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April 6, 2018

## **VIA HAND DELIVERY**

Ms. Jennifer Steingasser  
D.C. Office of Planning  
1100 4<sup>th</sup> Street, SW, Suite E650  
Washington, DC 20024

**Re: Large Tract Review Application  
1515 New York Avenue, NE (Square 4037, Lot 813)**

Dear Ms. Steingasser:

On behalf of Jemal's Hecht East T L.L.C. (the "Applicant"), the owner of property located at 1515 New York Avenue, NE (Square 4037, Lot 813) (the "Site"), and pursuant to 10 DCMR Chapter 23, we hereby submit an application for large tract review. The Applicant seeks to redevelop the Site with a new building comprised of approximately 92,828 square feet of gross floor area devoted to retail and large format retail uses. Large tract review is required because the proposal is a commercial development with 50,000 square feet or more of gross floor area. Consistent with 10 DCMR § 2301.3, eight copies of the application package are enclosed, including the following materials:

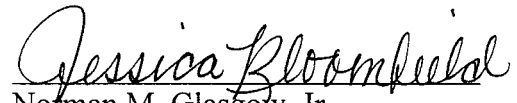
- Completed Certification Form (10 DCMR § 2301.3(a));
- Letter of authorization from the Applicant (10 DCMR § 2301.3(b));
- A map showing the location of the proposed project and the existing zoning of the Site (10 DCMR § 2301.3(c));
- Applicant's statement (10 DCMR § 2301.3(d), (e), and (i));
- A general site development plan (10 DCMR § 2301.3(f)), typical floor plans (10 DCMR § 2301.3(h)), and a general circulation plan (10 DCMR § 2301.3(g)); and
- A list of property owners within 200 feet of the subject site, and mailing labels (10 DCMR § 2306.2(c)).

A vehicular trip generation, trip assessment, and capacity analysis (10 DCMR § 2301.3(j)) is forthcoming.

With these materials, we respectfully request the Office of Planning to begin its review, including referral of the application to all applicable District government agencies and departments. We look forward to working with you on this project.

Respectfully,

HOLLAND & KNIGHT LLP

A handwritten signature in cursive script, reading "Jessica Bloomfield".

Norman M. Glasgow, Jr.

Jessica R. Bloomfield

Enclosures

cc: Joel Lawson, D.C. Office of Planning (via Email and Hand Delivery)  
Advisory Neighborhood Commission 5D (via Email)  
Peta-Gay Lewis, ANC 5D01 (via Email and U.S. Mail)

**SUBMISSION FOR LARGE TRACT REVIEW  
BY THE  
DISTRICT OF COLUMBIA  
OFFICE OF PLANNING**

**Application of Jemal's Hecht East T L.L.C.**

**1515 New York Avenue, NE  
Square 4037, Lot 813**

**April 6, 2018**

Submitted by, on behalf of the Applicant:

Holland & Knight LLP  
800 17<sup>th</sup> Street, NW  
Suite 1100  
Washington, DC 20006  
Norman M. Glasgow, Jr., Esq.  
Jessica R. Bloomfield, Esq.

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## **DEVELOPMENT TEAM**

**Developer:** Jemal's Hecht East T L.L.C.  
c/o Douglas Development Corporation  
702 H Street, N.W., Suite 400  
Washington, DC 20001

**Architect:** Bignell Watkins Hasser Architects  
One Park Place, Suite 250  
Annapolis, MD 21401

**Traffic Consultant:** Gorove/Slade Associates, Inc.  
1140 Connecticut Avenue, NW  
Suite 600  
Washington, DC 20036

**Civil Engineer:** Dewberry  
2101 Gaither Road, Suite 340  
Rockville, MD 20850

**Land Use Counsel:** Holland & Knight LLP  
800 17<sup>th</sup> Street, NW  
Suite 1100  
Washington, D.C. 20006

### **LIST OF EXHIBITS**

<b>Exhibit A</b>	Architectural Plans and Elevations, General Circulation Plan
<b>Exhibit B</b>	Notice of Final Rulemaking – Z.C. Case No. 08-06O
<b>Exhibit C</b>	Map Showing Location of the Proposed Project and Existing Zoning
<b>Exhibit D</b>	Photographs of Subject Property showing existing conditions
<b>Exhibit E</b>	Comprehensive Plan Future Land Use Map
<b>Exhibit F</b>	Comprehensive Plan Generalized Policy Map
<b>Exhibit G</b>	Surveyor's Plat
<b>Exhibit H</b>	Completed Certification Form
<b>Exhibit I</b>	Letter of Authorization
<b>Exhibit J</b>	List of Property Owners within 200 feet of the Subject Property

## **I. INTRODUCTION**

This statement and supporting documentation is submitted on behalf of Jemal's Hecht East T L.L.C. (the "Applicant") to the District of Columbia Office of Planning for large tract review of the proposed development at 1515 New York Avenue, NE (Square 4037, Lot 813) (the "Subject Property"). The Subject Property is located in the Ivy City neighborhood of Washington, DC, and is bounded by New York Avenue, NE to the north, 16<sup>th</sup> Street, NE to the east, and private property to the south and west. According to the records of the Office of Tax and Revenue, the Subject Property has approximately 85,536 square feet of land area (1.96 acres), and is presently improved with one- and two-story warehouse and loading facilities.

As shown on the Architectural Plans and Elevations attached hereto as Exhibit A, the Applicant proposes to demolish a significant portion of the existing structure (approximately 69,350 square feet, leaving only approximately 1,350 square feet to remain to accommodate existing utilities) and to construct a new building with retail and large format retail uses. The new building will be primarily one-story with a second-story proposed at the northwest corner. The building will have approximately 92,828 square feet of gross floor area (1.08 FAR) and will have a maximum building height of 50 feet as permitted in the PDR-3 District.

This application is submitted in accordance with subsection 2300.1(a) of Title 10 of the District of Columbia Municipal Regulations ("DCMR"). Pursuant to 10 DCMR § 2300.1, the Office of Planning shall ensure that there is established a coordinated interagency review process in the District of Columbia to do the following:

- a. Review, prior to the filing of applications for building or construction permits, all large tract development projects comprising three (3) acres or more and any commercial or mixed-use commercial development of fifty thousand square feet (50,000 sf) or more gross floor area (above grade) and cellar area (below grade);

- b. Review, in the case of large tract development of ten (10) acres or more, all applications for subdivision authorizations and for multiple building covenants under § 108.7 of the District of Columbia Building Code (DCMR Title 12); and comprising three (3) to ten (10) acres, if in the judgment of the Director of the Office of Planning, such review is necessary; and
- c. Review requests for subdivisions of tracts and land comprising three (3) to ten (10) acres, if in the judgment of the Director of the Office of Planning such review is necessary.

In this case, the Applicant proposes a commercial development of 50,000 square feet or more of gross floor area, which triggers large tract review by virtue of 10 DCMR § 2300.1(a). As set forth below, this application meets the standards for large tract review and approval pursuant to 10 DCMR § 2301.3. In accordance with the provisions of 10 DCMR, Chapter 23, the Applicant respectfully requests the Office of Planning (“OP”) to proceed with its review, refer the application to District agencies as necessary, and issue a report on the application, unless OP determines to exempt this application from large tract review for the reasons set forth below. In addition, pursuant to an amendment Subtitle U § 802.1(j) of the 2016 Zoning Regulations, which was considered and approved by the Zoning Commission in Z.C. Case No. 08-06O, the Applicant filed an application with the Board of Zoning Adjustment (BZA Case No. 19752) to permit large format retail use in the PDR-3 District as a special exception. The Applicant suggests to OP that both LTR and BZA review are not necessary and OP should consider exempting from LTR review BZA applications approved pursuant to Subtitle U § 802.1(j), after adoption by the Zoning Commission. A copy of the Notice of Final Rulemaking in Z.C. Case No. 08-06O is attached hereto as Exhibit B.

## **II. DESCRIPTION OF THE SUBJECT PROPERTY AND SURROUNDING AREA**

### **A. Subject Property**

The Subject Property consists of approximately 85,536 square feet of land area (1.96 acres) in Square 4037, and is located in the PDR-3 Zone District. As shown on the zoning map attached



hereto as Exhibit C, Square 4037 is bounded by New York Avenue, NE to the north, 16<sup>th</sup> Street, NE to the east, Okie Street, NE to the south, and Fenwick Street, NE to the west. The Subject Property is located in the northeast corner of Square 4037, is generally rectangular in shape, and is bounded by New York Avenue, NE to the north, 16<sup>th</sup> Street, NE to the east, and private property owned by the Applicant development company (Douglas Development Corporation) to the south and west (Lots 814 and 812, respectively). As shown in the existing photographs attached as Exhibit D, the Subject Property is presently improved with one- and two-story warehouse and loading facilities.

## **B. Surrounding Area**

The Subject Property is located within the Ivy City neighborhood of the District. It is generally surrounded by production, distribution, and repair zones (PDR-1 through PDR-4). The CSX and Metrorail tracks are located across New York Avenue to the north; the National Arboretum and Mount Olivet Cemetery are located to the southeast.

To the southwest of the Subject Property, also in Square 4037 and also owned by the Applicant development company, is the historic Hecht Company Warehouse building, which was converted to a residential apartment house with ground floor retail use pursuant to Z.C. Order No. 14-01, effective on August 8, 2014, as modified by Z.C. Order No. 14-01A, effective on July 24, 2015. As part of Z.C. Order No. 14-01, the Zoning Commission approved a Zoning Map amendment for the Hecht Warehouse site from the C-M-2 District to C-3-C District (from the PDR-2 District to the MU-9 District under the 2016 Zoning Regulations). The building now operates as an apartment house with approximately 335 rental residential units. Surrounding the Subject Property and the Hecht Warehouse residential building are a variety of retail, eating and drinking, and service establishments, such as a Mom's Organic grocery store, Nike Community

store, T.J. Maxx, Petco, Ulta Beauty, Planet Fitness and a variety of other fitness studios, and a number of restaurants, bars, breweries, and distilleries,

Also to the southwest of the Subject Property in Square 4037 is an above-ground parking structure with ground floor retail that serves the surrounding residential and retail uses. The parking garage site was rezoned from the C-M-2 District to the C-M-3 District (from the PDR-2 District to the PDR-3 District under the 2016 Zoning Regulations) pursuant to Z.C. Order No. 13-02, effective on July 19, 2013. The parking garage has approximately 996 total parking spaces, the majority of which have or will be allocated to surrounding retailers and to the residential tenants within the Hecht Warehouse building. Separating the parking garage and the Subject Property is a private road owned by the Applicant known as Walt Lincoln Way, which is used as a walkable, pedestrian-friendly and dog park space for neighborhood residents and visitors.

Several Metrobus routes travel along the roads surrounding the Subject Property, including the D4 and E2 routes, which connect the Subject Property to downtown DC via West Virginia Avenue, NE and K Street, NW, and north to Fort Totten via 18th Street, NE and South Dakota Avenue, NE. The nearby S41 routes connects the Subject Property to neighborhoods south of the National Arboretum and north of the rail line along Montana and Rhode Island Avenues, NE. The D8 route runs from Howard University to the north, past the Subject Property along 9th Street, NE and Mt. Olivet Road, NE, to Union Station. The closest Metrorail stations to the Subject Property are the Rhode Island Avenue and the NoMa-Gallaudet University stations, which both are located along the Red Line.

### **C. Zoning**

As shown on the Zoning Map attached as Exhibit C, the Subject Property is zoned PDR-3. The PDR-3 District is intended to permit high-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 zones. 11-J DCMR § 200.3. The maximum permitted density in the PDR-3 District is 6.0 FAR and 4.0 FAR for restricted uses. 11-J DCMR § 202.1.<sup>1</sup> The maximum permitted height in the PDR-3 District is 90 feet, and the maximum permitted penthouse height is 20 feet in one story plus a mezzanine, with a second story permitted for penthouse mechanical space. 11-J DCMR §§ 203.1 and 203.6.

Use permissions for the PDR zones are specified in 11-U DCMR Chapter 8. 11-J DCMR § 102. By report dated February 16, 2018, the Office of Planning submitted a request for a minor modification to the text of 11-U DCMR § 802.1 to include large format retail as a special exception use in the PDR zones. *See* Z.C. Case No. 08-06O. In that report, OP noted that in its October 6, 2014 deliberations regarding the then-proposed new Zoning Regulations, the Zoning Commission had voted in favor of OP's recommendation to require a special exception for large format retail uses in the PDR zones. This intent was made clear in the Z.C. Notice of Final Rulemaking for Z.C. Order No. 08-06A, attached hereto. However, the explicit special exception language was not included in the final text of the 2016 Zoning Regulations. On February 26, 2018, the Zoning Commission voted 5-0-0 to approve the proposed text amendment for large format retail use in the PDR zones, including approval of immediate publication of the text amendment in the *D.C. Register*. *See* Z.C. Case No 08-06O. On March 28, 2018, the Applicant submitted an application to the Board of Zoning Adjustment for special exception approval to permit large format retail use at the Subject Property. *See* BZA Case No. 19752.

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<sup>1</sup> The following use categories may achieve the maximum 6.0 FAR: (a) agriculture, large; (b) animal care and boarding and animal shelter; (c) arts, design, and creation; (d) basic utilities; (e) large-scale government; (f) production, distribution, and repair; and (g) waste-related services. 11-J DCMR §202.2. All other permitted, conditional, or special exception use categories are subject to the maximum FAR for restricted uses. 11-J DCMR § 202.3.

#### **D. Future Land Use and Generalized Policy Maps**

As shown on Exhibit E, the Comprehensive Plan Future Land Use Map designates the Subject Property within the PDR category. Pursuant to 10A DCMR § 225.12:

The Production, Distribution, and Repair (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 noise-, air pollution- and light-sensitive uses such as housing. This category is also used to denote railroad rights-of-way, switching and maintenance yards, bus garages, and similar uses related to the movement of freight, such as truck terminals. A variety of Zone districts apply within PDR areas, recognizing the different intensities of use and impacts generated by various PDR activities. The corresponding Zone districts are generally CM-1, CM-2, CM-3, and M, although other districts may apply. The present density and height limits set by these districts are expected to remain for the foreseeable future.

As shown on Exhibit F, the Comprehensive Plan Generalized Policy Map describes the Subject Property as a Neighborhood Conservation Area. Pursuant 10A DCMR § 223.4:

Neighborhood Conservation areas have very little vacant or underutilized land. They are primarily residential in character. Maintenance of existing land uses and community character is anticipated over the next 20 years. Where change occurs, it will be modest in scale and will consist primarily of scattered site infill housing, public facilities, and institutional uses. Major changes in density over current (2005) conditions are not expected but some new development and reuse opportunities are anticipated. Neighborhood Conservation Areas that are designated “PDR” on the Future Land Use Map are expected to be retained with the mix of industrial, office, and retail uses they have historically provided.

### **III. PROPOSED PROJECT**

As shown on the architectural drawings attached hereto, the Applicant proposes to demolish the existing structure (maintaining the utility connections) and construct a new building with retail and large format retail uses at the Subject Property. The new building will be primarily one-story with a second-story proposed at the northwest corner. The building will have approximately 92,828 square feet of gross floor area (1.08 FAR) and will have a maximum building height of 50 feet as permitted in the PDR-3 District.

As currently contemplated, up to five retail tenants can be accommodated within the proposed building. Target will occupy the majority of the space, accounting for approximately 67,106 square feet on the ground floor only. Three smaller tenants will occupy a total of approximately 8,089 square feet on the ground floor. A fourth tenant, accessed by an individual ground level lobby, will occupy approximately 12,602 square feet on the second floor. Approximately 140 parking spaces will be located in a single below-grade level to serve the retail use within the building. The project will also provide the required number of long- and short-term bicycle parking spaces, showers, and lockers for the retail use. Loading will be accessed from 16<sup>th</sup> Street, NE and will include three loading berths. A separate service/delivery space will be accessed from Walt Lincoln Way, the private street to the west of the Subject Property.

The Subject Property is located in an exciting new mixed-use destination at the gateway to the District along the highly traveled New York Avenue, NE. Significant new mixed-use development of new buildings and infrastructure, including the adaptive reuse of existing buildings, is rapidly occurring in the neighborhood. Redevelopment of the Subject Property is an important addition to the neighborhood. In developing the Subject Property and the surrounding properties, the Applicant envisions a vibrant new mixed-use and walkable community in an emerging neighborhood that has been long starved for excitement and entertainment. The estimated project completion date is April, 2020.

#### **IV. CONSISTENCY WITH DISTRICT OF COLUMBIA ZONING REGULATIONS**

Other than the special exception to permit large format retail use at the Subject Property, the proposed project is currently designed to meet all applicable requirements of the PDR-3 District, including building height, density, and setbacks, and also conforms to the applicable parking and loading requirements. If any development plans change for the project, the Applicant will seek relief from the Board of Zoning Adjustment as needed.

## **V. CONSISTENCY WITH THE COMPREHENSIVE PLAN**

As discussed in detail below, the proposed development at the Subject Property is not inconsistent with the policies set forth in the citywide and area elements of the Comprehensive Plan for the National Capital: District Elements.

### **A. Purposes of the Comprehensive Plan**

The District Elements of the Comprehensive Plan are designed to do the following:

- a. Define the requirements and aspirations of District residents, and accordingly influence social, economic, and physical development;
- b. Guide executive and legislative decisions on matters affecting the District and its citizens;
- c. Promote economic growth and jobs for District residents;
- d. Guide private and public development in order to achieve District and community goals;
- e. Maintain and enhance the natural and architectural assets of the District; and
- f. Assist in the conservation, stabilization, and improvement of each neighborhood and community in the District.

*See D.C. Code § 1–306.01(b)(2014)).*

The project has been designed with consideration given to these general purposes and the specific policies contained within the Comprehensive Plan intended to carry out these purposes.

### **B. Compliance with the Citywide Elements of the Comprehensive Plan**

The project is not inconsistent with the citywide elements of the Comprehensive Plan, as set forth below.

#### **i. Framework Element**

The Comprehensive Plan's Framework Element establishes the foundation for the various elements of the Plan by discussing the major factors that are driving change in the District,

including demographic shifts, economic and technological change, fiscal constraints, and challenges in governance between federal and local issues. The Framework Element also describes expected growth projections in areas such as population, households, and jobs, and discusses how the District expects to address or accommodate the expected growth according to a set of 36 underlying guiding principles which are grouped into the following five sections: Managing Growth and Change; Creating Successful Neighborhoods; Increasing Access to Education and Employment; Connecting the City; and Building Green and Healthy Communities. These principles guided the creation of policies contained within the various elements of the Comprehensive Plan, as well as the development of the Generalized Policy Map, which highlights the places where much of the District's growth is expected to occur, and the Future Land Use Map, which shows the general character and distribution of recommended and planned land uses. In designing the project, the Applicant relied on the Generalized Policy Map, the Future Land Use Map, and the Zoning Regulations and Zoning Map to create an appropriate layout and mix of uses for the Subject Property. The Applicant also took into consideration a number of the guiding principles of the Comprehensive Plan, such as those listed below:

- Managing growth by reserving sites for future development and considering infrastructure capacity; encouraging redevelopment and infill opportunities along corridors (10A DCMR § 217);
- Protecting neighborhood integrity and character; improving safety and security (10A DCMR § 218);
- Reinforcing the city's "great streets" as an element of Washington's design through transportation, streetscape, and economic development (10A DCMR §§ 220); and
- Improving environmental sustainability (10A DCMR § 221).

To assist the District of Columbia government in carrying out the scope of the requested Large Tract Review, as defined in 10 DCMR § 2302.1, the following sections of this report will

discuss the proposed development's relationship to various citywide and area-specific elements of the Comprehensive Plan.

ii. Land Use Element

The Land Use Element of the Comprehensive Plan establishes the basic policies guiding the physical form of the city, and provides direction on a range of development, conservation, and land use compatibility issues. The goal of the Land Use Element is to:

Ensure the efficient use of land resources to meet long-term neighborhood, citywide, and regional needs; to help foster other District goals; to protect the health, safety, and welfare of District residents and businesses; to sustain, restore or improve the character and stability of neighborhoods in all parts of the city; and to effectively balance the competing demands for land to support the many activities that take place within District boundaries.

10A DCMR § 302.1. The project is not inconsistent with the following specific policies articulated in the Land Use Element:

1. *Policy LU-1.2.2: Mix of Uses on Large Sites* - Ensure that the mix of new uses on large redeveloped sites is compatible with adjacent uses and provides benefits to surrounding neighborhoods and to the city as a whole. The particular mix of uses on any given site should be generally indicated on the Comprehensive Plan Future Land Use Map and more fully described in the Comprehensive Plan Area Elements. Zoning on such sites should be compatible with adjacent uses.
2. *Policy LU-1.2.6: New Neighborhoods and the Urban Fabric* - On those large sites that are redeveloped as new neighborhoods (such as Reservation 13), integrate new development into the fabric of the city to the greatest extent feasible. Incorporate extensions of the city street grid, public access and circulation improvements, new public open spaces, and building intensities and massing that complement adjacent developed areas. Such sites should not be developed as self-contained communities, isolated or gated from their surroundings.
3. *Policy LU-1.4.1: Infill Development* – Encourage infill development on vacant land within the city, particularly in areas where there are vacant lots that create “gaps” in the urban fabric and detract from the character of a commercial or residential street. Such development should complement the established character of the area and should not create sharp changes in the physical development pattern.
4. *Policy LU-2.4.6: Scale and Design of New Commercial Uses* - Ensure that new uses within commercial districts are developed at a height, mass, scale and design that is appropriate and compatible with surrounding areas.



5. *Policy LU-2.4.10: Use of Public Space within Commercial Centers* - Carefully manage the use of sidewalks and other public spaces within commercial districts to avoid pedestrian obstructions and to provide an attractive and accessible environment for shoppers. Where feasible, the development of outdoor sidewalks cafes, flower stands, and similar uses which “animate” the street should be encouraged. Conversely, the enclosure of outdoor sidewalk space with permanent structures should generally be discouraged.
6. *LU-3.1.2: Redevelopment of Obsolete Industrial Uses* - Encourage the redevelopment of outmoded and non-productive industrial sites, such as vacant warehouses and open storage yards, with higher value production, distribution, and repair uses and other activities which support the core sectors of the District economy (federal government, hospitality, higher education, etc.).

The proposed retail use at the Subject Property is fully compatible with nearby uses and will significantly benefit the surrounding neighborhood and the District as a whole. Consistent with Policy LU-1.2.6, the Subject Property will be redeveloped as part of a new neighborhood, and will be designed so that the new construction and associated infrastructure integrate seamlessly into the existing urban fabric through extensions of streets and sidewalks, establishment of new public open spaces, and the implementation of new retail uses that will draw a consistent stream of visitors to the Subject Property. The project will be an infill development on underutilized land that currently detracts from the surrounding neighborhood character and eliminates continuity. The project will incorporate streetscape and public space improvements to enhance the pedestrian experience, animate the street, and increase safety and security. Overall, the proposed development of the Subject Property will result in the reuse of an obsolete and non-productive industrial site with vibrant new retail and elegant architectural design.

iii. Transportation Element

The Transportation Element of the Comprehensive Plan identifies policies and actions designed to maintain and improve the District's transportation system and enhance the travel choices of current and future residents, visitors, and workers. Through these policies and actions,

the critical transportation issues facing the District are addressed, including expansion of the transit system and improving its efficiency, making investments to upgrade infrastructure, and travel demand management. According to the Comprehensive Plan, the overarching goal for transportation in the District is to:

Create a safe, sustainable, efficient multi-modal transportation system that meets the access and mobility needs of the District residents, the regional workforce, and visitors; supports local and regional economic prosperity; and enhances the quality of life for District residents.

10 DCMR 401.1. The project is not inconsistent with the following policies of the Transportation Element:

1. *T-1: Linking Land Use and Transportation* - The balance between housing and jobs plays a clear role in travel patterns. In general, the demands on our transportation system are reduced when homes are located close to places of employment and shopping. People spend less time traveling and overall quality of life may be improved... Although the District has already developed walkable, transit-oriented neighborhoods, future opportunities will arise to strengthen the linkage between land use and transportation as new development takes place. Design features play an important role in this equation. Residential communities should be developed so that services such as shopping are accessible on foot, transit, or bicycle and not just by car.
2. *Policy T-1.2.1: Boulevard Improvements* - Continue to work across District agencies to beautify and stabilize selected boulevards by implementing coordinated transportation, economic development, and urban design improvements.
3. *T-3.2 Curbside Management and Parking* - Long- or short-term parking is part of almost every car trip, and parking— especially when free—is a key factor in the mode choice for a trip. The availability and price of parking can influence people’s choices about how to travel to work, shop, and conduct personal business. The District’s challenge, like that of many other major cities, is to manage limited curbside space to accommodate ever increasing parking demand.

The project meets the goals of the Transportation Element by creating a vibrant development that will provide new retail uses adjacent to existing and under-construction mixed use development. The project will be highly walkable through the provision of new sidewalks and streetscape improvements and the close proximity between the existing mix of complementary

uses. Redevelopment of the Subject Property will put additional eyes and ears on the street, thus increasing safety and encouraging pedestrian and bicycle use to and through the Subject Property. The project also provides ample vehicle parking to adequately accommodate the anticipated parking demand. Furthermore, the Subject Property's location along New York Avenue will help to beautify and stabilize the corridor as a welcoming gateway into the District.

In consultation with the District Department of Transportation ("DDOT"), the Applicant will prepare a Comprehensive Transportation Review ("CTR") Report that includes an assessment of potential impacts of the project on the surrounding transportation network. The CTR will review and analyzes the following: (i) the roadway network, capacity, and operations; (ii) bicycle and pedestrian facilities; (iii) transit service; (iv) site access and loading; (v) parking; (vi) transportation demand management; (vii) safety; and (viii) improvements to the streetscape and public realm. The Applicant will submit the CTR after filing this application.

iv. Environmental Protection Element

The Environmental Protection Element addresses the protection, restoration, and management of the District's land, air, water, energy, and biologic resources. This element sets forth policies and actions on important issues including, among others, restoring tree canopy, improving waterways, conserving water and energy, encouraging green building techniques, and reducing stormwater runoff. The proposed redevelopment of the Subject Property is not inconsistent with the policies of the Environmental Protection Element, and helps advance the following specific environmental policies:

1. *Policy E-1.1.3: Landscaping* – Encourage the use of landscaping to beautify the city, enhance streets and public spaces, reduce stormwater runoff, and create a stronger sense of character and identity.
2. *Policy E-3.1.2: Using Landscaping and Green Roofs to Reduce Runoff* – Promote an increase in tree planting and landscaping to reduce stormwater runoff, including the

expanded use of green roofs in new construction and adaptive reuse, and the application of tree and landscaping standards for parking lots and other large paved surfaces.

3. *Policy E-4.2.3: Control of Urban Runoff* – Continue to implement water pollution control and “best management practice” measures aimed at slowing urban runoff and reducing pollution, including the flow of sediment and nutrients into streams, rivers, and wetlands.
4. *Policy E-5.3.1: Brownfield Remediation* - Clean up and redevelop contaminated “brownfield” sites, providing new business and job opportunities and expanding land resources for economic development, open space, and other purposes. Provide financial incentives for the remediation and redevelopment of these sites.

Currently, the Subject Property has essentially no stormwater management and is devoid of significant vegetation or landscaping. The proposed development presents an opportunity to improve stormwater management through upgrades in infrastructure and the use of sustainable strategies and low impact development, which will ultimately reduce runoff and water pollution. The project will also incorporate streetscape improvements, including the planting of new trees and landscaping. Furthermore, the Subject Property will be wholly cleaned up and redeveloped, providing new business and job opportunities, expanding resources for new economic development, and creating a stronger sense of character and identity.

v. Economic Development Element

The overarching goal for Economic Development in the District is to :

Strengthen the District’s economy by sustaining its core industries, attracting new and diverse industries, accommodating future job growth, fostering the success of small businesses, revitalizing neighborhood commercial centers, improving resident job skills, and helping a greater number of District residents find and keep jobs in the Washington regional economy.

10A DCMR § 701.1. The project is not inconsistent with the policies set forth in the Economic Development element as follows:

1. *ED-3.1 Strengthening Neighborhood Commercial Centers* - Part of growing an inclusive city involves improving access to basic goods and services for residents in all parts of the city. Currently, some areas of the District lack basic amenities such as grocery stores, hardware stores, drug stores, and dry cleaners. In other parts of the city,

these services exist but they are poorly sited and do not provide the sense of community identity that they could.

2. *Policy ED-3.1.1: Neighborhood Commercial Vitality* - Promote the vitality and diversity of Washington's neighborhood commercial areas by retaining existing businesses, attracting new businesses, and improving the mix of goods and services available to residents.

The proposed mix of uses on the Subject Property will help to increase the number of visitors to the District and the number of visitors staying in the District through the provision of a new retail destination in a desirable location. Retail development on the Subject Property will improve access to basic goods and services for District residents and will draw visitors, patrons, and new employees from outside of the District to take advantage of new retail options in a convenient location. Furthermore, the mix of uses and pedestrian-friendly design will foster a sense of community identity, since retail patrons and employees, as well as neighborhood residents and visitors, will all be able to easily walk to and through the Subject Property to access the variety of goods, services, and retail amenities provided.

vi. Urban Design Element

The Urban Design Element addresses the District's form and visual qualities and describes the manner in which the city's buildings, streets, and open spaces work together to define the overall physical environment that residents and visitors experience. Some of the critical urban design issues that are addressed through the policies of the Urban Design Element include improving the public realm, addressing infrastructure and other barriers that have visual and functional impacts, and designing for successful neighborhood and large site reintegration. Considering successful urban design often entails weaving together land use, environmental protection, transportation, and even economic development considerations.

The project is not inconsistent with the policies of the Urban Design Element, in part, by way of its adherence with the policies contained in other elements, as described above. The specific urban design policies that influenced development of the project include the following:

1. *Policy UD-1.4.1: Avenues/Boulevards and Urban Form* - Use Washington's major avenues/boulevards as a way to reinforce the form and identity of the city, connect its neighborhoods, and improve its aesthetic and visual character. Focus improvement efforts on avenues/ boulevards in emerging neighborhoods, particularly those that provide important gateways or view corridors within the city.
2. *Policy UD-1.4.2: City Gateways* - Create more distinctive and memorable gateways at points of entry to the city, and points of entry to individual neighborhoods and neighborhood centers. Gateways should provide a sense of transition and arrival, and should be designed to make a strong and positive visual impact.

The project is located along the major urban boulevard of New York Avenue, NE and is situated in a rapidly emerging neighborhood that will be significantly enhanced through development of the proposed project on the Subject Property. The project will help to define the distinctive gateway into the District, since New York Avenue is the primary entrance to the city for vehicles traveling east from I-495 and from farther outside of the beltway. The project will help provide an enhanced sense of transition and arrival, and will be designed to make a strong visual impact.

### **C. Compliance with the Upper Northeast Area Element of the Comprehensive Plan**

The Subject Property is within the Upper Northeast ("UNE") Planning Area, which encompasses approximately 8.7 square miles of land area and includes approximately two-thirds of the District's northeast quadrant. 10 DCMR § 2400.1. While the UNE Planning Area is described as being principally a residential community, the area's land use mix is considered to be one of the most diverse in the city. The area contains a large concentration of industrial land uses located along the CSX railroad tracks that run north and east from Union Station. Other significant land uses include parks, open space, and institutional, as the UNE area is home to major institutions

such as Catholic University, Trinity University, and Gallaudet University, as well as numerous other institutions serving a wide-range of missions.

The UNE Area Element contains several policies that are focused on achieving a balance between encouraging economic development, retaining existing concentrations of industrially zoned properties that permit production, distribution, and repair type uses, and protecting the character of existing neighborhoods, in part by improving buffering between incompatible land uses.

The project is not inconsistent with the policies set forth in the UNE Area Element of the Comprehensive Plan. The project will help to create and improve a new neighborhood shopping area and encourage pedestrian-oriented retail development (UNE-1.1.6). The project will realize untapped economic development potential that will generate jobs, create new business ownership opportunities, and promote the vitality and economic well-being of the UNE community (UNE 1.1.8). Furthermore, the project will improve the visual quality of the streets through the provision of new landscaping, street tree planting, and lighting (UNE 1.2.1).

The project is located in the New York Avenue Corridor and Brentwood Policy Focus Area. As noted in the Comprehensive Plan, the New York Avenue, NE corridor faces land use, transportation, and urban design challenges. Some of the industrial uses are considered obsolete by today's market standards and are being considered for new uses such as retail development. 10A DCMR § 2413.2. The project is consistent with the corresponding policies in the Policy Focus Area because it will help to improve the appearance of New York Avenue as a gateway to the District by supporting streetscape improvements and new land uses that improve traffic flow and enhance the road's operation as a multi-modal corridor that meets regional and local needs. 10A DCMR § 2413.5. Specifically, the project will advance Policy UNE-2.3.4, which encourages

“infill development and redevelopment on underutilized commercial sites along New York Avenue. Particularly, *encourage large-format destination retail development* that would provide better access to goods and services for residents, and sales tax dollars for the District.” 10A DCMR § 2413.7 (emphasis added).

## **VI. COMMUNITY ENGAGEMENT**

The Applicant has discussed the proposed project with the Single Member District (“SMD”) representative for Advisory Neighborhood Commission (“ANC”) 5D01, the SMD in which the Subject Property is located, but has not yet formally presented the application to the full ANC. The Applicant is scheduled to meet with the SMD Commissioner again and present the application at the ANC’s regularly scheduled public meeting in May. The Applicant will continue to work with the ANC and community stakeholders throughout the LTR process.

## **V. CONCLUSION**

For the reasons stated above, the Applicant submits that the proposed project conforms to the applicable Zoning Regulations and the Zoning Map, and is not inconsistent with the purposes and intent of the Comprehensive Plan for the National Capital. The Subject Property is zoned PDR-3, and the Large Tract Review submission has been designed to conform to all area requirements, including height, FAR, setbacks, parking, and loading. The project will minimize impacts to adjacent and nearby properties by improving the sidewalk network, incorporating landscaping and open spaces, providing ample on-site vehicular parking, employing sustainable development techniques, and generally creating a desirable new destination that will attract District residents and visitors to this portion of New York Avenue.

Accordingly, the Applicant respectfully requests the District of Columbia Office of Planning recommend approval of this large tract review application in accordance with the