



401 9th Street, NW
North Lobby, Suite 500
Washington, DC 20004
Tel 202 482-7200
Fax 202 482-7272
www.ncpc.gov

RECEIVED

D.C. OFFICE OF ZONING

2006 APR 20 PM 1:52

Commission Members

Presidential Appointees

John V. Cogbill, III, Chairman
Herbert F. Ames
Jose L. Galvez, III

Mayoral Appointees

Arrington Dixon
Dr. Patricia Elwood

Ex Officio Members

Secretary of Defense
The Honorable Donald H. Rumsfeld

Secretary of the Interior
The Honorable Gale A. Norton

Administrator
General Services Administration
The Honorable Stephen A. Perry

Chairman
Committee on Governmental Affairs
United States Senate
The Honorable Susan M. Collins

Chairman
Committee on Government Reform
U.S. House of Representatives
The Honorable Tom Davis

Mayor
District of Columbia
The Honorable Anthony A. Williams

Chairman
Council of the District of Columbia
The Honorable Linda W. Cropp

Executive Director

Patricia E. Gallagher, AICP

IN REPLY REFER TO:
NCPC File No. Z.C. 05-17/05-32

APR 17 2006

Zoning Commission for the
District of Columbia
2nd Floor, Suite 210 South
441 4th Street, NW
Washington, D.C. 20001

Members of the Commission:

The National Capital Planning Commission, at its meeting on April 6, 2006 approved the enclosed action on Consolidated Planned Unit Developments for residential condominiums and retail development, Broadway Atlantic One (South) and Broadway Atlantic One (North), between Florida Avenue and Eighth Street and Barry Place, NW. Also enclosed for your information, is a copy of the Staff Recommendation for the project.

Sincerely,

Patricia E. Gallagher, AICP
Executive Director

Enclosure

**ZONING COMMISSION
District of Columbia**

CASE NO. 05-17
ZONING COMMISSION
District of Columbia
EXHIBIT NO. 38
CASE NO. 05-17
EXHIBIT NO. 38

COMMISSION ACTION

NCPC File No. ZC 05-17/05-32



CONSOLIDATED PLANNED UNIT DEVELOPMENTS FOR RESIDENTIAL CONDOMINIUMS AND RETAIL DEVELOPMENT, BROADWAY ATLANTIC ONE (SOUTH) & BROADWAY ATLANTIC ONE (NORTH) BETWEEN FLORIDA AVENUE AND EIGHTH STREET AND BARRY PLACE, NW, LOTS 1106, 1107, 2012, 2026, & 2030 IN SQUARE 2875, AND LOTS 1, 232, 852, 853, 859, & 864 IN SQUARE 2873

Submitted By the Zoning Commission of the District of Columbia

April 6, 2006

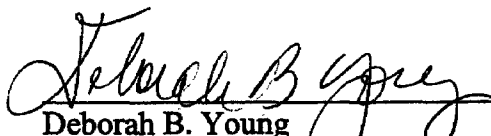
Commission Action Requested by Applicant

Approval of comments to the District of Columbia Zoning Commission pursuant to 40 U.S.C. 8724(a) and D.C. Code 2-1006(a).

Commission Action

The Commission:

- **Concludes** that the proposed Consolidated Planned United Development would not adversely affect the identified federal interest, nor would it be inconsistent with the Federal Elements of the Comprehensive Plan for the National Capital, provided that the District of Columbia Department of Transportation submit the proposed alteration to the right-of-way configuration of Florida Avenue, NW for approval by the D.C. Historic Preservation Review Board or to the D.C. State Historic Preservation Officer, as required for proposed alterations to historic properties.
- **Reminds** the District of Columbia Department of Transportation that as a District public project, the proposed street alteration is also subject to and must be submitted to the National Capital Planning Commission for review.


Deborah B. Young
Secretary to the National Capital Planning Commission



CONSOLIDATED PLANNED UNIT DEVELOPMENTS FOR RESIDENTIAL CONDOMINIUMS AND DEVELOPMENT, BROADWAY ATLANTIC ONE (SOUTH) & BROADWAY ATLANTIC ONE (NORTH) BETWEEN FLORIDA AVENUE AND EIGHTH STREET AND BARRY PLACE, NW, LOTS 1106, 1107, 2012, 2026, & 2030 IN SQUARE 2875, AND LOTS 1, 232, 852, 853, 859, & 864 IN SQUARE 2873

Submitted By the Zoning Commission of the District of Columbia

March 30, 2006

Abstract

The Zoning Commission has taken proposed action to approve two mixed use Consolidated Planned Unit Developments (PUD)s for four buildings in the vicinity of 9th and V Streets, NW under the existing CR (mixed use commercial residential) and ARTS (overlay district)/C-2-B (medium density mixed use) district zoning. Total land area between the four sites is 92,514 square feet. The applicant has requested that the two developments be considered as one consolidated, to allow for a transfer of amenities and relief between them. ZC 05-17 (South PUD) consists of sites A (Square 2875, Lots 1107, 2012, & 2026), B (Square 2875, Lot 2030), & D (Square 2875, Lot 1106). Site A, at the northwest corner of 8th and V Streets, is zoned CR. Site B, at the southwest corner of 6th and V Streets, is zoned ARTS/C-2-B. Site D, directly north of the 9:30 Club on the east side 9th Street, is zoned CR. ZC 05-32 (North PUD) consists of Site C (Square 287, Lots 1, 232, 852, 853, 859, 864). Site C, on the east side of Florida Avenue west of the W Street intersection, is zoned CR. The applicant, Broadway Atlantic One, LLC, would construct a condominium building on each of the four parcels, resulting in over 630 residential units, with approximately 300 on Site A and a building height of 100 feet, 71 on Site B in a building of 90 feet, 250 on Site C with a height of 100 feet, and 10 on Site D with a 60 foot height. Ground floor retail would be focused on the V Street fronts for Sites A and B, on the Florida Avenue front for Site C, and on the 9th Street front for Site D. Public benefits and amenities would include a contribution towards affordable housing, ground level retail along V Street, and parking above the zoning requirement. The applicant would also contribute to the design of a proposed traffic circle at Florida Avenue, NW, and a future Bryant Street right-of-way as an east-west street connection, intended as an amenity to mitigate the anticipated traffic impacts from the increased development in this location.

Federal Interests

The identified federal interest in this project is Florida Avenue, NW, which was originally Boundary Street in the L'Enfant Plan and is a contributing element in its historic designation.

Commission Action Requested by Applicant

Approval of comments to the District of Columbia Zoning Commission pursuant to 40 U.S.C. 8724(a) and D.C. Code 2-1006(a).

Executive Director's Recommendation

The Commission:

- **Concludes** that the proposed Consolidated Planned United Development would not adversely affect the identified federal interest, nor would it be inconsistent with the Federal Elements of the Comprehensive Plan for the National Capital, provided that the District of Columbia Department of Transportation submit the proposed alteration to the right-of-way configuration of Florida Avenue, NW for approval by the D.C. Historic Preservation Review Board or to the D.C. State Historic Preservation Officer, as required for proposed alterations to historic properties.
- **Reminds** the District of Columbia Department of Transportation that as a District public project, the proposed street alteration is also subject to and must be submitted to the National Capital Planning Commission for review.

* * *

PROJECT DESCRIPTION

Site

The four parcels with a total land area of 92,514 square feet are located in the vicinity of 9th and V Streets, NW, between Florida and 8th Streets, south of Barry Place and north of U Street.

ZC 05-17 (South PUD) consists of sites A (Square 2875, Lots 1107, 2012, & 2026), B (Square 2875, Lot 2030), & D (Square 2875, Lot 1106).

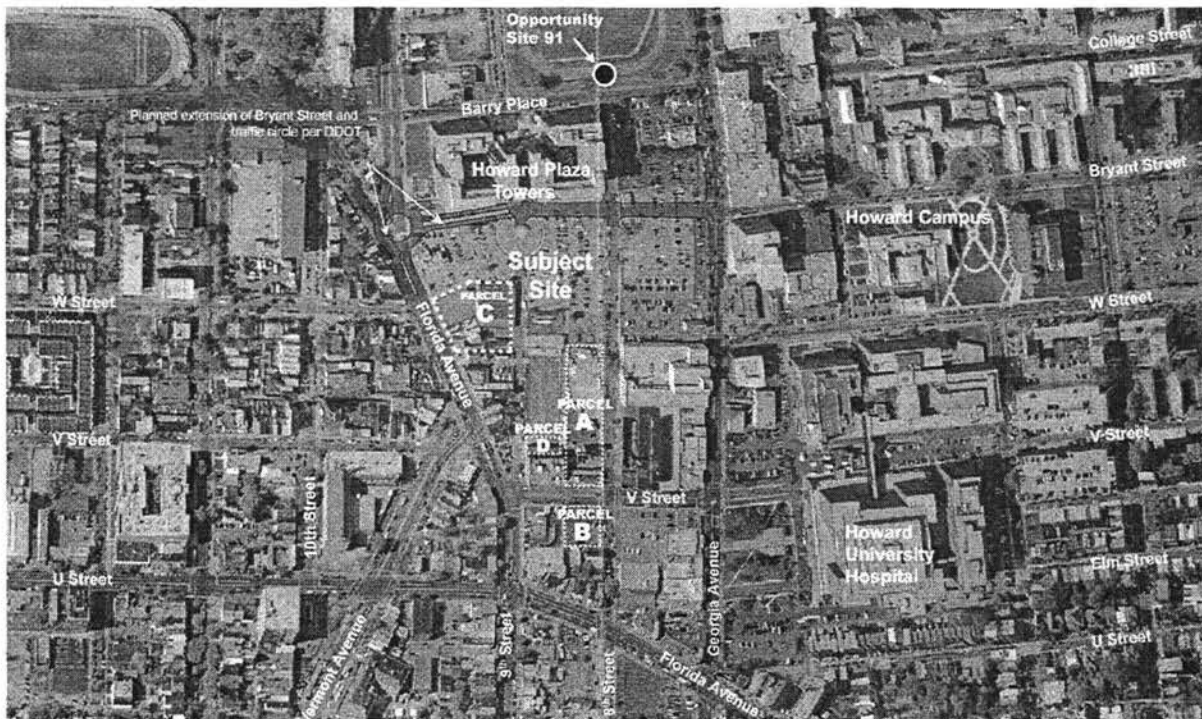
- Site A, 40,530 SF, is at the northwest corner of 8th and V Streets, and is zoned CR.
- Site B, 13,420 SF, at the southwest corner of 6th and V Streets, is zoned ARTS/C-2-B.
- Site D, 4,073 SF, directly north of the 9:30 Club east side 9th Street, is zoned CR.

ZC 05-32 (North PUD) consists of Site C (Square 287, Lots 1, 232, 852, 853, 859, 864).

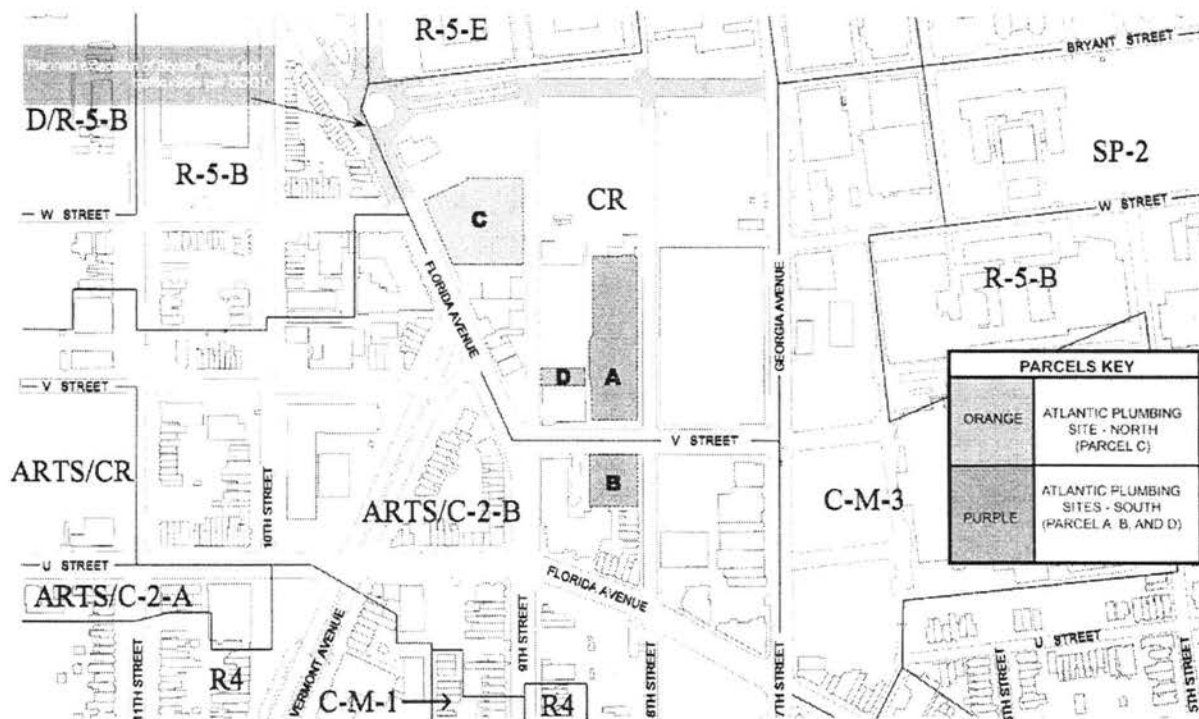
- Site C, 34,491 SF, on the east side of Florida Avenue directly west of the intersection with W Street, is zoned CR.

Amid condominium construction, the area contains a mix of commercial uses and warehouse buildings. Property to the north and east is owned by Howard University and is part of the plan

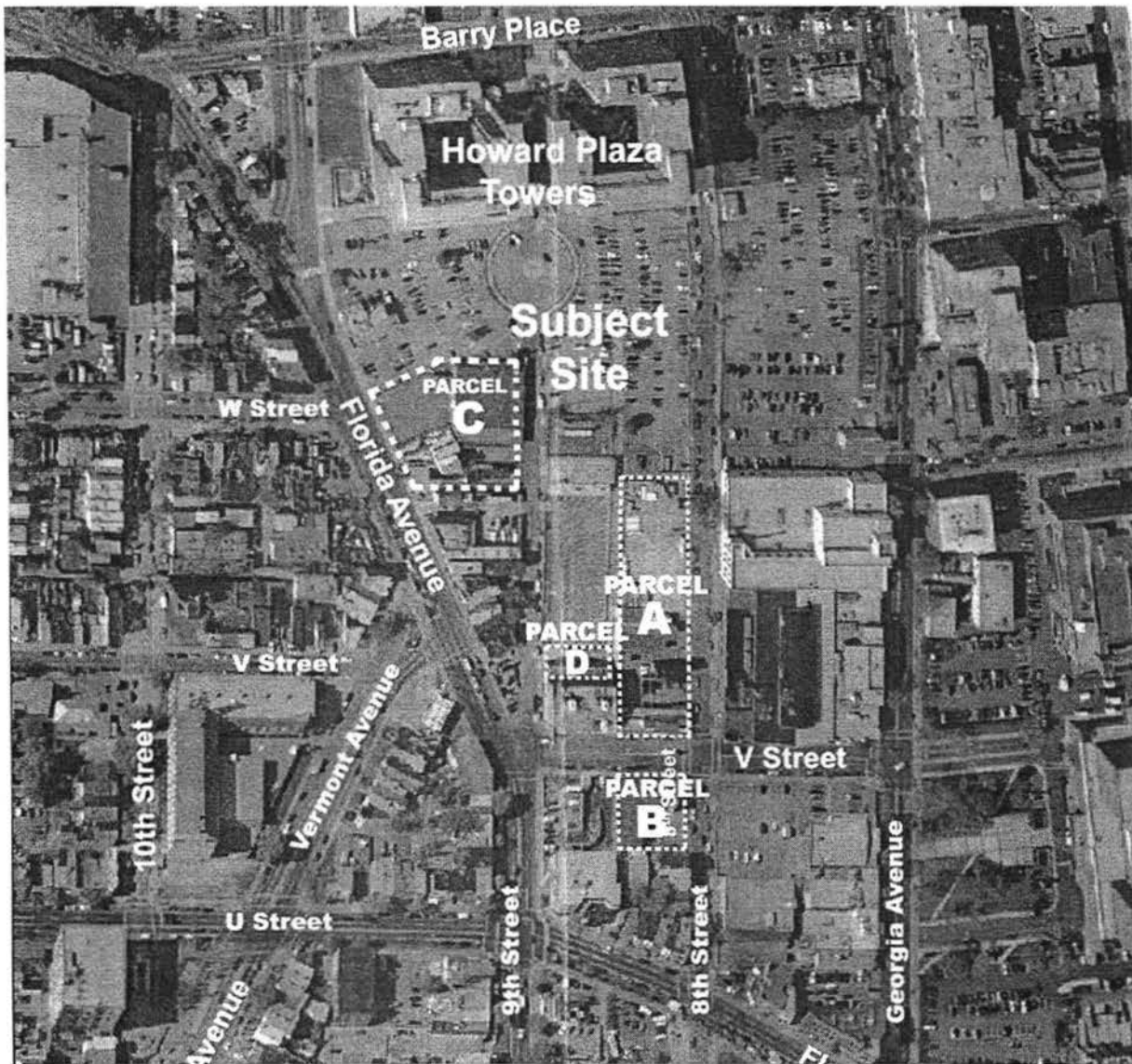
for Howard Town Center, but presently is used mainly for parking. The properties are just north of the U Street Corridor and lie in the northern portion of the Uptown Destination District Plan.



PROJECT AREA



PROJECT AREA; EXISTING ZONING

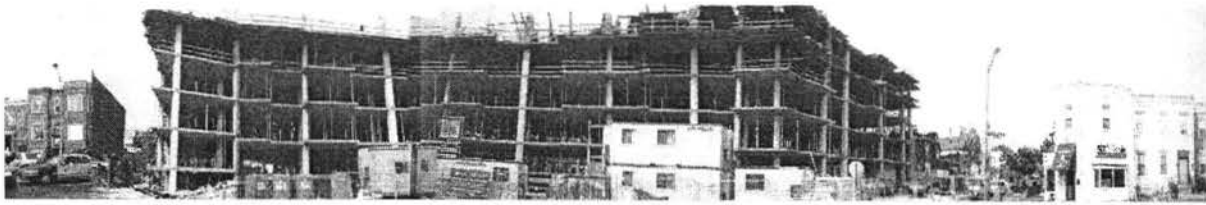


PROJECT AREA

Proposal

The applicant, Broadway Atlantic One, LLC, would construct a mixed-use condominium building on each of the four parcels, resulting in over 630 residential units. Site A would contain approximately 300 in a building height of 100 feet, Site B would contain 71 in a building of 90 feet, Site C would contain 250 on a height of 100 feet, and Site D would contain 10 in a building height of 60 feet. Ground floor retail would be focused on the V Street fronts for Sites A and B, on the Florida Avenue front for Site C, and on the 9th Street Front for Site D.

Proposed public benefits and amenities would include a contribution towards affordable housing, ground level retail along V Street, and parking above the zoning requirement. The applicant would also contribute toward the design of a proposed traffic circle and future Bryant Street right-of-way to improve the east-west street connection. The street alteration is intended as an amenity to mitigate the anticipated traffic impacts of the new development.



VIEW OF FLORIDA AVENUE FACING NORTHEAST



PARCEL C PROPOSED ALONG FLORIDA AVENUE FACING NORTHEAST

PROJECT ANALYSIS

The District of Columbia Office of Planning (DCOP) recommends that the Zoning Commission approve this application, subject to traffic mitigation. The applicant's traffic study found that with no east-west connection between V Street to the south and Barry Place to the north, access to proposed units and the future Howard Town Center would be difficult without increased mobility and access through this super block. Therefore, the District Department of Transportation (DDOT) has proposed a traffic circle at the intersection of Florida and Sherman

Avenues that would connect to a proposed extension of Bryant Street through the block to the east of Florida Avenue, NW. DCOP and DDOT have recommended that the applicant contribute the cost of engineering and design of the circle and future Bryant Street right-of-way as well as a portion of the construction costs of the traffic circle. Remaining costs of the circle would be paid with federal funds. DCOP and DDOT consider the traffic solution vital to the success of the project and to their support of it, and consider it to be one of the project's main amenities.

While staff has determined that the project's other amenities are consistent with both the District Elements and Federal Elements of the Comprehensive Plan for the National Capital, the proposed traffic circle on Florida Avenue would be an alteration of its right-of-way configuration. Florida Avenue is the original Boundary Street and a contributing right-of-way in the historic L'Enfant Plan. To date, DDOT has not submitted the proposed street alteration to the D.C. Historic Preservation Review Board (HPRB) for review under the D.C. Historic Protection Act or, in the alternative, submitted the proposed undertaking to the D.C. State Historic Preservation Officer (SHPO) for review under Section 106 of the National Historic Preservation Act (NHPA).

The project could be reviewed under either law. Since the L'Enfant Plan is a DC historic landmark, a proposed alteration of the configuration of the right-of-way would be subject to review by the DC HPRB. Since the proposed street alterations would be paid for primarily with federal funds, the project could instead be reviewed as an undertaking subject to Section 106. The Commission could be a party to the Section 106 consultation in the latter case. Staff reminds DDOT that the proposed street plan alterations are also subject to the review of the National Capital Planning Commission (NCPC) and that the staff-level review could occur within the context of a Section 106 consultation. The staff finds that the PUD will not affect the federal interest, provided that DDOT submit the proposed street reconfiguration to the DC SHPO or HPRB for its approval and to the Commission for its review.

Furthermore, the structuring of the applicant's financial contribution provides a mechanism that allows the Zoning Commission to take final action on the PUD without knowing the engineering and design details of the street configuration and will allow the design development and review of the circle to proceed in a reasonable manner without delaying the PUD itself.

CONFORMANCE

Comprehensive Plan

The Comprehensive Plan for the National Capital Federal Elements notes that both the federal and the District of Columbia governments should adhere to the principles of the L'Enfant Plan by protecting and enhancing the elements and views in any improvements or alterations to the historic framework. The Preservation and Historic Features element includes a policy that states that the federal government should "Protect the integrity, form and design of the L'Enfant Plan's system of streets and reservations from inappropriate new buildings and physical incursions.", (Page 167, Policy #11), as well as to protect and control the visual and functional qualities of L'Enfant rights-of-way (Page 167, Policy #8).

CONSULTATION

Advisory Neighborhood Commissions

ANC 1B voted to endorse the application at its February 2, 2006 meeting, after failing to endorse it at their January meeting. Integral to the change in the Commission's sentiment was the commitment by the applicant to an additional monetary contribution to neighborhood organizations.

D.C. Office of Planning and D.C Department of Transportation

In its Final Report dated January 9, 2006, the DCOP recommended the Zoning Commission approve this application, subject to traffic mitigation. The applicant's traffic study found that with no east-west connection between V Street to the south and Barry Place to the north, access to proposed units and the future Howard Town Center would be difficult without increased mobility and access through this super block. Therefore, DDOT has proposed a traffic circle at the corner of Florida and Sherman that would connect to an extension of Bryant Street through the super block. DCOP and DDOT have recommended that the applicant contribute the cost of engineering and design of the circle and future Bryant Street right-of-way as well as a portion of the construction costs of the traffic circle. Remaining costs of the circle would be paid for with federal funds. DCOP and DDOT consider the traffic solution vital to the success of the project and to their support of it, and consider it to be one of the project's main amenities.