

Certificate of Notice

I HEREBY CERTIFY that on or around September 17, 2019, and at least 45 calendar days prior to the filing of this application, a copy of the Notice of Intent to File a Zoning Application (the “Notice”) for applications for a new consolidated Planned Unit Development, Zoning Map amendment, and airspace development for 1348 4th Street, NE (Square 3587, Lot 3), 401 New York Avenue, NE (Square 3594, Lot 1) and the airspace above the portion of 4th Street, NE between such lots (collectively, the “Property”) was mailed to Advisory Neighborhood Commission (“ANC”) 5D, ANC 5C, and the owners of all property within 200 feet of the perimeter of the Property, all as required by the Zoning Regulations of the District of Columbia. *See* 11-Z DCMR §§ 300.7-300.8, 303.4-303.5, and 304.5. A copy of the Notice is attached hereto. Between the date of such Notice and the date hereof, the applicant attended a duly noticed meeting of ANC 5D and used reasonable efforts to appear before ANC 5C, but has not yet been able to appear before ANC 5C.



David A. Lewis

NOTICE OF INTENT TO FILE A ZONING APPLICATION TO THE DISTRICT OF COLUMBIA
ZONING COMMISSION FOR APPROVAL OF A NEW CONSOLIDATED PLANNED UNIT
DEVELOPMENT, ZONING MAP AMENDMENT, AND AIRSPACE DEVELOPMENT

September 17, 2019

1348 4th Street NE, LLC and EAJ 401 New York Ave LLC (collectively, the “Applicant”) hereby give notice of their intent to file an application seeking (i) the approval of a new consolidated Planned Unit Development (“PUD”), (ii) an amendment to the Zoning Map, and (iii) an airspace development (collectively, the “Application”) involving the property known as Square 3587, Lot 3 and Square 3594, Lot 1 and airspace within the right of way of 4th Street, NE between such Lots 1 and 3 (collectively, the “Property”). The Property is within the boundaries of Advisory Neighborhood Commission (“ANC”) 5D and is across New York Avenue, NE from ANC 5C.

The Property has street addresses of 1348 4th Street, NE and 401 New York Avenue, NE and is bounded generally by New York Avenue, NE to the north and by portions of 4th Street, NE and an alley to the south. To the east of the Property is 411 New York Avenue, NE, which is the subject of a PUD approved in Z.C. Order No. 15-19. The Property is bounded to the west and southwest by the balance of the above-described Lot 819 and other separately-owned lots.

The Property consists of approximately 47,320 square feet of land area (excluding the area of the airspace referenced herein). The portion of the Property to the southwest of 4th Street, NE is currently improved with a single-story commercial bank building and adjacent surface parking lot, and the portion of the Property to the northeast of 4th Street, NE is improved with a three-story commercial building.

The Property is located in the Mixed-Use High Density Residential/High Density Commercial/Production, Distribution, and Repair Land Use categories on the Future Land Use Map of the District of Columbia Comprehensive Plan and is also within boundaries of the Florida Avenue Market Study Small Area Plan.

The Application will include construction containing up to approximately 567,840 square feet of total gross floor area (“GFA”), with a mix of uses including retail and related ground floor uses, PDR/maker uses, office uses, and multifamily residential uses (the “Project”). The Project will also include up to three levels of below-grade parking totaling up to 300 vehicle parking spaces and will also include a mix of enclosed, secure and short-term bicycle parking spaces. The Applicant seeks to rezone the Property from its current PDR-1 designation to the MU-30 zone. The combination of the PUD and the Zoning Map amendment would allow the Project to be constructed to a maximum building height of approximately 130 feet and a floor area ratio of 12.0. In conjunction with discussions with District officials, ANC 5C, ANC 5D, and other interested community groups, the Applicant will proffer a package of public benefits and amenities commensurate with the development incentives requested in the Application.

Pursuant to Subtitle Z, Sections 300.9 and 303.6 of the 2016 Zoning Regulations, the Applicant and its development team will request an opportunity to present the Project to ANC 5C and ANC 5D in the near future, and the Applicant is available to discuss the proposed development with all interested and affected groups and individuals. This application will be filed with the District of Columbia Zoning Commission under Subtitle X, Chapters 3 and 7 of the District of Columbia Zoning Regulations, 11 DCMR (effective September 6, 2016, as amended), not less than forty-five (45) days from the date of this Notice, which is given pursuant to Subtitle Z, Sections 300.7 and 303.4 of the Zoning Regulations. The Project design architect is SHoP Architects. Land use counsel for the Applicant is Goulston & Storrs. If you require additional information regarding the proposed PUD application, please contact Jeff Utz (202-721-1132) or Dave Lewis (202-721-1127).