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January 6, 2006

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D.C. OFFICE OF ZONING
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Hand Delivered

Sharon Schellin
Office of Zoning
Secretary for Zoning Commission
441 4th Street, N.W.
Washington, DC 20001

Re: Zoning Commission Case No. 05-17

Dear Sharon:

Enclosed please find the Applicant's Pre-hearing statement for the above-mentioned case. Also included as a separate enclosure are the appendixes for the Traffic Impact Assessment. We look forward to presenting this case at the public hearing scheduled for January 26.

Sincerely,

Ashleigh D. Horne

Enclosures

cc: Travis Parker, Office of Planning
Department of Transportation
Myla Moss, ANC 1B01

District of Columbia
CASE NO. 05-17
EXHIBIT NO. 21

ZONING COMMISSION
District of Columbia
CASE NO.05-17
EXHIBIT NO.21

ATLANTIC PLUMBING SOUTH

9th and V Streets, NW

BROADWAY ATLANTIC ONE LLC

PREHEARING STATEMENT IN SUPPORT OF THE APPLICATION TO THE DISTRICT OF COLUMBIA ZONING COMMISSION FOR CONSOLIDATED REVIEW AND APPROVAL OF A PLANNED UNIT DEVELOPMENT

ZC CASE NO. 05-17

ZONING COMMISSION
District of Columbia
CASE NO. 05-17
EXHIBIT NO. 21

January 6, 2005

DEVELOPMENT TEAM

APPLICANT:	Broadway Atlantic One LLC c/o The Broadway Group 900 2nd Street, N.E. Suite 107 Washington, DC 20002
ARCHITECTS, ENGINEERS AND CONSULTANTS:	Esocoff & Associates Architects 1030 15th Street, N.W. Suite 430 Washington, D.C. 20005 Project Architect
	Wells & Associates 1420 Spring hill Road Suite 600 McLean, Virginia 22102 Traffic/Parking Consultant
LAND USE COUNSEL:	Pillsbury Winthrop Shaw Pittman LLP 2300 N Street, N.W. Washington, D.C. 20037

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A	Updated Architectural Drawings, Elevations, and Photographs of the Site and Surrounding Area, including Tabulation of Development Data
B	Traffic Impact Study
C	Compliance with Consolidated PUD Requirements and Environmental Analysis
D	Outlines of Witness Testimony

ATLANTIC PLUMBING SOUTH

PREFACE

This statement is submitted by Broadway Atlantic One LLC ("**Applicant**") in support of an application before the Zoning Commission for the consolidated review and approval of a Planned Unit Development ("**PUD**") for a portion of the Atlantic Plumbing site located in the vicinity of 9th and V Streets, N.W. The Applicant has simultaneously submitted a statement in support of ZC No. 05-32, which also is part of the project. The public hearings for the two applications are scheduled for January 26.

A. The Project

The Applicant is requesting PUD relief in order to create an exciting mixed-use project on a highly-visible site that will transform the Greater Shaw/U Street neighborhood. This project has been thoughtfully designed to complement the existing structures and properties near the site, and the Applicant plans to develop the entire project under the existing zoning. The site currently is improved with a mixture of undesirable uses, including parking lots, concrete-block industrial buildings, and warehouses, all of which will be demolished. In total, the applicant proposes to construct four buildings with a combined total of approximately 630 residential units (the "**Project**"). The Project will devote 15% of the bonus density achieved through the PUD process to affordable housing – at this time approximately 30,000 square feet. This is the largest affordable housing component ever offered as a PUD amenity. The Project also will feature much-needed ground floor retail that will transform and enliven the streetscapes of the neighborhood and ample parking of approximately 650 parking spaces.

B. Atlantic Plumbing South

This statement addresses the portion of the Project located in Square 2875, Lots 1107, 2012, and 2026 ("**Parcel A**"); Lot 2030 ("**Parcel B**"); and Lot 1106 ("**Parcel D**") (collectively, "**Atlantic Plumbing South**"). Atlantic Plumbing South encompasses the portion of the Project located east of 9th Street. Parcels A and D are located in the CR zone north of V Street and Parcel B is located in the Arts/C-2-B Zone south of V Street. Each of the parcels will be improved with a separate building, for a total of three buildings in Atlantic Plumbing South. The locations of the parcels included in Atlantic Plumbing South are highlighted in Exhibit A.

Since filing its application on June 14 and its prehearing statement on November 3, the Applicant has continued to work with the community, the District Department of Transportation ("DDOT") and the Office of Planning ("OP") to further refine and improve the Project. During these discussions, the Applicant was informed that an important goal of the DUKE Plan was to create an east-west cut through to connect Florida and Georgia Avenues in the vicinity of Parcel C. Broadway, OP, and DDOT initially determined that the Applicant could help address this need by acquiring additional property and shifting the Atlantic Plumbing North building to the south, which would allow the Applicant to dedicate an easement at the northern end of Parcel C to the District of Columbia. Following further discussions, DDOT and OP determined that the east-west cut through should be placed north of Parcel C, allowing the continuation of Bryant street straight through the square. DDOT and OP also determined that Bryant Street should terminate in a traffic circle at its intersection with Florida Avenue. Instead of providing an easement on the Atlantic Pluming North property, the Applicant has agreed to pay for a portion of the design fees associated with designing the east-west cut through and the traffic circle.

Submitted with this prehearing statement are updated plans, a full traffic impact study, and outlines of witness testimony.

I. INTRODUCTION

A. Summary of Requested Action

This document supports the application of Broadway Atlantic One LLC to the Zoning Commission of the District of Columbia for the consolidated review and one-step approval of a PUD. Atlantic Plumbing South consists of a total of three buildings to be located on Lots 1106, 1107, 2012, 2026 and 2030 in Square 2875. It is located in Ward 1 and contains approximately 58,023 square feet of land area.

The Applicant plans to develop Atlantic Plumbing South under the existing CR and ARTS/C-2-B zoning. The proposed height is less than that allowed under the PUD guidelines for the applicable zone district, and the proposed density is within those requirements as well. The Applicant proposes to develop a signature residential project on the Atlantic Plumbing South site that will help to enhance and revitalize this neighborhood. Atlantic Plumbing South will include approximately 380 new residential units and approximately 400 parking spaces. It also will include affordable housing in the amount of approximately 15% of the additional gross floor area gained through the PUD process. There will be significant new retail along V Street.

As set forth above, the Applicant plans to make a significant contribution toward the design fees for the new proposed east-west extension of Bryant Street and traffic circle. As an additional amenity, Broadway plans to work with the Office of Historic Preservation to contribute $10,000.00 towards providing new signage for the area's historic district. Together with the superior design of the buildings, this is a significant amenity package that will transform the neighborhood.

B. The Applicant

Applicant's parent company, The Broadway Group ("**Broadway**"), is an owner, manager and developer of both commercial and residential properties. Since 1978, Broadway has owned and managed in excess of twenty-three million square feet of income-producing property. Broadway's initial area of specialty was the renovation, rehabilitation and upgrade of commercial office buildings located primarily in New York City. Under-performing assets were given substantial makeovers both structurally and aesthetically and repositioned in the market.

In more recent years, Broadway has entered the D.C. market and has positioned itself to be a major developer of residential projects in the District. In addition to the Project, Broadway currently is involved in several other projects in the District, including a residential project at 318 I Street, NE, a high-profile site at 425 Massachusetts Avenue, NW, and, in partnership with Abdo Development, Senate Square, which is the former Capital Children's Museum site. The site at 318 I Street, NE is located one block east of the Senate Square complex and is approximately 28,000 square feet. The Applicant plans to raze the existing structure, formerly a commercial bakery, and construct a building featuring 120 condominium apartments. The project at 425 Massachusetts Avenue, NW in the Mount Vernon Triangle, will contain 400,000 square feet of residential space in a 14-story building. The 370 condominium apartments will contain a mix of sizes ranging from studios to three bedrooms in a wide variety of layouts. Finally, Senate Square is an all residential project that will span the square block bounded by H and I Streets, NE and 2nd and 3rd Streets, NE and will consist of approximately 500 condominium apartments.

C. Project Goals and Objectives and Benefits of Using the PUD Process.

The PUD process provides a means for creating a "well-planned development." The objectives of the PUD process are to promote "sound project planning, efficient and economical land utilization, attractive urban design and the provision of desired public spaces and other amenities." The notice and hearing requirements of the PUD regulations ensure that adjacent property owners and area residents will have the opportunity to express their views about the application. The use of the PUD process gives the community and District agencies an opportunity to work together with the Applicant to ensure a well-planned development. The PUD process will provide the Zoning Commission with an opportunity to review the design of the Project.

D. Development Timetable.

The Applicant plans to start construction no later than the Fall of 2006 and expects that the total construction period will last approximately 24 months.

II. ATLANTIC PLUMBING SOUTH

A. Site Location and the Surrounding Neighborhood

Atlantic Plumbing South comprises 58,023 square feet of land area. It currently is improved with a mixture of commercial uses, including parking lots, concrete-block industrial buildings, and warehouses. All existing structures will be demolished.

Parcel A, which is the largest, is located north and east of Florida Avenue, west of 8th Street, and north of V Street. Parcel B is located South of V Street. Parcel B abuts the Housing Finance Agency building and is located across the street from the General Baking Co. building. Parcel D, the smallest portion of Atlantic Plumbing South, is located just north of the 9:30 Club,

a popular night club. The entire Atlantic Plumbing South site is located just south of the Howard University parking lot.

The surrounding area is an emerging and underdeveloped neighborhood that is experiencing a renaissance in residential development. Several new residential condominium buildings are under development near Atlantic Plumbing South. The Rhapsody, located at Florida Avenue and W Street, N.W. will feature 162 condominium units with loft-like features and a large rooftop terrace with underground parking. P. N. Hoffman is developing Union Row north of Atlantic Plumbing South. This project will feature a conversion of existing warehouse structures into an eight-story mixed-use building housing more than 250 condominium units and townhomes with a vibrant urban streetscape including shops and cafes. The Floridian, a condominium building near Atlantic Plumbing South at Florida Avenue and V Streets, N.W., will feature two eight-story towers of condominium loft units. The Project will be a signature development in this emerging area in keeping with the height and density of other projects, and will provide ample parking and the pedestrian-oriented retail uses to service the new residents who will be entering the community.

Parcels A and D are designated Moderate Density Residential, Moderate Density Commercial, and Institutional as shown on the District of Columbia Generalized Land Use Map. Parcel B is designated Medium Density Residential and Medium Density Commercial as shown on the District of Columbia Generalized Land Use Map. The properties to the east of Atlantic Plumbing South are included in the Institutional land use category. To the north, the land is designated as Parks, Recreational and Open Space on the District of Columbia Generalized Land Use Map. The properties directly to the west, running from north to south, are located in the Moderate Density Residential, Low Density Commercial and Local Public Facilities land use

categories, respectively. The properties to the south are located in the Moderate Density Residential land use category.

B. Project Description of Atlantic Plumbing South

Atlantic Plumbing South includes Parcels A, B, and D. A full set of the updated plans, elevations, and drawings for Atlantic Plumbing South is attached as Exhibit A. This PUD will include three separate buildings, with one building to be constructed on each of the three parcels. The location of the parcels is shown in Exhibit A. Atlantic Plumbing South is located in Square 2875. Parcel A is the largest parcel and includes Lots 1107, 2012, and 2026, and has a land area of 40,530 square feet. It is located on the northwest corner of the intersection of 8th and V Streets. Parcel B includes Lot 2030 and has a land area of 13,420 square feet. It is located just south of V Street on the southwest corner of the intersection of 8th and V Streets. The smallest parcel in Atlantic Plumbing South is Parcel D, which includes Lot 1106 and has a land area of 4,073 square feet. Parcel D is located directly north of the 9:30 Club and has frontage on 9th Street. The total land area for Atlantic Plumbing South is 58,023 square feet.

The largest building in Atlantic Plumbing South will constructed on Parcel A. The building has a prominent corner location with frontage on 8th and V Streets. It will feature approximately 300 residential units and approximately 6,245 square feet of ground-floor retail. The largest retail component for this building will be situated in the prominent corner location at the intersection of 8th and V Streets. The building's parking garage will include three levels below grade and will provide approximately 318 parking spaces. As shown on the Ground Floor/Circulation Plan attached as Exhibit A, access to the parking garage will be from the alley behind the building. The alley intersects V Street. The roof of the building will feature a pool, landscaped areas, and a botanical green roof system. The rear court of the Parcel A building also

will be landscaped with plants. The units fronting on 8th Street will feature private gardens. This building will have a height of 100 feet, an FAR of 7.82, and a lot occupancy of 82%.

The building to be constructed on Parcel B will feature approximately 71 residential units with approximately 4,306 square feet of ground floor retail. The building features a tower that will emphasize and enhance the building's prominent corner location. It features attractive hardscape and landscape elements, including a rear courtyard and roof terrace. The parking garage will include three levels below grade and will provide approximately 73 parking spaces. Access to the garage will be directly from V Street. The building will have a height of 90 feet, which will be stepped down to 60 feet at the southern elevation in order to be sensitive to the adjacent rowhouses. The FAR will be 6.3 and he lot occupancy will be 80%.

The smallest building will be constructed on Parcel D. This building will feature approximately 10 residential units with approximately 1,444 square feet of ground-floor retail. There will be no parking in this building, but the residents will have access to the parking across the alley in the building located on Parcel A. The height of the building will be 60 feet, the FAR will be 7.82, and the lot occupancy will be 81%.

The architect for the Project is Esocoff & Associates. The buildings will be constructed primarily of masonry with metal windows and precast concrete and stone trim. The massing of the building, bays, and rooftop tower elements will create a richness of expression appropriate to this neighborhood. Along 8th and V Streets, the design provides soft edges through the use of the secondary massing of bays, balconies and setbacks. Elevational elements within these bays, ornamental brickwork, and window patterns will further establish an appropriate scale relationship to nearby buildings. The bays have been designed to provide ample room for the growth of street trees, further enhancing the proposed streetscape. The roofs of the new

buildings will serve as landscaped recreation spaces. The need for shade will allow a lively visual ending to the building that will give them a memorable skyline. Esocoff & Associates has created similar emblematic roofscapes at 220 H Street, NE, 1499 Massachusetts Avenue, NW, 616 E Street, NW and 400 Massachusetts Ave., NW. Mr. Esocoff also was the architect for 2401 Pennsylvania Ave., NW. Each of these projects is well known for adding character and quality to the urban fabric of Washington. The last three projects also received public design review by various District agencies, including the Office of Planning, GSA Design Excellence, HPRB, the Zoning Commission, the BZA, and the Commission of Fine Arts.

All of the residential units will be for-sale units. The buildings will contain retail components on V Street. In addition to the ground-floor retail, the Atlantic Plumbing South will enliven the street by having ground floor access to individual units along 8th and 9th Streets. The total gross floor area for all three buildings included in Atlantic Plumbing South is approximately 433,170 square feet for a total Floor Area Ratio ("FAR") of approximately 7.47.

Atlantic Plumbing South is within the requirements of the PUD Guidelines for the CR District for Parcels A and D (maximum FAR of 8.0 and a maximum building height of 110 feet). Parcel B will have an FAR of approximately 6.3, a maximum building height of approximately 90 feet, and a maximum lot occupancy of approximately 80%. The maximum FAR for a PUD in the ARTS/C-2-B Zone is 6.0 and the maximum height is 90 feet. The 6.0 FAR may be increased up to an additional 5% under § 2405.3 of the Zoning Regulations, which authorizes the Zoning Commission to grant a 5% increase in FAR if the increase is essential to the successful functioning of the project and consistent with the purpose and evaluation standards of Chapter 24 of the Zoning Regulations.

A transportation impact analysis was performed for Atlantic Plumbing South, and a report is attached as Exhibit B. The parcels are proposed to be access via an existing north/south alley on V Street between 8th and 9th Streets. An existing road network, bounded by Georgia Avenue to the east, Florida Avenue to the west and south, and Barry Place to the north, was analyzed and the majority of the key intersections were found to operate at acceptable levels of service (LOS) "D" or better during both the AM and PM peak hours. Background conditions included five pipeline developments (the Rhapsody, the Floridian, Lincoln Condominiums, etc) and a traffic growth rate of 0.5 percent per year compounded for two years for the project buildout of 2007. The addition of this growth rate and other developments will not significantly impact the existing levels of service at the key intersections. The development of Atlantic Plumbing South is anticipated to generate 78 net AM peak hour trips and 135 net PM peak hour trips. Future conditions with the development of Atlantic Plumbing South will not significantly impact the existing road network, as the majority of key intersections will continue to operate at an overall acceptable level of service (LOS) "D" or better during both the AM and PM peak hours. The driveways to access the underground parking garages off V Street will operate at acceptable LOS "A" and "B" during the AM and PM peak hours, respectively.

C. Development Parameters Under Existing Zoning

The CR District allow a matter-of-right height of 90 feet, a maximum lot occupancy of 75% for residential uses, and a maximum FAR of 6.0, with a limit of 3.0 for non-residential FAR. The C-2-B District, as a matter-of-right, permits a maximum height of 65 feet, a maximum lot occupancy of 80% for residential uses, and a FAR of 3.5, with a limit of 1.5 for non-residential FAR.

D. Flexibility under the PUD Guidelines

The PUD Process was created to allow greater flexibility in planning and design than is possible under conventional zoning procedures. The PUD regulations allow the Zoning Commission to approve any zoning relief that otherwise would require the approval of the Board of Zoning Adjustment ("**BZA**").

Although the Project complies with the broad parameters of the existing CR or ARTS/C-2-B Zone District, as applicable, the proposed design has created a configuration that does not completely meet the requirements of the applicable zone. The Applicant requests flexibility with respect to the amount of residential FAR, lot occupancy, the rear yard requirements, the rooftop setback requirements, the residential recreation space requirements, the public space requirments, and the minimum court width requirements provided in the Project. The proposed zoning parameters for the Project are shown on the plans, the Tabulation of Development Data, and the additional plans attached as Exhibit A. Exhibit A also includes a chart setting forth the requested relief from the rooftop requirements. These changes will allow the Applicant to construct a high quality mixed-use project that will satisfy the District's and neighborhood's planning goals for the area.

III. PLANNING ANALYSIS

A. Introduction

. Through the PUD process, the Applicant will implement numerous goals of the District of Columbia and provide significant amenities, including increased housing and affordable housing, superior urban design and architecture, and improved pedestrian and vehicle access. This signature mixed-use project (Atlantic Plumbing North and Atlantic Plumbing South combined) will provide approximately 30,000 square feet of affordable housing – the largest

amount of affordable housing provided as a PUD amenity to date. The Project will be consistent with the initiatives of the DUKE Plan developed by the Office of Planning to create a cultural destination district within Washington, DC's Greater Shaw/U Street neighborhood. In furtherance of the DUKE Plan, Broadway is pleased to be able to offer a significant amenity by contributing funds toward the design fees for the proposed extension of Bryant Street and new traffic circle. This amenity will be the first step towards reconnecting Georgia and Florida Avenues by extending Bryant Street. The Applicant also plans to work with the Office of Historic Preservation to contribute $10,000 towards new historic district signage in the area. The Project also will provide superior site planning, effective and safe vehicular and pedestrian access, revenue for the District, and employment and training opportunities.

B. Land Use Impact

The Project will create a significant residential development with ample parking and an improved streetscape. The Project also will feature ground floor retail uses that will provide services to the new residents who will moving into the area. The improved sidewalk space, together with the pedestrian-oriented uses will help enliven the street level to provide an 18 hour destination. The Project also is consistent with the initiatives proposed for the Howard Town Center Area Sub-district of the DUKE Plan. The plan for this sub-district includes restaurants, residential, clubs, and neighborhood-serving retail and services. The new retail and restaurant uses will help preserve and build upon the success of the 9:30 Club. The neighborhood-serving retail and service uses will be located along V Street as provided for in the DUKE Plan, as well as along 8th Street, 9th Street, and Florida Avenue. The Project will provide a significant amount of underground parking. The proposed height and massing of the Project is consistent with

recently approved projects in the area and with the District's planning goals for the future of this area of the City.

C. Zoning Impact

The proposed PUD application can be granted without adversely affecting nearby and adjacent Zone Districts. The entire Project will be developed under the existing zoning. The applicable CR and ARTS/C-2-B Zone Districts are consistent with the Moderate Density Residential and Moderate Density Commercial Land Use Category designations for Atlantic Plumbing South and the surrounding Generalized Land Use Map designations. They also is consistent with the DUKE Plan's vision of a highly complementary mixed use sub-district.

D. Environmental Impact

As more specifically detailed in Exhibit D, no adverse environmental impact will result from the construction of Atlantic Plumbing South or the Project as a whole. In addition, the increased use of water and sanitary services that will occur as a result of the project, will have an inconsequential effect on the District's delivery systems. Atlantic Plumbing South currently is served by all major utilities. The Project's proposed stormwater management and erosion control plans will minimize impact on the adjacent properties and existing stormwater systems. The requisite erosion control procedures stipulated by the District will be implemented during construction of the Project.

E. Facilities Impact

Neither Atlantic Plumbing South nor the Project as a whole will have an adverse impact on public facilities. Atlantic Plumbing South is located within easy walking distance of the U Street/Cardozo Metrorail Station. In addition, numerous Metrobus lines utilize the major thoroughfares in the immediate vicinity of Atlantic Plumbing South. Bicycle usage by residents

has been coherently integrated into the design of the Atlantic Plumbing South. Secure bike storage areas with convenient access to a shuttle elevator that provides Street-level egress will support and encourage bicycle use.

IV. EVALUATION STANDARDS

Section 2403 of the Zoning Regulations provides the standards for evaluating a PUD application.

A. Public Benefits and Project Amenities

Section 2403.9 provides categories of public benefits and project amenities for review by the Zoning Commission. The objective of the PUD process is to encourage high quality development that provides public benefits and project amenities by allowing applicants greater flexibility in planning and design than may be possible under matter-of-right zoning. The Project will achieve the goals of the PUD process by creating a high quality residential development with a significant affordable housing component, which will help to enliven and revitalize the Near Northeast neighborhood of Ward 1.

1. Housing and Affordable Housing

Pursuant to Section 2403.9(f) of the Zoning Regulations, the PUD guidelines state that the production of housing is a public benefit that the PUD process is designed to encourage. Atlantic Plumbing South will create approximately 380 new, for-sale, residential units in the U Street/Cardozo neighborhood. In addition, Atlantic Plumbing South will result in the creation of approximately 18,800 square feet of affordable housing units for low and moderate-income residents. When combined with the Atlantic Plumbing North PUD, this will be the largest amount of affordable housing provided as a PUD amenity to date.

2. Urban Design and Architecture

Section 2403.9(a) lists urban design and architecture as categories of public benefits and project amenities for a PUD. As shown in the detailed plans, elevations, and renderings attached as Exhibit A, Atlantic Plumbing South exhibits all of the characteristics of exemplary urban design and architecture. The landscaping, raised first floor level access, and alternating composition of projecting bays, all combine to create a sense of scale and visual interest. The open courtyards will be an attractive amenity for the building's residents. The bays of the buildings have been designed to provide ample room for street trees to grow and thrive. Finally, the Project as a whole employs traditional, time-tested materials in new and modern ways in a design that is aesthetically enduring and which adds to the fine urban texture of the city.

This Project features numerous aspects that are superior to those typical for a matter-of-right project. Some of these include: no through-wall vents or exhaust flues; a superior quality of brick with tinted mortar, and a custom bonding pattern with numerous special shapes; ; embellished brick window heads; pre-cast window sills and window heads which project into surrounding brick; recessing windows beyond standard to create better shadow lines and weathering characteristics; superior glass; green roof technologies with pool and accessory amenities and equipment; architectural rooftop embellishments which incorporate exhaust vents and fans to provide wind-screening and shade; custom ornamental metal; direct access to ground level units requiring more site work and custom units; nine-foot ceilings; water source H.P.S., which uses 40% less energy than air-to-air; 100% outside ventilation air-to-air corridors; a recycling chute to encourage compliance; generous bike storage; more than a 1:1 ration of parking spaces to residential units; increased exterior wall R value based on using a rigid

insulation system outside of sheathing; and D.C. standard streetscape at street facades; bio-water detention system in addition to green roof technologies.

3. Site Planning

Pursuant to Section 2403.9(b) of the Zoning Regulations, "Site planning, and efficient and economical land utilization" are public benefits and project amenities to be evaluated by the Zoning Commission. The Applicant has worked to develop a project that will provide the appropriate mix of uses and critical mass needed to transform this developing area. The Project has been designed to provide residents and their guests with open and inviting spaces for entertainment and relaxation. These spaces include the large landscaped open space on the interior of the Parcel B, rooftop recreation areas, and private garden areas. The building to be constructed on Parcel A has been designed with articulating bays along 8th Street to provide room for landscaped entry spaces and street trees.

4. Effective and Safe Vehicular and Pedestrian Access

The Zoning Regulations, pursuant to Section 2403.9(c), state that "Effective and safe vehicular and pedestrian access" can be considered public benefits and project amenities of a project. Atlantic Plumbing South will provide two below-grade parking garages with a combined total of approximately 400 parking spaces. In addition, it will widen the sidewalk in front of the buildings, providing safer and more effective pedestrian access. A detailed circulation plan is located in Exhibit A.

5. Revenue for the District

According to Section 2403.9(i), "uses of special value to the neighborhood or the District of Columbia as a whole" are deemed to be public benefits and project amenities. The addition of approximately 380 new households in the Atlantic Plumbing South PUD will result in the

generation of significant additional tax revenues in the form of recordation, transfer, property, income, sales, use and employment taxes for the District.

6. First Source Employment Program

According to Section 2403.9(e), "employment and training opportunities" are representative public benefits and project amenities. Therefore, the Applicant will voluntarily enter into an agreement to participate in the Department of Employment Services ("**DOES**") First Source Employment Program to promote and encourage the hiring of District of Columbia residents.

7. Local Business Opportunity Program

Pursuant to Section 2403.9(e), the use of local firms in the development and construction of the project is a representative public benefit and project amenity. The Applicant will enter into a Memorandum of Understanding ("**MOU**") with the Local Business Opportunity Commission ("**LBOC**") to use the resources of the LBOC to utilize local business enterprises in the development of the Project.

8. Comprehensive Plan

According to Section 2403.9(j), public benefits and project amenities include "other ways in which the proposed planned unit development substantially advances the major themes and other policies and objectives of any of the elements of the Comprehensive Plan." As described in greater detail in Section V, the PUD is consistent with and furthers many elements and goals of the Comprehensive Plan.

9. Public Benefits of the Project

Section 2403.12 and 2403.13 require the Applicant to show how the public benefits offered are superior in quality and quantity to typical development of the type proposed. The

Applicant believes that this issue is more thoroughly addressed in the text of the statement, rather than in the annotated table required by Section 2403.11, which is attached as Exhibit D. It is only as a result of the additional density provided through the PUD process that the Applicant is able to construct such a well-designed project. The architectural detailing of the proposed buildings and the large open spaces provided in Atlantic Plumbing South set it apart from a matter-of-right residential project. In addition, a matter-of-right project would not be required to provide any affordable housing. The approval of this PUD application will result in the creation of approximately ~~18,800 square feet of much-needed affordable~~ housing. This project will be a signature mixed-use development essential for the revitalization of the Greater Shaw/U Street neighborhood. It be a significant contribution toward realizing the vision set forth in the DUKE Plan for a cultural, 18 hour destination district. The ground floor retail is a pedestrian-oriented use that will greatly enhance the street activity of the area. The applicant also will provide a significant contribution toward the design for the proposed extension of Bryant Street and the new traffic circle. As shown in the Traffic Impact Study attached as Exhibit C, the extension and traffic circle will help alleviate any adverse impacts from this Project and other developments currently proposed for the area.

V. COMPLIANCE WITH THE COMPREHENSIVE PLAN

The Project is consistent with, and fosters the goals and policies enumerated in, the District of Columbia Comprehensive Plan, ("**Comprehensive Plan**") D.C. Law 12-275, 10 DCMR (Planning and Development) § 100 et seq. (1998).

The purposes of the District of Columbia Comprehensive Plan Act are to:

> (1) Define the requirements and aspirations of District residents, and accordingly influence social, economic and physical development; (2) Guide executive and legislative decisions and

matters affecting the District and its citizens; (3) Promote economic growth in jobs for District residents; (4) Guide private and public development in order to achieve District and community goals; (5) Maintain and enhance the natural and architectural assets of the District; and (6) Assist in conservation, stabilization and improvement of each neighborhood and community in the District.

(D.C. Code § 1-245(b) (1994 Supp.))

Atlantic Plumbing South significantly advances these purposes by furthering the social and economic development of the District through the creation of approximately 380 new residential units on an underutilized site.

A. Compliance with Major Themes

Three major themes applicable to Atlantic Plumbing South were adopted as part of the Comprehensive Plan. The Applicant's proposal is consistent with these themes as follows:

1. Stabilizing the District's Neighborhoods

The creation of approximately 380 new residential units which will be sold rather than rented will help enhance and stabilize the U Street/Cardozo neighborhood. The creation of a significant residential development on the site also is likely to attract additional residential and retail development and stabilize the neighborhood.

2. Respecting and Improving the Physical Character of the District

Atlantic Plumbing South has been designed to improve the site's integration with the surrounding neighborhood and to dramatically improve the streetscape on V, 8th, and 9th Streets. The 8th and V Street facades, landscaping, raised first floor level access, and alternating composition of projecting bays, all combine to create a sense of scale and visual interest. The height of the building to be constructed on Parcel B has been gradually stepped back from 90 feet to 60 feet in order to respect the lower-density massing of the adjacent rowhouses. The Project

as a whole employs traditional, time-tested materials in new and modern ways in a design that is aesthetically enduring and which adds to the fine urban texture of the city. Finally, the construction of a high quality residential project will be an important asset for the community.

3. Preserving and Ensuring Community Input

Through the PUD process, the Applicant will work with representatives of ANC 1B, as well as the surrounding neighborhood, to create a new residential community that is a benefit to the neighborhood and the District of Columbia. The Applicant hosted a community meeting at the 9:30 Club on August 31. The Applicant presented the Project to the LeDroit Park Civic Association on Sept 27 and January 25 and to the Cardozo Shaw Neighborhood Association on October 13.

B. Compliance with Major Elements.

The Comprehensive Plan also contains 11 major elements. The Project furthers the objectives and policies of several of these elements as follows:

1. Housing Element

The Comprehensive Plan includes the following goals with regard to the production of new housing:

> "Encourage the private sector to provide **new housing** to meet the needs of present and future District residents at locations consistent with District land-use policies and objectives" (10 DCMR § 302.2(a));
>
> "Review and recommend **suitable regulatory zoning**, tax and financing incentives under appropriate controls to meet housing production goals, particularly for low-income, **moderate income** and elderly households" (10 DCMR § 302.2(b)); and
>
> "**Encourage housing** on suitably located public or private properties that are vacant, surplus, **underutilized**, or unused . . ." (10 DCMR § 302.2(e)); and

> "Encourage the private sector to meet housing needs through the development of **infill housing** . . ." (10 DCMR § 302.2(f)). (Emphasis added.)

The Comprehensive Plan includes the following goals of the District with regard to the production of low and moderate-income housing:

> "Provide zoning incentives, as appropriate to developers prepared to build low-and moderate-income housing, **such as permitting additional densities in exchange for incorporating low-and moderate-income housing in development projects**" (10 DCMR § 303.2(d)) (Emphasis added.)

The creation of approximately 380 for-sale residential units on this currently underutilized site fully satisfies all of the above-noted provisions of the Housing Element of the Comprehensive Plan. As previously stated, Atlantic Plumbing South will provide approximately 18,800square feet of affordable housing. The inclusion of these affordable units in the project also is entirely consistent with the provisions of the Comprehensive Plan noted above.

2. Urban Design Element

It is the goal of the District to:

> "Encourage **in-fill development** to be complementary to the established character of the area. In-fill development in stable areas shall not create sharp changes in physical pattern which might lead to deterioration." (10 DCMR § 711.2(a))

As shown in the detailed plans, elevations, and renderings included in the Applicant's October 11 submission, the Atlantic Plumbing South exhibits all of the characteristics of exemplary urban design and architecture. The construction of a prominent residential building will complement the established residential neighborhood that surrounds the site.

3. Generalized Land Use Map

As previously mentioned, the Generalized Land Use Map includes Parcels A and D in the Moderate Density Residential, Moderate Density Commercial, and Institutional Land Use

Categories and includes Parcel B in the Medium Density Residential and Medium Density Commercial Land Use Categories. Atlantic Plumbing South will be developed under the existing CR and ~~ARTS/C-2-B Zone Districts and is consistent with the flexibility that these land use~~ categories provide for the site. In addition, the proposed residential project is foregoing a majority of the commercial density that would otherwise be allowed on the site in the existing CR Zone District.

4. Ward 1 Goals and Policies

The Ward 1 Element of the Comprehensive Plan seeks to stimulate production of new housing, maintain and strengthen the quality and construction of housing, and promote low and moderate income housing development opportunities. (See 10 DCMR § 1206.1 and 10 DCMR § 1207.1). Atlantic Plumbing South is consistent with these provisions of the Ward 1 Elements of the Comprehensive Plan and the "appropriate study" discussed below.

5. DUKE Plan

Atlantic Plumbing South is located within the area of land studied under the Draft Development Framework for a Cultural Destination District within Washington, DC's Greater Shaw/U Street Plan ("**DUKE Plan**"). The DUKE Plan has been proposed by the Office of Planning to celebrate and re-create an historical economic, cultural, social and institutional center for the District's African-American community. The DUKE Plan seeks to guide future development of the project area by capitalizing on the area's historic context to restore the neighborhood with 18-hour destinations. As discussed in depth above, the Project will be consistent with the DUKE Plan's vision and will be the first step in accomplishing a major goal of the DUKE Plan by contributing towards the design fees for the extension of Bryant Street.

Several goals of the DUKE Plan will affect the Atlantic Plumbing South site. The DUKE Plan seeks: (1) an increase from moderate to medium density land use designations, (2) the designation of V Street as a neighborhood retail and service center, (3) residential development which includes affordable housing, and (4) the development ground floor retail/entertainment uses and a mix of national and unique, locally-owned retail establishments on 7th, 9th and U Streets, and Florida Avenue. In addition, the Project will contribute design fees to further the goal of extending the street system in the vicinity of Bryant and W Streets to provide an east-west cut through to link Georgia and Florida Avenues.

The redevelopment of the Atlantic Plumbing South site is an integral component of the Plan's goals for the revitalization of the Greater Shaw/U Street area. Atlantic Plumbing South is consistent with the guidelines established in the DUKE Plan and will help achieve the goals and policies of the Plan by providing a signature residential project with both an affordable housing component and ground floor retail, and by creating a critical mass of future residents in the area that will patronize the restaurants, shops and services that will be offered within this district.

VI. CONCLUSION

For the foregoing reasons, the Applicant submits that this consolidated PUD application meets the standards of Chapter 24 of the Zoning Regulations; is consistent with the purposes and intent of the Zoning Regulations and Map; 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 advances important goals and policies of the District of Columbia. Therefore, the consolidated PUD application should be approved and adopted by the Zoning Commission.

Respectfully submitted,

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Date: January 6, 2005