stations.

Policy UNE-2.1.2: Capital City Market

Redevelop the Capital City Market into a regional destination that may include residential, dining, entertainment, office, hotel, and wholesale food uses. The wholesale market and the adjacent DC Farmers Market are important but undervalued amenities that should be preserved, upgraded, and more effectively marketed.

Policy UNE-2.1.4: Northeast Gateway Urban Design Improvements

Improve the image and appearance of the Northeast Gateway area by creating landscaped gateways into the community, creating new parks and open spaces, upgrading key streets as specified in the Northeast Gateway Revitalization Strategy, and improving conditions for pedestrians along Florida Avenue and other neighborhood streets.

Policy UNE-2.3.1: New York Avenue Corridor

Improve the appearance of New York Avenue as a gateway to the District of Columbia. Support road design changes, streetscape improvements, and new land uses that improve traffic flow and enhance the road's operation as a multi-modal corridor that meets both regional and local needs.

Policy UNE-2.3.2: Production, Distribution, and Repair Land Uses

Retain a significant concentration of production, distribution, and repair (PDR) land uses in the New York Avenue corridor. While the conversion of industrial land to other uses can be considered on key sites, including the Bladensburg/Montana/New York "triangle," these changes should not diminish the area's ability to function as an industrial district meeting the needs of government and District businesses and residents. Retail and office uses have existed historically along both sides of V Street between Bladensburg Road and South Dakota Avenue NE and should continue in accordance with the existing CM- and M- zoning.

Policy UNE-2.3.3: Infill Development

Support infill development and redevelopment on underutilized commercial sites along New York Avenue...

Land Use Element

The proposal would help to fulfill several policies from the Land Use Element of the Plan, but would also be contrary to or not to address a number of other policies. The project would create needed new housing within walking distance of a metro station. The building's appearance would improve the visual quality of the neighborhood and its height and mass would generally be compatible with other nearby buildings. The project would not, however, to create the amount of affordable housing suggested by District policy guidance and suggested by the degree of flexibility proposed through the PUD process. Similarly, the project could provide far more PDR uses than what the applicant has to date committed to. The Land Use Element encourages the retention of industrial lands except where PDR uses are no longer viable. Those uses are still viable at the

subject site, and in fact are encouraged to remain by the Comprehensive Plan, the small area plan, and other policies, even if the site is also redeveloped to include other commercial and residential uses. The relevant policies from the Land Use Element are listed below.

Policy LU-1.3.1: Station Areas as Neighborhood Centers

Encourage the development of Metro stations as anchors for economic and civic development in locations that currently lack adequate neighborhood shopping opportunities and employment. The establishment and growth of mixed use centers at Metrorail stations should be supported as a way to reduce automobile congestion, improve air quality, increase jobs, provide a range of retail goods and services, reduce reliance on the automobile, enhance neighborhood stability, create a stronger sense of place, provide civic gathering places, and capitalize on the development and public transportation opportunities which the stations provide. This policy should not be interpreted to outweigh other land use policies which call for neighborhood conservation. Each Metro station area is unique and must be treated as such in planning and development decisions. The Future Land Use Map expresses the desired intensity and mix of uses around each station, and the Area Elements (and in some cases Small Area Plans) provide more detailed direction for each station area.

Policy LU-1.3.3: Housing around Metrorail Stations

Recognize the opportunity to build senior housing and more affordable “starter” housing for first-time homebuyers adjacent to Metrorail stations, given the reduced necessity of auto ownership (and related reduction in household expenses) in such locations.

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.

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.

Policy LU-2.2.4: Neighborhood Beautification

Encourage projects which improve the visual quality of the District’s neighborhoods, including landscaping and tree planting, façade improvement, anti-litter campaigns, graffiti removal, improvement or removal of abandoned buildings, street and sidewalk repair, and park improvements.

Policy LU-2.4.1: Promotion of Commercial Centers Promote the vitality of the District’s commercial centers and provide for the continued growth of commercial land uses to meet the needs of District residents, expand employment opportunities for District residents, and sustain the city’s role as the center of the metropolitan area. Commercial centers should be inviting and attractive places, and should support social interaction and ease of access for nearby residents. 312.5

Policy LU-2.4.2: Hierarchy of Commercial Centers

Maintain and reinforce a hierarchy of neighborhood, multi-neighborhood, regional, and main street commercial centers in the District. Activities in each type of center should reflect its intended role and market area, as defined in the Framework Element. Established centers should be expanded in areas where the existing range of goods and services is insufficient to meet community needs.

Policy LU-2.4.6: Scale and Design of New Commercial Uses

Ensure that new uses within commercial districts are developed at a height, mass, scale and design that is appropriate and compatible with surrounding areas.

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.

Policy LU-3.1.2: Redevelopment of Obsolete Industrial Uses

Encourage the redevelopment of outmoded and non-productive industrial sites, such as vacant warehouses and open storage yards, with higher value production, distribution, and repair uses and other activities which support the core sectors of the District economy (federal government, hospitality, higher education, etc.).

Policy LU-3.1.3: Location of PDR Areas

Accommodate Production, Distribution, and Repair (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. Such areas are generally designated as “PDR” on the Comprehensive Plan’s Future Land Use Map.

Policy LU-3.1.4: Rezoning of Industrial Areas

Allow the rezoning of industrial land for non-industrial purposes only when the land can no longer viably support industrial or PDR activities or is located such that industry cannot co-exist adequately with adjacent existing uses. Examples include land in the immediate vicinity of Metrorail stations, sites within historic districts, and small sites in the midst of stable residential neighborhoods. In the event such rezoning results in the displacement of active uses, assist these uses in relocating to designated PDR areas.

Transportation Element

The proposed project would create a mixed use development in an area well served by transit, would utilize a site that is today largely a surface parking lot, and would remove a number of curb cuts. The application will also include a TDM plan to minimize traffic impacts (Exhibit 12A, p. 27). The new building would result in urban design improvements to New York Avenue. Relevant policies from the Transportation Element are listed below.

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-1.2.1: Boulevard Improvements

Continue to work across District agencies to beautify and stabilize selected boulevards by implementing coordinated transportation, economic development, and urban design improvements.

Policy T-1.2.3: Discouraging Auto-Oriented Uses

Discourage certain uses, like “drive-through” businesses or stores with large surface parking lots, along key boulevards and pedestrian streets, and minimize the number of curb cuts in new developments. Curb cuts and multiple vehicle access points break-up the sidewalk, reduce pedestrian safety, and detract from pedestrian-oriented retail and residential areas.

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.

Housing Element

The proposed development would provide a significant overall amount of housing, in conformance with some of the policies of the Housing Element. The housing goals of the Comprehensive Plan could more successfully be met through the provision of additional affordable housing and additional large units of three or more bedrooms.

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.

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.

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.

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

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

Policy H-1.2.2: Production Targets

Consistent with the Comprehensive Housing Strategy, work toward a goal that one-third of the new housing built in the city over the next 20 years should be affordable to persons earning 80 percent or less of the areawide median income (AMI)...

Policy H-1.2.3: Mixed 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.

Policy H-1.3.1: Housing for Families

Provide a larger number of housing units for families with children by encouraging new and retaining existing single family homes, duplexes, row houses, and three- and four-bedroom apartments. 505.6

Economic Development Element

The proposed project would further several policies of the Economic Development Element, including policies calling for enhanced retail environments, improved neighborhood branding, and improving overall commercial vitality. Where the proposal falls short are those goals such as creating job opportunities for lower-skilled workers through preservation of PDR space, diversification of the District's economy, and retaining industrial land to reduce upward pressure on rents. The applicant should also examine ways to fulfill policies that seek to promote local and / or minority owned businesses.

Policy ED-1.1.2: Economic Linkages

Leverage the potential of core industries to provide new employment opportunities, particularly the growth of businesses that supply essential goods and services to the government, universities, hospitals, law firms, hotels, non-profits, and other major employers in the city.

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.

Policy ED-1.3.1: Technology-Intensive Industries

Aggressively pursue technology-based and creative industries, such as computer systems design, information services, data processing, and broadcasting firms. Promote the development of space that is attractive to these firms, both in new and existing buildings. Such space should include relatively lower-cost, large floor plate buildings with high load-bearing capacity and good access to transportation.

Policy ED-2.2.1: Expanding the Retail Sector

Pursue a retail strategy that will allow the District to fully capitalize on the spending power of residents, workers and visitors, and that will meet the retail needs of underserved areas.

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.

Policy ED-2.2.4: Destination Retailing Continue to encourage “destination” retail districts that specialize in unique goods and services, such as furniture districts, arts districts, high-end specialty shopping districts, and wholesale markets. Support the creative efforts of local entrepreneurs who seek to enhance the District’s destination retailing base.

Policy ED-2.2.5: Business Mix

Reinforce existing and encourage new retail districts by attracting a mix of nationally-recognized chains as well as locally-based chains and smaller specialty stores to the city’s shopping districts.

Text - ED-2.5 The Production, Distribution, and Repair Economy

...PDR jobs are particularly desirable in the District, as they offer competitive wages to persons with limited education and academic credentials. 711.1

...the areas that currently accommodate many of the city’s PDR jobs have come under scrutiny as developers have run short of more favorably-located sites. This is particularly true around the New York Avenue Metro station, but is also the case on the New York Avenue industrial corridor and in other industrial areas such as Blair Road and Buzzard Point. Although Washington has never been an “industrial” city, it still must grapple with how much industrial land it can afford to lose before basic support services and municipal government functions are impaired... 711.2

The production, distribution, and repair sector plays an important role in supporting other sectors of the economy. The federal government, the hospitality industry, the construction trades, and many of the District’s large private employers require services that are delivered from warehouses, trucking and distribution centers, and wholesale or manufacturing facilities. Media companies whose operations involve an industrial component, such as studios, also may locate in the District’s industrial zones. 711.4

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.

Policy ED-3.1.8: Neighborhood Retail District Identity and Promotion

Brand the distinct character of retail districts through signature promotional events, signage, streetscape, and district gateways, as well as building unique clusters where appropriate.

Policy ED-3.2.1: Small Business Retention and Growth

Encourage the retention, development, and growth of small and minority businesses through a range of District-sponsored technical and financial assistance programs.

Policy ED-3.2.2: Small Business Incubators

Provide low-cost rental space (“incubators”) for small, home-grown businesses and start-up companies, particularly companies that are responsive to technological and economic innovation in the marketplace. A variety of spaces should be considered for business incubators, including vacant storefronts and surplus public buildings.

Policy ED-3.2.6: Commercial Displacement Avoid the displacement of small and local businesses due to rising real estate costs. Programs should be developed to offset the impacts of rising operating expenses on small businesses in areas of rapidly rising rents and prices.

Policy ED-3.2.7: Assistance to Displaced Businesses

Assist small businesses that are displaced as a result of rising land costs and rents, government action, or new development. Efforts should be made to find locations for such businesses within redeveloping areas, or on other suitable sites within the city.

Policy ED-3.2.8: LSDBE Programs

Expand opportunities for local, small, and disadvantaged business enterprises through city programs, incentives, contracting requirements, and other activities.

Policy ED-4.2.1: Linking Residents to Jobs

Promote measures which increase the number of District jobs held by District residents. According to the 2000 Census, 71 percent of the jobs in the city were held by non-residents, up from 67 percent in 1990. While recognizing that some imbalance is inevitable due to the relatively large number of jobs and small number of residents in the city, the District should work to increase the percentage of resident workers through its job training and placement programs.

Policy ED-4.2.6: Entry-Level Opportunities

Support the creation of entry level career opportunities, particularly for lower income youth and adults, and persons with special needs. Recognize the need for complementary efforts to provide affordable child care options, transportation, counseling, and other supportive services.

Policy ED-4.2.7: Living Wage Jobs

Promote the attraction and retention of living wage jobs that provide employment opportunities for unskilled and semi-skilled workers. Use marketing strategies and incentives to encourage the relocation of firms with such positions to the District.