



MEMORANDUM

TO: District of Columbia Zoning Commission
JLS

FROM: Jennifer Steingasser, Deputy Director
Development Review and Historic Preservation

DATE: January 29, 2016

SUBJECT: Setdown Report for ZC #15-28, Consolidated PUD and related Zoning Map Amendment from C-M-1 to C-3-C, 301 and 331 N Street NE and two unaddressed parcels on N Street NE (Square 772, Lots 20, 21, 22, 23 and 800)

I. SUMMARY RECOMMENDATION

The Applicant, 301 N Street Titleholder, LLC and 331 N Just, LLC, c/o Foulger-Pratt Development, LLC, submitted a request for a consolidated Planned Unit Development (“PUD”) and related zoning map amendment for the property located at 301 and 331 N Street NE, and two adjacent unaddressed parcels on N Street NE (the “Property”), which is included in the North of Massachusetts (“NoMA”) Vision Plan and Development Strategy area, and across Florida Avenue NE from the Florida Avenue Market area. The proposed two-phase project consists of four (4) connected, mixed-use buildings of approximately 340-390 total residential units (320,261 sf), 175 hotel rooms (81,857 sf), 24,407sf of office space, 26,585 sf of ground-floor retail, and 8,401 sf of service areas that serve all buildings, for a total gross floor area of 462,511 sf or total FAR of 6.68. Flexibility with regard to certain zoning regulations has been requested to facilitate the proposed development, which has been briefly summarized in Section II and detailed in Section VI in this report.

As described in Section IV of this report, the proposed zoning and PUD would not be inconsistent with the maps and written elements of the Comprehensive Plan and the NoMA Vision Plan and Development Strategy, which recommends higher density and height for properties close to the Metrorail Station, N Street and Florida Avenue (3.8 and 5.13). As such, the Office of Planning recommends the application be set down for a public hearing.

The following information should be provided prior to a public hearing:

- A status of the alley closing necessary to facilitate the development.
- A status regarding the landmark process of the Capital Self Storage building designation located at 301 N. Street NE.
- Information regarding coordination with WMATA, the developers of PUD # 15-22, developers of the Central Armature site, the NoMA Bid and other stakeholders regarding

the planning, funding, facilitation, etc. of a future tunnel and/or entrance to NoMa Metro station east of the tracks. Specify more clearly the Applicant's related proffered benefit.

- A status on discussions regarding improvements to N Street NE between 3rd and 4th Streets NE and identify more specifically improvements the Applicant will provide and information regarding the ultimate implementation of the streetscape improvements. Provide a status regarding the feasibility of improvements shown within public space.
- More information and detail regarding the public benefit described as the provision of regular arts and arts-related programming (art shows, film screenings, etc.) in terms of location, frequency, hours of operation, staff, costs, types of arts programming, etc.
- A loading management to demonstrate how each use and future tenants for each use will share the proposed two (2) loading berths and one (1) delivery space.
- More clarity regarding the penthouse screen material, as it appears porous.
- Information regarding the capacity of utilities to serve the proposed development, in light of surrounding new development and since industrial uses have been present on the Property for a significant period of time.

II. APPLICATION-IN-BRIEF

Location: Square 772, Lots 20, 21, 22, 23 and 800. Generally, a rectangular-shaped property bounded by N Street NE to the north, 3rd Street NE to the west and 4th Street to the east and a 14.75-foot wide public alley to the south. The Metropolitan Branch Trail is located west of the tracks. The Property is within 1,000 feet from the NoMA-Gallaudet U (New York Avenue) Metro Station.

Ward/ANC: Ward 6, ANC 6C

Applicant: 301 N Street Titleholder, LLC and 331 N Just, LLC, c/o Foulger-Pratt Development, LLC

Current Zoning: C-M-1 Commercial-Light Manufacturing District

Existing Use of the Property: Primarily, a 2-to-3 story brick building housing Capital Self Storage (301 N. St. NE) and the brick Grainger building of two (2)-stories (331 N. St. NE)

Comprehensive Plan Future Land Use Map Designation: Striped one-third each Medium-Density Commercial, Medium-Density Residential and Production, Distribution and Repair

Property Size: 69,240 square feet (1.5895 acres)

Proposal: Together with a related map amendment to C-3-C, develop mixed use buildings of 340-390 residential units, 175 hotel rooms, 25,407 sf of office use and 26,585

sf of retail use on the ground floor. The total proposed GFA is 462,511 sf or total FAR of 6.68.

Relief and Zoning:

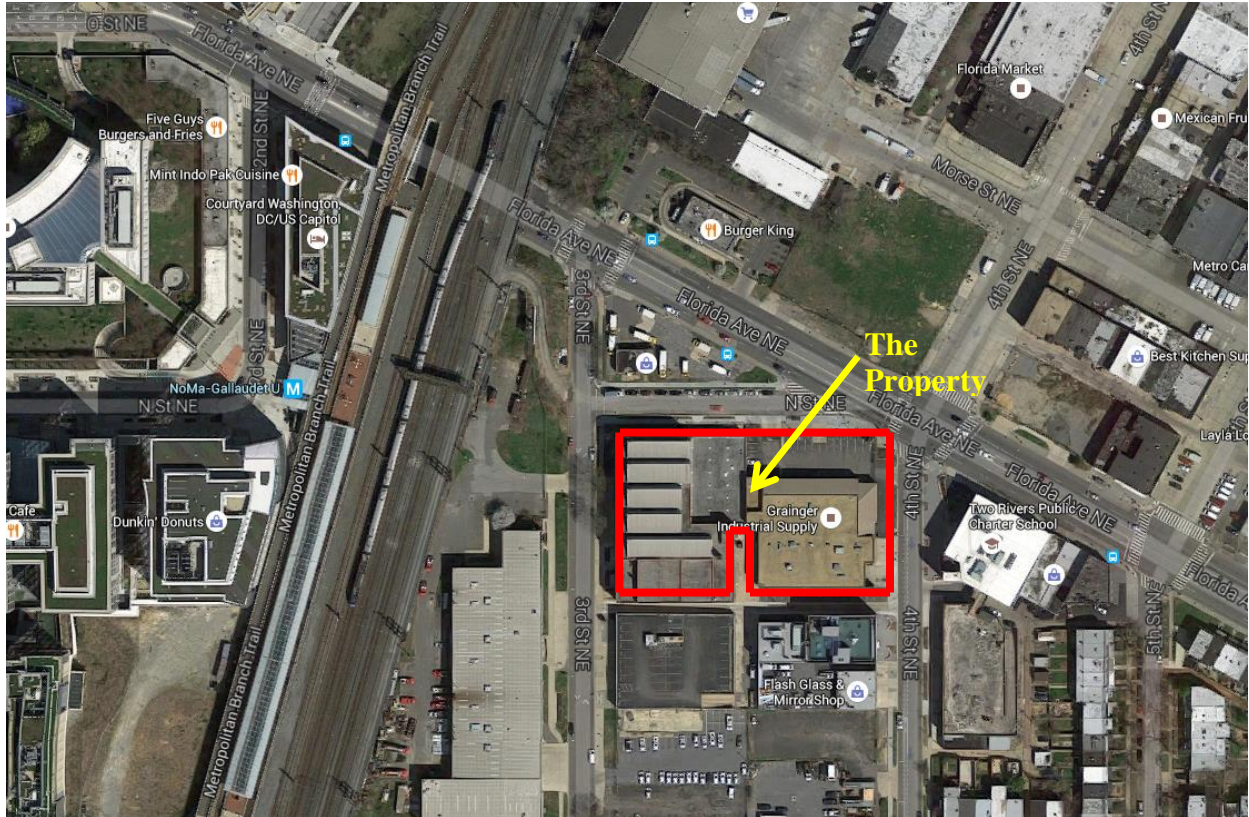
Pursuant to 11 DCMR Chapter 24, the Applicant seeks:

1. Consolidated PUD and related map amendment to the C-3-C District;
2. Flexibility from Penthouse Setback Requirements (§411.20);
3. Flexibility from Rear Yard Requirements (§774.1);
4. Flexibility from Court Width and Area Requirements (§776);
5. Flexibility from Loading Requirements (§2201.1);
6. Flexibility to vary the number of residential units; and
7. Flexibility regarding the uses of the second and third floors of the proposed 301 N. Street NE.
8. Flexibility to phase development in up to three (3) phases.

III. SITE AND AREA DESCRIPTION

The Property consists of five lots totaling slightly over one-and-a-half (1.5) acres in area and fronts north on to N Street NE. There currently are two (2) two-to-three (2-3) story brick buildings on the Property: on 301 N. Street NE, Capital Self Storage and on 331 N. Street NE, the Grainger wholesale sales building. Both uses are permitted by right under the existing C-M-1 zoning district regulations. There are, at minimum, eight (8) existing curb cuts on the Property, which are accessible from 3rd St. NE, N St. NE and 4th St. NE. The topography of the Property includes a rise of 10' in elevation east-to-west, from 3rd Street NE to 4th Street NE.

In terms of a general area description, to the north, the Property is adjacent to the in-process PUD #15-22, 301 Florida Avenue NE, and the Florida Avenue Market Area with its many PUDs which are in various stages of entitlement and construction. To the west lies the Central Armature site, railway area, the NoMA Gallaudet Metro Station, and other NoMA developments. To the south lies the recently approved PUD #14-19 of residential and retail uses. The Property enjoys 14.75-foot wide alley immediately to the south. The alley runs the length of the Property in its entirety. The Property is within 1,000 feet from the entrance of the NoMA-Gallaudet U (New York Avenue) Metro Station to the west. Please refer to the aerial vicinity map below.






Vicinity Map/ Aerial Photo. Approximate bounds of the Property in red. 2014 Google.

The Property is within the small area plan known as the NoMA Vision Plan and Development Strategy Area which is detailed more specifically below in Section IV. NoMA has undergone significant and transformative private and public investment through private development and infrastructure improvements.

The Florida Avenue Market Study Area, just north of the Property across Florida Avenue NE, is currently undergoing a significant amount of development interest. Within the forty (40) acre market area, there are several approved PUDs, several PUDs currently under review, and others are anticipated to be filed in the near future. See map below for a summary of PUDs closest to the Property.



-  -- Applicant's PUD #15-28
-  -- Potential Future PUDs
-  -- Nearby, approved PUDs or PUDs currently under review

#1: ZC 06-14, Approved in 2007 (extensions/modifications granted through June 2013), Rezoning from M to C-3-C, 230-270 residential units; 140-195 hotel rooms and 5,000-7,000 sf retail, which has been constructed. There is an unbuilt ~600,000 sf office building associated with the PUD. (7.08 FAR)

#2: ZC 06-40, Approved in 2008 (extensions/modifications through 2016), Rezoning from C-M-1 to C-3-C, 170-216 residential units and 27,410 sf of retail. (5.0 FAR). The project is under construction.

#3: ZC 14-07, Approved in June 2015, C-M-1 to C-3-C, 545-680 units and 41,042 sf of retail. (8.0 FAR)

#4: ZC 15-1, Approved in July 2015, C-M-1 to C-3-C, 285-346 residential units and 8,472 sf of retail (8.0 FAR)

#5: ZC 14-19, Approved in September, C-M-1 to C-3-C, 395-437 residential units and 10,302 sf of retail (6.21 FAR)

#6: ZC 15-22, In process, C-M-1 to C-3-C, 61,173 sf of residential (56 units) and 4,837 sf retail (7.57 FAR)

#7: ZC 15-27, In process, C-M-1 to C-3-C, approx. 868,939 sf of residential use (or ~975 units), 67,215 sf of retail use and 303,395 sf of office use in six (6) FAR of 6.3

The area in close proximity to the NoMA Metro station, as shown above, is undergoing a substantial influx of residential development of between 2,000 to 3,000 units that are part of approved PUDs, are currently under public review or are anticipated PUDs. As such, the area will see a substantial increase of residents where there has not been a residential population for

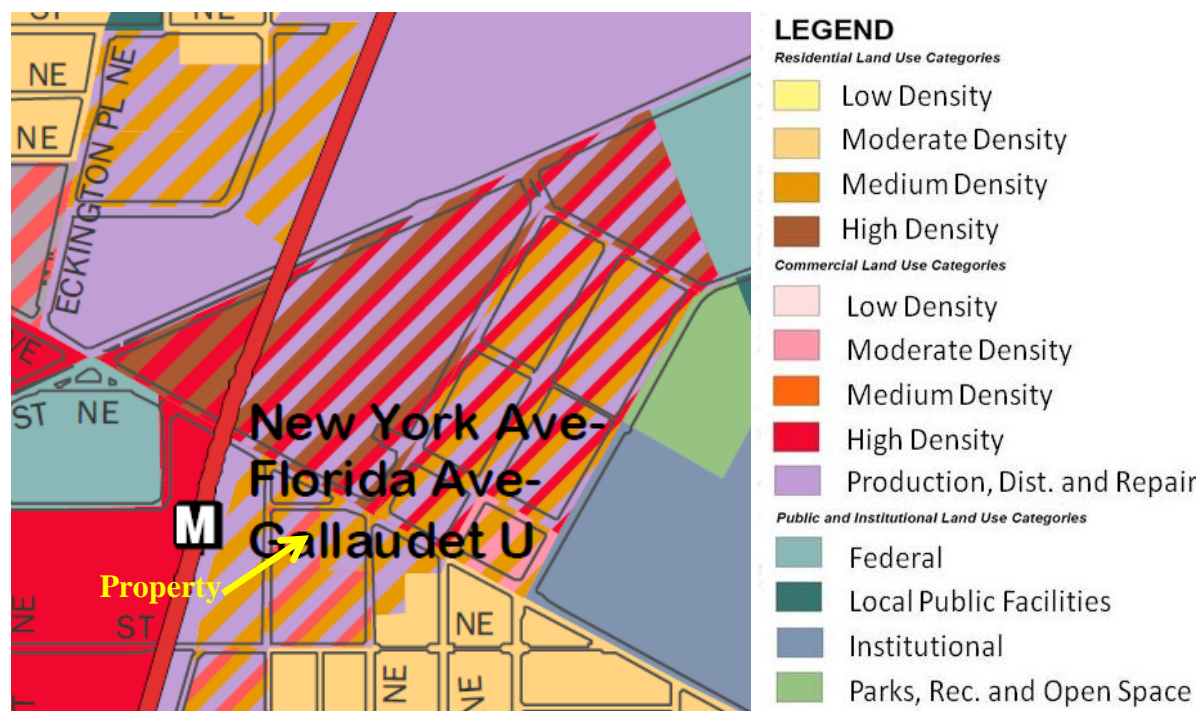
years, as all of these areas have been zoned to facilitate industrial or commercial uses. As such, continued infrastructure and public realm planning, among other considerations, are important factors that will facilitate the success of the area.

IV. COMPREHENSIVE PLAN MAPS, POLICIES AND SUPPLEMENTAL GUIDANCE

The proposed PUD must be determined by the Zoning Commission to be not inconsistent with the Comprehensive Plan and with other adopted public policies (§ 2403.4). The map amendment also should not be inconsistent with the Comprehensive Plan and other adopted policies.

A. Future Land Use Map

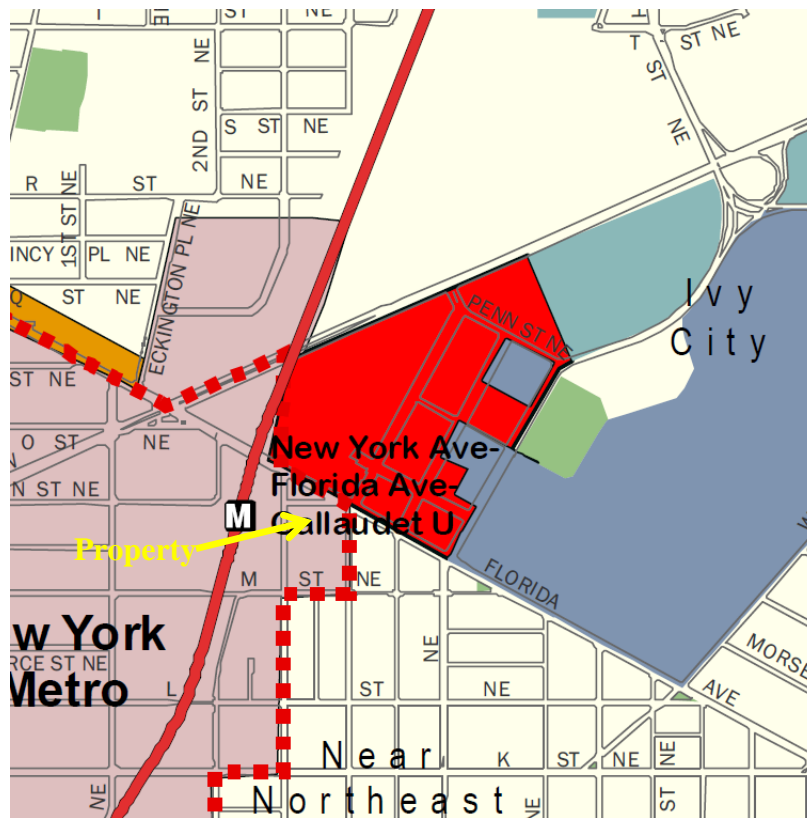
The Future Land Use Map designation for the Property is striped for mixed use Medium-Density Commercial, Medium-Density Residential and Production, Distribution and Repair.



B. General Policy Map

The Generalized Policy Map designates the Property as part of a “Land Use Change Area” and within the boundary of the “Central Employment Area.” Land Use Change Areas are areas where change to a different land use from what exists today is anticipated. These sites, both large and small, are classified as development opportunity sites and are largely vacant and/or underutilized. Along with encouraging new development in these areas, adaptive reuse of existing structures is also supported. As Land Use Change Areas are developed, they should result in high quality environments with exemplary site and architectural designs that do not negatively impact nearby neighborhoods. (Comprehensive Plan, §§ 223.9- 223.12)

The “Central Employment Area” is the business and retail heart of the District. It has the widest variety of commercial uses, including government and corporate office; retail, cultural and entertainment uses; and hotels, restaurants, and other hospitality uses. It draws patrons, workers and visitors from across the region. (Comprehensive Plan, § 223.21)



C. Comprehensive Plan Policies and Supplemental Guidance

The Property is located in the Central Washington Area Element of the Comprehensive Plan. There are policies within the Central Washington Area Element, as well as policies in the Citywide Framework which encourage transit-oriented development by Metro Stations, a mix of uses in NoMA, especially housing east of the CSX tracks, hotel development and historic landmarks of historic resources. The proposed PUD is generally consistent with the aforementioned general major policies for the Property and immediate area.

Additionally, the Property is located within the “North of Massachusetts Avenue (NoMA) Vision Plan and Development Strategy” (2006), a small area plan adopted by City Council in September 2008, which includes general guidance for the area defined as NoMA, as well as site-specific guidance regarding the preservation of the 301 N. Street building. Small area plans are adopted by City Council resolution and are to be used as supplemental guidance to the guidance of the Comprehensive Plan (§ 104.9). They provide detailed direction for areas ranging in size from a few city blocks to entire neighborhoods. They have been prepared for places in the city where District action was necessary to manage growth, promote revitalization, or achieve other long-range planning goals. The Comprehensive Plan is part of the DC Municipal Regulations through legislation by City Council. (§ 102.1)

Ultimately, a map amendment-related PUD development facilitated by the regulations of the C-3-C zone would help achieve applicable policies. Please note bold text was added for emphasis.

Central Washington Area Element (“CW”):

- CW-1.1.: Promoting Mixed Use Development: “**Expand the mix of land uses** in Central Washington to **attract a broader variety of activities** and sustain the area as the hub of the metropolitan area. Central Washington should be strengthened as a dynamic employment center, a high-quality regional retail center, and internationally-renowned cultural center, a world-class visitor and convention destination, a vibrant urban neighborhood, and the focus of the regional transportation network. **New office and retail space, hotels, arts and entertainment uses, housing and open space should be encouraged** through strategic incentives so that the area remains attractive, exiting, and economically productive (§1608.2)
- CW-1.1.4 New Housing Development in Central Washington: “**Encourage the development of new high-density housing in Central Washington, particularly in...NoMA. Ground floor retail space and similar uses should be strongly encouraged within these areas to create street-life** and provide neighborhood services for residents. A strong Downtown residential community can create pedestrian traffic, meet local housing needs, support local businesses in the evenings and on weekends, and increase neighborhood safety and security. (§1608.5)
- CW-1.1.10 Central Washington Hotels and Hospitality Services: “**Encourage the development of additional hotels in Central Washington...**A range of hotel types, including moderately priced hotels, and hotels oriented to family travelers as well as business travelers should be encouraged. Hotels generate jobs for District residents and revenues for the general fund and should be granted incentives when necessary... (§1608.11)
- CW-1.1.13 Creating Active Street Life and Public Spaces: “**Promote active street life throughout Central Washington through the design** of buildings, streets, and public spaces. This should include:...b. Encouraging **multiple entrances in large projects to increase street-level** activity; c. Managing certain streets so they can be easily closed to traffic on special occasions for use by pedestrians; d. Providing **streetscape improvements** that make Downtown streets more comfortable and attractive; e. Encourage **active ground floor uses**, and discouraging wide building entrances, large internal lobbies, and street-facing garage entrances and loading areas... (§1608.14)
- CW-1.2.2 Preservation of Central Washington’s Historic Resources: “Protect and enhance Central Washington’s historic resources by continuing the current practices of: a. **Preserving the area’s historic buildings and districts;**...d. **Encouraging the adaptive reuse of historic and architecturally significant buildings;**...Historic resources should be recognized as essential to Downtown’s economic vitality and competitive edge, particularly for retail, tourist and entertainment activities. (§1609.2)
- CW-2.8.1 NoMA Land Use Mix: **Promote NoMA’s development as an active mixed use neighborhood that includes residential, office, hotel, commercial, and ground floor retail uses.** A diverse mix of housing, serving a range of household types and incomes should be accommodated. (§1618.9)
- CW-2.8.2 East of the Tracks and Eckington Place Transition Areas: **Create a production/arts and live-work, mixed-use area east of the CSX railroad tracks** between H Street NE and Florida Avenue NE, and in the area east of Eckington Place and north of New York Avenue. Some of this area is shown as “Mixed Use Production Distribution Repair/Residential” on the Future Land Use Map. The intent of this designation is not to blend industrial uses with housing, but rather to **retain viable industrial activities until market conditions support their conversion to live-work space, housing, artists’ studios, and similar uses.** These two areas

should generally not be developed with large-scale commercial office buildings. **Mixed use development, including housing, should be encouraged** in both locations. (§1618.10)

- CW-2.8.3 NoMA Transportation Improvements: **Design NoMA to accommodate a wide array of transportation options**, with a particular emphasis on walking, bicycling, and **improved transit connections**. Improve the accessibility, functionality, and safety of the area's street grid, introducing new streets as needed to improve circulation through the area. This should include the redesign of the New York/Florida Avenue intersection to improve pedestrian safety, **enhance access to the New York Avenue metro station**, and create a landscaped neighborhood gateway, possibly including a new national memorial. (§1618.9)
- CW-2.8.5 NoMA Architectural Design: **Establish a unique architectural and design identity for NoMA, based in part on the area's heritage as an industrial area. This identity should preserve, renovate, and adaptively reuse NoMA's important historic buildings.** (§1618.9)

Citywide Guiding Principles:

- Land Use ("LU")-1.3.2: Development Around Metrorail Stations: **Concentrate redevelopment efforts on those Metrorail station areas which offer the greatest opportunities for infill development and growth**, particularly station in areas...with large amounts of vacant or poorly utilized land in the vicinity of the station entrance... (§306.11)
- LU-1.3.3: Design To Encourage Transit Use: **"Require architectural and site planning improvements around Metrorail stations that support pedestrian and bicycle access to the stations** and enhance the safety, comfort and convenience of passengers walking to the station or transferring to and from local buses. These improvements should include lighting, signage, landscaping and security measures... (§306.13)
- 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 PDS 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**... (§314.10)
- Transportation-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)
- Housing-1.1.4: Mixed Use Development: **Promote mixed use development, including housing, on commercially zoned land**, particularly in neighborhood commercial centers, along Mains Street mixed use corridors, and **around appropriate Metrorail stations.** (§503.5)
- Economic Development-2.3.1: Growing the Hospitality Industry: **Develop** an increasingly robust tourism and convention industry, which is underpinned by **a broad base of arts, entertainment, restaurant, lodging**, cultural and government amenities. **Strive to increase: (a) the total number of visitors to Washington; (b) the number of visitors staying in the District** (rather than in suburban hotels); and (c) longer visitor stays in Washington. Promote the District not only as the preferred base for exploring the city's attractions but also the preferred overnight base for visiting regional attractions. (§709.5)
- ED-2.3.4: Lodging and Accommodation: **Support the development of a diverse range of hotel types**, serving travelers with varying needs, tastes, and budgets. **New hotels should be**

encouraged both within Central Washington and in outlying commercial areas of the city, particularly in areas which presently lack quality accommodation. (§709.8)

- ED-2.3.9: Hospitality Workforce Development: Recognize the **potential for the hospitality sector to generate entry level jobs and opportunities for upward mobility** for District residents by promoting vocational, job training, and job placement initiatives in this sector, and by working with local hotels, the District of Columbia Hotel Association, the Washington Convention and Tourism Corporation, and others. (§709.13)
- Historic Preservation-1.3.1 Designation of Historic Properties: Recognize and **protect significant historic properties through official designation as historic landmarks** and districts under both District and federal law, maintain consistency between District and federal listing where ever possible. (§1005.6)

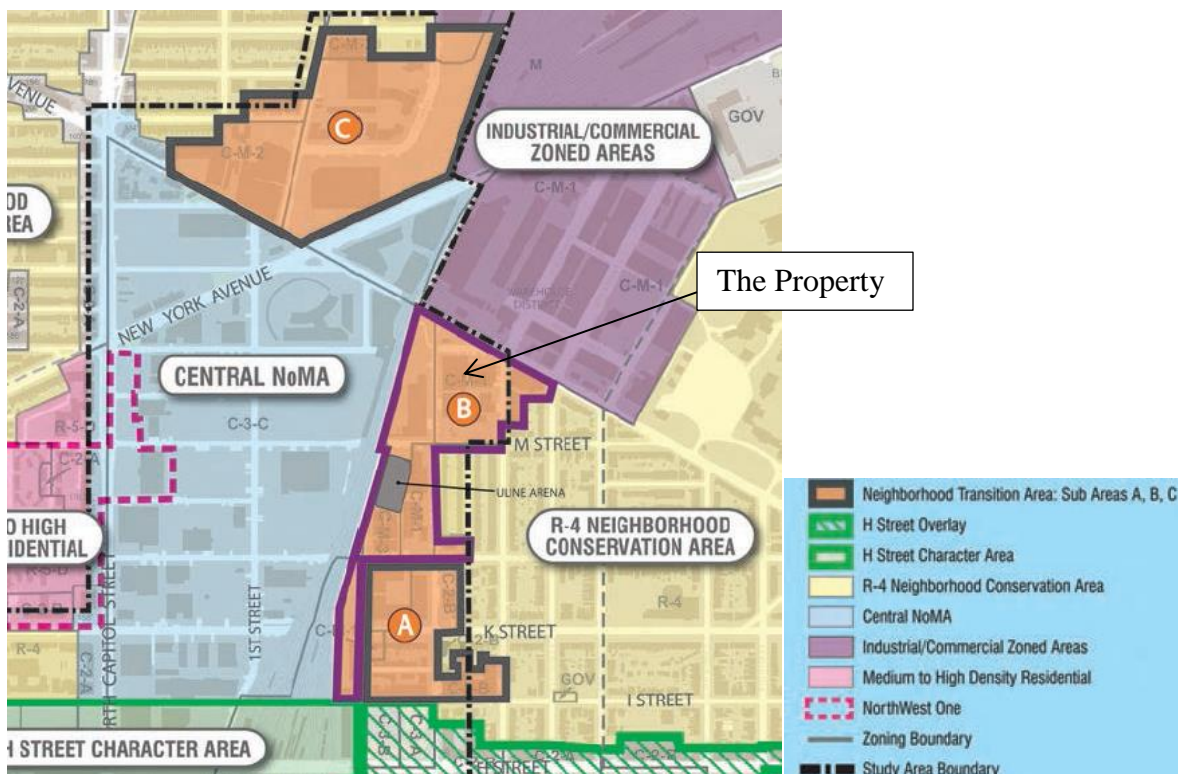
E. North of Massachusetts Avenue (“NoMA”): Vision Plan and Development Strategy

The NoMA Plan is a small area plan to guide development of the 358-acre area roughly bounded by Massachusetts Avenue to the South, New York Avenue to the North, North Capital Street to the west and 4th Street NE to the east to ultimately accommodate 20 million sf of residential and commercial development (50%/50%) within an ultimate period of 20 years. The Property benefits greatly from the increase of both residential and commercial density, and through public and private investments made in the past 5-10 years surrounding the NOMA-Gallaudet (New York Avenue) Metro Station.

The Property is within the plan boundary area known as the “Transition Area B: Creative Industries/Mixed-Use” which is generally defined as an area anchored by the Uline Arena where existing historic buildings and alley patterns are infused with new high-density infill construction to create a mix of uses and a transition between the Florida Avenue Market, the Metrorail Station and the existing rowhouse neighborhoods (5.12). See map below. The following is a list of recommendations for Transition Area B, to which the proposed PUD generally conforms:

- Through the use of Planned Unit Developments (PUDs), this area could include diverse uses such as residences, non-profit offices, studios, arts, technology, production, media, film, graphics, etc. and community and recreation uses, to achieve the density that takes advantage of proximity to the Metrorail Station. Building form can reinforce the goal for transit-oriented development by location of height density near the rail tracks and Florida Avenue...(2.7)
- Vision: A mixed-use precinct with a diversity of uses including creative industries, residential and non-profit office uses, studio and live-work spaces, and performing arts or recreation venue at Uline Area. (5.12)
- Enhance connections to the Florida Avenue Market and strive for a synergy of uses in new project plans. (5.12)
- Determine historic designation eligibility of the area including National Capital Press Printing Plant, (301 N. Street NE) built in 1931. This brick and concrete warehouse has a distinctive saw-tooth monitor roof—an industrial roof type not common in D.C. (5.12)

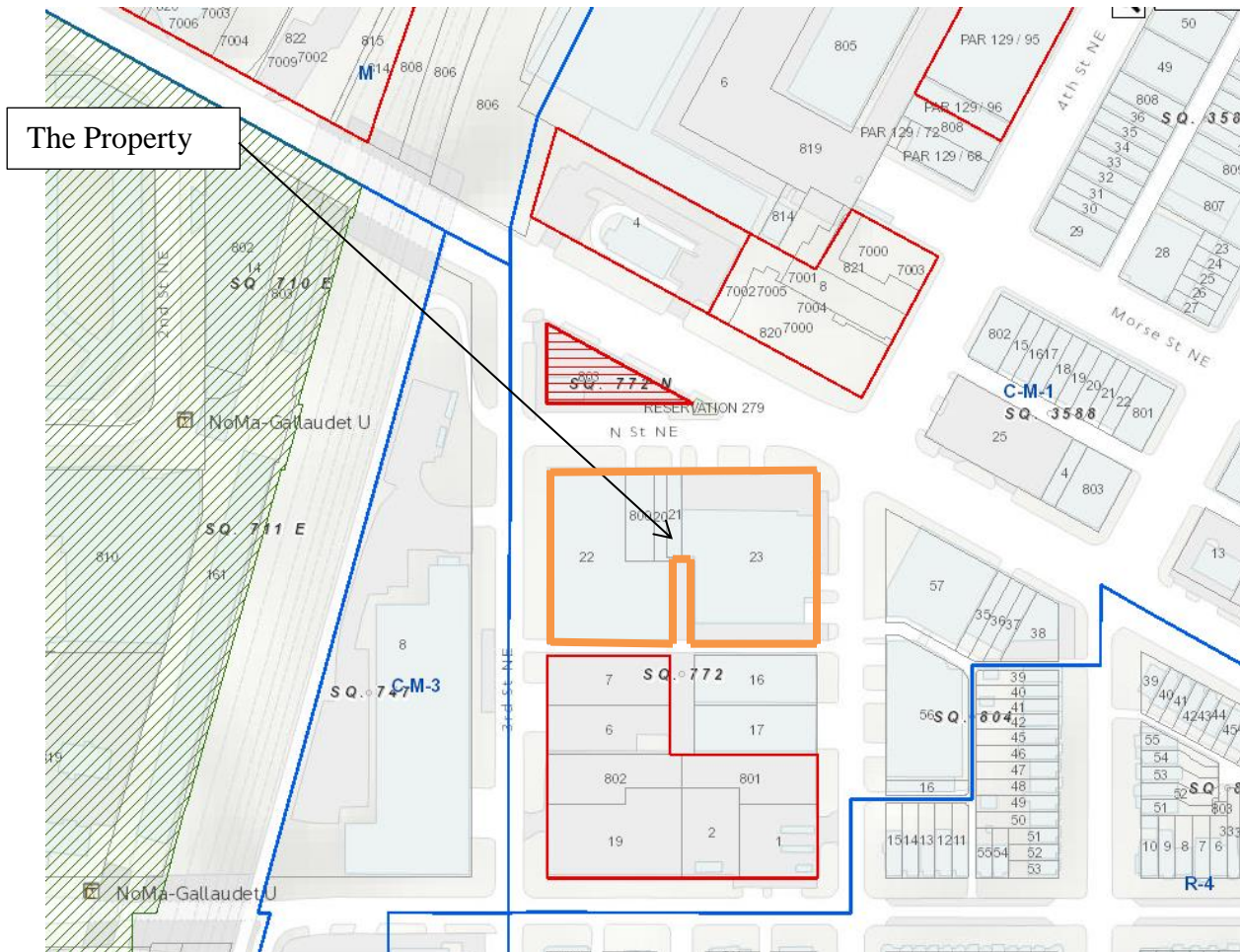
- Mix of diverse residential and non-residential uses, with greatest height and density along rail tracks, Florida Avenue and N Street, transitioning to lower-density along streets facing existing rowhouses. (5.12)
- Arts and design-oriented businesses and creative industries can be broadly defined around the goal of creating job diversity. Potential tenants could include: technology companies... furniture manufacturers... architects...graphic designers...publishing, etc. (5.12)
- Retail, in particular at the ground floor, neighborhood-serving, smaller scale, such as coffee shops, dry cleaners, restaurant/café/bar/club...and uses that reinforce the connection between the Florida Avenue Market and the Metrorail Station entrance at M Street. (5.12)
- Conduct design review for significant projects for prominent sites, large developments and modification of historic resources, etc. (5.13)
- Concentrate higher density and development taller buildings near NY Avenue Metrorail station and along Florida Avenue and N Streets... (5.13)



Recommended NoMA Character Areas, 5.7.

V. ZONING

The Property is currently zoned to the C-M-1 Commercial-Light Manufacturing District, which is intended to provide sites for light manufacturing activities including warehousing, office and automotive usage at a low intensity level. It does not permit residential use or mixed use development with a residential component. The Applicant proposes C-3-C Major Business and Employment Center District which is designed to accommodate major business and employment centers, housing and mixed use development. It allows for compact, medium-high density development, including office, hotel, retail housing and mixed-use development.



Zoning Map.

The following table compares the existing matter-of-right development capacity of the C-M-1 District with the requested C-3-C District regulations:

Standard	C-M-1 By Right	C-3-C By Right	C-3-C PUD	Proposal
Uses	Industrial, commercial	Office, retail, residential and mixed use	Office, retail, residential, hotel and mixed use	Residential, hotel and office uses with ground floor retail
Height in feet/stories	40 ft./3-stories	90 ft.	130 ft.	110 ft and 120 ft., 11 stories
FAR	3.0	6.0	8.0	6.68
Lot Occupancy %	Not specified	100%	100%	79%
Rear Yard	For the portion of the structure above 20' in height, 12 ft.	2.5"/vertical feet in height, but $\geq 12'$	2.5"/vertical feet in height, but $\geq 12'$	23 and 25 feet required, 10 feet and 5 feet provided (Relief Necessary)
Side Yard	None required	None required, but if provided, then 2" in width/vertical feet in height, but $\geq 6'$	None required, but if provided, then 2" in width/vertical feet in height, but $\geq 6'$	None provided
Courts	If provided, 6' width for open court and 2.5"/foot of height in width	Width of Courts: 4"/foot in vertical height, $> 15'$; Area of Closed Court: 2x the square of the width of the court, but >350 sf	Width of Courts: 4"/foot in vertical height, $> 15'$; Area of Closed Court: 2x the square of the width of the court, but >350 sf	Relief Requested for closed court width and area for eastern buildings(301 N St NE) (37'-8' in width and 2836 sf in area required and 15' and 675 sf provided)
Parking (spaces)	1/1000 sf of manufacturing, industrial or whole sale establishment	1 space/1,800 sf office; 1 space/750 sf retail (if more than 3,000 sf); 1 space per 4 units	1 space/1,800 sf office more than 2,000 sf; 1 space/750 sf retail (if more than 3,000 sf); 1 space per 4 units or hotel rooms	Multifamily: 85-98 required for 340-390 units), 162 provided Retail: For 26,585 sf, 32 spaces required, 31 provided. Hotel: 44 spaces required, 44 provided. Office/Creative Uses: 13 required, 13 provided.
Loading	Berth: 1 @ 30' deep Platforms: 1 @ 100 sf & 1 @ 200 sf	Multifamily > 50 units 1 berth @ 55 ft. 1 platform @ 200 sf. 1 svc space @ 20 ft. Office & Retail (8,000 sf+): 1 berth @ 30 ft. 1 platform @ 100 sf 1 svc space @ 20 ft.	Multifamily > 50 units 1 berth @ 55 ft. 1 platform @ 200 sf. 1 svc space @ 20 ft. Office & Retail (8,000 sf+): 1 berth @ 30 ft. 1 platform @ 100 sf 1 svc space @ 20 ft.	For both multifamily and retail, 1 berth @ 30', platform of 200 sf, and 1 svc @ 20' (Relief Necessary)

VI. FLEXIBILITY

The following zoning flexibility is requested to facilitate the PUD -related map amendment:

- Penthouse (§411.20)**
 The penthouses of both the 301 and 331 N. St building will not be setback from the internal, central court distances equal to their heights. Both penthouses are 20' in height. The 331 N St. building penthouses will be setback from the court a distance of 12' and the 301 N St. penthouse will be setback 9'.
- Rear Yard (§774.1)**
 With regard to the 301 N Street NE building, the Applicant requests flexibility to allow for a 10' rear yard instead of the required 22.9' rear yard. For the eastern building, 331 N Street NE, the Applicant seeks to provide a 5' rear yard and 25' is required. The Applicant states there are two main reasons for the reduction in rear yard: the provision of the significant, central open space and the fact that the historic 301 N. Street NE building must remain in its current position.

- Court Width and Area Requirements (§776)
The Applicant requests flexibility to allow for a closed court within the 301 N. Street Building with a width of 15' and an area of 675 sf, whereby the required width is 37'-8" and the required area is 2,836. The Applicant points out that this closed court is separated from an open court by a property line and is not indistinguishable from the open court. In total, both closed courts that form the central, significant open space total over 8,000 sf.
- Loading (§ 2201.1):
For all the uses proposed for both the 301 N Street NE and 331 N Street NE buildings, § 2201.1 requires twelve separate loading facilities, including berths, platforms, and/or services spaces of varying lengths. The Applicant requests flexibility to provide two (2) shared loading berths of 30 feet deep; two (2) 100 sf platforms; and one (1) service delivery space of 20 feet. The Applicant believes the provided loading facilities will be sufficient for the proposed uses and states that twelve separate required loading facilities will consume a significant amount of ground floor area.
- Number of residential Units: The Applicant requests the ability to provide a range of the number of residential units between 340 and 390.
- Flexibility of Uses for Office Component: The Applicant requests the ability to vary uses of the second and third floors of the historic 301 N Street building. Uses requested include the following: office space for creative industries (i.e. WeWork), architecture firm, restaurant, design gallery, soft goods, furniture store.
- Flexibility to phase the development: The Applicant requests the ability to phase the development into three phases: Phase 1: rehabilitated historic building; Phase 2: two residential buildings; Phase 3: hotel. Note the Applicant may vary the components of each phase and/or seek to complete Phase 2 and Phase 3 at one time.

VII. PUD EVALUATION STANDARDS AND PUBLIC BENEFITS AND AMENITIES

The purpose and standards for Planned Unit Developments ("PUD") are outlined in 11 DCMR, Chapter 24. Section 2400.1 and 2400.2 states "The PUD process is designed to encourage high quality developments that provide public benefits....The overall goal is to permit flexibility of development and other incentives, such as increased building height and density; provided, that the project offers a commendable number or quality of public benefits and that it protects and advances the public health, safety, welfare, and convenience." The Applicant has requested various flexibilities detailed above and also offers several public benefits and amenities.

The Applicant requests a PUD and related map amendment, which is not inconsistent with the Comprehensive Plan maps and policies, to allow 70' and 80' of additional building height above the C-M-1 limits, as well as a density increase of 3.68 FAR or 254,791 sf.

Per § 2403.3 PUD Evaluation Standards, the PUD regulations further state that "[t]he impact of the project on the surrounding area and upon the operations of city services and facilities shall not be unacceptable, but shall instead be found to be either favorable, capable of being mitigated, or acceptable given the quality of public benefits in the project."

Sections 2403.5 – 2403.13 of the Zoning Regulations state the definition and evaluation standards of public benefits and project amenities. Public benefits are tangible, quantifiable superior features of a

proposed PUD that benefit the surrounding neighborhood or public in general to a significantly greater extent than would likely result from a by right project. A project amenity is type of public benefit that is a functional or aesthetic feature of a development that adds to the attractiveness, convenience or comfort of the occupants and immediate neighbors.

In its review of a PUD application, § 2403.8 states that “...the Commission shall judge, balance, and reconcile the relative value of the project amenities and public benefits offered, the degree of development incentives requested, and any potential adverse effects according to the specific circumstances of the case.” To assist in the evaluation, the Applicant is required to describe amenities and benefits, and to “show how the public benefits offered are superior in quality and quantity to the typical development of the type proposed...” (§2403.12).

The Applicant has offered the following amenities and benefits as an offset to the additional development gained through the application process:

- (a) *Urban design, architecture, landscaping, or creation or preservation of open spaces - § 2403.9(a)*

Urban Design

In terms of urban design, the Applicant will greatly improve the current pedestrian realm from its current state through the ground floor building design and the streetscape elements.

Ground floor Building Design: The building design at the ground floor includes base articulation through the use of aluminum-framed floor-to-ceiling glass windows and metal canopies that help establish a comfortable pedestrian-scale along 3rd Street NE, 4th St. NE and N St. NE. The ground floor uses with multiple retail entries and lobbies will activate the streetscapes. The location of retail along 3rd Street NE is consistent with the NoMA Plan recommendations and U-line development in transforming 3rd Street into a retail destination area. Similarly, locating retail uses along 4th Street NE is a continuation of retail uses planned and present within the FAMs to the north. By locating all back-of-house loading, vehicular ingress/egress and storage within the alley, it significantly reduces the need for curb cuts on streets where it would interrupt the pedestrian realm.

Streetscape Elements:

The Applicant proposes a new 25’ streetscape along N Street NE which will include an 8’-6” specialty paving zone along the building edge for café seating, an 11’-6” clear sidewalk zone and a 5’ tree planting zone. On both 3rd Street NE and 4th Street NE the Applicant will provide a 9’-6” specialty paving zone for café seating along the building faces, a 14’ clear sidewalk area, and a 5’ tree planting zone. These elements will improve the pedestrian experience from the current state of the streetscape; additional detail should be provided explaining how the proposed streetscape will marry with the streetscapes surrounding the project and the feasibility of specialty paving considering Public Space Regulations.

Architecture

The proposed architecture is contemporary. The color scheme of greys and blacks, as well as the materials selection of metal, glass and brick fit in with an industrial aesthetic typical of PUDs in this area. The use of brick material on the hotel and residential building that flank the preserved 301 N. Street building appears appropriate. An interesting element of the proposed façade of the residential buildings includes projecting and recessing glass planes in a random pattern which is reminiscent of PUD #15-01, 320 Florida Avenue NE (the Highline), which is located across Florida Avenue NE.

Landscaping and Creation of Open Space

The Applicant intends to provide plantings within the streetscape planting beds as well as street trees. Within the private, ground floor courtyards the Applicant intends to provide over 6,000 sf of planted areas. Seating is also shown within the courtyards. It appears the internal courtyard of the 331 N Street

NE building may include the potential for public access from N Street NE; however the Applicant should clarify. The Applicant also intends to provide a substantial amount of plantings of 14,000 sf on the main roof and penthouse roof levels. A pool and seating areas are also shown on the 331 N. Street building, and seating areas are shown on the roof plan of the hotel building.

(b) Site planning, and efficient and economical land utilization - § 2403.9(b)

The proposal would completely transform a significantly underutilized site located within 1,000 sf of a Metro station. The development will provide for the adaptive reuse and façade preservation of a historic building and contribute to the activation of 3rd Street NE as an active, retail corridor from the U-line area and NoMA, west of the railroad tracks. The significant amount of retail and mix of uses will complement the FAMS/Unions Market area with its active retail uses, additional residents, and streetscape and off-site improvements. Loading and garage access from one curb cut off an alley is an efficient site planning element of the project.

(c) Historic preservation of private or public structures, places, or parks - § 2403.9(d)

The existing Property includes 301 N Street NE, which was once known as the National Capital Press Printing Plant built in 1931. The Applicant has agreed to pursue a landmark designation for this building. The building has already received conceptual design approval from the Historic Preservation Review Board (HPRB) at its June 25, 2015 meeting. Since that time, the Applicant has worked with OP Historic Preservation staff regarding the design of the building, the preservation of its façade and the adaptive reuse of the building. It is anticipated that the landmark designation application will be filed soon, and the review of it by HPRB will occur concurrently with the PUD public hearing process.

(d) Housing - § 2403.9(f)

The Applicant proposes to provide 320,261 sf of residential use which will be equivalent to 340-390 units. The Applicant proposes 25% studios, 40% one-bedroom apartments, and 33% two bedroom apartments. The Applicant has proposed 8% or 25,620 sf of affordable housing at 80% area median income. This is the minimum requirement under the Inclusionary Zoning regulations. The introduction of residential use in an underutilized site is consistent with planning goals for the property detailed above; however to qualify as amenity benefit of the development OP encourages the Applicant to provide more than the minimum square footage or target a lower income.

(e) Environmental benefits- § 2403.9(h)

The Applicant intends to target LEED Silver rating equivalence. Should the Project be set-down, the Applicant should continue to work with DOEE regarding site sustainability measures and a higher LEED rating.

(f) Uses of special value to the neighborhood or the District of Columbia as a whole § 2403.9 (i)

The proposed PUD with its mix of uses, including a hotel, and a significant amount of retail connecting U-line and FAM area, as well as the adaptive reuse of a historic building including pursuit of a landmark designation, contributes to the NoMA area and complements the future development of the FAM area to the north.

VII. AGENCY REFERRALS

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

- Department of Energy and the Environment (DOEE);
- Department of Transportation (DDOT);
- Department of Housing and Community Development (DHCD);

- Department of Parks and Recreation (DPR);
- Department of Public Works (DPW);
- DC Public Schools (DCPS);
- Fire and Emergency Medical Services Department (FEMS);
- Metropolitan Police Department (MPD);
- Washington Metropolitan Area Transit Authority (WMATA); and
- DC Water.

VIII. COMMUNITY COMMENTS

The site is located in ANC 6C. The applicant has been in contact with this ANC. OP encourages the applicant to continue its community outreach efforts throughout the public review process.

JS/mcr