

# 301-331 N Street, NE

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APPLICATION FOR REVIEW AND APPROVAL OF A CONSOLIDATED PLANNED UNIT  
DEVELOPMENT AND RELATED MAP AMENDMENT

October 30, 2015

## **DEVELOPMENT TEAM**

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**LIST OF EXHIBITS**

<b>Description</b>	<b>Exhibit</b>
Architectural Drawings, Elevations, Renderings, Sections, Streetscape Designs, Landscaping, Civil, Photos of Property and Surrounding Area, Site Plans, Maps, and Other Plans	A
Zoning Map with Property Highlighted	B
Excerpts of Comprehensive Plan Future Land Use Map and Generalized Policy Map	C
Certificate of Compliance with Chapter 24	D
Certificate of Notice and Notice of Intent to File	E
Application Form and Agent Authorizations	F
Property Owner List	G
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## **PREFACE**

This statement is submitted by Foulger-Pratt Development, LLC in support of an application for the consolidated review and approval of a Planned Unit Development and related Zoning Map Amendment for the property known as 301-331 N Street NE (Square 772, Lots 20-23 and 800) before the District of Columbia Zoning Commission. The related Map Amendment proposes to rezone the site from the C-M-1 Zone District to the C-3-C Zone District.

The applicant is requesting approval of this PUD in order to create a mixed-use residential and commercial project with a significant historic preservation component, consistent with the goals of the D.C. Comprehensive Plan. The project will create approximately 370 residential units, approximately 175 hotel rooms, office space, and ground floor retail. The project will contain an approximate FAR of 6.68 and will have heights of 110 and 120 feet. As part of this project, the Applicant proposes to retain and rehabilitate a historically significant building, possibly improve N Street in front of the subject property, and promote arts and arts-related uses.

Submitted in support of this application are a completed PUD application form, a notice of intent to file a PUD (with property owner list and certification of mailing), architectural drawings, and a map depicting the zoning districts for the property and the surrounding area. As set forth below, this statement and the attached documents meet the filing requirements for a PUD application under Chapter 24 of the District of Columbia Zoning Regulations.

## I. INTRODUCTION

### A. Summary and Purposes of the Application

Foulger-Pratt Development, LLC, as the development agent for 301 N Street Titleholder, LLC and 331 N Just, LLC, (the “**Applicant**”) hereby submits an application to the Zoning Commission of the District of Columbia (“**Commission**”) for consolidated review and approval of a Planned Unit Development (“**PUD**”) and related Zoning Map amendment to the C-3-C Zone District.

The project site consists of Lots 20-23 and 800 in Square 772 (“**Property**”). The Property contains approximately 69,240 square feet of land area. It is partially improved with a one-story industrial supply retail store and accompanying surface parking lot as well as a three-story self-storage building. The Property is located within the boundaries of Advisory Neighborhood Commission (“**ANC**”) 6C. The Property is presently zoned C-M-1.

The Applicant is seeking approval of this PUD and Zoning Map amendment in order to create a distinguished mixed-use residential and commercial project with underground parking and ground floor retail (the “**Project**”), as shown on the plans attached hereto as Exhibit A (the “**Plans**”). The Project will replace an underutilized automobile-oriented retail site and storage facility with new high-quality construction and design with a mix of residential and commercial uses close to a Metrorail station and the Florida Avenue Market. The Project will preserve and repurpose a historic industrial building, and it will activate a prominent block with residents and retailers amidst many new developments in the area. The Project is designed to assist in the identity creation of the developing neighborhood and to reflect the industrial history of the neighborhood.

The Project will contain two residential components, a hotel, office/retail space, and ground floor retail. The Project will contain a FAR of approximately 6.68, or approximately 465,984 gross square feet, and it will have heights of approximately 110 and 120 feet.

In addition to the new residences and retail that the Project will bring to this site, the Project will offer many public benefits and amenities. The Applicant proposes amenities such as preservation and renovation of a historic building, new residential uses, high quality architecture, many sustainable and “green” design features, promotion of arts-related activities, possibly significant improvements to N Street in front of the Property, and assistance with an additional entrance and tunnel to the Metro station near 3<sup>rd</sup> and N Streets.

B. Applicant

The Applicant is division of Foulger-Pratt. Established in 1963, Foulger-Pratt is a real estate development firm headquartered in Rockville, Maryland distinguished by its long-term investment focus and extensive experience executing successful mixed-use, transit-oriented projects throughout the Washington, DC metro area. The firm’s intimate knowledge of virtually every submarket in this robust and stable regional economy has enabled it to develop more than 13.7 million square feet of commercial office, retail space, and multifamily residential projects. From acquisition to development, construction to asset management, the company’s fully integrated teams create value at all stages of an investment’s lifecycle.

C. Architect

AA Studio, founded in 2013, is a global design studio headquartered in the creative neighborhood of Williamsburg, Brooklyn. Founded by the vision of Italian designer Aldo Andreoli, the team is comprised of a select group of international architects and designers. AA Studio is entrepreneurial and exuberant and prides itself on the design-forward work it produces, as well as the innovative and collaborative culture that permeates throughout the studio.

AA Studio has a widespread expertise with projects across New York, California, Arizona, Florida, Mexico, Panama, Guatemala, and Italy. The company specializes in high-end projects, balancing form and function with a bold, yet elegant flair, which has become its trademark. While understanding the need for sound structural and financial practicality, AA Studio incorporates uncompromising design fundamentals into every job and is staunchly committed to converting opportunity into lasting value.

Torti Gallas Urban, Inc. is a Certified Business Enterprise in the District of Columbia, specializing in Architecture, Planning and Urban Design services. The principals of the firm have expertise and experience with all scales of master planning and building projects in the residential, mixed-use downtown, transit-oriented, and commercial markets, applying jurisdictional needs and code requirements in the local Washington Metropolitan Area, as well as national and international markets.

## **II. SITE AND AREA DESCRIPTION AND ZONING**

### **A. Location and Current Use**

The PUD Site is located in the northeast quadrant of the District of Columbia. It is bound by N Street NE and Florida Avenue NE to the north, a public alley to the south, 4<sup>th</sup> Street NE to the east, and 3<sup>rd</sup> Street NE to the west. The Property is rectangular in shape.

The Property is in Single Member District 6C06 of ANC 6C in Ward 6. The NoMa neighborhood includes the Property, but the Florida Avenue Market is just to the north across Florida Avenue. The NoMa-Gallaudet U Metro station is approximately three blocks (1/5 mile) to the west.

The northwestern portion of the Property is currently improved with a three-story self-storage building. This structure was built in 1931 and designed by Chas. H. Tompkins Co. for National Capital Press. The front of the three-story concrete and brick building faces N Street. The 3<sup>rd</sup> Street elevation is clearly a secondary elevation, defined by loading docks at the first floor and generally regular industrial windows and brick infill within the concrete structure of the building. Both elevations are defined by brick piers with some decorative brickwork. The building has five monitors that are unusual within the city's stock of industrial buildings. Additions to the building were constructed in 1947, 1949, and around 1963. The additions do not contribute to the historic significance of the building. The original building is historically significant because of its unique style and representation of the industrial past of the neighborhood. The Applicant will file an application with the Historic Preservation Review Board to designate the original building as a landmark, which the Historic Preservation Office supports. The Property also includes multiple curb cuts from 3<sup>rd</sup> Street.

The eastern portion of the Property is improved with a one story retail building and associated large surface parking lot in front of the building. The retail building is occupied by the Grainger industrial supply store that will vacate the building in February 2017. Four curb cuts serve the Property from N Street, and three curb cuts serve the Property from 4<sup>th</sup> Street.

#### B. Surrounding Area

The surrounding area is mostly a mix of industrial, commercial, and institutional uses. To the north across Florida Avenue is the Florida Avenue Market, which is largely industrial, but multiple mixed-use residential projects are planned and/or approved for the area.<sup>1</sup> Directly north

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<sup>1</sup> *E.g.*, ZC Case Nos. 15-01 and 14-07



across N Street, a mixed-use residential building is planned.<sup>2</sup> Across 3<sup>rd</sup> Street to the west is an industrial building, but a mixed-use development is planned for its replacement. To the east across 4<sup>th</sup> Street is the Two Rivers Public Charter School. To the south across the alley is a parcel used for parking but slated for redevelopment as a mixed-use residential project<sup>3</sup> and another building for the Two Rivers School.

The immediately surrounding blocks contain primarily a mix of industrial and commercial uses, but new developments are planned throughout, particularly in the Florida Avenue Market area, where no fewer than five new projects are planned. To the west across the train tracks are high-rise office buildings, high-rise apartment buildings, a hotel, and the NoMa-Gallaudet Metro station. Further to the east, the neighborhood is primarily residential with two- and three-story townhouses and flats, with Gallaudet University across Florida Avenue. Another large project is planned for the area just west of Gallaudet University near the Florida Avenue Market.<sup>4</sup> Further to the south and southeast of the Property, the neighborhood is primarily residential with two- and three-story townhouses and flats. Further to the southwest, the properties are used primarily for industrial purposes, although the Uline Arena is being redeveloped for commercial use (REI and offices). Further to the south, properties were recently redeveloped for residential buildings, including the Loree Grand.

The architectural style of the neighborhood is eclectic and is quickly evolving with the multiple new projects. Most of the existing industrial and commercial buildings have a very functional and simplistic style. Many of the planned new projects have a contemporary and/or

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<sup>2</sup> ZC Case No. 15-22

<sup>3</sup> ZC Case No. 14-19

<sup>4</sup> ZC Case No. 15-24

industrial style. Most of the townhouses and flats are designed in the Federal style and were constructed in the first part of the 20<sup>th</sup> Century.

The immediate neighborhood includes a mixture of zones. Most properties immediately surrounding the Property are zoned C-M-1 or C-M-3, though most of the new projects have been rezoned to C-3-C as parts of PUD applications. Also, most of the NoMa area west of the train tracks is zoned C-3-C. Residential properties further from the Property are zoned primarily R-4.

### **III. PROJECT DESCRIPTION**

The proposed Project will be a prominent, attractive, and street-activating composition of buildings that will complement and enhance the other projects in development nearby. The current use of the site does not take advantage of the Property's transit-oriented location in a rapidly developing mixed-use community. The current uses of the Property are automobile-oriented low-density commercial spaces that are inconsistent with the evolving high-density mixed-use neighborhood growing around it and planned by the District.

Functionally, the Project will consist of four buildings even though they will all be integrated as one project. The easternmost building (331 N Street) will be an 11-story residential building with approximately 275 residential units and ground floor retail. The westernmost building at the northwest corner of the site will be the retained and rehabilitated original historic three-story industrial building, which will contain ground floor retail and two floors of office and/or retail above. At the southeast corner of the site, an 11-story hotel with approximately 175 rooms will be adjacent to the alley. Finally, a smaller 11-story residential building with approximately 94 residential units and ground floor retail will front on N Street and will be located between the historic building and the other residential building at 331 N Street. The historic building, the hotel, and the smaller residential building will comprise 301 N Street.

The Project will be oriented around two large plazas. One plaza will be in the center of the 301 N building, and a second larger plaza will be surrounded on the north, east, and south by the 331 N building. To the west, the second plaza will be bounded by the 301 N residential building. These plazas will be extensively landscaped and will provide areas for passive and active recreation.

The development of the Project will be phased, so the Applicant requests the flexibility to construct its components in sequence to meet the market demand. It is likely that the first phase will be the rehabilitated historic building for retail/office use. The likely second phase will be the two residential buildings, which will be operated as one residential community. The likely third phase will be the hotel, but it may be constructed as part of the second phase.

The Project will be comprised of two buildings for zoning purposes, but the entire Project will be integrated as if it were one, even though its construction will be phased. The west building (301 N Street) will have a maximum gross floor area of approximately 202,592 square feet (6.12 FAR) and a maximum height of 110 feet. The east building (331 N Street) will have a maximum gross floor area of approximately 259,919 square feet (7.2 FAR) and a maximum height of 120 feet. Combined, the Project will have an overall maximum FAR of 6.68, which equates to approximately 133,849 square feet (1.93 FAR) of commercial use and approximately 320,261 square feet (4.75 FAR) of residential use. The west building (301 N Street) will have a maximum lot occupancy of 82%, and the east building (331 N Street) will have a maximum lot occupancy of 73%.

The Project will eliminate all of the many existing curb cuts on 3<sup>rd</sup>, 4<sup>th</sup> and N Streets, which will reduce automobile-pedestrian conflicts in the neighborhood. All vehicular traffic entering the Project will be directed to the rear alley accessible from 3<sup>rd</sup> and 4<sup>th</sup> Streets. Access

to the underground parking from the alley will be via a ramp at the rear center of the Property. The underground parking garage will span across the entire Property to serve all of the buildings, and it will contain approximately 250 parking spaces. The number of parking spaces will exceed the requirement in the Zoning Regulations. In addition, the Project will provide ample bike parking. Approximately 230 secure bike parking spaces will be available, with approximately 50% of those in a dedicated bike storage room at grade accessed directly from the alley, and the remainder will be located in the below grade garage. Additionally, two 30-foot loading berths and one 20-foot delivery space will be located at grade at the center rear of the Project off the alley. These loading facilities will be shared by the entire Project.

The Project will create a truly transit-oriented urban mixed-used community that will add new housing, retail, offices, and a hotel to an exciting and transforming neighborhood. The Project will replace low-density automobile-oriented uses with suitably greater density for new residences and complementary commercial uses.

The ground floor retail will be located primarily at the corners of 3<sup>rd</sup> and N Streets and 4<sup>th</sup> and N Streets and will activate these corners where no pedestrian-oriented retail currently exists. In addition, the retail will extend down 3<sup>rd</sup> Street to help activate what is expected to be a lively retail spine extending down to Uline Arena and that will compliment the growing retail offerings in the Florida Avenue Market.

The upper two stories of the preserved and repurposed historic building will offer office space for creative industries and/or more retail space, depending on the market demand at the time, so the Applicant requests the flexibility to use the space accordingly. The creative office space is envisioned to be shared space, like UberOffice or WeWork, intended for creative industries, such as an architecture firm. If the market demands retail space, then it is envisioned

for a similarly creative use such as a restaurant, design gallery, soft goods store, or a furniture store.

Finally, the hotel will provide more lodging in a neighborhood that is expected to have many more residents and businesses in the next few years but has a dearth of lodging options. Also, it will provide new lodging for the many existing nearby office buildings across the train tracks in NoMa. The hotel will occupy the entirety of its building.

The upper stories of the Project, except for the hotel and the office, will be residential. Both residential buildings will share one lobby at the ground floor entered from N Street. Residential amenities will be located on the second floor of the 331 N building and the ground floor of the 301 N building. A pool will be on the roof of the 331 N building for all Project residents.

Open space and green features will be incorporated throughout the Project. In addition to the two at-grade courtyards, two upper terraces and the roofs (hotel and 331 N) will include landscaped green space and outdoor recreation space. Approximately 20,000 square feet of green space will be provided in the Project.

Further, the Project will include significant public space enhancements on N Street. N Street currently accommodates little traffic and provides an opportunity for new public recreation space as part of this proposal. The Applicant will work with the ANC and DDOT to devise a plan for beautifying and altering N Street to make it more pedestrian-friendly and oriented toward recreation and gathering. While the details remain to be finalized, possible improvements include narrowing the automobile right-of-way to one lane, adding traffic calming measures, and incorporating significant landscaping and greenery for a park-like atmosphere.

The residential component of the Project will offer a mix of unit types. The apartments will be a mix of studios/junior one-bedrooms (25%), one-bedrooms (35%), one-bedroom plus dens (5%), and two-bedrooms (33%). The Project will devote 8% of the residential floor area for affordable units, as required.

The Project's design will contain various features to provide a superior quality of architecture that will distinguish the Project and break up the massing into distinct elements. First, the Project will prominently feature the rehabilitated historic building while incorporating its industrial aesthetic into the overall Project design. The Project will be set back from the historic building to allow it to stand out as its own distinct building and preserve the prominent and unique monitors. This design will allow the project to be tied to the neighborhood's industrial past while having a notable contemporary style.

The new buildings at 301 N Street will be divided into three related volumes, one residential building fronting on N Street, the hotel fronting on 3<sup>rd</sup> Street, and a connecting core. This division of building mass and the use of related but distinct architectural expressions will ensure that the new construction will not appear to overwhelm or envelope the historic building.

The exterior of the historic building at 301 N will be renovated, inclusive of repairing and repointing of the brick, repairing the exposed concrete on the facades, restoration of the front entrance, and replacing the windows with new to match the appearance of the originals. The 1986 plastic and new metal roofs of the monitors will be removed and the frames temporarily removed in order to repair or replace the roof and reinstall and sheathe the monitors in a sound and water-tight manner. New glass and new metal roofs will be installed. To adapt the building for retail use, the loading docks will be removed and the first floor lowered to the grade along 3<sup>rd</sup> Street to create new retail space. There will be eight storefronts along 3<sup>rd</sup> Street and four along N

Street between the piers that define the four center bays. Metal canopies will be hung above each storefront.

The two street-facing blocks of 301 N will be sheathed in two tones of grey brick and 110 feet tall. Their street front elevations will be similar – cousins rather than siblings – and the side elevations of each will be different. The street elevations include strong metal bases with the fenestration and recessed balconies above contained within double-height openings, which visually will reduce the apparent height of the building's mass. The tower of the common core will be faced with corrugated metal panels.

The new building at 331 N Street will consist of a U-shaped structure, 120 feet tall. It will be a double-loaded apartment building, with a 70-foot by 115-foot internal courtyard, facing west. The street elevation will be glazed and will be supported by a base consisting of a colonnade clad in metal, 16 feet high, inclusive of the residential lobby and retails. The north and east façades will incorporate terraces framed by a grey metal structure, designed to enhance the industrial appearance of the building's architecture and extruded from the wall of windows. These terraces will create modular openings, combined to appear randomly connected to each other, in order to break the building mass into different elements.

The materials for the Project's exterior will be a mixture of high-quality variations to unify and distinguish the contemporary style of the Project. As shown on page A24 of the plans, the 301 N building will include dark grey aluminum metal frame, dark grey perforated metal screen, and light grey brick. The 331 N building will include dark grey aluminum metal frame, wire metal mesh, and dark and light grey fiber cement board panels.

C. Zoning Overview

The Zoning Tabulations Sheet included as page G7 of the Plans provides a detailed overview of the proposed building and the requirements and restrictions of the C-3-C zone. The following table illustrates the zoning parameters of the proposed Project:

	<b><u>Proposed</u></b>	<b><u>Allowed/Required by C-3-C MOR</u></b>	<b><u>Allowed/Required by C-3-C PUD</u></b>
<b><u>Height</u></b>	110'/120'	90'	120' <sup>5</sup>
<b><u>Number of residential units</u></b>	340-390	No maximum	
<b><u>FAR</u></b>	6.68 (1.93 commercial)	7.8 (6.5 commercial) <sup>6</sup>	8.0
<b><u>Square footage</u></b>	460,159	540,072	553,920
<b><u>Lot occupancy</u></b>	79%	100%	
<b><u>GAR</u></b>	0.2	0.2 required	
<b><u>Parking</u></b>	250 spaces	Residential – 1 for each 4 dwelling units (85-98 spaces) required  Retail – 1 per 750 square feet in excess of 3000 square feet (22 spaces) required  Office – 1 per 1800 square feet in excess of 2000 square feet (13 spaces) required  Hotel – 1 per 4 rooms (44 spaces) required	

<sup>5</sup> Maximum permitted height is limited by the Height Act.

<sup>6</sup> Includes Inclusionary Zoning bonus density.



<b><u>Loading</u></b>	2 30-foot berths  1 20-foot delivery space	Residential – 1 55-foot berth; 1 200-square foot platform; and 1 20-foot space required per building  Retail – 1 30-foot berth; 1 100-square foot platform; and 1 20-foot space required for 301 N building  Office – Not required for less than 30,000 square feet  Hotel - 1 30-foot berth; 1 100-square foot platform; and 1 20-foot space required	
<b><u>Affordable housing</u></b>	8% of residential GFA	8% of residential GFA or 50% of bonus density used	8% of residential GFA

D. Development Parameters Under Existing Zoning

The C-M-1 Zone District, as a matter-of-right, permits a maximum height of 40 feet and a maximum FAR of 3.0.

E. Project Goals and Objectives and Benefits of Using PUD Process

The PUD process is the appropriate means for realizing this development because it will provide the community and the District the tools to ensure that the Project is well-designed and best meets the needs of the community. It further will allow the public to provide input on whether the proposed uses, density, height, and design are complementary to the existing community and the vision for the neighborhood. The Project will provide high-quality housing, retail, office, and hotel in an emerging mixed-use neighborhood in close proximity to transit. The PUD process will provide the framework for realizing the potential of this site capturing the benefits and amenities that will enhance the surrounding community.

F. Zoning Flexibility Requested

In addition to the rezoning of the Property from C-M-1 to C-3-C and the application of the PUD standards in Chapter 24 of the Zoning Regulations, the Applicant requests the following relief from strict application of the relevant provisions of the Zoning Regulations through the flexibility allowed by the PUD process:

1. The penthouse setback requirement in § 411.20.<sup>7</sup> On the lot of the 331 N building, the central plaza is an open court. The penthouses on the 331 N building and on 301 N building will not be sufficiently set back from this court distances equal to their heights. The 331 N penthouse will be 20 feet tall and will be set back from this court by 12 feet, and the 301 N penthouse will also be 20 feet tall and will be set back from this court by nine (9) feet. The open court will be in the center of the Project and will open onto the street and alley by two narrower openings – one to the north and one to the south. The non-compliant setback will be entirely internal to the building, and the penthouse will be sufficiently setback from the narrower openings to the street and alley. Therefore, a setback is required mostly by a technicality, and there will be no adverse impact because the penthouse will be obscured the same as if the court were closed. The Commission has the authority to grant this relief pursuant to § 2405.7.
2. The rear yard requirements in § 774.1. The 301 N building has a rear yard requirement of 22.9 feet, and the provided rear yard will be 10 feet. The 331 N building has a rear yard requirement of 25 feet, and the provided rear yard will be

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<sup>7</sup> The Applicant designed the penthouse according to the recently-adopted penthouse regulations.

five (5) feet. The Project will provide significant open space in the central courtyards, which necessitated decreasing the rear yard. Also, the inability to construct any density over the historic building required pushing the density to its sides, which necessitated a reduction in the rear yard depth. The Project will have much less density and lot occupancy than permitted, so the lack of rear yard will not over-crowd the site. Further, because the Project is located north of the alley, it will not cast shadows on the buildings to the south and will not result in the obstruction of light or air to those properties. The Commission has the authority to grant this relief pursuant to § 2405.5.

3. The court width and area requirements in § 776. The eastern closed court on the 301 N building (identified as Closed Court 2 on page G9 of the plans) will have a width of 15 feet and an area of 675 square feet. The required width is 37'-8" and area is 2836 square feet. However, this will be a closed court only by virtue of the property line that separates it from the open court in the 331 N building. Effectively, it will be just part of the larger and conforming open court in the 331 N building and will not distinguishable as a separate court. Thus, there will not be any adverse impact from the requested relief. The Commission has the authority to grant this relief pursuant to § 2405.5.
4. The loading requirements in § 2201.1. The 301 N building requires one 55-foot berth, two 30-foot berths, one 200-square foot platform, two 100-square foot platforms, and three 20-foot delivery spaces. The 331 N building requires one 55-foot berth, one 200-square foot platform, and one 20-foot delivery space. The Project will provide two 30-foot berths, two 100-square foot platforms, and one

20-foot delivery space to be shared by both buildings. Providing all of the required loading facilities would consume a significant amount of the ground floor area, which would have necessitated a reduction in many of the Project's amenities, such as the central courtyard. The Project will function as one building with integrated operations, which will allow coordinated use of the loading facilities. Also, the Applicant believes, based on experience with other buildings, that no more loading facilities than provided will be required to accommodate demand. Thus, loading will not spill over onto the streets and create conflict with other traffic. The Commission has the authority to grant this relief pursuant to § 2405.6.

#### **IV. THE APPLICATION MERITS APPROVAL PURSUANT TO THE PUD EVALUATION STANDARDS**

The Zoning Regulations, at 11 DCMR § 2403.1 *et seq.*, set forth the evaluation standards for Commission approval of PUD applications. The PUD must not have an unacceptable impact on the surrounding area and the operation of city services and facilities, it must not be inconsistent with the Comprehensive Plan and other adopted public policies and programs, and it must offer project amenities and other public benefits that are superior to what would likely be provided under matter-of-right development. The Project's impact on the surrounding area and city services and facilities is discussed below. Consistency with the Comprehensive Plan is addressed in Section V, and public benefits and project amenities are described in Section VI.

##### **A. Project Impact On the Surrounding Area**

The PUD Evaluation Standards, at 11 DCMR § 2403.3, state: "The impact of the project on the surrounding area and the operation of city services and facilities shall not be found to 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.”

The Applicant submits that the impact of the Project on the surrounding area will be favorable because it will: 1) bring new market rate and affordable housing to the neighborhood, 2) develop an underused site currently used for automobile-oriented retail, 3) promote the goal of infill development and concentration of housing close to a Metrorail station, 4) preserve and renovate a historic building to tie the new development to the neighborhood’s past, and 5) foster the redevelopment of the Florida Avenue Market and NoMa neighborhoods.

Moreover, the Project’s proposed height and massing are appropriate for the location and are consistent with the Comprehensive Plan’s goals and policies for this area. The Project will replace an underutilized site in a transit-oriented location with distinguished buildings offering a mix of residential, commercial, and lodging uses.

The Project will create new housing units of multiple sizes in a transit-oriented location that is expected to have many new commercial offerings (including creative industries) in the near future. The location of the Project is well-suited for mixed-use project that caters to the many interests in the neighborhood. In particular, this neighborhood ideal for medium-density residential uses and the retail and commercial offerings needed to serve these residents. This location is highly desirable for residents because of its close proximity to transit and the potential (and planned) for myriad new retail and commercial uses. The Project will be part of the larger vision to transform this neighborhood into a vibrant, 24-hour, mixed-use community, but the Applicant has designed the Project in a way that will evoke the industrial character of the neighborhood’s past.

## B. Project Impact on City Services and Facilities

The proposed Project will not have an adverse impact on the public facilities that it will rely on for service, as described below.

### i. *Transportation and Parking*

The Applicant engaged a transportation consultant to further study the area's traffic conditions and the Project's traffic generation. The Applicant will submit its Traffic Impact Study once this case is set down for a public hearing, and it will continue to work with DDOT to refine the Project's transportation-related elements and impacts. The Property is approximately 1/5 mile from the NoMa – Gallaudet U Metro station, and it is served by two Metrobus lines on Florida Avenue. A Capital Bikeshare station is also approximately one block away at M Street and Delaware Avenue. Furthermore, the Metropolitan Branch trail, which provides easy bicycle access both north and south, is accessible approximately two blocks to the west.

The Project will provide approximately 250 underground automobile parking spaces. This number of spaces exceeds the requirement. The Applicant believes that the number of provided spaces is consistent with the expended demand.

Further, the Project will provide approximately 230 secure bicycle spaces. The number of provided spaces will exceed the requirement to encourage the use of bicycles by residents, employees, and patrons of the Project. The proximity of the Project to the Metropolitan Branch Trail and to multiple existing and planned (such as on 4<sup>th</sup> Street) bike lanes will allow for easy bicycle use. The provision of abundant bicycle parking will facilitate such bicycle use.

### ii. *Water/Sewer Demand*

The water and sanitary service usage resulting from the Project will have an inconsequential effect on the District's delivery systems. The site is currently served by all major

utilities. The Project's proposed storm water management and erosion control plans will minimize impact on the adjacent properties and existing storm water systems. The requisite erosion control procedures stipulated by the District will be implemented during construction of the Project.

Further, as more specifically detailed in Section VII, no adverse environmental impact will result from the construction of this Project.

iii. *Public Schools*

Regarding the impact on the District of Columbia Public Schools (“DCPS”) system, the Project is within the boundaries of J.O. Wilson Elementary School at 660 K Street NE, Stuart-Hobson Middle School at 410 E Street NE, and Eastern High School at 1700 East Capitol Street NE. In addition, several other schools are in the general vicinity of the Project, offering schooling options to residents who may seek alternatives to the neighborhood public schools, including Two Rivers Public Charter School, Center City Public Charter School, and KIPP DC – College Preparatory Public Charter School.

In the city as a whole, the population of school-age children is declining while the population of childless households is increasing. Due to these trends and the relatively convenient access to charter schools in the vicinity, the Applicant expects that the public school network will be able to accommodate the school-age children who may reside at the Project.

C. The Application is “Not Inconsistent with the Comprehensive Plan and with other Public Adopted Policies [...] Related to the Subject Site.” 11 DCMR § 2403.4.

i. *Comprehensive Plan*

The proposed PUD is not inconsistent with the Comprehensive Plan and will advance numerous goals and policies enumerated in the Comprehensive Plan for the National Capital adopted in 2006 (the “**Comprehensive Plan**”).

The purposes of the Plan are to: (a) define the requirements and aspirations of District residents, and accordingly influence social, economic and physical development; (b) guide executive and legislative decisions and matters affecting the District and its citizens; (c) promote economic growth in jobs for District residents; (d) guide private and public development in order to achieve District and community goals; (e) maintain and enhance the natural and architectural assets of the District; and (f) assist in conservation, stabilization and improvement of each neighborhood and community in the District (D.C. Code § 1-245(b)).

Generally, the Project will advance these purposes by furthering the social and economic development of the District through the construction of a new mixed-use residential, retail, office, and lodging project on underutilized land, providing desired new retail in a growing retail locale, providing new market-rate and affordable residential units, activating an important block among a redeveloping neighborhood, and concentrating density near a Metrorail station.

ii. *Compliance with Citywide Elements*

The Project will serve the goals of several of the citywide elements of the Comprehensive Plan, as follows:

**a. Future Land Use Map**

The Future Land Use Map (“**FLUM**”) includes the Property in the mixed-use Medium Density Commercial/Medium Density Residential/Production, Distribution and Repair land use



category. The proposed C-3-C zone is not inconsistent with such a designation in this location, and this zone is important to allow the construction of a high-quality mixed-use project. The proposed Project – with an FAR of 6.68, a maximum height of 120 feet, and the requested Zoning Map amendment to the C-3-C Zone District – is consistent with the FLUM designation for the Property given the additional goals and policies of the Comprehensive Plan due to its location near a Metro station, on a prominent block along Florida Avenue, and amidst other medium and high density projects.

### **b. Generalized Policy Map**

The Generalized Policy Map (“GPM”) includes the Property in the Land Use Change Area category. This GPM category is described as follows: “Land Use Change Areas are areas where change to a different land use from what exists today is anticipated.” Thus, the Project will be consistent with the anticipated use change for the Property. Therefore, the Project also will be consistent with the Property’s designation on the GPM.

### **c. Land Use Element**

The Plan devotes a great deal of attention to the preeminence of transit-oriented development and to the Central Employment Area, in which the Property is included. The Project will advance the following policies of the Land Use Element:

- **Policy LU-1.1.6: Central Employment Area Historic Resources** – Preserve the scale and character of the Central Employment Area’s historic resources, including the streets, vistas, and public spaces of the L’Enfant and McMillan Plans as well as individual historic structures and sites. Future development must be sensitive to the area’s historic character and should enhance important reminders of the city’s past.
- **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-1.3.2: Development Around Metrorail Stations** – Concentrate redevelopment efforts on those Metrorail station areas which offer the greatest opportunities for infill development and growth, particularly stations in areas with weak market demand, or with large amounts of vacant or poorly utilized land in the vicinity of the station entrance. Ensure that development above and around such stations emphasizes land uses and building forms which minimize the necessity of automobile use and maximize transit ridership while reflecting the design capacity of each station and respecting the character and needs of the surrounding areas.
- **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-2.1.4: Rehabilitation Before Demolition** – In redeveloping areas characterized by vacant, abandoned, and underutilized older buildings, generally encourage rehabilitation and adaptive reuse of existing buildings rather than demolition.
- **Policy LU-2.2.4: Neighborhood Beautification** – Encourage projects which improve the visual quality of the District’s neighborhoods, including landscaping and tree planting, facade improvement, anti-litter campaigns, graffiti removal, improvement or removal of abandoned buildings, street and sidewalk repair, and park improvements.
- **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.
- **Policy LU-2.4.5: Encouraging Nodal Development** – Discourage auto-oriented commercial “strip” development and instead encourage pedestrian-oriented “nodes” of commercial development at key locations along major corridors. Zoning and design standards should ensure that the height, mass, and scale of development within nodes

respects the integrity and character of surrounding residential areas and does not unreasonably impact them.

- **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

The Project will advance the above-referenced land use policies by creating a mix of uses while preserving and rehabilitating a historic building and rezoning the industrial land where such uses are no longer viable. The Project will support transit-oriented development and provide more housing near a Metro station. The Project will promote the policy of infill development by concentrating more density, including residences, on a largely underutilized site. This Property's location, in particular, will allow the Project to balance the goals of conserving and revitalizing the neighborhood through beautification and the promotion of nodal commercial development.

#### **d. Transportation Element**

The Project will promote the following Transportation Element policies:

- **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.
- **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.

The Project will be the epitome of transit-oriented development since it will contribute multiple new housing units, new retail, new hotel, and possible new office in a central part of the city close to a Metro station. The Property's central location and proximity to transit and bicycle facilities makes it a prime location for additional density and new uses. Also, in support of the

applicable policies, the Project will eliminate the auto-oriented retail uses, surface parking, and multiple curb cuts currently on the Property and replace them with street-facing, pedestrian-focused uses.

#### **e. Housing Element**

The proposed PUD will advance the following goal and policies of the Housing Element:

- **H-1.1 Expanding Housing Supply** – Expanding the housing supply is a key part of the District’s vision to create successful neighborhoods. Along with improved transportation and shopping, better neighborhood schools and parks, preservation of historic resources, and improved design and identity, the production of housing is essential to the future of our neighborhoods. It is also a key to improving the city’s fiscal health. The District will work to facilitate housing construction and rehabilitation through its planning, building, and housing programs, recognizing and responding to the needs of all segments of the community. The first step toward meeting this goal is to ensure that an adequate supply of appropriately zoned land is available to meet expected housing needs.
- **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-1.1.6: Housing in the Central City** – Absorb a substantial component of the demand for new high-density housing in Central Washington and along the Anacostia River. Absorbing the demand for higher density units within these areas is an effective way to meet housing demands, create mixed-use areas, and conserve single-family residential neighborhoods throughout the city. Mixed income, higher density downtown housing also provides the opportunity to create vibrant street life, and to support the restaurants, retail, entertainment, and other amenities that are desired and needed in the heart of the city.

The Project will expand the District’s housing supply in a neighborhood well-suited to accommodate significantly more housing. The Project will embody the policy of mixed-use development by providing four new use types with the residents to support the commercial uses. By providing approximately nearly 340-390 new housing units, the Project will promote housing, working, and shopping in the Central Employment Area.

## f. Urban Design Element

The Project will promote the following policies of the Urban Design Element:

- **Policy UD-2.2.1: Neighborhood Character and Identity** – Strengthen the defining visual qualities of Washington’s neighborhoods. This should be achieved in part by relating the scale of infill development, alterations, renovations, and additions to existing neighborhood context.
- **Policy UD-2.2.3: Neighborhood Centers** – Undertake strategic and coordinated efforts to create neighborhood centers, civic buildings, and shopping places that reinforce community identity.
- **Policy UD-2.2.5: Creating Attractive Facades** – Create visual interest through well-designed building facades, storefront windows, and attractive signage and lighting. Avoid monolithic or box-like building forms, or long blank walls which detract from the human quality of the street.
- **Policy UD-3.1.7: Improving the Street Environment** – Create attractive and interesting commercial streetscapes by promoting ground level retail and desirable street activities, making walking more comfortable and convenient, ensuring that sidewalks are wide enough to accommodate pedestrian traffic, minimizing curb cuts and driveways, and avoiding windowless facades and gaps in the street wall.

The Project will have a unique urban design that will create a pedestrian-friendly experience through the use of materials and design. The innovative and appealing façade design will make the Project one that draws pedestrians because of the large glass display windows, retail entrances, and streetscape improvements. The Project will help define the neighborhood as a mixed-use 24-hour center with a distinct architectural style.

## g. Historic Preservation Element

The Project will advance the following policies of the Historic Preservation Element:

- **Policy HP-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, maintaining consistency between District and federal listings whenever possible.
- **Policy HP-2.4.2: Adaptation of Historic Properties for Current Use** – Maintain historic properties in their original use to the greatest extent possible. If this is no longer feasible, encourage appropriate adaptive uses consistent with the character of the property.
- **Policy HP-2.4.3: Compatible Development** – Preserve the important historic features of the District while permitting compatible new infill development. Within historic districts, preserve the established form of development as evidenced by lot coverage limitations,

yard requirements open space, and other standards that contribute to the character and attractiveness of those areas. Ensure that new construction, repair, maintenance, and improvements are in scale with and respect historic context through sensitive siting and design and the appropriate use of materials and architectural detail.

- **Policy HP-2.4.5: Protecting Historic Building Integrity** – Protect historic buildings from demolition whenever possible, and protect the integrity of whole buildings. Discourage treatments like facadism or relocation of historic buildings, allowing them only when there is no feasible alternative for preservation, and only after a finding that the treatment is necessary in the public interest. Waivers or administrative flexibility should be provided in the application of building and related codes to permit maximum preservation and protection of historic resources while ensuring the health and safety of the public.

By preserving and adaptively reusing a historic industrial building, the Project will retain some of the industrial character of the neighborhood. The Applicant will apply to the HPRB to designate the corner building as a historic landmark, and it designed the eastern residential building and hotel, in particular to be compatible with the historic building.<sup>8</sup> The Project design will not only be compatible with the historic building, but it will also protect the integrity of the entire original building.

#### **h. Central Washington Area Element**

The PUD site is located in the Central Washington Area Element, NoMa and Northwest One Policy Focus Area of the Comprehensive Plan. The Project will be consistent with the following policies of the Area Element:

- **Policy CW-1.1.1: 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, an 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, exciting, and economically productive.

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<sup>8</sup> In anticipation of the corner building becoming a historic landmark, the Applicant presented the concept for the 301 N building to the HPRB for advisory review. The HPRB approved the design concept on July 9, 2015 (HPA No. 15-300).

- **Policy CW-1.1.4: New Housing Development in Central Washington** – Encourage the development of new high-density housing in Central Washington, particularly in the area north of Massachusetts Avenue and east of Mount Vernon Square, and the L’Enfant Plaza/Near Southwest. This area includes Mount Vernon Triangle, Northwest One, and NoMA, and the L’Enfant Plaza/Near Southwest. 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.
- **Policy CW-1.1.10: Central Washington Hotels and Hospitality Services** – Encourage the development of additional hotels in Central Washington, especially in the areas around the new Convention Center and Gallery Place, along Pennsylvania Avenue NW and Massachusetts Avenue NW, in the Thomas Circle area, and in the area east of Third Street NW. 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. Retain existing hotel uses by allowing and encouraging the expansion of those uses, including the addition of one floor, approximately 16 feet in height subject to coordination with federal security needs, to the Hay-Adams Hotel.
- **Policy 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; b. Requiring that renovation and new construction is sensitive to the character of historic buildings and districts; c. Applying design incentives and requirements to encourage preservation, adaptive reuse, and appropriate relationships between historic development and new construction; d. Encouraging the adaptive reuse of historic and architecturally significant buildings; and e. Preserving the original L’Enfant Plan pattern of streets and alleys, especially alleys that provide for off-street loading, deliveries, and garage access. Historic resources should be recognized as essential to Downtown’s economic vitality and competitive edge, particularly for retail, tourist, and entertainment activities.
- **Policy 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.
- **Policy 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” areas 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. Mixed use squares in the NoMA area have unique characteristics that allow for a balance of industrial, residential, and office uses. The industrial striping on the Future Land Use Map anticipates some office use. These two areas should generally not be developed ~~with~~ as large-scale commercial office buildings

areas. Mixed use development, including housing, should be encouraged in both locations.

- **Policy 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.

The Project will advance seven important policies of the Central Washington Area Element by creating a mixed-use project with new housing and hotel that will preserve a historically important building. The Project will balance multiple uses, including housing, hotel and potential creative industry office, which are goals for this location. The Project’s design will reflect the industrial character of the area and will contribute new retail options.

iii. *NoMa Vision Plan and Development Strategy*

The Property is included within the boundaries of the NoMa Vision Plan and Development Strategy (“**NoMa Plan**”), which the Comprehensive Plan identifies for implementation. The Project will advance the following goals, policies, and recommendations of the NoMa Plan:

- **Provide a diverse mix of uses that creates a variety of options for living, working, shopping, recreation, and culture** - For NoMA to become a mixed-use, active neighborhood, this plan aims for a 50-50 mix of commercial and residential uses west of the railroad tracks, and primarily residential uses east of the tracks. It envisions a lively work environment; a distinctive “Creative Industries, Mixed-Use” area, focused on Uline Arena; hotel development that takes advantage of NoMA’s proximity to the New York Avenue Metrorail Station and Union Station, major transportation corridors, and the Capitol complex; a coordinated retail strategy with ground floor retail in key locations; and a diversity of housing products and household types.
- **Design to a new standard of architecture and urban design to create a lasting, competitive identity** – Identity and market strength can be created through innovative contemporary architecture and distinct product types. The Plan calls for highlighting NoMA’s historic resources through a combination of preservation, renovation, adaptive re-use, and taking advantage of the area’s warehouse and transportation-related history. Emphasis is placed on the ground-floors and sidewalk-level pedestrian experience, ensuring a high-quality public realm.
- **Mixed Use District with Creative Industries** - By building on the area’s unique character, comprised of existing alleys and industrial buildings, and adding new infill



construction; a distinctive, creative enclave can be created. New mixed-use buildings that change the area to a live-work district with residents and workers in flexible arrangements is envisioned. 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 locating higher density near the rail tracks and Florida Avenue, then stepping down and limiting office uses closer to nearby rowhouse blocks.

In addition to the goals and recommendations identified above, the Project will advance or fulfill many other specific goals and recommendations. The NoMa Plan recommends a mix of uses near the Uline Arena and for some hotel and integrated office uses near the railroad tracks, with density and height concentrated closer to the tracks and Florida Avenue (Section 3.8). In addition, the NoMa Plan recommends accessible, integrated office buildings/uses and hotels close to Metro stations (Section 3.10). The Project satisfies these recommendations. Further, the NoMa Plan identifies innovative and contemporary architecture as a goal for creating neighborhood identity, including responding to the industrial past and preserving historic resources (Sections 3.24 & 3.25). The architecture of the Project embodies the unique and modern style that reflects the industrial past while incorporating a historic building that will mark the identity of the Project and the NoMa neighborhood.

The NoMa Plan also includes “Character Area Development Guidelines” for PUDs (Section 5.12). The guidelines for Area B, which includes the Property, identify the building at 301 N Street as historically significant and calls for adaptive reuse, so the Applicant’s application for landmarking the building, preserving it, and renovating it as part of the Project is consistent with these goals. A mix of uses, and greater height and density are also identified for lots along N Street and Florida Avenue, so the uses, height, and density proposed for the Project

are consistent. Ground-floor, neighborhood-serving retail is another goal that the Project will satisfy as well as office space for creative industries.

D. The Project will Provide Superior Public Benefits and Project Amenities

The PUD Evaluation Standards, at 11 DCMR §§ 2403.5-2403.7, require the Commission to “evaluate the specific public benefits and project amenities of the proposed Development.”

That Section continues:

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. A project amenity is one 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.

Based on its meetings with the Office of Planning, the ANC, and the community, the Applicant has developed a public benefits and amenities package best suited to the desires of the community.

i. *Review of Project under Section 2403.9*

The PUD Evaluation Standards, at Section 2403.10, provide that “a project may qualify for approval by being particularly strong in only one or a few” of the public benefits and project amenities listed in Section 2403.9, “but must be acceptable in all proffered categories and superior in many.” The Applicant submits that the Project provides superior public benefits and project amenities in these categories. The Applicant’s benefits and amenities are in the following categories:

**a. Housing and affordable housing (§ 2403.9(f))**

Pursuant to Section 2403.9(f), the PUD guidelines state that the production of housing is a public benefit that the PUD process is designed to encourage. The Project will create approximately 370 new residential units in a neighborhood that lacks much housing but in a

location where considerable focus on new housing has been placed by the District. Furthermore, the Project will add more affordable housing to the pool of affordable units.

**b. Historic Preservation (§ 2403.9(d))**

Section 2403.9(d) states that the historic preservation of private or public structure is a public benefit and amenity for a PUD. Indeed, the preservation and rehabilitation of the historic building is one of the Project's most significant benefits and amenities. The preservation of this unique historic building will tie the Project to its industrial past and will contribute to the making of a prominent, neighborhood-defining structure in the rapidly redeveloping NoMa and Florida Avenue Market areas.

**c. Urban design, architecture, and landscaping (§ 2403.9(a))**

Section 2403.9(a) lists urban design, architecture, and landscaping as categories of public benefits and project amenities for a PUD. As shown in the detailed plans, elevations, and renderings included in the Plans, the Project exhibits the characteristics of exemplary urban design, architecture, and landscaping. The Project will have a superior design that has a contemporary, unique identity while reflecting the industrial past of the neighborhood and incorporating a historic building.

The Project's design will create a unique landmark building on a prominent site in a newly-emerging mixed-use neighborhood. The Project will produce a noteworthy building on an otherwise underused site close to a Metro station. The Project will incorporate durable and time-tested materials in a modern fashion for a design that will endure and will contribute to the identity of the neighborhood. The building will be contemporary and urban in style, but it will incorporate elements, such as industrial-appearing windows, variable window patterns, some double height balconies, and a large central plaza to create an iconic presence. The design of

the Project will enhance the pedestrian experience along three streets through large display windows, multiple entrances, breakdown of massing, and varied materials.

The landscape design aims to provide distinct spaces for the residents of and visitors to the site. The use of a “barcode” design will unify the Project as a way to differentiate it from the context. The barcode will act a series of layers, paving and planting, as a way to complement the architecture. The design will convert N street into a destination for the public and residents. Specialty paving areas will mark places for seating and where retail can spill out onto the street. The courtyard at 331 N will act as a “landscape to look at” where a lush palette of vegetation and trees will create a visual amenity for those entering the building and for the residents looking at the design from above. The 301 N courtyard will act more as an intimate “piazza” where retail spills out onto a small space with a small water feature accent and vegetation that also will follow the barcode theme. The terrace landscapes just above the courtyards will serve to emphasize the verticality of the landscape. The barcode pattern will continue on the roof of 331 N to organize the space and draw users to the swimming pool. In addition, landscape areas will comply with the minimum requirements for stormwater management. Therefore, the landscape will act not just as a visual, social, and unique amenity, but also as a responsible and sustainable landscape.

Furthermore, the Project will incorporate improvements to N Street in front of the Property that will enhance the public space and provide more public recreation space with extensive landscaping and greenery. These final changes to N Street must be coordinated with DDOT and approved by the Public Space Committee.

**d. Site planning, and efficient and economical land utilization (§ 2403.9(b))**

Pursuant to Section 2403.9(b) of the Zoning Regulations, "Site planning, and efficient and economical land utilization" are public benefits and project amenities to be evaluated by the Zoning Commission.

The Project will take advantage of the uncommon opportunity to create a new mixed-use development on an underutilized site in a transit-oriented location specifically targeted for such uses. The Project capitalize on its location near the Metro and on Florida Avenue to provide a mix of commercial uses and housing with the appropriate higher levels of height and density that the District has identified as goals for this neighborhood. The Project will efficiently use the land near a Metro station and the Florida Avenue Market to provide appropriate commercial and residential density.

In addition, the Project's site plan defers to the historic building by setting back from it and to highlight the distinct monitors. This significant public amenity will greatly improve the quality of the Project and its contribution to the development of the neighborhood.

**e. Environmental benefits (§ 2403.9(h))**

According to Section 2403.9(h), "environmental benefits such as [...] stormwater runoff controls in excess of those required by the Stormwater Management Regulations; use of natural design techniques that store, infiltrate, evaporate, treat and detain runoff in close proximity to where the runoff is generated, and preservation of open space or trees" are deemed to be public benefits and project amenities. The Project will be designed to meet at least LEED Silver requirements, but it will provide additional environmentally-sustainable features that will exceed the requirements of LEED to make it a "LEED Silver plus" building. The Project will include environmentally-sustainable features such as a 2,000 square foot dedicated bike storage room at

grade accessed directly from the alley, and the Project will incorporate landscaping and other green features, like a green roof, that will significantly increase the water retention on the site. Also, the Project will include large central landscaped courtyards, which will help retain water and reduce the heat island effect.

**f. Effective and safe vehicular and pedestrian access, transportation management measures, connections to public transit service, and other measures to mitigate adverse traffic impacts (§ 2403.9(c))**

The Zoning Regulations, pursuant to Section 2403.9(c), state that "effective and safe vehicular and pedestrian access, transportation management measures, connections to public transit service, and other measures to mitigate adverse traffic impact" can be considered public benefits and project amenities of a project.

As described above, the Project site is located approximately 1/5 mile from a Metro station entrance, and it is close to many planned new retail and service offerings. Residents in the Project will be able to easily use public transit to and from work, and, with the construction of the Project and other projects nearby, they will be able to shop for most goods and services within a short walk.

Furthermore, as will be articulated in the full traffic report to be submitted with the Pre-Hearing statement, the Project will incorporate a transportation demand management plan in and around the Property to properly manage the traffic flow in the area.

All vehicular entrance and exit for the underground parking and at-grade loading will be from the rear alley. This location for vehicle access will eliminate all existing curb cuts and will minimize potential pedestrian-automobile conflicts.

As previously mentioned, the Project will offer many bicycle parking spaces to facilitate the ease of use of bicycles. Furthermore, the Project is in close proximity to the Metropolitan

Branch trail and multiple bike lanes, which will allow residents, visitors, and tenants to easily commute to and from the Project via bicycle.

**g. Employment and training opportunities (§ 2403.9(e))**

According to Section 2403.9(e), "employment and training opportunities" are representative public benefits and project amenities. The Project will create several types of job opportunities. During its construction phase, the Project will provide jobs primarily in the construction and related building fields. Once open, the Project will provide jobs for the residential management, the retail tenants, the office tenants, and the hotel operations.

**h. Uses of Special Value (§ 2403.9(i))**

Section 2403.9(i) states that "uses of special value to the neighborhood or the District of Columbia as a whole" can be considered public benefits and project amenities of a PUD. The construction of 370 new households, a 160-room hotel, new retail, and new office space on a parcel that surely has a significantly lower taxable value than after the Project, will result in the generation of significant additional tax revenues in the form of property, income, and employment taxes for the District. In addition, these new uses will enliven the block and the neighborhood, and contribute to the "place-making" sought by the District for this neighborhood.

Furthermore, in addition to those already described above, the Project will provide the following public benefits and amenities:

1. The Applicant will provide regular arts and arts-related programming (art shows, film screenings, etc.).
2. The Applicant will improve and beautify N Street in front of the Property with landscaping, traffic claiming, and other changes, conditioned on approval by DDOT and the Public Space Committee.

3. The Applicant will coordinate with WMATA and the developer of the project across the street to the west to facilitate the creation of an additional tunnel and entrance to the NoMa – Gallaudet Metro station east of the tracks.

- ii. *Public Benefits of the Project*

Section 2403.12 and 2403.13 require the Applicant to show how the public benefits offered are superior in quality and quantity to typical development of the type proposed. The Applicant has addressed this issue in the text of the statement, particularly Section VI above. It is only as a result of the zoning change and additional height and density provided through the PUD process that the Applicant is able to construct such a well-designed project.

- E. Environmental Analysis for Second Stage Application

- i. *Water Demand*

The average daily demand for water from the Project is estimated to be approximately 94,570 gallons per day. This demand can be met by the existing District water system. The proposed connection for fire water supply will be made within the existing distribution system and will be coordinated with DC Water.

- ii. *Sanitary Sewer Demand*

The average daily demand on the sanitary sewer system for the Project is estimated to be approximately 75,650 gallons per day. The proposed connection for the sanitary sewer line will be made with the existing distribution system and will be coordinated with DC Water.

- iii. *Stormwater Management*

The Project will accommodate its storm water run-off with a stormwater management system in compliance with standards set by the Department of Energy & Environment. The proposed systems will be designed, constructed, and maintained in accordance with standards set by the Department of Energy & Environment.



iv. *Solid Waste Services*

Solid waste will be collected by a private company three times per week. All trash will be stored inside the Project in locations close to the loading area.

v. *Electrical Service*

Electricity for the Project will be provided by the Potomac Electric Power Company in accordance with its general terms and conditions of service. All electrical systems will be designed to comply with the District of Columbia Energy Code.

vi. *Energy Consumption*

The Project will be constructed in full compliance with Article 24 (Energy Conservation) of the District of Columbia Building Code. Conformance to code standards will minimize the amounts of energy needed for the heat, ventilation, hot water, electrical distribution and lighting systems contained in the buildings.

vii. *Erosion Control*

During excavation and construction, erosion on the project site will be controlled in accordance with District of Columbia law.

## **V. COMMUNITY OUTREACH**

The development team has engaged in discussions about the Project with many stakeholders. Over the past few months, the Applicant has met with both the Office of Planning and the District Department of Transportation to discuss its proposal. The Applicant also met with Two Rivers Charter School, representatives of the NoMa BID, and other property owners in the area. Additionally, the Applicant met with the ANC 6C06 Single Member District representative and presented the Project to ANC 6C's Planning, Zoning, and Environment Committee. The Applicant will continue its communication with all stakeholders to ensure the Project achieves the goals of the District of Columbia and of the community.

As discussed above, the Project's mixed-use development is consistent with objectives and policies that the Comprehensive Plan identifies for this part of the District of Columbia.

## VI. CONCLUSION

The Applicant submits that the Project complies with the requirements of Chapter 24 and related provisions of the Zoning Regulations applicable to Zoning Commission review and approval of Consolidated PUD and Related Map Amendment applications; complies with the 1910 Height of Buildings; is consistent with the Comprehensive Plan; will provide significant public benefits that would not be provided by matter-of-right development; and will enhance the health, welfare, safety, and convenience of the citizens of the District of Columbia. The Applicant aspires to make this a distinguished project that will be a credit to its developers and to the community.

For the foregoing reasons, the Applicant submits that the Consolidated PUD and related Map Amendment application should be set down for a hearing by the Zoning Commission at its earliest convenience.

Respectfully submitted,  
GOULSTON & STORRS, PC

By:   
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By:   
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