

**BEFORE THE ZONING COMMISSION
FOR THE DISTRICT OF COLUMBIA**

HANOVER REED STREET

**Lots 82, 846, 856, and 859 in Square 3846
Lots 38, 825, 829, 832, 833, and 834 in Square 3841**

**Application for a Consolidated Planned Unit Development and
Related Zoning Map Amendment**

STATEMENT OF THE APPLICANT

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Architectural Plans and Drawings for Consolidated PUD Application (the “Plans”)	Submitted Separately
Authorization Letters	A
Form 100 – Application Signature Page	B
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I. INTRODUCTION

This statement and attached documents are submitted by Hanover R.S. Limited Partnership (the “Applicant”) in support of its application to the Zoning Commission for the District of Columbia (the “Commission”) for approval of a consolidated planned unit development (“PUD”) and a related Zoning Map amendment. This application is submitted in accordance with Subtitle Z, Chapter 3 of the District of Columbia Zoning Regulations, 11 DCMR (September 2016), as amended (the “Zoning Regulations”).

A. The Applicant

The Applicant is Hanover R.S. Limited Partnership (“Hanover”), a private real estate investment and services company that specializes in the development of high-quality multifamily properties. As a vertically integrated real estate company, Hanover’s capabilities include in-house development, construction, architectural, quality assurance, legal, risk management, capital markets, asset management, property management, and financial operations. Hanover’s development history and pre-development pipeline account for more than 72,575 residential units, including 5,044 units in the District of Columbia, Maryland, and Virginia region. Hanover most recently constructed a new development of 377 residential units, including 46 affordable housing units, located at 3135 and 3201 8th Street, NE, which was approved by the Commission in ZC Case No. 18-21. This development will begin leasing units in the first quarter of 2022.

B. Overview

As detailed herein, the Applicant proposes to construct a mixed-use development in two phases with Reed Street (Alley)¹ being realigned² to bisect the overall project and extend to Franklin Street. The overall project will provide approximately 723 new residential units between two phases with approximately 18,000 square feet of ground floor PDR/makerspace (the “Project”). As described below, the Project includes a significant affordable housing proffer (15%

¹ This portion of Reed Street, NE has been and will continue to be a public alley, although it will be improved to street standards as approved by the District of Department Transportation (“DDOT”). It is referred to herein as “Reed Street” despite its technical classification of an Alley.

² The Applicant has an application pending with the Office of the Surveyor for the District of Columbia that seeks to close portions of the alley system in Square 3841 and 3846 as well as a 10-foot portion of the south side of Franklin Street. This application also includes dedications of land to effectuate the proposed realignment of Reed Street.

of the total residential gross floor area ("GFA")) at varying levels of affordability. Furthermore, the Applicant's proposal consists of a comprehensive benefits package that will support and strengthen the Upper Northeast neighborhood and the District of Columbia as a whole.

II. THE PUD SITE AND SURROUNDING AREA

A. The PUD Site

The PUD site includes Lots 82, 846, 856, and 859³ in Square 3846 and Lots 38, 825, 829, 832, 833, and 834 in Square 3841 (collectively, the "PUD Site"). The PUD Site has a total land area of approximately 156,653 square feet⁴ and is located on the south side of Franklin Street, NE, bounded by the Washington Metropolitan Area Transit Authority ("WMATA") tracks to the west and a north-south public alley on the east (which is located to the west of 10th Street, NE). Reed Street traverses through the PUD Site. The extent of the PUD Site is shown in the graphic to the right.



The PUD Site is presently underutilized and improved with a mixture of industrial structures and parking lots. Lots 82, 846, and 856 in Square 3846 currently serve as the operational headquarters for the various business units of Historic Tours of America; and Lot 859 in Square 3846 is unimproved. With respect to the other lots comprising the PUD Site, Lot 38 in Square 3841 is used by two auto-repair service tenants; Lot 825 in Square 3841 is used as general office space for Pathways to Housing DC; Lot 832 in Square 3841 is used for surface parking; Lot 829 in Square 3841 is used as office and personal storage space for the owner; Lot 833 in Square 3841 is used as a warehouse for a commercial flooring company; and Lot 834 in Square 3841 is used

³ The Applicant exercised an option to purchase Lot 859 after the NOI was issued on November 16, 2021, and it is now being included within the overall PUD site. The Applicant has confirmed that the inclusion of Lot 859 would not alter the list of property owners to whom notice is required pursuant to 11-Z DCMR § 300.7. See Exhibit N.

⁴ Prior to any vacation/dedication of the Reed Street (Alley) assemblage, the PUD Site has a total land area of 156,092 square feet. The Applicant proposes to close approximately 16,443 square feet of public alley that will revert to the owner of the PUD Site as well as approximately 901 square feet of Franklin Street, and will be dedicating approximately 16,748 square feet of private land area. Thus, the PUD Site will ultimately consists of 156,653 square feet of land area, which is allocated as follows: Phase I = 85,970 square feet + Phase II-B = 38,754 square feet, such that the West Building has a total land area of 124,724 square feet; and Phase II-A = 31,929 square feet.

for botanical oil extraction and consulting services. Some portions of these lots are also used for associated surface parking.

B. The Surrounding Area

The PUD Site is located in the southeastern portion of the Brookland neighborhood and is generally surrounded by a mix of residential and non-residential uses. The properties to the east of the PUD Site are predominantly residential in character, with row homes located directly to the east along Evarts Street, NE and along 10th Street, NE, across an existing north-south public alley that is 16 feet wide. The Noyes Education Campus is further to the east of the PUD Site. Additional non-residential uses and higher density residential uses surround the PUD Site to the south and southwest, including the recently constructed Rowan apartment house located at 2607 Reed Street, NE and the Brookland Press apartment house located on Channing Place, NE. Further to the south, across Rhode Island Avenue, NE, is the Rhode Island Station development including residential and retail uses.

The area surrounding the PUD Site is well served by various transit options. The PUD Site is located approximately 0.25 mile from the Rhode Island Avenue-Brentwood Metrorail station to the south and just under one mile from the Brookland-CUA Metrorail station to the north. In addition, 12th Street, NE to the east of the PUD Site is served by two Metrobus routes (H8, H9). Further, the Metropolitan Branch Trail (“MBT”) generally traverses the western side of the WMATA tracks and Metrorail red line from Union Station up to Franklin Street, NE, offering another link between the PUD Site and many of the city’s northeast neighborhoods.

III. ZONING

A. Existing

The PUD Site is currently zoned Production, Distribution, and Repair (PDR)-2, as shown on the zoning map attached as Exhibit D. The PDR zones provide for (a) heavy commercial and light manufacturing activities employing large numbers of people and requiring some heavy machinery under controls that minimize any adverse effect on other nearby, more restrictive zones; and (b) areas suitable for development as heavy industrial sites, but at the same time protect those industrial developments from the intrusion of non-industrial uses that impede the full utilization of properly located industrial sites. 11-J DCMR § 100.1. Specifically, the PDR-2 zone is intended

to permit medium-density commercial and PDR activities employing a large workforce and requiring some heavy machinery under controls that minimize any adverse impacts on adjacent, more restrictive uses. The PDR-2 zone permits a maximum height of 60 feet as a matter-of-right and under a PUD development. 11-J DCMR § 203.1; 11-C DCMR § 303.7. The PDR-2 zone permits a maximum floor area ratio (“FAR”) of 3.0 for restricted uses and 4.5 FAR for permitted uses. 11-J DCMR § 202.1. The maximum FAR for a PUD in the PDR-2 zone is 3.6 for restricted uses and 5.4 for permitted uses. 11-X DCMR § 303.3.

Multifamily residential use is not permitted in the PDR-2 zone. New residential uses are limited to either: (1) an apartment unit for a caretaker, watchman, or janitor employed on the premises; or (2) an apartment unit that is integrated with and accessory to an artist studio. 11-U DCMR § 801.1(w).

The properties to the south of the PUD Site along Reed Street are zoned MU-6B, and the residential properties to the east of the PUD Site are zoned R-2. The properties to the north, west, and southwest of the PUD Site are zoned PDR.

B. Proposed

Under the PUD, the western and southern portion of the PUD Site – i.e., generally Lots 82, 825, 832, 846, and 856 as well as the closed public street and closed public alleys – will be rezoned to the Mixed Use (MU)-6A zone district, and the northeastern corner of the PUD Site – i.e., generally Lots 38, 829, 833, and 834 as well as the closed public alleys – will be rezoned to the MU-4 zone district, as shown on the proposed zoning map attached as Exhibit E. The zone boundary line will extend down the center of the realigned Reed Street to the intersection with the east-west public alley to the east of Reed Street. Lot 859 in Square 3846 is currently zoned MU-6B, and no zone change is proposed for that portion of the PUD Site.

The MU zones provide for mixed-use developments that permit a broad range of commercial, institutional, and multiple dwelling unit residential development at varying densities. 11-G DCMR § 100.1. The MU zones are also designed to provide facilities for housing, shopping, and business needs, including residential, office, service, and employment centers. 11-G DCMR § 100.2. The purposes of the MU zones are to, among other things: (i) reflect a variety of building types, including, but not limited to, shop-front buildings which may include a vertical mixture of

residential and non-residential uses, buildings made up entirely of residential uses, and buildings made up entirely of non-residential uses; (ii) encourage safe and efficient conditions for pedestrian and motor vehicle movement; and (iii) preserve and enhance existing commercial nodes and surroundings by providing an appropriate scale of development and range of shopping and service opportunities. 11-G DCMR § 100.3.

The MU-6 zones are specifically intended to: (a) permit medium- to high-density mixed-use development with a focus on residential use; and (b) provide facilities for shopping and business needs, housing, and mixed-uses for large segments of the District of Columbia outside of the central core. 11-G DCMR § 400.5. As part of the recently adopted text amendment in ZC Order No. 21-08, the Commission created a series of housing-focused mixed use zones, including the MU-6A. The MU-6A zone permits a maximum matter-of-right height of 90 feet (100 feet with Inclusionary Zoning (“IZ”)), with no limit on the number of stories. 11-G DCMR § 403.1. The maximum permitted FAR is 6.0, with up to 7.2 FAR for IZ projects, and with a maximum non-residential FAR of 1.0. 11-G DCMR § 402.1. Under the PUD guidelines for the MU-6A zone, the maximum height is 110 feet and the maximum FAR is 8.64, with a maximum non-residential FAR of 1.34. 11-X DCMR §§ 303.7 and 303.3.

The MU-4 zone is specifically intended to: (a) permit moderate-density mixed-use development; (b) provide facilities for shopping and business needs, housing, and mixed uses for large segments of the District of Columbia outside of the central core; and (c) be located in low- and moderate-density residential areas with access to main roadways or rapid transit stops, and include office employment centers, shopping centers, and moderate bulk mixed-use centers. 11-G DCMR § 400.3. The MU-4 zone permits a maximum matter-of-right height of 50 feet, with no limit on the number of stories. 11-G DCMR § 403.1. The maximum permitted FAR is 2.5, with up to 3.0 FAR for IZ projects, and with a maximum non-residential FAR of 1.5. 11-G DCMR § 402.1. Under the PUD guidelines for the MU-4 zone, the maximum height is 65 feet and the maximum FAR is 3.6, with a maximum non-residential FAR of 2.01. 11-X DCMR §§ 303.7 and 303.3.

IV. DESCRIPTION OF THE PROJECT

A. Summary of Project

The proposed Project will create a new residential community consisting of approximately 723 new residential units (approximately 105 – 110 of which will be made affordable, which amounts to 15% of the overall residential GFA), and 18,000 square feet devoted to ground-floor PDR/makerspace uses. As shown on the attached Plans, the proposed PUD will consist of two buildings that are separated by the realigned Reed Street. The building to the west of Reed Street will consist of the “Phase I Building” and “Phase II-B Building” (together referred to as the “West Building”). The Phase I Building and the Phase II-B Building will be connected by a bridge housing shared amenity space, which will create a single building for zoning purposes in accordance with 11-B DCMR § 309. The second building, identified as the “Phase II-A Building” on the Plans, will be located on the east side of Reed Street.

The phases of the Project include the following:

- **Phase I.** The Phase I Building will include approximately 428,922 square feet of GFA devoted to residential uses (approximately 420 new residential units), with residential amenity space fronting a courtyard opening onto Reed Street. The Phase I Building is the first phase of the West Building and will have a total of 3.44 FAR based on the West Building lot area, prior to construction of Phase II-B.
- **Phase-II.**
 - **Phase II-A Building.** The Phase II-A Building will include approximately 118,800 square feet of GFA, or 3.72 FAR and will provide approximately 98 new residential units and approximately 10,240 square feet of ground-floor PDR/makerspace use fronting Franklin Street.
 - **Phase II-B Building.** The Phase II-B Building will include approximately 221,768 square feet of GFA, bringing the overall West Building to a total of 5.22 FAR upon full completion. The Phase II-B Building will provide approximately 205 new residential uses and approximately 8,160 square

feet of ground-floor PDR/makerspace uses concentrated at the corner of Evarts Street and Reed Street.

Under the PUD-related map amendment, the West Building will be zoned MU-6A, and the Phase II-A Building will be zoned MU-4. The West Building will have a maximum height of 84 feet as measured from the grade abutting Franklin Street (not from the elevated bridge within the Franklin Street right-of-way), in accordance with 11-B DCMR § 307, which is well below the permitted height of 110 feet permitted for a PUD in the MU-6A zone. The Phase II-A Building will have a maximum height of 65 feet, which is the permitted height of 65 feet for a PUD in the MU-4 zone. The Phase II-A building incorporates 1:1 setbacks at a height of approximately 42 feet on the east and south frontages abutting the residential row homes. To further maintain heights that are sensitive to and compatible with the surrounding context, the Project does not include habitable penthouses on either of the buildings. Low-scale screenwalls are proposed to screen mechanical equipment having a height of 4 feet or more, and these screenwalls are setback significantly greater than 1:1.

B. Project Phasing

The Applicant proposes to construct the Project in two phases. The first phase is the construction of the Phase I Building, and the second phase will include construction of the Phase II-A Building and Phase II-B Building. For purposes of phasing (and denoting timing for delivery of public benefits as set forth in Section V.B), the Phase I Building is referred to as “Phase I” and the Phase II-A and Phase II-B Building are together referred to as “Phase II”. The Applicant proposes the following approval language for the phasing of the Project:

- Approval of Phase I shall be valid for a period of two (2) years from the effective date of this Order. Within that time, the Applicant shall file a building permit application for Phase I. The Applicant shall begin construction of Phase I within three (3) years of the effective date of this Order.
- Approval of Phase II shall be valid for a period of two (2) years following issuance of the first Certificate of Occupancy for Phase I. Within that time, the Applicant shall file building permit applications for Phase II – i.e., both the Phase II-A and the Phase II-B Building. The Applicant shall begin construction of Phase II within three (3) years of issuance of the first Certificate of Occupancy for Phase I.

- If no Certificate of Occupancy for Phase I is issued within seven (7) years following the effective date of this Order, the approval shall expire, unless otherwise extended by the Zoning Commission.

C. Zoning Summary and Tabulation of Development Data

The Tabulation of Development Data for the Consolidated PUD can be found on Sheets A11 – A12 of the Plans submitted herewith. The Project consists of two buildings (i.e., the West Building and the Phase II-A Building) and complies with all of the development standards set forth in the MU-6A and MU-4 zones in Subtitle G of the Zoning Regulations (i.e., height, side yard, rear yard, lot occupancy, courts, and green area ratio (“GAR”)), with the following three exceptions: (1) side yard for two limited areas along the west side of the West Building due to jogs in the property line and side yard for varying building setbacks from the property line along Reed Street; (2) rear yard for the Phase II-A Building due to the community's request to switch the side and rear yard setbacks; and (3) lot occupancy for the Phase II-A Building due to DDOT's request for dedication of sidewalk area in fee vs easement. These deviations are described in detail in Section IV.I.1 below. In addition, the Project meets or exceeds the minimum requirements for vehicle parking, bicycle parking, and loading.

Pursuant to 11-X DCMR § 303.2⁵ and consistent with past cases, FAR may be aggregated on the entirety of the PUD Site within the PUD boundary, and each building does not have to individually comply with the FAR requirements. For the PUD Site, the overall permitted GFA is 1,192,559 square feet, and the Project provides a total of 769,490 square feet of GFA. Accordingly, for this PUD, the Project is well below the maximum permitted FAR.

D. Design Approach

As described above, the Project will feature two new residential buildings that will define a reimagined and realigned Reed Street in the Brookland neighborhood of Northeast Washington. The realignment of Reed Street is integral to the site design, as this new street will become the heart of the immediate neighborhood and community. By realigning the existing Reed Street, the development will create distinct building sites while accommodating safe traffic patterns and a pedestrian-friendly environment. The new Reed Street will be engineered to calm traffic and will

⁵ Subtitle X § 303.2 provides that the FAR of all buildings shall not exceed the aggregate of the FARs as permitted in the zone or zones included within the PUD boundary, as that may be increased by 11-X DCMR § 303.3.

be framed with generous sidewalks and landscaping to support ground-floor activity and the PDR/makerspace uses. Importantly, the new Reed Street can also be strategically closed to host a community Farmers Market (a proffered benefit that is further discussed below in Section V.B.5 below), streets festivals, and pop-up events. Thus, the new Reed Street can serve a second function as an outdoor space – i.e., the “living room” of the proposed Project – providing a distinct place for residents and visitors to gather, connect, and cultivate relationships. In light of these benefits, the proposed layout is intended to emphasize the new Reed Street as a focal point of the Project, supplemented by the integration of open courtyards, building entries, amenity spaces, and street-level PDR/makerspace.

The proposed architecture is intended to pay homage to the industrial and mercantile historical character of the Brookland neighborhood. Through the use of materials, massing, and proportions, the two components of the West Building and the Phase II-A Building each will have its own unique character and convey the impression that the Project was built over time. As noted above, the West Building is comprised of the Phase I Building and the Phase II-B Building. Their prominent design features are further discussed below.

The Phase I Building lies adjacent to two new multifamily buildings, the Brookland Press to the south and the Rowan to the east across Reed Street. Informed by this context, the Phase I Building maintains its taller mass along Reed Street. As its scale drops moving closer to Evarts Street, the Phase I Building opens to a generous landscaped courtyard for its residents. A vertical steel tower announces the building entry. An adjacent feature stair brands the Phase I Building and allows residents to directly access the lobby, amenities, and Reed Street. The Phase I Building is wrapped in a light color brick punctuated by significant window openings and French-style balconies. Lower level access of metal panel and an upper level of cementitious panels complete the composition.

The Phase II-B Building completes the West Building’s composition initiated by the Phase I Building and serves as a buffer to the adjacent railroad tracks to the west. Raised courtyards open to Reed Street soften the building mass and add visual interest. A central steel and glass element highlights the residential entry and encloses a two-story amenity at the courtyard level. The brick skin of the Phase II-B wraps and highlights this feature design element. Adjacent to the Phase II-

B Building entry, a high-ceilinged PDR/makerspace and resident bike room open to Reed Street, inciting activity and street-level interaction. The strong west façade overlooking the train tracks will feature a tighter window pattern and brick pilasters – a nod to the historic warehouses that were common to this industrial neighborhood.

The Phase II-A Building lies at the northeast corner of Reed Street and Franklin Street and plays an important role in transitioning the scale of the Project down to the adjacent residential neighborhood to the east. The top two levels of the Phase II-A Building are set back from the existing townhomes to the south and east. The mass is further scaled down by breaking the lower four levels into two building forms. The lower level facades are composed of a light brick, whereas the upper two levels are composed of a dark panelized skin. The windows facing the existing residents are smaller by design, and walk-up units fronting the east-west alley to the south feature a generous landscape buffer. A vertical steel and metal paneled tower announces the residential entry on Reed Street. This two-story volume transitions to an adjacent PDR/makerspace that wraps around the corner and continues along Franklin Street.

The design strategy is also intended to accommodate and accentuate the proposed PDR/makerspace, which is further detailed below.

E. Production, Distribution, and Repair Uses / Makerspace

The Comprehensive Plan states that areas striped on the Future Land Use Map (“FLUM”) to include PDR uses must include industrial space, and on sites containing existing industrial space, the amount of space should be substantially preserved. The PUD Site currently contains approximately 27,500 square feet of active PDR uses, which includes vehicle storage and maintenance, warehouse and supply, auto repair and light production. In addition to the PDR uses, the PUD Site includes surface parking and office uses, which are not included in the estimate of square feet devoted to active PDR uses. The Applicant proposes to replace these PDR uses by incorporating approximately 18,000 square feet of GFA for ground-floor PDR/makerspace use within the Project, which will be provided as approximately 10,240 square feet in the Phase II-A Building and 8,160 square feet of the Phase II-B Building.

The Applicant's intent is to maximize the amount of PDR/makerspace incorporated within the Project to the extent possible. However, the PUD Site is challenged with respect to

incorporating this non-residential use given the limited frontage and visibility of the PUD Site. First, the West Building is bordered on its western frontage by the train tracks and WMATA parcel, and abuts the driveway accessing the Brookfield Press building on its south frontage. On the north frontage, the Project sets back approximately 15 feet from the Franklin Street bridge, which has a height of 20 feet above the adjacent finished grade at the westernmost edge. The at-grade portion of Franklin Street right-of-way will be landscaped, but it is substantially concealed by the Franklin Street bridge. Thus, the West Building has only a single frontage on which to focus the PDR/makerspace, which must be balanced with parking and loading access, residential entrances and at-grade open spaces. Similarly, the Phase II-A Building is bordered on two sides by public alleys. It has frontage on both Franklin Street and Reed Street, which creates more opportunities for the incorporation of non-residential uses. Finally, Reed Street itself creates challenges to create appropriate spaces for PDR/makerspace given the substantial change in grade that occurs from the south end of the PUD Site to the north end at the connection with the Franklin Street bridge.

In addition to the physical challenges that impact the PUD Site's provision of non-residential uses, the location and amount of space devoted to PDR/makerspace is impacted by the location of multi-family residential uses and lower-scale rowhomes with little to no non-residential use in the mid-block of Reed Street. Accordingly, it is important to concentrate the PDR/makerspace uses along the northern portion of Reed Street and along Franklin Street, which is oriented away from the area to the south of Evarts Street consisting of apartment houses that are exclusively residential.

In light of these challenges, the Applicant has carefully selected locations that are best-suited to house PDR/makerspace use so that it can be successful and complement the existing residential uses. First, in the Phase II-A Building, the entirety of the Franklin Street frontage has been dedicated to PDR/makerspace uses given the relatively flat grade and the ability to incorporate these design criteria into that space. In fact, over 40% of the ground floor of the Phase II-A Building is devoted to PDR/makerspace uses. This location abuts the most prominent commercial corridor, has the maximum amount of visibility, and provides the most continuous space for the greatest amount of flexibility.

Second, the Applicant has incorporated additional PDR/makerspace uses in the Phase II-B Building at the most visible node, which is at the intersection of Reed Street and Evarts Street. Not only does this location have good visibility, it is also where the Farmers Market area has been designated and where the slope of Reed Street is the most gradual. With this location, the Applicant has been able to design the PDR/makerspace to ensure appropriate interior volumes along with flexible floor plans. As the slope of Reed Street increases towards Franklin Street, the PDR/makerspace within the Phase II-B Building steps up to roughly align with grade and provide for the most flexibility possible to locate entrances to the space from Reed Street; however, the change in floor elevation has been limited to one location in order to allow for the flexibility in leasing and laying out the space. Despite the complications, the extent of the PDR/makerspace has been maximized within the floorplate of the Phase II-B Building.

The Applicant does not propose to incorporate PDR/makerspace within the Phase I Building. With a mid-block location along a narrow roadway, there is essentially no visibility to allow PDR/makerspace to be successful. This portion of the Project is located the furthest point from either of the commercial corridors of Franklin Street or Rhode Island Avenue, which creates a dearth of commercial activity in its vicinity. Furthermore, the lack of proximity to commercial corridors results in this section of Reed Street being exclusively residential - with the Brookland Press and the Rowan apartment buildings being the primary context. As such, the PDR/makerspace has been positioned closer to the commercial context to the north.

Furthermore, the design of the building in the areas of the PDR/makerspace has been structured to create successful space with flexible floor plans. Specifically, the ground-floor PDR/makerspace has been designed with clear storefronts that will create visual interest and help to establish a modern industrial character that is unique to the Project. The exterior facade design will emphasize the unique quality of the user within the space. Attention to the entry and storefront design including canopy, signage and lighting will be carefully curated. The exterior materials will also contrast from the adjacent residential uses providing a rich and varied pedestrian experience.

The internal designs have incorporated a variety of elements to create appropriate and functional PDR/makerspace, including the following: creating minimum clear heights of approximately 14 feet from ground level slab to the structure above; incorporating electrical supply

of 50 watts per square feet; designing a loading dock that can comfortably accommodate PDR uses both in proximity and function; maximizing the bay width to provide for flexible floorplates for the PDR/makerspace; and incorporating sound attenuation, including a minimum thickness of 7" between the ground level and the second level of the building.

The proposed PDR/makerspace is intended to encompass a broad range of uses that are residentially-appropriate ground-floor PDR/makerspace uses and that can serve the community that surrounds the PUD Site. To assure that the Project captures a wide range of potential PDR/makerspace opportunities, the Applicant proposes that the following language be included in the order approving this application:

For the purposes of this Order, a “maker” space or “maker” use is defined as: production, sale, distribution, and/or consumption of food and beverages; small-scale production and repair of goods and related sales; media/communications production and distribution; arts and entertainment; traditional crafts and trades; recreation uses; engineering and design; and technology design and production.⁶

Accordingly, the proposed PDR/makerspace captures the uses envisioned for the Property and is consistent with District planning objectives.

F. Parking and Loading

The Project includes accessory parking for each building phase. Both the Phase I Building and the Phase II-B Building include parking garages accessed from a private driveway in the center of the West Building. The garage in the Phase I Building includes approximately 185 parking spaces, and the garage in the Phase II-B Building includes approximately 98 parking spaces. Thus, the total parking provided in the West Building exceeds the requirement of 109 parking spaces based on the number of residential units and PDR/makerspace provided⁷. Similarly, the Phase II-A Building also includes a parking garage containing approximately 49 spaces, which is accessed from the east side of the building from the north-south public alley. Thus, the total parking

⁶ The Commission included this same language in Z.C. Order No. 15-15 that approved the “Eckington Yards” PUD.

⁷ Given the range of types of PDR/makerspace uses, the Applicant has conservatively calculated the required parking for the designated PDR/makerspace consistent with the rate required for retail (i.e., 1.33 spaces per 1,000 square feet in excess of 3,000 square feet), as opposed to the rate required for PDR uses (i.e., 1 space per 1,000 square feet in excess of 3,000 square feet; except for a warehouse use or storage facility, 1 space is required per 3,000 square feet). See 11-C DCMR § 701.5.

provided in the Phase II-A Building exceeds the requirement of 22 parking spaces based on the number of residential units and PDR/makerspace provided.

The Project will also include indoor bicycle storage facilities with parking within each phase of the West Building and within the Phase II-A Building. Overall, the Project will provide approximately 36 short-term spaces and 189 long-term spaces, therefore meeting or exceeding the requirements of 11-C DCMR § 802.1.

Loading is also provided in each phase of the Project. Each phase of the West Building (i.e., Phase I and Phase II-A) as well as the Phase II-A Building will include one 30-foot loading berth, one 100 square foot platform, and one service/delivery space, which exceeds the minimum amount required by the Zoning Regulations. Importantly, anticipated truck circulation within and around the PUD Site has been carefully studied. With respect to the West Building, all trucks will navigate “head-in” and “head-out” onto Reed Street, and all truck maneuvers will occur on private property. In regards to the Phase II-A Building, trucks will back into the designated loading area from the abutting 16-foot wide north-south public alley - which has been effectively widened to 31 feet based on the provided 15-foot setback - and then navigate “head-out” in accordance with DDOT policy. Thus, all truck maneuvers will be conducted in a safe manner and decrease potential conflicts with other vehicles and pedestrians traversing through the PUD Site.

G. Streetscape and Landscape

The streetscape and landscape design for the Project fosters a pedestrian-friendly environment within and along the perimeter of the PUD Site where one generally does not currently exist. All of the proposed improvements in public space will be subject to review and approval by DDOT.

1. Reed Street Streetscape

The proposed improvements will establish safe connections for residents of the Project and the surrounding neighborhood along both sides of Reed Street, from Franklin Street to Evarts Street, and along the west side of Reed Street, south of Evarts Streets. The streetscape along Reed will include a 4-foot wide planting strip between the 6-foot (minimum) wide scored concrete sidewalk and curb. A portion of the planting strip will act as bio-retention to treat and manage

street stormwater runoff. Decorative paver amenity panels will be installed within the planting strip to provide safe and convenient access to new on-street parking spaces as well as opportunities for short-term bicycle parking. The buildings along Reed Street will also be set back from the property line (varying between 8 inches and 8 feet, 8 inches) in order to provide additional landscaping and entries to the building. All of these proposed elements will cultivate a more pedestrian feel within an area that has historically been industrial in character with a focus on vehicular traffic.

Immediately north of Evarts Street, the Applicant proposes to create an area within the realigned Reed Street that can be closed down with removable bollards for a local Farmers Market – a public benefit proffered in connection with the PUD. This area of Reed Street will include scored concrete paving that is durable for everyday traffic, yet simultaneously provides a pleasing canvas for the Farmers Market area.

On the east side of the Farmer Market area, and immediately north of Evarts Street, the Applicant proposes to dedicate additional space as part of the right-of-way to provide for additional planting and a continuation of the sidewalk and streetscape design. The Applicant is exploring incorporating the proffered Capital BikeShare station within this additional public space to serve the community. A raised cross walk is proposed on the north side of Evarts Street to allow for traffic calming and safer pedestrian access. A second raised crosswalk is proposed further to the south along Reed Street to provide a safe pedestrian connection to the streetscape improvements abutting the Rowan building and also provide traffic calming.

2. Franklin Street Streetscape

The Applicant also proposes to enhance the streetscape along Franklin Street by installing an 8-foot wide planting strip with street trees and bike racks within decorative pavers. The improved sidewalk will run along the entire Franklin Street frontage of the Phase II-A Building – in front of the PDR/makerspace uses – to encourage comfortable pedestrian activity.

Within the Franklin Street right-of-way, the Applicant proposes a landscaped walkway between the Phase II-B Building and the south side of the Franklin Street bridge as an effort to

beautify the area. Importantly, this walkway will also provide room that is needed by DDOT for bridge maintenance and by WMATA for railway access.

3. Public Alleys Abutting the Phase II-A Building

The Applicant proposes to install pervious concrete pavers within the north-south and east-west alleys surrounding the Phase II-A Building. Doing so will help to accentuate the residential character of these alley, will naturally calm vehicular traffic in the immediate area, and will improve stormwater management. Along the south side of the Phase II-A Building, the Project includes gated walk-out units with raised bio-retention planters.

4. Outdoor Spaces within Private Space

The Project also includes a variety of outdoor amenities to serve residents of the Project. The Phase I Building will include two courtyard spaces. One courtyard will engage the streetscape and is proposed to contain a swimming pool, festoon lighting and outdoor tenant amenities. The second courtyard is fully enclosed by the West Building and will serve as a tenant space with outdoor amenities and plantings. The Phase II-B Building also incorporates two courtyards, both of which face Reed Street and are connected by an open air loggia. One courtyard will house a swimming pool while the other may include outdoor dining and fire features. Finally, the Phase II-A Building will include an elevated building courtyard containing private patios and green roof.

H. Sustainable Design Elements

The Applicant will design the Project to achieve the LEED v4 Multifamily Midrise Gold standard. *See* Sheet A14 of the Plans. The LEED v4 Multifamily Midrise standard is tailored to the unique aspects of multifamily buildings and includes prescriptive requirements for onsite testing and performance. In addition to the standard LEED features and credit categories, the Multifamily Midrise standard requires mandatory compartmentalization, reduced duct leakage, and verified performance of exhaust and ventilation systems, all of which are unique in comparison with LEED BD+C for New Construction.

The Project is designed to integrate a host of sustainable features, including solar panels that will generate approximately 1% of the Project's total energy use. This amounts to onsite solar photovoltaics in an amount of 3,350 square feet of total roof area, and the Applicant commits to

provide this amount of roof area for solar panels spread across the overall Project. Below is a list of additional features and efforts that are proposed to maximize sustainability:

- electric vehicle (EV) charging stations in an amount equal to 10% of the total number of parking spaces and will include electrical vehicle infrastructure (i.e., power, wiring, junction boxes, etc.) to accommodate the charging equipment for up to an additional 10% of the number of parking spaces;
- on-site stormwater management via green roof and bio-retention strategies;
- landscape elements and green space to meet GAR;
- public right-of-way stormwater management via curbside bio-retention;
- enhanced indoor air quality strategies with dedicated filtered fresh air for each dwelling unit;
- third-party inspection of insulation and air sealing;
- reduced duct leakage and air leakage rates that will be tested by a third-party, to improve comfort and limit air transfer between dwelling units;
- thirty-party tested bath, kitchen, and ventilation fans to ensure adequate exhaust and fresh air supply; and
- indoor and outdoor water reduction strategies.

The PUD Site itself is also located in a connected, previously-developed area with connections to existing infrastructure, services and public transportation options, such as the MBT, which is a vital artery for alternative forms of transportation and commuting throughout the District. The PUD Site’s multimodal access has the potential to limit the environmental footprint of the Project and further advance the District's sustainability objectives.

I. Flexibility Under PUD Guidelines

Under the Zoning Regulations, a PUD-related Zoning Map amendment shall be considered flexibility against which the Zoning Commission shall weigh the benefits of the PUD. 11-X DCMR § 303.12. As discussed above in Section III.B, the Applicant is seeking to rezone the west portion of the PUD Site to the MU-6A zone and the east portion of the PUD Site to the MU-4 zone. As compared to the existing matter of right zoning, there is very limited gain for the Project as proposed:

[tables on following page]

Zone Change from PDR-2 to MU-4

	PDR-2	MU-4	Proposed Phase II-A	Gain (compared to existing zoning)
Density	MOR: 4.5 Max (3.0 for restricted uses) PUD: 5.4 Max (3.6 for restricted uses)	MOR: 2.5 IZ: 3.0 PUD: 3.6	3.72 FAR*	No gain compared to existing zoning
Height	MOR: 60' PUD: 60'	MOR: 50' IZ: 50' PUD: 65'	65'	5' compared to MOR

*Aggregate FAR for overall PUD Site complies with permitted GFA per 11 X DCMR § 303.2

Zoning Change from PDR-2 to MU-6A

	PDR-2	MU-6A	Proposed West Building (Phase I, Phase II-B)	Gain (compared to existing zoning)
Density	MOR: 4.5 Max (3.0 for restricted uses) PUD: 5.4 Max (3.6 for restricted uses)	MOR: 6.0 IZ: 7.2 PUD: 8.64	5.22 FAR	0.72 FAR compared to MOR No gain compared to PUD
Height	MOR: 60' PUD: 60'	MOR: 90' IZ: 100' PUD: 110'	84'	24' compared to MOR

Furthermore, as shown in the table below, when computed as an aggregate across the PUD Site the proposed density of the overall Project (4.91 FAR, 769,490 square feet of GFA) is far less than what could otherwise be achieved through a PUD under the proposed zoning (7.61 FAR, 1,192,559 square feet of GFA). Indeed, the proposed density of the overall Project (4.91 FAR, 769,490 square feet of GFA) is less than what is permitted through a PUD under existing PDR-2 zoning (5.4 FAR / 845,926 square feet of GFA).

Blended FAR for PUD Site
Calculated in Accordance with 11-X DCMR § 303.2

	Zone	Land Area (sf)	Max. FAR (PUD)	Max GFA (PUD)
Existing Zoning Permitted	PDR-2	156,653	5.4	845,926
Proposed Zoning Permitted				
Phase I & II-B	MU-6A	124,724	8.64	1,077,615
Phase II-A	MU-4	31,929	3.6	114,944
Total (Blended)		156,653	7.61	1,192,559
Proposed Project				
Phase I & II-B	MU-6A	124,724	5.22	650,690
Phase II-A	MU-4	31,929	3.72	118,800
Total (Blended)		156,653	4.91	769,490

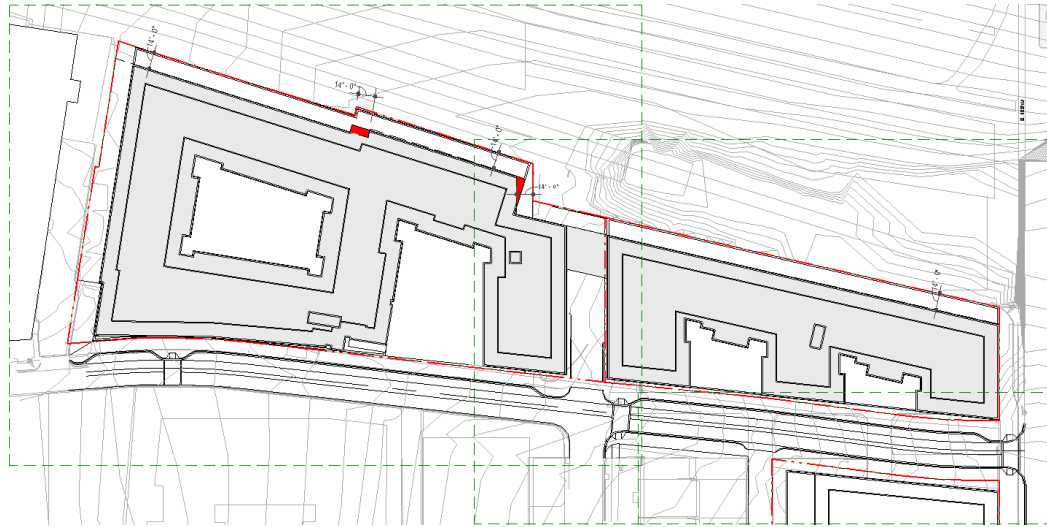
In addition to the requested rezoning, the Applicant also seeks technical and design flexibility to enable construction of the Project as proposed.

1. PUD Technical Flexibility

The PUD process was created to allow greater flexibility in planning and design than may be possible under conventional zoning procedures. In this application, the Applicant has attempted to comply with all requirements and/or permissions in the Zoning Regulations applicable to the MU-6A zone and the MU-4 zone; however, the Applicant requests technical flexibility for the following:

- **Minimum Side Yard (MU4 Zone and MU-6A Zone).** The Applicant seeks flexibility from the minimum side yard requirement applicable to the West Building. While the significant majority of the side yard along the west side of the building meets the minimum requirement, the technical requirement is not met where the side lot line is jogged. The two areas of noncompliance (which are *de minimis*) are shown below.

[graphic on following page]



The Applicant also seeks technical flexibility from the minimum side yard requirements abutting Reed Street. Both buildings will be setback in varying amounts (varying between 8 inches to 8 feet, 8 inches) from the property line along Reed Street to provide greater area for landscaping, pedestrian circulation and building entries. This setback is in addition to the dedicated 10-foot sidewalks on each side. However, this setback is technically a side yard under the Zoning Regulations. While a side yard is not required to be provided, if it is provided, it is required to be a minimum of 14 feet for the West Building and a minimum of 11 feet for the Phase II-A Building. The setbacks from the property line allow for a more generous and green public space but do not meet the technical requirements for side yards.

- **Minimum Rear Yard (MU-4 Zone).** The Applicant seeks flexibility from the minimum rear yard requirement applicable to the Phase II-A Building. The Phase II-A Building will be set back 11 feet from the rear lot line, however a minimum of 15 feet is required in the MU-4 zone. *See* 11-G DCMR § 405.2. In the MU-4 zone, for a lot that abuts an alley, the rear yard is measured from the center of the alley to the rear wall up to a horizontal plane at 20 feet above the mean finished grade at the middle of the rear of the building. With the proposed setback of 11 feet, the rear yard complies up to the 20-foot level and again at the approximately 42-foot level. Thus, there is an approximately 20-foot vertical segment of the Phase II-A Building that does not comply.

As originally designed, the building complied with the rear and side yard requirements - providing a setback of 15 feet from rear lot line on the south side and providing an 11 feet setback from the side lot line on the east side. However, due to the alley widths (i.e., 16-foot alley abutting the side yard and a 20-foot alley abutting the rear yard), the immediate community requested that the yards be "flipped" in order to provide a more consistent distance from backyards of the row homes along Evarts and 10th Streets. The swap of setbacks allows the effective width of the rear property line of the row homes to the face of the Phase II-A Building to have an approximate width of 31 feet. In addition, on the east side, this

change has the effect of widening the abutting north-south alley, which provides greater maneuverability for vehicles accessing the loading and parking from that alley. Accordingly, the Applicant requests technical flexibility for the limited area in which the rear yard does not comply.

- **Lot Occupancy (MU-4 Zone).** The Applicant seeks flexibility from the maximum lot occupancy requirement applicable to the Phase II-A Building. As originally proposed, the lot occupancy for the Phase II-A Building was 75%. However, in response to continued work with DDOT, the Applicant agreed to dedicate more than 1,900 square feet of private land area from the Phase II-A Building site in order to dedicate the sidewalk in fee rather than by easement. As a result, the lot area decreased from 33,839 square feet to 31,929 square feet and the lot occupancy increased from 75% to 80%. Accordingly, flexibility is needed from the 75% permitted (for IZ developments) in the MU-4 zone. *See* 11-G DCMR § 404.1.

2. PUD Design Flexibility

In addition, the Applicant has made every effort to provide a level of detail that conveys the architectural significance of the Project and only requires minimal flexibility from the requirements of the Zoning Regulations. Nonetheless, some flexibility is necessary to address potential issues that arise during construction and other issues that cannot be anticipated at this time. Design flexibility is commonly granted with PUD approvals because it enables efficient development of the Project despite potential changes in market demands, opportunities, and/or constraints. Thus, the Applicant requests flexibility in the following areas:

- Number of Dwelling Units. To provide a range in the approved number of residential dwelling units of plus or minus ten percent (10%);
- Interior Components. To vary the location and design of all interior components, including amenities, partitions, structural slabs, doors, hallways, columns, stairways, mechanical rooms, elevators, escalators, and toilet rooms, provided that the variations do not change the exterior configuration of the building;
- Garage Configuration. To make refinements to the garage configuration, including layout, number of parking spaces, and/or other elements, so long as the number of parking spaces does not decrease below the minimum level required by the Zoning Regulations;
- Exterior Materials. To vary the final selection of the colors of the exterior materials based on availability at the time of construction, provided such colors are within the color ranges proposed by the Plans;

- Exterior Details. To make minor refinements to the locations and dimensions of exterior details that do not substantially alter the exterior design shown on the Plans. Examples of exterior details would include, but are not limited to, doorways, canopies, railing, and skylights;
- Signage. To vary the font, message, logo, and color of the proposed signage, provided that the maximum overall dimensions and signage materials do not change from those shown on the Plans;
- Affordable Units. To vary the number and mix of inclusionary units if the total number of dwelling units changes within the range of flexibility requested, provided that the location and proportionate mix of the inclusionary units will substantially conform to the layout shown on the Plans⁸;
- Streetscape Design. To vary the location, attributes, and general design of the approved streetscape to comply with the requirements of, and the approval by, the DDOT Public Space Division; and
- Sustainable Features. To vary the approved sustainable features of the Project, provided the total number of LEED points achievable for the PUD does not decrease below the minimum proposed for the Project as specified by the order; and
- PDR/Makerspace Use Types. To vary the types of uses designated as “PDR/makerspace” uses on the approved plans to include the following uses: production, sale, distribution, and/or consumption of food and beverages; small-scale production and repair of goods and related sales; media/communications production and distribution; arts and entertainment; traditional crafts and trades; recreation uses; engineering and design; and technology design and production.

V. THE PROJECT MEETS THE STANDARDS OF THE ZONING REGULATIONS AND PUD REQUIREMENTS

A. PUD Requirements Under Subtitle X, Chapter 3 of the Zoning Regulations

1. Area Requirements Under Subtitle X § 301.1

The PUD Site is approximately 156,092 square feet in land area, or ± 3.58 acres. The Zoning Regulations require a minimum land area of 15,000 square feet for a PUD in the MU-6A zone and the MU-4 zone. 11-X DCMR § 301.1. Thus, the PUD application complies with the minimum area requirements.

⁸ The IZ plan will be submitted prior to the public hearing on the application in accordance with 11-Z DCMR § 401.

2. Height and FAR Requirements Under Subtitle X §§ 303.3 and 303.7

The Project has been evaluated under the PUD guidelines for the MU-6A zone and the MU-4-zone. A PUD in the MU-6A zone permits development of up to 8.64 FAR, of which no more than 1.34 FAR may be devoted to non-residential use, and a maximum height of 110 feet. The West Building of the Project will have a total FAR of 5.22 (of which 0.07 FAR will be devoted to non-residential use); and the maximum height of the West Building is 84 feet as measured to the highest point of the roof or parapet in accordance with 11-B DCMR § 307.6. A PUD in the MU-4 zone permits development of up to 3.6 FAR, of which no more than 2.01 FAR may be devoted to non-residential use, and a maximum height of 65 feet. The Phase II-A Building of the Project will have a total FAR of 3.72 (of which 0.32 FAR will be devoted to non-residential use); and the maximum height of the Phase II-A Building is 65 feet as measured to the top of the parapet in accordance with 11-B DCMR § 307.1.

Accordingly, the Project complies with the height guidelines for a PUD in the MU-6A and MU-4 zones. The Project also complies with the FAR guidelines due to the aggregation of permitted FAR pursuant to 11-X DCMR § 303.2. The Project will have a total FAR of 4.91, or 769,490 square feet of GFA, where an aggregate of 1,192,559 square feet of GFA is permitted.

3. Not Inconsistent with Comprehensive Plan Under Subtitle X § 304.4(a)

The proposed PUD advances the purposes of the Comprehensive Plan, is consistent with the PUD Site's designations on the FLUM (Exhibit G) and the Generalized Policy Map ("GPM") (Exhibit F), complies with the guiding principles in the Comprehensive Plan, and furthers a number of the major elements of the Comprehensive Plan. Overall, the proposed PUD is not inconsistent with the Comprehensive Plan when evaluated through a racial equity lens.

The FLUM designates the western portion of the PUD Site as Mixed-Use (High Density Residential / PDR) and the eastern portion of the PUD Site as Mixed-Use (Moderate Density Residential / PDR). For areas with a Mixed-Use designation, the general density and intensity of development is determined by the specific mix of uses shown. If the desired outcome is to emphasize one use over the other, the FLUM may note the dominant use by showing it at a slightly higher density than the other use in the mix. The Comprehensive Plan Area Elements may also provide detail on the specific uses envisioned. 10A DCMR § 227.21. The Applicant's proposal to

rezone the western portion of the PUD Site to MU-6A is not inconsistent with the FLUM designation for that portion of the PUD Site given that “many Mixed Use areas may have MU zoning.” 10A DCMR § 227.23. Even more convincingly, the MU-6 zones are also described within the Zoning Regulations as being “intended to [p]ermit medium- to high-density mixed-use development with a focus on residential use.” 11-G DCMR § 400.5 (emphasis added). Indeed, the proposed rezoning will facilitate a redevelopment of the PUD Site with a residential community that aligns with a stated purpose of the MU-6A zone. Similarly, the Applicant’s proposal to rezone the east portion of the PUD Site to MU-4 is not inconsistent with the FLUM designation for that portion of the PUD Site, as it also has a Mixed-Use designation. Moreover, the MU-4 zone is described within the Zoning Regulations as being “intended to [p]ermit moderate-density mixed-use development” and “[b]e located in low- and moderate-density residential areas with access to main roadways or rapid transit stops[.]” 11-G DCMR § 400.3 (emphasis added).

The proposed PUD also is not inconsistent with the FLUM designation for both portions of the PUD Site that include PDR. The PDR category is used to define areas characterized by manufacturing, warehousing, wholesale, and distribution centers, transportation services, food services, printers and publishers, tourism support services, and commercial, municipal, and utility activities which may require substantial buffering from housing and other noise-, air-pollution- and light-sensitive uses. This category is also used to denote railroad rights-of-way, switching and maintenance yards, bus garages, and uses related to the movement of freight, such as truck terminals. District policy states that PDR uses “are critical to supporting the retail, transportation and service needs of the city.” 10A DCMR § 227.14. The corresponding zone category is PDR, however other districts may also apply where the PDR map designated is striped with other land uses. In an area striped to include PDR, development must include PDR space, and on site containing existing PDR space the amount of PDR space on-site should be substantially preserved. *Id.* As detailed above in Section IV.E and in the Applicant’s Comprehensive Plan analysis (Exhibit H), the Project will devote approximately 18,000 square feet of GFA to PDR/makerspace uses. Therefore, the proposed development is not inconsistent with the PUD Site’s PDR designations on the FLUM.

The GPM identifies the PUD Site within a Neighborhood Conservation Area. The guiding philosophy for Neighborhood Conservation Areas is to conserve and enhance established

neighborhoods, but not preclude development, particularly to address city-wide housing needs. The diversity of land uses and building types in these areas should be maintained and new development and alterations should be compatible with the existing scale and architectural character of each area. Densities in Neighborhood Conservation Areas are guided by the FLUM and Comprehensive Plan policies. Approaches to managing context-sensitive growth in Neighborhood Conservation Areas may vary based on neighborhood socio-economic and development characteristics. In areas with access to opportunities, services, and amenities, more levels of housing affordability should be accommodated. 10A DCMR § 225.5. The proposed Zoning Map amendment will help implement the policies embodied in the Generalized Policy Map by allowing for a new residential development that is not inconsistent with the densities prescribed by the FLUM and fits in well with surrounding development patterns and land uses.

A detailed discussion of the Project's compliance with the Comprehensive Plan, including the Citywide Elements and the Upper Northeast Area Element, can be found in the analysis attached as Exhibit H.

4. Impacts of Project Under Subtitle X § 304.4(b)

Pursuant to 11-X DCMR § 304.4(b), the Zoning Commission shall find that the proposed development does not result in unacceptable project impacts on the surrounding area or on the operation of city services and facilities, but instead shall be found to be either favorable, capable of being mitigated, or acceptable given the quality of public benefits in the project. Overall, the Project will have a favorable impact on the surrounding area. The Project will transform an underutilized, primarily industrial site into a mixed use community that is compatible with the surrounding neighborhood. The Project also involves critical improvements to the surrounding road network and the adjacent streetscape, significantly improving conditions for pedestrian, vehicular and bicycle traffic. The PUD will benefit the area with the addition of residential units, including affordable housing units, in an area designated for moderate- and high-density residential use. Additionally, the Project will devote approximately 18,000 square feet of ground-floor GFA for PDR/makerspace uses, as is encouraged by the PUD Site's FLUM designation coupled with the District's planning objectives.

To the extent that there are potential adverse impacts resulting from the construction of the Project, the Applicant agrees to abide by the terms of the construction management plan for each phase of construction, as set forth in the draft Construction Management Plan attached hereto at Exhibit J. The Construction Management Plan has been negotiated with the immediate neighbors. The Applicant will continue to coordinate with the owners of the property adjacent to the PUD Site to address construction concerns as they arise during each phase of the Project.

Additional potential impacts of the Project are further analyzed below, by topic area:

- **Land Use.** The Project will result in a more efficient and economical use of underutilized land. The PUD Site's current industrial character does not maximize its close proximity to transit and is incompatible with residential uses to the east. The PUD includes substantial new housing (market-rate and affordable) as well as PDR/makerspace uses that are appropriate for the PUD Site given the District's planning goals to retain PDR uses. Thus, potential impacts to land use are favorable.
- **Transportation.** The proposed development will not have a detrimental impact on the surrounding transportation network. Conversely, the PUD will result in significant enhancements to pedestrian safety and circulation due to the proposed realignment of Reed Street and installation of new streetscape adjacent to the PUD Site. Further, any potential adverse impacts can be mitigated through implementation of a transportation demand management ("TDM") plan. The Applicant has met with DDOT several times and has completed the required scoping for the Project. Accordingly, the Applicant is preparing the Comprehensive Transportation Review, which will include an evaluation of TDM measures and will submit to those to DDOT and the Commission in accordance with 11-Z DCMR § 401.8.

The Applicant has worked closely with the community relating to traffic considerations and concerns that have been raised. The Applicant will continue to work with the community and DDOT to address these concerns and updates will be provided to the Commission prior to a public hearing on the Project.

Thus, potential impacts to transportation are favorable or capable of being mitigated.

- **Housing.** The Project will have a positive impact on housing, providing approximately 723 new housing units where no housing is currently permitted. Moreover, the PUD will result in approximately 105 to 110 affordable units (15% of the overall residential GFA), which is well above that required under the IZ program and well-above that provided by similarly-situated PUDs. The Project also does not involve the demolition of existing housing or displacement of existing residents. Thus, potential impacts to housing are favorable.

- **Environmental Protection.** The Project is designed to LEED Gold standards under the LEED v4 Multifamily Midrise standard (*see Sheet A14 of the Plans*) and will transform an impervious site with a sustainable mixed-use development. The Project also includes renewable energy sources (e.g., solar panels) and storm water management improvements (e.g., installation of pervious paver system within alleys). Further, the building construction will incorporate various measures to ensure high air quality between units and the efficient use of indoor and outdoor water. Thus, potential impacts to the environment are favorable.
- **Economic Development.** The proposed development will result in the redevelopment of an underutilized site in a transit-oriented location. Additionally, the PUD devotes ground-floor space for PDR/maker space that can support a variety of uses - including artist, production, and other types of creative producers. Thus, potential impacts to the economy are favorable.
- **Parks, Recreation, and Open Space.** The PUD Site currently has no parks, recreation, or open space elements, as it is improved with a scattered assemblage of industrial buildings. The Project incorporates improvements to adjacent public space that will accommodate safe pedestrian activity and encourage community recreation and assembly. Thus, potential impacts to open space are favorable.
- **Urban Design.** The Project reflects a high-quality, context-sensitive design that is respectful of residential properties to the east and keeps the majority of the building density toward the existing WMATA tracks. The realignment of Reed Street will accommodate safer vehicular pedestrian activity within and around the PUD Site. The dedication of approximately 16,748 square feet of private property for roadway and sidewalk purposes as well as additional building setback from the property line will enable significant enhancements to the streetscape and the public realm. Thus, potential impacts to urban design are favorable or acceptable given the quality of public benefits.
- **Historic Preservation.** The proposed development does not have any impacts on historic preservation.
- **Community Services and Facilities.** The Applicant does not anticipate any adverse impacts to Community Services and Facilities. Any potential impacts are favorable or acceptable given the quality of public benefits.
- **Educational Facilities.** The Applicant does not anticipate any adverse impacts to Educational Facilities. Any potential impacts are favorable or acceptable given the quality of public benefits.
- **Infrastructure.** The Project results in major infrastructure improvements with the realignment of Reed Street and the construction of new sidewalks where none exists. Thus, any potential impacts are favorable.

B. Public Benefits and Project Amenities

The PUD guidelines require the evaluation of specific public benefits and project amenities for a proposed project. Public benefits are defined as “superior features of a proposed planned unit development that benefit the surround neighborhood or the public in general to a significantly greater extent than would likely result from the development of the PUD Site under the matter-of-right provisions.....” 11-X DCMR § 305.2. A project amenity is further defined as “one type of public benefit, specifically a functional or aesthetical feature of the proposed development that adds attractiveness, convenience, or comfort of the project for occupants and immediate neighbors.” 11-X DCMR § 305.10. Additionally, when deliberating the merits of a PUD application, the Zoning Commission is required to “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.” 11-X DCMR § 304.3. Public benefits and project amenities may be exhibited in a variety of ways and may overlap with a furthering of the policies and goals of the Comprehensive Plan.

The Project will help achieve a number of goals of the PUD process by creating a mixed-income, transit-oriented development with a thoughtful, high-quality design that provides important neighborhood amenities. These and the other significant public benefits and amenities, described in more detail below, reflect and implement the goals of the PUD process, enhance the surrounding community, and benefit the District. The Applicant’s proffered public benefits and project amenities have been developed in close coordination with Advisory Neighborhood Commission (“ANC”) 5B and the Brookland Neighborhood Civic Association (“BNCA”), and reflect the priorities identified by the surrounding community, which is set forth in the draft Community Benefits Agreement negotiated with ANC 5B and BNCA attached hereto as Exhibit I.

1. Housing (11-X DCMR § 305.5(f) and Affordable Housing (11-X DCMR § 305.5(g))

The Project results in the creation of new housing consistent with the goals of the Zoning Regulations, the Comprehensive Plan, and the FLUM. Overall, the Project will replace an underutilized industrial site with approximately 723 units. This amount of housing exceeds the amount that would have been provided if the PUD Site was developed as a matter-of-right under

the existing PDR zoning as no multifamily residential use is permitted in PDR zones. *See* 11-X DCMR § 305.5(f)(1); *see also* 11-U DCMR § 800.1(w).

Furthermore, the Applicant will set aside approximately 15% of the residential GFA (i.e., of the overall Project as affordable units at varying levels of the median family income ("MFI"), which will create a mixed-income community and which is a significant increase when compared to the base IZ requirement. Based on this GFA, it is anticipated that approximately 105 to 110 units will be set aside as IZ units. The affordable housing will be set aside as follows:

- 5% of the GFA for households at 30% MFI
- 5% of the GFA for households at 50% MFI
- 80% of the GFA for households at 60% MFI
- 10% of the GFA for households at 80% MFI

As a result, the Project creates a greater amount of IZ units that are reserved at deeper levels of affordability than required by the Zoning Regulations. The Applicant's IZ proposal is especially commendable when compared to other PUDs recently approved by the Commission, where the IZ set-aside has fallen somewhere between 8% - 12.7% of the overall residential GFA. In this case, the Applicant is proposing to set aside 15% of the overall residential GFA for affordable housing, and at income levels that will benefit a diverse range of household types.

The Applicant's affordable housing proffer represents a substantial increase in the amount of affordable residential floor area when compared to the fact that no affordable housing would be generated if the PUD Site was developed as a matter-of-right, or when compared to the base amount of affordable housing that would be required for a matter-of-right development in the MU-6A or MU-4 zone. *See* 11-X DCMR § 305.5(g) ("Affordable housing; except that affordable housing provided in compliance with the Inclusionary Zoning requirements of Subtitle C, Chapter 10, shall not be considered a public benefit except to the extent it exceeds what would have been required through matter-of-right development under existing zoning.") The Applicant will provide an IZ unit location plan prior to a public hearing on this Application. With respect to the bedroom mix, the Applicant is committed to providing one three-bedroom unit in each phase of the Project (i.e., one three-bedroom unit in the West Building and one three-bedroom unit in the Phase II-A Building).

2. Transportation Infrastructure (11-X DCMR § 305.5(o))

The Applicant has been and will continue working closely with DDOT and the community to ensure that the Project creates favorable circulation patterns within the immediate neighborhood and provides a safe environment for all forms of transportation. A major benefit of the Project is the realignment and reconstruction of Reed Street and ultimate connection to Franklin Street, NE. The realignment includes the dedication of approximately 16,748 square feet of private property for roadway and sidewalk purposes. The revamped Reed Street roadway will be delivered prior to a final certificate of occupancy for Phase I of the Project, and the fully-landscaped sidewalks will be delivered with each Phase.

The Applicant also proposes to repave the 20-foot east-west public alley and 16-foot north-south public alley - which separate the Phase II-A Building from the residential row homes on 10th and Evarts Streets - with a pervious paver system. Not only will this repaving significantly improve the aesthetic of these public spaces, but it will also improve stormwater management within this public space and result in traffic calming, as further discussed below. These alleys will be repaved prior to issuance of a final certificate of occupancy for the Phase II-A Building.

As an added benefit and in response to feedback received from various community stakeholders, the Applicant is also proposing to install a variety of transportation calming measures, subject to approval by DDOT. While some of these measures are intended to mitigate potential transportation impacts resulting from the Project, many of these measures are to rectify current issues. The following measures, subject to approval by DDOT, will be delivered prior to issuance of a final certificate of occupancy for Phase I of the Project:

- All way stop at Reed Street and Evarts Street;
- All way stop at 10th and Evarts Streets;
- Incorporation of bump-outs on Reed Street to narrow roadway and allow for better crossing in located identified on the Traffic Calming Plan (“TCP”);
- Incorporation of bump-outs on 10th Street to narrow roadway and installation of a new crosswalk at the northern leg of the intersection as identified on the TCP;
- Addition of crosswalks, including raised crosswalks, throughout the Project, as shown on the TCP (provided with each Phase as applicable);
- Limitation of right-in, right-out for the intersection of Reed Street and Franklin Street;

- Prohibition of left turn from north-south alley to Franklin Street, appropriate signage and installation of bollards in the median of Franklin Street at that location; and
- Request DDOT and MPD to install a speed camera on the Franklin Street Bridge and a red light camera at 10th and Franklin Streets.

The following traffic calming measures, subject to approval by DDOT, will be delivered prior to issuance of a final certificate of occupancy for Phase II of the Project:

- Installation of pervious paver system within the north-south and east-west alleys abutting the Phase II-A Building (referenced above);
- Addition of crosswalks, including raised crosswalks, throughout the Project, as shown on the TCP (provided with each Phase as applicable); and
- Installation of bollard at the southern end of the north-south alley, near Evarts Street, to prevent vehicles from driving over the curb.

As a benefit to the community, the Applicant is also proposing to install a Capital Bikeshare station in a location to be determined by DDOT.

3. Environmental and Sustainable Benefits (11-X DCMR § 305.5(k))

The Project is designed to integrate a host of sustainable features including solar panels that will generate approximately 1% of the Project's total energy use. In addition, the Project is designed to LEED Gold standards under the LEED v4 Multifamily Midrise standard. *See Sheet A14* of the Plans. Further, the Applicant will repave the 10th Street and Evarts service alleys with a high-quality pervious paver system that will improve stormwater management in the immediate area around the Project.

The Applicant will also include electric vehicle ("EV") charging station in the parking area in an amount equal to 10% of the total number of parking spaces. In addition, the Applicant will include EV infrastructure (i.e., power, wiring, junction boxes, etc.) to accommodate the charging equipment for up to an additional 10% of the number of parking spaces.

4. Streetscape Plans (11-X DCMR § 305.5(l)); Superior Landscaping, or Creation or Preservation of Open Spaces (11-X DCMR § 305.5(b))

The Applicant is focused on creating a pedestrian-friendly streetscape, particularly along the realigned Reed Street and the south side of Franklin Street. Since the PUD Site is presently improved with mostly industrial uses along circuitous alleys, there is little to no streetscape within

the PUD Site. The design proposal includes substantial streetscape improvements to be constructed with each phase, including new paving for sidewalks, street lighting fixtures, and new shade trees. These improvements will be critically important along Reed Street, where there is currently no streetscape, sidewalk, or landscaping. The Applicant will also install new streetscape along the south side of Franklin Street abutting the Phase II-B Building and the Phase II-A Building. The enhanced streetscape within and around the PUD Site will not only benefit residents of the Project but of the surrounding community, as it will provide a safe and functional corridor for pedestrians to walk to and from the Rhode Island Avenue-Brentwood Metrorail station to the southwest and Noyes Elementary School to the east.

As mentioned above, the Applicant will also repave the existing 16-foot north-south alley parallel to 10th Street (from Franklin Street to Evarts Street) and the 20-foot east-west alley parallel to Evarts Street, east of Reed Street, with a pervious paver system that will improve stormwater management, serve as a traffic calming condition, and aesthetically improve the condition of the alleys. Thus, the PUD will provide substantial streetscape improvements that will accommodate safe pedestrian access for residents of the Project and for the surrounding community.

5. Uses of Special Value to the Neighborhood or the District of Columbia as a whole (11-X DCMR § 305.5(q))

The Applicant has worked with ANC 5B and the BNCA to identify public benefits and project amenities that are important to and needed by the community, as set forth in the Community Benefits Agreements (Exhibit I). The Applicant has attended numerous meetings with representatives from ANC 5B and BNCA as well as with members of the surrounding community, and the below public benefits were specifically identified by community representatives as programs and organizations in need of support or funding for the specified projects or services. All monetary contributions proffered by the Applicant are in accordance with 11-X DCMR § 305.3(d) since either the monetary contribution will be made to a District of Columbia government program or the Applicant commits that no final certificate of occupancy for the PUD will be issued unless the Applicant provides evidence to the Zoning Administrator that the items or services funded have been or are being provided. The various benefits proffered under this category, and associated timing regarding the issuance of a final certificate of occupancy, are further detailed below:

i. Uses of Special Value to be Delivered Prior to Phase I

The Applicant will deliver the below-described public benefits prior to the issuance of a final certificate of occupancy for Phase I of the Project and will provide proof to the Zoning Administrator the specific goods or services have been delivered by that time.

- **Contributions to Noyes Elementary School.** The Applicant shall contribute a total of \$100,000 to support projects at the Noyes Elementary School (“Noyes”). Noyes is an arts integration school, where its teachers use art strategies to help students better understand math, reading, social studies, and science content. Noyes offers academic enrichment, wellness and fitness, arts and culture, and special education programs. Based on initial input, the contributed funds are proposed to be split as follows: (1) \$63,000 to D.C. Public Schools to fund (a) upgrades to the auditorium (which doubles as a public meeting and community space), (b) upgrades to the science garden, (c) upgrades to the science lab classroom, and/or (d) other similar projects for additional funds that are not used, all as specifically set forth in the attached letter from Noyes Elementary School attached as Exhibit K; and (2) \$37,000 to the Parent-Teacher Organization for teacher special projects, field trips and/or additional electronic equipment for classrooms (computers or iPads), all as specifically set forth in the attached letter from the Noyes Elementary Parent Teacher Organization attached as Exhibit L.
- **Contribution to Greater Brookland Intergenerational Village ("GBIV").** The Applicant shall contribute \$50,000 to the GBIV, which is a grassroots nonprofit dedicated to helping elder neighbors develop the relationships and tools needed to age gracefully and successfully in the Brookland community. GBIV helps neighbors run regular social and wellness activities and educational workshops, leads discussions on aging-related topics (e.g., job searching in the digital age), and coordinates volunteer opportunities to provide one on one assistance to neighbors. The \$50,000 contribution will fund the Age Well Together Initiative for one year. This initiative is comprised of two focus areas – “Programs” and “Inclusion” - both geared towards addressing social isolation in older adults. Approximately \$29,000 of the contribution will be used for Programs to expand the virtual and in-person social, wellness and education resources. The remaining \$21,000 of the contribution will be used for Inclusion and such funds will be used to recruit participants that reflect the rich diversity of Ward 5. The Applicant will provide additional details as to this amenity, including a letter from GBIV, prior to a public hearing on the Project.
- **Contribution to the Village of Brookland Traditional Public Schools (the "Village").** The Applicant shall contribute \$30,000 to the Village, which is a non-profit organization (501(c)(3)) which provides opportunities for all student to thrive in the Brookland community by focusing on the right for all children to have a high-quality education. The Village engages with traditional public schools in the community, including the following five schools: John Burroughs Elementary School, Noyes Elementary School, Bunker Hill Elementary School, Brookland

Middle School, and Luck C Moor Opportunity Academy. The \$30,000 contribution will provide for increased learning resources for each school, including field trips, multicultural books, and STEAM support. Each school will receive \$3,600 to support these efforts, for a total of \$18,000. The remaining funds (approximately \$12,000) will be given to each school (in an amount of \$2,400 per school) to be used for technological tools, arts integration, professional development and international experiences as determined by the principal of the school. The Applicant will provide additional details as to this amenity, including a letter from the Village, prior to a public hearing on the Project.

- **Contribution to the Mint Project, Inc.** The Applicant shall contribute \$20,300 to the Mint Project, Inc., which hires at-risk and homeless young people and students from the community to become Project Management Interns. These interns complete beautification projects for community spaces in need. The funding will be used to secure materials and programming to beautify and support a new Wholistic Health and Nature driven Tele-therapy Clinic. Installation will be modular and moveable to ensure the impact of these funds remain lasting. The Applicant will provide additional details as to this amenity, including a letter from the Mint Project, Inc., prior to a public hearing on the Project.
- **Contribution for Expansion of Garden Area in Noyes Park.** The Applicant shall contribute \$50,000 to either the DC Department of Parks and Recreation or the Friends of Noyes Park to fund the labor and materials for the expansion of the garden area in Noyes Park. The proposed scope of work is the creation of approximately 20 additional garden plots, including surface preparation and installation of soil and fencing. The Applicant will provide additional details as to this amenity prior to a public hearing on the Project.
- **Contribution to Mary House.** The Applicant is offering to contribute \$20,000 to Mary House to fund supplemental housing assistance and other social services. Mary House is a non-profit (501(c)(3)), community-based transitional organization that has provided housing and support services to low-income immigrant and refugee families for over 35 years. The goals of Mary House are twofold: to provide a stable and nurturing environment for vulnerable families and to build customized support programs aimed at building their independence and self-sufficiency. Over time, Mary House has cultivated a strong relationship with ANC 5B, as 10 of its 13 facilities are located within ANC 5B's jurisdiction. The designated funds will cover housing and social services for three families residing in ANC 5B, as is set forth in the letter from Mary House attached as Exhibit M.

ii. Uses of Special Value to be Delivered Prior to Phase II

The Applicant will deliver the below-described public benefits prior to the issuance of a final certificate of occupancy for Phase II of the Project and will provide proof to the Zoning Administrator the specific goods or services have been delivered by that time.

- **Design of Reed Street for Farmers Market and Associated Contribution.** The design of Reed Street will accommodate the incorporation of a seasonal Farmers Market. The Farmers Market amenity will be located on Reed Street, in the area north of Evarts Street and south of the east-west alley (i.e., on the south side of the Phase II-A Building). A plan showing the proposed location and design of the Farmers Market is included with Sheet ___ of the Plans.

The Farmers Market will be coordinated with FreshFarms, a non-profit based in Washington, DC that promotes sustainable agriculture and improves food access and equity in the Mid-Atlantic region. FreshFarms has indicated that its costs are approximately \$30,000 to operate, on average, which includes equipment, insurance, permits, management, and programming. To support the creation of the Farmers Market, the Applicant will also contribute \$140,000 for the start-up costs associated with creation of the seasonal Farmers Market. This contribution is estimated to fund up to five years of operations and will be placed in an escrow fund for use by FreshFarms to support the Farmers Market annually. The Applicant will provide additional details as to this amenity, including a letter from FreshFarms, prior to a public hearing on the Project.

FreshFarms has requested additional physical support to include access to electrical outlets and a hose spigot, which the Applicant will commit to provide. In addition, FreshFarms has indicated that the Farmers Market needs access to a storage room in order to house tents, tables and other equipment necessary to operate the Farmers Market. The Applicant commits to providing a designated storage room within the Project for use by operator of the Farmers Market for so long as the Farmers Market is located along Reed Street.

- **Contribution for Off-Site Dog Park.** The Applicant will contribute up to \$50,000 for the creation of an off-site dog park within the boundaries of ANC 5B. The Applicant will work with the DC Department of Parks and Recreation and will provide additional details as to this amenity prior to a public hearing on the Project.
- **Additional Contribution to GBIV.** The Applicant will contribute an additional \$50,000 to GBIV to fund an additional year of the above-described programs.
- **Additional Contribution to The Village.** The Applicant will contribute an additional \$30,000 to the Village, as a second installment, to fund efforts to achieve racial justice and resource equity. Of this contribution, \$12,000 will be distributed based on a community vote, with the goal of providing these funds to the school experiencing the greatest inequity: \$12,000 will be used at the discretion of teachers for classroom resources and family engagement opportunities (\$2,400 / school); and \$6,000 will be dedicated toward the Village's operations and marketing efforts. As noted above, the Applicant will provide additional details as to this amenity, including a letter from the Village, prior to a public hearing on the Project.

iii. Potential Changes to the Uses of Special Value

In the event that any of the organizations designated to received funding (the “Designated Organizations”) under the Uses of Special Value reject the proposed funding for the projects and/or goods and services described or are otherwise unable to accept the designated funding for the purposes set forth herein (the “Rejected Funding”), the Applicant shall in writing inform ANC 5B that the organization cannot receive funding and ask ANC 5B to reallocate the funds amongst the other Designated Organizations to further fund the projects, goods and services as stated above. If ANC 5B fails to reallocate the funding within 90 days, the Applicant shall split the Rejected Funding between the Designated Organizations for the specified projects and/or goods and services described above.

6. Urban Design and Architecture (11-X DCMR § 305.5(a)); Site Planning and Efficient Economical Land Utilization (11-X DCMR § 305.5(c))

The Project was designed to be compatible with the overall neighborhood, with the majority of the density – i.e., the West Building – being placed close to the existing WMATA tracks and away from the residential properties to the east. The integration of courtyards and setbacks break up the façade along Reed Street and create a pedestrian scale, and the courtyards have been designed to align with backyards to reduce impacts to light and air. The Phase II-A Building has been designed to be compatible with the abutting residential neighborhood, as it will include a 1:1 setback above the fourth story, with a maximum of 65 feet. Although the Applicant had initially proposed a habitable penthouse for the Phase II-A Building, this has been removed in response to concerns raised by the community and to reduce the visual height of the building.

In addition to integrating a thoughtful urban design, the Project will also replace underutilized industrial land with residential and maker space uses, including major enhancements to the pedestrian experience. The replacement of underutilized sites constitutes a significant benefit because it will enhance safety, result in aesthetic improvements to the community, and replace uses that are not compatible with the surrounding residential community or the goals of the Comprehensive Plan. The PUD Site’s current PDR zoning is inconsistent with the PUD Site’s FLUM designations as Mixed Use (High Density Residential / PDR) and Mixed Use (Moderate Density Residential / PDR). Accordingly, the PUD will result in a much more efficient and

economical use of the PUD Site, providing an appropriate mix of residential and non-residential uses that achieve the District’s planning objectives.

VI. OUTREACH TO COMMUNITY, OFFICE OF PLANNING, AND OTHER DISTRICT AGENCIES

A. Notice of Intent and Meeting History in Compliance with 11-Z DCMR § 300.11(e)

Pursuant to 11-Z DCMR § 300.7, the Applicant mailed a Notice of Intent (“NOI”) to file subject application to the owners of all property within 200 feet of the perimeter of the PUD Site as well as to ANC 5B and the BNCA on November 16, 2021, more than 45 days prior to the date of this application.

Before the NOI was sent, however, and since that time, the Applicant has worked closely with ANC 5B and other community stakeholders, including the BNCA, to ensure that the Project provides a positive impact to the immediate neighborhood and is designed to be consistent with community goals. The relevant meeting history is listed below:

- October 6, 2021: Site Walk with BNCA Leadership
- October 15, 2021: Site Walk with Commissioner Ra Amin (SMD 5B-04)
- October 19, 2021: BNCA Membership Meeting (virtual)
- October 27, 2021: Presentation to ANC 5B (virtual)
- October 28, 2021: Immediate Community Meeting (in person)
- November 11, 2021: Community Meeting re: Traffic (virtual)
- November 15, 2021: SMD Meeting (virtual)
- November 22, 2021: Immediate Community Meeting (in person)
- December 16, 2021: BNCA Membership Meeting (virtual)
- January 11, 2022: Community Meeting re: Traffic (virtual)

Modifications to the Project that have resulted from these various meetings with the community are detailed in the section below.

Furthermore, the Applicant engaged the Office of Planning (“OP”) early in the development process and attended four separate meetings with OP prior to filing the subject application. Those meetings occurred on September 30, 2021, October 15, 2021, November 1, 2021, and January 11, 2022. In accordance with 11-Z DCMR § 300.11(e), the PUD’s design was informed by these discussions with OP, including as to the appropriate zone designations for the PUD Site which dictate the height and density of the Project and to the vision and general planning

goals for the Reed Street area. The Applicant will continue to work with OP through the process of review.

Regarding other District agencies, the Applicant also attended four separate meetings with DDOT, which occurred on September 28, 2021, October 6, 2021, October 25, 2021, and November 4, 2021. As a result of DDOT's input, the Applicant made significant changes to the realignment of Reed Street, with the primary change being the dedication of sidewalks (10 feet on each of side of Reed Street abutting the Project) in fee, as opposed to by easement.⁹ The Applicant has also began its outreach to other District agencies, including the Department of Energy and Environment (DOEE) and WMATA, and will provide information pertaining to these discussions in its future filings.

B. Refinements to Project Made in Response to Community Feedback

The development of the PUD Site has been under consideration by the community for a period of time. Based on initial guidance from the community, the Applicant designed the project to locate most of the density adjacent to the tracks and to be mindful of the impact of the Phase II-A Building on the nearby residential uses. To that end, the Applicant initially incorporated a 1:1 setback at the 4th level (approximately 42 feet) in order to reduce the visibility of the height of the building from these nearby homes. In addition, while not required, the Applicant also incorporated a building setback of 11 feet starting at the ground floor along the east side of the building. This setback provides greater distance from the row homes fronting on 10th Street and effectively increases the width of the 16-foot north-south alley.

The Applicant's engagement with the community and other interested stakeholders facilitated a collaborative effort whereby the Project has been modified and refined since its initial concept. Based on this feedback and the issues raised by the community, the Applicant has made several adjustments to the Project, which include the following:

- Removal of Habitable Penthouse on Phase II-A Building: The MU-4 zone permits penthouse habitable space having a maximum height of 12 feet, with up to 18 feet, 6 inches permitted for penthouse mechanical space. As originally proposed, the Phase II-

⁹ This change resulted in the requested flexibility for lot occupancy. *Infra* Section IV.I.1.

A Building include an occupied penthouse, which was fully compliant with the penthouse regulations. The immediate neighbors, however, raised concerns as to the impact of such additional height on the nearby row homes, particularly the row homes fronting along 10th Street, NE to the east. In response to that concern, the Applicant fully removed the occupied penthouse (approximately 10,268 square feet of gross floor area), which the community agreed softened the visual impact of the Project.

- Adjustment to Ground Level Setbacks of Phase II-A Building: In response to concerns raised by the nearby home owners, the Applicant switched the designated rear yard and the side yard for the Phase II-A Building to address community input regarding the width of the abutting north-south alley and mitigating potential conflicts between vehicles, loading trucks, and pedestrians. The result is that the east façade of the Phase II-A Building has been set back 15 feet from the property line along the north-south 16-foot alley, which effectively increases the width of the alley to 31 feet. Similarly, the south façade of the east-west alley has been set back 11 feet from the property line along the east-west 20-foot alley, which also effectively increases the width of the alley to 31 feet.

In addition to these design adjustments, the Applicant has also incorporated significant changes to the proposal to address transportation and traffic mitigation considerations. These include the addition of pervious paving to both the east-west and north-south alleys abutting the Phase II-A Building as well as the development of a comprehensive traffic calming proposal, which contains a list of various traffic calming measures within the greater neighborhood to address existing traffic issues and concerns. Furthermore, the proposed benefits and amenities package for the overall Project is a direct reflection of the Applicant's ongoing collaboration with the ANC, the BNCA, and the community.


VII. CONCLUSION

For the foregoing reasons, the Applicant submits that the PUD plan meets the standards of Subtitle X, Chapter 3 of the Zoning Regulations; is consistent with the purposes and intent of the Zoning Regulations and Zoning Map; is consistent with the land use objectives of the District of Columbia; will enhance the health, welfare, safety and convenience of the citizens of the District

of Columbia; satisfies the requirements for approval of a consolidated PUD; provides significant public benefits and project amenities; advances important goals and policies of the District of Columbia and, therefore, should be approved by the Zoning Commission. Accordingly, the Applicant requests that the Zoning Commission approve the PUD application and the concurrent changes in zoning.

Respectfully submitted,

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