

**MEMORANDUM**

**TO:** District of Columbia Zoning Commission

**FROM:** *JL for* Jennifer Steingasser, Deputy Director

Historic Preservation and Development Review

**DATE:** March 16, 2015

**SUBJECT:** ZC 14-07 – Final Report for a Consolidated Planned Unit Development and Related Zoning Map Amendment from the C-M-1 District to the C-3-C District: 1270 4<sup>th</sup> Street N.E. in the Florida Avenue Market (Parcels 1290095, 1290096, and 1290077)

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**I. SUMMARY RECOMMENDATION**

The Office of Planning (OP) recommends approval of:

- A Consolidated and First Stage PUD with related map amendment from C-M-1 to C-3-C for Parcels 1290095, 1290096 and 1290077 in the Florida Avenue Market with the requested flexibility:
  - To provide rooftop structures with varied heights (§ 411);
  - To provide a reduced rear yard of 14 feet (§ 774);
  - To provide court areas that deviate from width and area requirements (§ 776); and
  - To provide less loading than required (§ 2201).

With the following conditions:

1. Neal Place shall be converted from a temporary park to a permanent right-of-way at the discretion of the District Department of Transportation (DDOT).
2. A Parking Study shall be provided with the filing for the Second Stage PUD.

The applicant should also, at or prior to the public hearing:

1. Refine and narrow the range of residential units (currently proposed at 415-520) and the proposed number of parking spaces (currently proposed at 480 – 750); and
2. Further demonstrate how the project furthers the goals of the Ward 5 Works Industrial Land Study.

The requested PUD-related map amendment to the C-3-C District would support the written elements of the Comprehensive Plan and Florida Avenue Market Small Area Plan, and would not be inconsistent with the Future Land Use and General Policy Maps.

## II. APPLICATION IN BRIEF

**Location:** 1270 4<sup>TH</sup> Street, N.E.; Square 3587, Parcels 1290095,1290096, and 129007;  
Ward 5, ANC 5D

**Applicant:** 1250 4<sup>th</sup> St Edens LLC (Edens)

**Current Zoning:** C-M-1

**Property Size:** 67,200 square feet

**Proposal:** Consolidated PUD portion of the site: Construct a new eleven story mixed-use building on the south property with ground floor retail and ten stories of residential. The development proposes to reuse the existing warehouse building on the site and expand the footprint upward through four distinct “volumes,” where residential would be located. The building would consist of 415-520 residential units with 28,425 square feet devoted to affordable housing, and would have 29,042 square feet of retail.

Stage 1 PUD portion of the site: The north property would consist of approximately 12,000 square feet of retail space and 130-170 residential units. Approximately 480-750 parking spaces would be provided below grade, beneath both sites and Neal Place. The development would be 110 feet high and have an FAR of 8.0.

## III. SITE AND AREA DESCRIPTION

The project is located near the northwest corner of 4<sup>th</sup> Street and Morse Street in the Florida Avenue Market Area. Developed in 1929, the Florida Avenue Market consisted of warehouse buildings used for wholesale operations and retail functions, and played an important role in the area until the mid-1960s, when the market was dismantled and sold to various owners. The market is considered a historically and architecturally significant place and continues to thrive under current tenants, including Eden’s Union Market, located less than two blocks from the project site at 5<sup>th</sup> Street and Neal Place.

The warehouses on the site, constructed in the 1950s, would be adaptively reused to provide ground floor retail, and are intended to pay tribute to the historic warehouse character of Florida Avenue Market. The surface parking lot located at the north end of the site would be redeveloped upon Zoning Commission approval of a Second Stage PUD. The subject site is currently zoned C-M-1, as are all surrounding properties. Most of the warehouses continue to operate as production, distribution and warehouse uses. The property located south of the project is developed with two story structures, and the property located north of the project is a small, single story wholesale retailer. To the east and west are additional warehouses that are actively used. Gallaudet University is located further east of the site. The project is located approximately 1/3 mile from the NoMa-Gallaudet Metro Station and is in close proximity to several bus lines along Florida Avenue.

The area has been the focus of many long range planning efforts, including the Florida Avenue Market Small Area Plan, the Ward 5 Industrial Land Transformation Study, and the NoMA Vision Plan and Development Strategy.



### III. PROJECT DESCRIPTION

The Consolidated and First Stage PUD and related map amendment, from C-M-1 to C-3-C, is requested to allow for development of two properties. The south property, for which consolidated PUD review is requested, would be redeveloped to include 29,042 square feet of retail uses on the ground floor, and 355,309 square feet of residential use spanning ten floors. The north property, for which First Stage PUD review is requested, would include 12,000 square feet of ground floor retail, and 141,249 square feet of residential uses. Both buildings would have a height of 110 feet and a combined maximum FAR of 8.0.

Since this case was setdown on June 30, 2014, and modified February 29, 2015, OP has continued to work with the applicant in concert with other agencies, including District Department of Transportation (DDOT) and District Department of Energy (DDOE), to obtain additional information about this project as requested by the Zoning Commission and noted in the setdown reports. OP hosted an Interagency Meeting that was held November 17, 2014 at which various agencies were present along with the applicant. DDOT and OP have met with the development team frequently since November 2014. The current proposal includes the following:

## **A. NEAL PLACE**

The Small Area Plan anticipates the extension of Neal Place, from 4<sup>th</sup> Street to the future 3<sup>rd</sup> Street. Since this PUD was setdown, the applicant has responded to concerns from OP, DDOT, DDOE and the community by revising the design of the south building to allow for this vital extension to be provided. This amenity is essential to the completion of the street grid and success of Florida Avenue Market.

Neal Place will have a right-of-way width of 50 feet, and will match the alignment of the existing Neal Place to the east. It will be provided through a public access easement agreement, and maintained by the applicant, as proffered in the benefits and amenities package.

There is not an immediate need for the extension, as there is no new development proposed west of the subject PUD at this time that cannot be facilitated by the current street infrastructure, and the site of another warehouse building to the west, separately owned and currently in use, will also have to be redeveloped to complete the connection. However, the Small Area Plan anticipates considerable new development west of this site, and access and circulation would be a concern as future developments come online. The applicant has been in discussions with DDOT concerning when the extension should be developed and has crafted a condition that is being reviewed by DDOT for appropriateness. The condition requires annual monitoring studies to ascertain the length of queues along northbound 4<sup>th</sup> Street approaching Morse Street. When queuing spills over onto Florida Avenue with greater consistency, the applicant will design and construct the final extension improvements as provided in the pre-hearing statement.

Until it is determined that Neal Place is needed for vehicular circulation, the applicant has indicated a preference to use the right-of-way as a temporary park. The streetscape would be installed as the subject PUD is constructed, including trees and sidewalks, but the road would be improved as a green space. The interim park would function as a pocket park and would be programmed and used for community events, pop-up retail establishments and other placemaking and street-activating uses. OP is supportive of this approach, as it provides a functional temporary use for a space that would otherwise remain unimproved and unused until other developments are constructed.

## **B. AFFORDABLE HOUSING**

In response to concerns noted by the Zoning Commission, the applicant has increased the depth of affordability for the south parcel building. Initially, the applicant proposed to comply with Inclusionary Zoning requirements, devoting 8% of the floor area to affordable housing available to households earning 80% AMI. This equates to 28,425 square feet of affordable housing in the south building, and 11,300 square feet in the north building, for a total of 39,725 square feet. Since the PUD was setdown, the applicant has committed to reserve five of the affordable units in the south building, equivalent to 12% of the affordable housing floor area, for families earning up to 50% AMI. This results in 3,411 square feet of affordable housing available to households earning 50% AMI, and 22,740 square feet of affordable housing available to households earning 80% AMI.

While the deeper level of affordability is a benefit to the community, the applicant has not provided typical floor plans or the location of affordable units, which are typically available at this stage in the PUD process.

### C. PARKING

The applicant proposes to provide an abundance of parking between the two proposed buildings in this development. The number of parking spaces will range between 480-750 spaces, with approximately 400-500 delivered with the south building and 80-200 delivered with the north building. Calculations provided by the applicant confirm that 201-225 parking spaces would be required for all proposed uses in the north and south buildings.

The large number of parking spaces are intended to satisfy the broader parking demand within the Florida Avenue Market, as much of the existing street parking and parking lots within the area will be removed over time. The applicant has indicated that there are currently approximately 800 on-street, back-in parking spaces. As the streetscape is transformed to eliminate back-in parking on 4<sup>th</sup> and 5<sup>th</sup> Streets, approximately half of those spaces will be removed, resulting in a total of 400 spaces. An additional 225 off-street parking spaces will be removed upon the redevelopment of the parking lot located south of Union Market. The applicant concludes that 60% of the existing parking spaces, amounting to 625 parking spaces, will be removed from the area.

Existing Parking Spaces		Future Parking Spaces	
On-Street	800 spaces	On-Street	400 spaces
Surface Parking (Gallaudet-owned property)	225	1270 4 <sup>th</sup> Street NE (ZC Case No. 14-07)	480-750 spaces
Surface Parking (Penn St./5 <sup>th</sup> St. and 4 <sup>th</sup> St./Neal Pl.)	95 spaces	Union Market (ZC Case No. 14-12)	300-475 spaces
		Gateway Market (ZC Case No. 06-40)	215 spaces
		320 Florida Avenue NE (ZC Case No. 15-01)	151 spaces
<b>Total</b>	<b>1,120 spaces</b>	<b>Total</b>	<b>1,546-1,801 spaces</b>

As noted in the above table, there is a significant amount of parking anticipated with future development. Clearly, the amount of density proposed with these developments requires additional parking to mitigate their impacts, which accounts for the increase in spaces. However, the amount of parking proposed for Florida Avenue Market should be reviewed holistically, evaluating the need for additional parking against the proposed and existing uses. Given that the Market is conveniently located 1/3 of a mile from Metro, along several bus lines, and will be accessible via a new bike route, the focus should not be on providing additional parking, but on accommodating visitors by several modes of travel.

While OP is supportive of the current proposal to provide more parking than required for the subject site, future development proposals, including the Second Stage PUD for the north site of this application, should provide a detailed parking analysis to ensure that parking spaces have not been provided in excess of what is needed to ensure the success of the Market. In addition, the range of parking spaces is much larger than typical for a PUD; the applicant should narrow this range and



provide a more firm commitment that could more easily be assessed and evaluated for potential impacts.

#### **D. ALLEY**

The alley that will be used for access to loading, located west of the proposed building, is viewed by the neighborhood as an area with tremendous potential. There are currently some exciting developments for the use of the alley; primarily, an adjacent land owner is conducting a study that is exploring the use of an abandoned CSX rail as a cycle track that will eventually connect to the Metropolitan Branch Trail. Neighbors envision the alley as an interesting, activated space akin to Cady's Alley or Blagden Alley, and desire retail or other services along the alley that would enliven the space and fully realize its potential as a unique place. However, the applicant, as well as DDOT, has noted that there could be concerns with mixing various modes of traffic in an area that is primarily used for loading.

OP understands that the alley's primary function is to facilitate parking and loading, but realizes that there may be opportunities in the future to make improvements towards obtaining the space envisioned by the community. One way that can be achieved in the immediate future is to ensure that the design of the west elevation is interesting. The applicant is unable to commit to provide retail uses along the ground floor adjacent to the alley because there is not a demand for retail at the location at this time, and OP agrees that the focus for retail should be the public streets. However, the applicant has indicated that future retail space could be accommodated along the alley if it is requested by the retail tenants. In the interim, clearstory windows are proposed along the rear elevation to create some interest at the ground floor. The applicant should explore other ways to add interest to the rear elevation.

The landscape plan for the alley (sheet L2) identifies plantings along the building edge, as well as a planting strip 30 feet from the west wall of the proposed building, intended to act as a buffer for the future cycle-track. The applicant has noted that this is an error on the sheet; the distance should be 35 feet, which is consistent with the dimensions provided on the truck turning diagrams.

#### **E. SUSTAINABILITY**

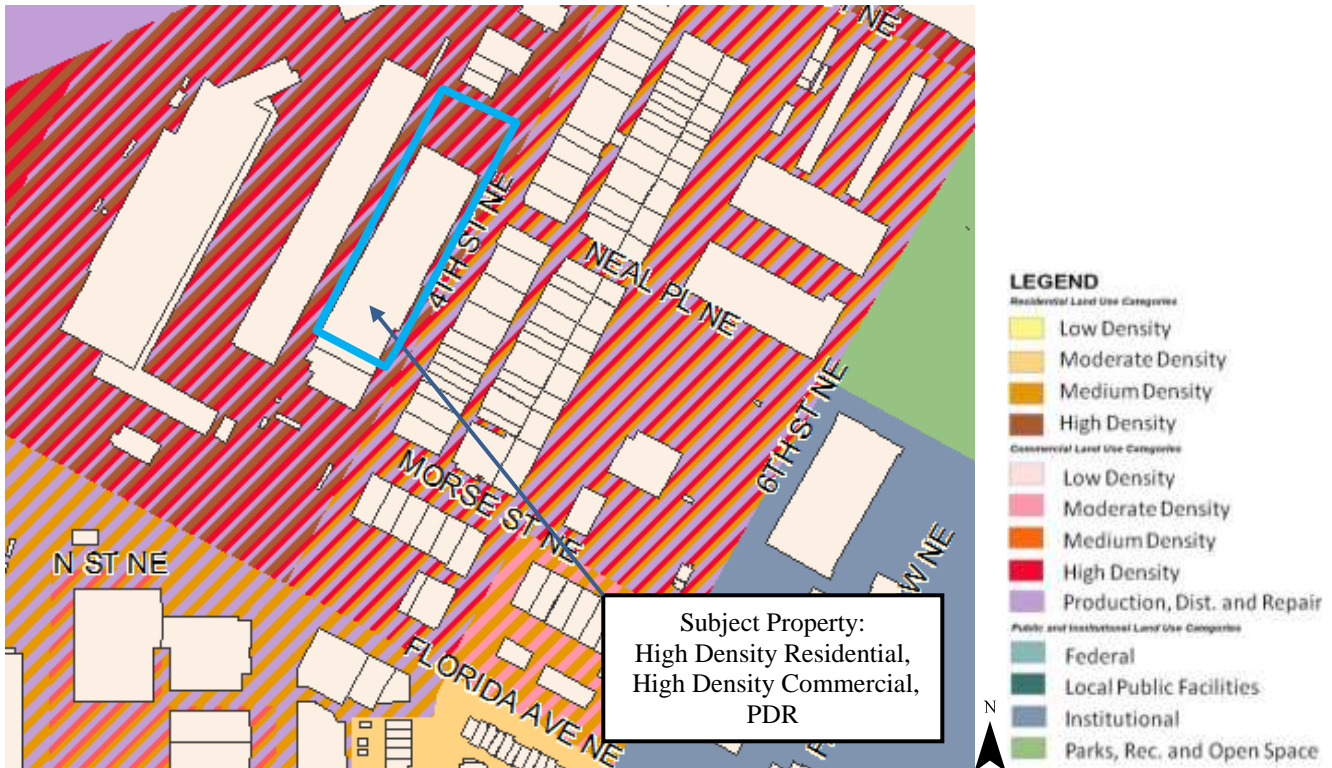
The proposed development would contain a number of sustainable features that would garner a Silver rating under the LEED 2009 program. These features would include the utilization of the existing warehouse building and reuse of materials. The development would comply with stormwater requirements with the provision of 15,880 square feet of green roof, landscaping, and the installation of pervious asphalt or concrete in the alley. The applicant has not proffered Silver certification of the structure, and should clarify if this is intended to be part of the benefits and amenities package.

#### **F. INFRASTRUCTURE**

The applicant has provided a memorandum from the project's engineer indicating that sufficient infrastructure is either existing to serve the site, or will be upgraded as necessary to serve the site. OP continues to be concerned that infrastructure is sufficient for the number of projects in the pipeline for the Florida Avenue Market area.

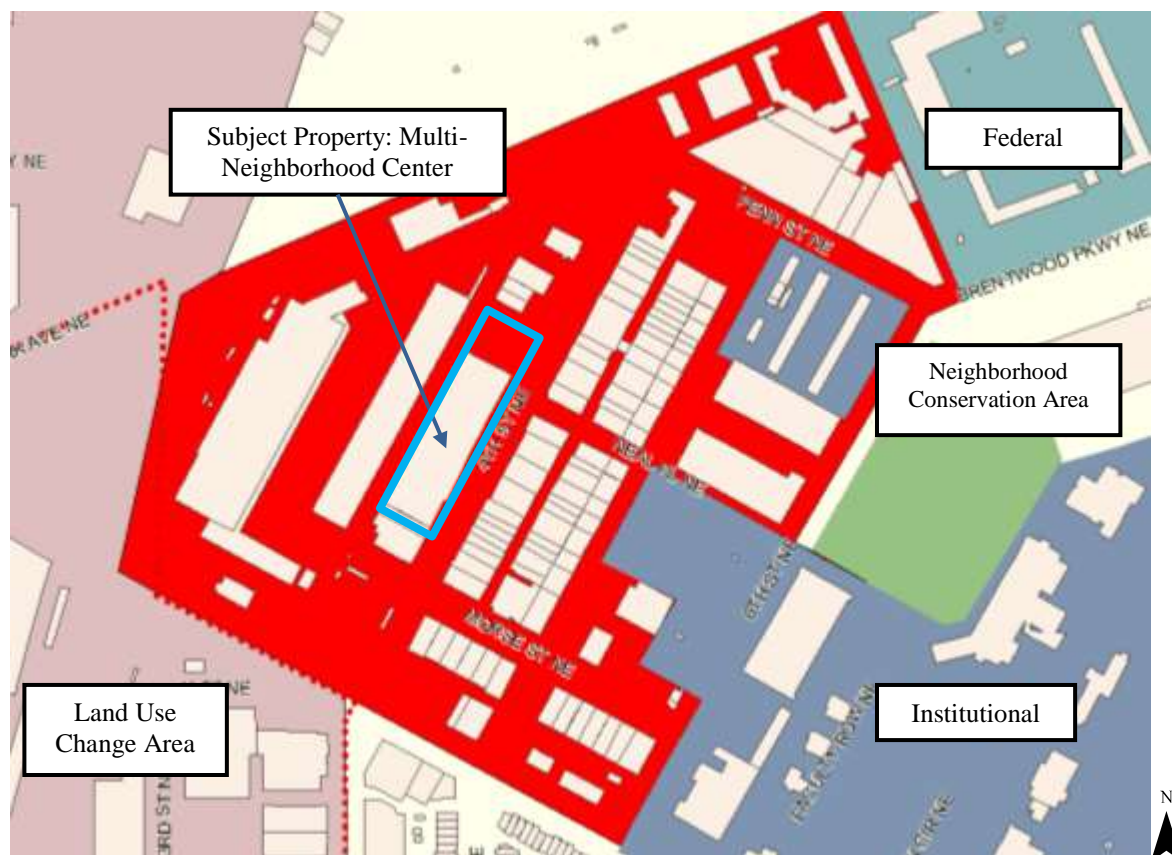
#### IV. COMPREHENSIVE PLAN

The **Future Land Use Map (FLUM)** shows this site as suitable for a mix of Production, Distribution and Repair (PDR), High Density Commercial and High Density Residential uses. PDR areas are those characterized by manufacturing, warehousing, wholesale and distribution centers, transportation services and food services, among other uses. High Density Commercial areas are characterized by office and mixed office/retail buildings greater than eight stories in height. High Density Residential areas are appropriate for apartment buildings of eight stories or more.



#### Future Land Use Map

The **Comprehensive Plan Generalized Policy Map** describes the entire Florida Avenue Market area, including the subject site, as a Multi-Neighborhood Center. Multi-Neighborhood Centers serve the day-to-day needs of residents and workers, but with a greater depth and variety than Neighborhood Centers. They have a service area of up to three miles and are generally found at major intersections or along transit routes. While their primary function is retail trade, Multi-Neighborhood Centers can include some office and mixed-use infill is encouraged.



### Comprehensive Plan Generalized Policy Map

The proposal is not inconsistent with the Land Use and Policy Map designations.

#### A. Florida Avenue Market Small Area Plan

The Project is in accordance with the Small Area Plan, adopted by Council on October 6, 2009. The Small Area Plan envisions Fourth Street as the commercial center of the Market, with wide streets to accommodate high volumes of traffic and wide sidewalks for ample pedestrian circulation. The Small Area Plan calls for the area to include a variety of building heights. The proposed project would provide a transition from the lower scale structures and uses of the Florida Avenue Market area to the higher density uses of NOMA. Significantly, the applicant has demonstrated compliance with the Small Area Plan with the extension of Neal Place, an important piece of the grid network. The provision of temporary green space would also further Plan objectives, providing green space until more permanent locations for park space can be developed in the area.

#### B. Ward 5 Industrial Land Transformation Study

The Ward 5 Works Industrial Land Study, completed this past summer, aims to preserve and achieve the best use for industrial properties, including the protection of the well-paying jobs associated with these uses, while reducing the negative impacts they have on surrounding properties. Understanding that they are a limited resource, the study aims to make industrially-zoned properties a positive resource that increases employment and higher wage earning jobs, preserves industrial uses with performance



measures, and provides affordable locations for maker uses. OP has requested that the applicant identify how this development pays tribute the study.

This study encourages: the preservation of production uses; environmental stewardship and performance; workforce development; nuisance uses and buffering; long-term affordability of industrial space; development of new multi-tenant space; providing space for arts uses and makers; and the development of additional community amenities. The study is not Council-adopted; rather, it was requested by the Mayor and the Ward 5 Councilmember, and provides guidance on how industrially-zoned lands should be developed.

### C. NOMA Vision Plan and Development Strategy

The Florida Avenue Market, while technically outside the boundaries of the NOMA Vision Plan, was nevertheless addressed in that document. It recognizes the Market as a place whose function and character should be preserved. The NOMA Plan, however, goes on to state that the Market can be enhanced over time through the addition of complementary new uses. The NOMA Plan is not a Council-adopted policy document, but rather a guide for potential development in that vicinity.

### V. ZONING

The site is currently zoned C-M-1. The purpose of the C-M-1 zone is “to provide sites for heavy commercial and light manufacturing activities employing large numbers of people and requiring some heavy machinery...” (§800.1). Furthermore, C-M zones characteristically have “heavy truck traffic and loading and unloading operations...” (§800.2). The existing C-M zone does not allow for residential development and limits height to 40 feet as a matter-of-right and 60 feet through a PUD, so is considered not consistent with current Comprehensive Plan direction.

The Applicant is requesting a PUD-related map amendment to C-3-C, a high-density mixed-use zone, and not inconsistent with the Comprehensive Plan. Project parameters as provided with the application, are listed below.

Item	C-M-1 MOR	C-3-C MOR	C-3-C PUD Required	C-3-C PUD Proposed	Relief
Minimum lot area	N/A	N/A	15,000 sf	51,000 sf – South parcel 16,200 sf – North parcel	Conforming
FAR	3.0	6.5	8.0	5.68 – South parcel 2.32 – North parcel 8.0 - Total	Conforming
Height	40’	90’	110’ maximum	110’	Conforming
Number of Units			N/A	415-510 units – South parcel 130-170 units – North parcel	Conforming
Square Footage	153,000 sf	331,500 sf	408,000 sf	South parcel residential- 355,309 sf commercial-29,042 sf North parcel residential-141,249 sf commercial-12,000 sf Total-537,600 sf	Conforming
Affordable Housing			N/A	28,425 sf – South parcel 11,300 sf – North parcel 39,725 sf – Total	Conforming

Item	C-M-1 MOR	C-3-C MOR	C-3-C PUD Required	C-3-C PUD Proposed	Relief
Parking		retail: 1/750 sf residential: 1/4 units	North parcel 12 retail 33-50 res. South parcel 35 retail 104-128 res. 184-225 total	North parcel 80-200 total South parcel 400-550 total Total 480-750 total	Conforming
Bike Parking			South parcel 9 – retail 138-170 – res. 147-179 – total North parcel 4 – retail 44-67 – res. 48-71 – total	South parcel 147-179 – total North parcel 48-71 – total	Conforming
Rooftop Structures		1 per core 18’-6” height 1:1 setback	1 per core 18’-6” height 1:1 setback	1 per core (2 total) 18’-6” max (variable height) 1:1 setback (variable)	<b>Requested</b> (for variable heights)
Lot Occupancy		100%	100%	100%	Conforming
Rear Yard	2.5”/ft. 12 ft. min.	2.5”/ft. 12 ft. min.	23 ft.	0 ft.	<b>Requested</b>
Closed Court		residential: 2(width <sup>2</sup> ) (350 sf min.)	CC-1: 26.4’/3200 sf CC-2: 29.4’/3200 sf CC-3: 26.4’/3200 sf	CC-1: 26’/1040 sf CC-2: 14’/560 sf CC-3: 14’/560 sf	<b>Requested</b>
Open Court		residential: 4”/ft. (15 ft. min.)	OC-4: 32.7 ft.	OC-4: 5 ft.	<b>Requested</b>
Loading	Residential: 1-55 ft berth 1-20 ft space 1-200 sf platform  Retail: 1-30 ft berth 1-100 sf platform		Residential: 1-55 ft berth 1-20 ft space 1-200 sf platform 1-20 ft delivery  Grocery: 1-30 ft berth 1-100 sf platform 1-20 ft delivery  Retail: 1-30 ft berth 1-100 sf platform 1-20 ft delivery	Residential: 2-30 ft berths – South parcel 1-30 ft berth – North parcel 1-200 sf platform – North & South parcels  Retail: 2-30 ft berths – South parcel 1-30 ft berth – North parcel 1-100 sf platform – North & South parcels	<b>Requested</b>

**V. FLEXIBILITY**

The proposal requires flexibility from the Zoning Regulations provided below.

**A. ROOFTOP STRUCTURES (§ 411)**

The applicant has requested flexibility from rooftop structures, as they are of varying height. Information provided in the pre-hearing submission indicates that the roof structures will vary between ten feet and 18 feet, 6 inches in height. While it is not part of this application, the applicant has indicated that should text amendments regarding penthouses in Zoning Commission Case No. 14-13 be adopted, the applicant will explore the potential to incorporate greater recreational and habitable space

in the penthouse, which would require a modification to the PUD.

#### **B. REAR YARD (§774)**

The applicant has requested flexibility from the rear yard requirement. The proposed development would be constructed to the property line, providing no rear yard. The alley located along the west property line is 48 feet wide and provides a significant buffer between the proposed development and the site located to the west.

#### **C. CLOSED AND OPEN COURTS (§ 776)**

The applicant has requested flexibility from closed and open courts, as they do not meet width and area requirements. Given that the building elevations consist of floor to ceiling windows, it is expected that the west elevation would still receive adequate light and air. In addition, the west elevation, where most of the courts requiring relief are located, abuts a 48 foot wide alley, ensuring that those elevations are exposed to significant light and air. As a result, OP supports the relief that has been requested for closed and open courts.

#### **D. LOADING (§ 2201)**

The applicant has requested flexibility from loading requirements, as less loading than required would be provided for the development. Specifically, loading for the grocery use would not be provided, but would be able to share loading provided on site for the retail use. Further, delivery spaces would not be provided. The applicant has indicated that a Loading Management Plan will be provided to mitigate the impact of providing fewer facilities than are required.

### **VI. PUBLIC BENEFITS AND AMENITIES**

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.” Section 2403.9 outlines “Public benefits and project amenities of the proposed PUD may be exhibited and documented in any of the following categories; relevant categories are analyzed below:

(a) *Urban design, architecture, landscaping, or creation or preservation of open space;*

1. **Exemplary Architecture** – The applicant indicates that the proposed development features exemplary architectural design and high quality materials that will enhance and celebrate the industrial characteristics of the Union Market District. The south building will reuse an existing warehouse structure as the foundation of the development, and will reuse original materials to retain the area’s industrial characteristics. The revised design does more effectively and meaningfully incorporate the existing ground floor façade into the overall building design.
2. **Neal Place** – The applicant has proffered the design, construction and maintenance of a temporary pocket park where the eventual street connection will be extended. The value of

the design and construction of the park has been estimated to be \$340,000. Maintenance of the space is expected to cost approximately \$15,000 per year.

(b) *Site planning, and efficient and economical land utilization;*

1. **Site Planning and Efficient Land Utilization** – The proposed project will replace a low density development with a high density mixed-use project that better utilizes the property, as anticipated by the Small Area Plan. The Neal Place extension will expand the street grid, completing an important connection for future development in the western portion of the Market.

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

1. **Street Network Improvements** – The applicant has been working with DDOT and DMPED to incorporate pedestrian-friendly street network improvements into the development that will enhance circulation. Specifically, 4<sup>th</sup> Street will be converted to accommodate two-way traffic, and head-in parking will be eliminated over time; new sidewalks will be constructed on 4<sup>th</sup> Street between Morse Street and Neal Place; the private alley located west of the property will be partially reconstructed and will include pervious pavement; and Neal Place will be extended to connect 4<sup>th</sup> Street to the future 3<sup>rd</sup> Street.
2. **Neal Place** – The extension of Neal Place is a significant benefit that will enhance the street grid in the Florida Avenue Market and advance the goals of the Small Area Plan. The applicant has estimated that the set aside of the area results in the loss of 6,000 square feet of ground floor retail space, equating to a lost value of \$3,000,000. Further, the applicant will design and construct the addition, at a cost of \$165,000, and maintain the extension at an estimated cost of \$9,000 annually.
3. **Transportation Demand Management Plan** – The applicant has been working with DDOT to establish a Transportation Demand Management Plan for this project. The Plan includes the provision of two car share spaces, two electric charging stations, and a transit screen in the residential lobby of each building. In addition, each new resident will be provided with a \$75 subsidy for a car-sharing or bike-sharing program, up to a maximum of \$35,000. Since the applicant is requesting flexibility for up to 680 dwelling units, OP encourages the applicant to increase this amount to \$76,500 (680 units X 1.5 residents avg X \$75).
4. **Parking Management Plan** – The applicant will coordinate the development of a Parking Management Plan with DDOT, which will encourage the efficient use of parking facilities throughout the Market.
5. **Curbside Management Plan** – The applicant will develop a Curbside Management Plan for 4<sup>th</sup> Street between Penn Street and Florida Avenue, which will accommodate the needs of new and existing businesses.



(d) *Employment and training opportunities;*

1. **First Source Agreement** – The applicant will enter into a First Source Agreement with the District of Columbia Department of Employment Services.

(e) *Housing and affordable housing; and*

1. **Housing and Affordable Housing** – The proposed development will provide housing where residential uses are not currently permitted, as well as affordable housing. Approximately 545-680 units, including studios and two bedrooms, will be provided between the north and south building. A total of 39,725 square feet will be devoted to affordable housing for households earning up to 80% AMI. In addition, five units, or 3,411 square feet, will be available to households earning up to 50% AMI.

(f) *Uses of special value to the neighborhood or the District of Columbia as a whole.*

1. **Street-Engaging Retail Offerings** – The proposed development includes approximately 41,000 square feet of unique retail space that is intended to activate the public realm and germinate other development in the vicinity. The high ceiling heights will provide an attractive façade, while the storefronts, outdoor cafes and other features will enhance the pedestrian experience.

Amenity package evaluation is partially based on an assessment of the additional development gained through the PUD application process. In this case, the PUD-related map amendment to C-3-C would realize a gain in height of 70 feet, from 40 feet to 110 feet, and an increase in FAR of 5.0, from 3.0 to 8.0 (or approximately 336,000 square feet).

The development of this site would continue to implement the Small Area Plan. The applicant should demonstrate how the project furthers the goals of the Ward 5 Works Industrial Land Study. The benefits and amenities offered by the applicant are particularly strong in the area of providing safe and effective transportation access. OP requests that the applicant provide more details and additional analysis of the proposed benefits, amenities and mitigation.

## VII. AGENCY REFERRALS AND COMMENTS

Comments were requested from District agencies, including:

- Department of Transportation (DDOT);
- Department of the Environment (DDOE);
- Fire and Emergency Medical Services Department (FEMS);
- DC Water; and
- Department of Housing and Community Development (DHCD);

The applicant has been working with DDOT, which has been reviewing the applicant’s Traffic Impact Study. DDOT’s report will be submitted under separate cover. Comments were also received by DDOE. No other comments were received to date from the contacted agencies.

**VIII. COMMISSION REQUESTS**

At the June 30, 2014 and February 29, 2015 setdown meetings, the Zoning Commission requested a response to several items. OP has provided the list of items and the applicant’s response in the following table:

<b>Zoning Commission Comments</b>	<b>Applicant’s Response</b>	<b>OP Analysis</b>
1. Given the proximity of the development to Metro, there should be fewer parking spaces rather than what has been proposed.	The applicant has provided an explanation regarding the need for the proposed parking in the pre-hearing statement. It is noted that the proposed quantity will replace other spaces that will be removed over time, including back-in spaces on the street and surface parking lots.	OP is not opposed to the provision of additional parking on this site, to serve broader needs where one-site parking may not be as feasible. However, the applicant should provide a more refine parking commitment, and should continue to work with DDOT on the Parking Management Plan.
2. A deeper level of affordability should be provided.	The applicant has responded by committing to provide 3,411 square feet of the required 39,725 square feet of affordable units at 50% AMI. This equates to five units.	OP is supportive of the proffer to provide some units at a lower AMI level.
3. The ground floor retail seems to be buried by the residential volumes.	While a written response was not provided, the renderings have been revised so that the volumes are set slightly behind the ground floor retail.	OP is very supportive of this change.
4. The design should feel more like the warehouse district that is trying to be achieved, based on images provided in the submission.	The applicant has not provided a written response to this comment; however, they will have the opportunity to address it at the public hearing.	
5. The penthouse should comply with current regulations, and calculations of the recreation space should be provided.	The penthouse has been revised to comply with current penthouse regulations, although calculations of the recreation space have not been provided.	OP is supportive of removal of penthouse options from the submission.

<b>Zoning Commission Comments</b>	<b>Applicant's Response</b>	<b>OP Analysis</b>
6. What efforts will be made to assist people with business development and ownership?	The applicant has not provided a written response to this comment.	
7. The benefits and amenities should be substantially greater considering the FAR and height that would be gained through the PUD.	The benefits and amenities have been revised.	OP supports the benefits and amenities package that has been provided.
8. Provide additional information concerning the above-grade connection (bridge) between the north and south parcels.	The applicant has opted to not provide a bridge connecting the north and south buildings.	
9. Clarify whether or not the applicant will be maintaining the temporary park.	The applicant has proffered the maintenance of the Neal Place temporary park as a benefit and amenity.	

JS/be  
 Case Manager, Brandice Elliott